

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NORTH POLE, INC., 40 EAST )  
BRUNDAGE, SHERIDAN, WYOMING )  
 )  
 )  
 )  
 )

PERMIT NO. C-23860

June 30, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
North Pole, Inc.  
requesting that Permit No. C-23860 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23860, heretofore issued to  
North Pole, Inc. be,  
and the same is hereby, declared cancelled effective May 15, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
Commissioners.

Dated at Denver, Colorado,

this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. C. CLARK, 118 SOUTH CONEJOS )  
STREET, COLORADO SPRINGS, COLO-) )  
RADO ) )  
 ) )  
 ) )  
----- )

PERMIT NO. C-6648

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
W. C. Clark-----  
requesting that Permit No. C-6648-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-6648-----, heretofore issued to-----  
W. C. Clark-----be,  
and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
-----  
Commissioners

Dated at Denver, Colorado,

this 30th day of June, 1950  
jt



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
PETE HECKEL, 226 COLUMBINE )  
STREET, STERLING, COLORADO. ) PERMIT NO. C-24712.  
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 )  
 )  
----- )

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Pete Heckel,.....  
requesting that Permit No. C-24712.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

. That Permit No. C-24712....., heretofore issued to.....  
Pete Heckel,.....be,  
and the same is hereby, declared cancelled effective April 4, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John C. Barry*  
*Joseph W. Hawley*

Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRED S. KELSO, 2491 W. MEXICO, )  
DENVER, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-12957.

June 30, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from \_\_\_\_\_  
Fred S. Kelso \_\_\_\_\_  
requesting that Permit No. C-12957 \_\_\_\_\_ be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12957 \_\_\_\_\_, heretofore issued to \_\_\_\_\_  
Fred S. Kelso, \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective May 22, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*James H. Harty*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
CARL WILLIAMS, BOX 96, )  
CORTEZ, COLORADO. ) PERMIT NO. C-22174.  
 )  
 )  
 )  
----- )

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Carl Williams,-----  
requesting that Permit No. C-22174-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22174-----, heretofore issued to-----  
Carl Williams,-----be,  
and the same is hereby, declared cancelled effective March 28, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Reserve Nelson*  
*John R. Barry*  
*Frank W. Barry*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VINCENT VELASQUEZ, P. O. BOX )  
253, ANTONITO, COLORADO )  
)  
)  
)  
)  
-----

PERMIT NO. C-21495

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Vincent Velasquez  
requesting that Permit No. C-21495 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-21495, heretofore issued to  
Vincent Velasquez be,  
and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Nelson*  
*John R. Barry*  
*Joseph W. Hawley*

Commissioners

Dated at Denver, Colorado,

this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALBERT B. RITTER, STEAMBOAT )  
SPRINGS, COLORADO )  
 )  
 )  
 )  
 )

PERMIT NO. C-15814

June 30, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Albert B. Ritter  
requesting that Permit No. C-15814 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15814, heretofore issued to  
Albert B. Ritter  
and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DAN R. TRUJILLO, BOX 276, )  
AGUILAR, COLORADO )  
 ) PERMIT NO. C-16221  
 )  
 )  
 )  
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-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Dan R. Trujillo.....  
requesting that Permit No. C-16221.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16221....., heretofore issued to.....  
Dan R. Trujillo.....be,  
and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph C. [Signature]  
\_\_\_\_\_  
John R. Barry.  
\_\_\_\_\_  
Joseph W. Hawley.  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEVI L. MOODY, BOX 13, )  
SAGUACHE, COLORADO ) PERMIT NO. C-18247  
----- )

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
Levi L. Moody, .....  
requesting that Permit No. C-18247 ..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18247 ..... heretofore issued to .....  
Levi L. Moody, ..... be,  
and the same is hereby, declared cancelled effective May 18, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
Ralph C. Horton  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.  
ea

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

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
VERA M. WEY, 224 GREENWOOD, )  
CANON CITY, COLORADO )

PERMIT NO. C-18332

**June 30, 1950**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from.....  
Vera M. Wey,  
 requesting that Permit No. C-18332 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-18332, heretofore issued to \_\_\_\_\_  
Vera M. Wey, \_\_\_\_\_ be,  
 and the same is hereby, declared cancelled effective May 18, 1950.

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

~~Ralph C. Norton~~  
~~O. L. Barry~~  
~~Joseph W. Smith~~  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.



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

• • • •

RE MOTOR VEHICLE OPERATIONS OF )  
J. C. & J. E. OXANDABURU, )  
KIM, COLORADO )  
PERMIT NO. C-18567.  
)  
)  
)

June 30, 1950

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from \_\_\_\_\_  
J. C. & J. E. Oxandaburu, \_\_\_\_\_  
requesting that Permit No. C-18567 \_\_\_\_\_ be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-18567, heretofore issued to J. C. & J. E. Oxandaburu, be, and the same is hereby, declared cancelled effective April 20, 1950.

~~THE PUBLIC UTILITIES COMMISSION~~  
~~OF THE STATE OF COLORADO~~

John R. Barry.  
George W. Bailey.

**Commissioners**

Dated at Denver, Colorado,  
this 30th day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ORVILLE YODER, CRAIG, COLORADO )  
 )  
 ) PERMIT NO. C-18881  
 )  
 )  
 )  
-----

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Orville Yoder-----  
requesting that Permit No. C-18881 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18881, heretofore issued to-----  
Orville Yoder-----be,  
and the same is hereby, declared cancelled effective May 15, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
John R. Barry  
Joseph W. Harty  
Commissioners

Dated at Denver, Colorado,

this 30th day of June, 195 <sup>0</sup>  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROGER D. & LAMONT JOHNSON, )  
DOING BUSINESS AS "JOHNSON )  
BROS.", HOLDREGE, NEBRASKA ) PERMIT NO. C-19620  
 )  
 )  
 )  
-----

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Roger D. & Lamont Johnson, doing business as "Johnson Bros."-----  
requesting that Permit No. C-19620-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19620-----, heretofore issued to-----  
Roger D. & Lamont Johnson, doing business as "Johnson Bros."-----be,  
and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
-----  
Commissioners

Dated at Denver, Colorado,

this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. M. VEATH, DOING BUSINESS AS )  
"CASH FRUIT & PRODUCE COMPANY, )  
202 NORTH TEJON STREET, COLO- ) PERMIT NO. C-5001  
RADO SPRINGS, COLORADO )  
 )  
 )  
----- )

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
J. M. Veath, doing business as "Cash Fruit & Produce Company"  
requesting that Permit No. C-5001 ..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5001 ..... heretofore issued to .....  
J. M. Veath, doing business as "Cash Fruit & Produce Company" ..... be,  
and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
\_\_\_\_\_  
*Charles R. Barry*  
\_\_\_\_\_  
*John W. Bailey*  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,

this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JESSE A. ALLEN, DOING BUSINESS )  
AS "ANDRIX CASH STORE", ANDRIX, )  
COLORADO ) PERMIT NO. C-8710  
 )  
 )  
 )  
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-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Jesse A. Allen, doing business as "Andrix Cash Store"-----  
requesting that Permit No. C-8710-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-8710-----, heretofore issued to-----  
Jesse A. Allen, doing business as "Andrix Cash Store"-----be,  
and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BOYD RICHMOND, 114 SOUTH BRYAN )  
FOR T COLLINS, COLORADO )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-15465

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

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

Boyd Richmond-----

requesting that Permit No. C-15465-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15465-----, heretofore issued to-----

Boyd Richmond-----be,

and the same is hereby, declared cancelled effective May 18, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph C. Howard  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
Commissioners

Dated at Denver, Colorado,

this 30th day of June, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. B. BEIDERWELL, RT 2 BOX 151-B )  
LITTLETON, COLORADO. )

PERMIT NO. B-2897

June 30, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
C. B. Beiderwell, .....  
requesting that Permit No. B-2897 ..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2897 ..... heretofore issued to .....  
C. B. Beiderwell, ..... be,  
and the same is hereby, declared cancelled effective May 19, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John J. Barry*  
*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JAMES ATCITTY, BOX 901, )  
SHIPROCK, NEW MEXICO )  
 ) PERMIT NO. B-4117-I  
 )  
 )  
 )  
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-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
James Atcitty,  
requesting that Permit No. B-4117-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4117-I, heretofore issued to  
James Atcitty, be,  
and the same is hereby, declared cancelled effective May 19, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
Ralph C. Horton  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. C. IRVIN AND J. L. SWEEN, )  
215 GALAPAGO STREET, DENVER 9, )  
COLORADO. )  
 )  
 )  
 )  
-----

PERMIT NO. B-4078

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
W. C. Irvin and J. L. Sween,.....  
requesting that Permit No. B-4078.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4078....., heretofore issued to.....  
W. C. Irvin and J. L. Sween,.....be,  
and the same is hereby, declared cancelled effective May 19, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
B. W. JONES, DOING BUSINESS AS )  
"PEPSI-COLA BOTTLING COMPANY" )  
1215 NORTH WOLCOTT, CASPER, ) PERMIT NO. C-20280  
WYOMING. )  
----- )

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
B. W. Jones, doing business as "Pepsi-Cola Bottling Company"-----  
requesting that Permit No. C-20280-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20280-----, heretofore issued to-----  
B. W. Jones, doing business as "Pepsi-Cola Bottling Company"-----be,  
and the same is hereby, declared cancelled effective June 7, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
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-----  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE CURTAILMENT OF BUS SERVICE IN  
THE CITY OF GREELEY, COLORADO, BY  
GREELEY TRANSPORTATION COMPANY.  
-----

INVESTIGATION AND SUSPENSION  
DOCKET NO. 308  
SUPPLEMENTAL ORDER

-----  
June 16, 1950  
-----

Appearances: T. A. White, Esq., Denver,  
Colorado, and  
Houtchens and Houtchens, Esqs.,  
Greeley, Colorado, for  
applicant;  
Robert M. Gilbert, Esq., Greeley,  
Colorado, for City of Greeley,  
Colorado.

**S T A T E M E N T**

By the Commission:

On May 19, 1950, the Commission entered its Order and Decision No. 34847 in the above-styled matter, lifting suspension of Time Table No. 5, and permitting applicant herein to discontinue bus schedule designated as "6th - 7th - 8th Avenue Route," said Time Table No. 5 to become effective twenty (20) days from date.

On June 9, 1950, the City of Greeley, by Robert M. Gilbert, City Attorney, filed "Application for Rehearing."

The Commission has read and considered each and every alleged assignment of error, and is of the opinion that no error was committed in entry of its Decision No. 34847.

**F I N D I N G S**

THE COMMISSION FINDS:

That no error was committed in the entry of its said Decision No. 34847; that no useful purpose would be served by granting rehearing herein, and that said application for rehearing should be denied.

**O R D E R**


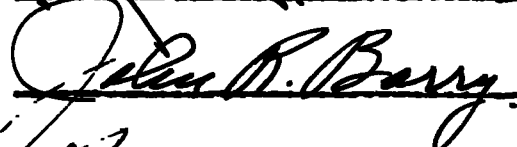
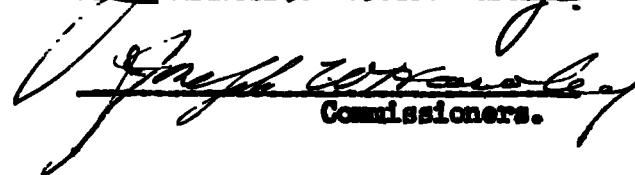
THE COMMISSION ORDERS:

That application for rehearing in the above-styled matter filed by the City of Greeley, by Robert M. Gilbert, City Attorney,

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

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 16th day of June, 1950.

cc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE NELFORD CORP., A COLORADO COR- )  
PORATION, MANITOU SPRINGS, COLORADO, )  
FOR AUTHORITY TO LEASE PUC NO. 111 )  
TO THE PIKES PEAK AUTOMOBILE CO., )  
TEJON AND PIKES PEAK AVENUES, COLO- )  
RADO SPRINGS, COLORADO. )  
-----

APPLICATION NO. 9464-Lease  
SUPPLEMENTAL ORDER

-----  
June 16, 1950  
-----

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

S T A T E M E N T

By the Commission:

On August 25, 1948, by Decision No. 31103, The Nelford Corp., Manitou Springs, Colorado, was authorized to lease PUC No. 111 to The Pikes Peak Automobile Co., Colorado Springs, Colorado, subject to the terms and conditions set forth in agreement entered into between said parties, of date June 10, 1948.

By Decision No. 32396, of date April 19, 1949, said lease was extended until January 1, 1950.

The Commission is now in receipt of a communication from said lessor and said lessee, as follows:

"This is to certify that the undersigned,  
The Nelford Corporation and the Pikes Peak  
Automobile Company, by their proper officers  
have mutually agreed to extend the lease on  
P.U.C. #111 held by said The Nelford Corp-  
oration for a period of one (1) year from  
and after January 1, 1950.

"We desire you to consider this as an extension  
for said period of time and to approve the same.

Respectfully submitted,

THE NELFORD CORPORATION

By: (Signed) Flint Grinnell

President

PIKES PEAK AUTOMOBILE COMPANY

By: (Signed) J. A. Carruthers

General Manager."

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

F I N D I N G S

THE COMMISSION FINDS:

That extension of lease of said operating rights (PUC No. 111) should be approved.

O R D E R

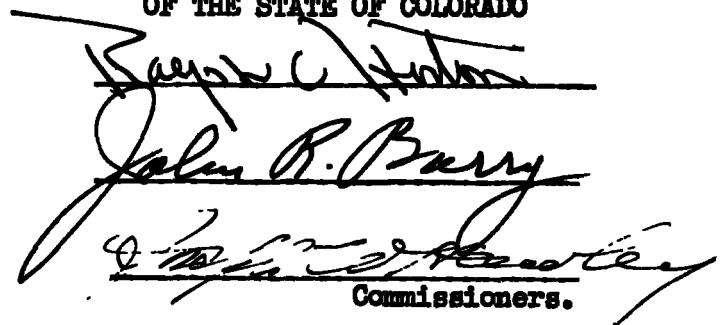
THE COMMISSION ORDERS:

That The Nelford Corp., Manitou Springs, Colorado, be, and it hereby is, authorized to lease PUC No. 111 -- being a portion of the operating rights acquired by it pursuant to authority contained in Decision No. 30460, said operating rights having been originally granted to E. E. Nichols Hotel and Realty Company by Decision No. 1167, as amended by Decisions Nos. 1688, 15523, and 17012 -- to the Pikes Peak Automobile Co., Colorado Springs, Colorado, for a period of one year from and after January 1, 1950, subject to the terms and conditions set forth in agreement entered into between said parties, of date June 10, 1948, which by reference is made a part hereof.

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

The right of lessee to operate under this order shall depend upon the prior filing by lessor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid passenger-mile tax.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado  
this 16th day of June 1950.

(Decision No. 34992)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF)  
ALBERT C. SWANSON, ALAMOSA, )  
COLORADO. )  
-----

APPLICATION NO. 7920

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Enforcement Division, requesting that his common carrier application, granted in Application No. 7920, Decision No. 27573, under date of February 17, 1947, be cancelled, as they are unable to locate the applicant to complete the application.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the authority granted Albert C. Swanson, in the above-numbered application, Decision No. 27573, under date of February 17, 1947, be, and the same hereby is, declared cancelled, effective April 5, 1949.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
John F. Barry  
Joseph W. Hawley

Commissioners.

Dated at Denver, Colorado,  
this 30th day of June, 1950.

jt

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE DENVER TRAMWAY CORPORATION, )  
TRAMWAY BUILDING, DENVER, COLORADO, )  
FOR AUTHORITY TO ABANDON TRANSPOR- )  
TATION OF PASSENGERS BETWEEN DENVER, )  
COLORADO, AND THE ROCKY MOUNTAIN )  
ARSENAL. )  
----- )

APPLICATION NO. 10441.

-----  
June 16, 1950  
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Appearances: Donald B. Robertson, Esq.,  
Denver, Colorado, for  
applicant;  
Major Robert D. Scott, Rocky  
Mountain Arsenal, Denver,  
Colorado, for Rocky Mountain  
Arsenal;  
Robert L. Silber, P. O. Box 2171,  
Denver, Colorado, for Julius  
Hyman & Company;  
Frank Lynch, Esq., Denver, Colo-  
rado, for Mountain States  
Bean Company;  
C. L. Flower, Denver, Colorado,  
for The Public Utilities  
Commission of the State  
of Colorado.

S T A T E M E N T

By the Commission:

On January 31, 1950, The Denver Tramway Corporation,  
Petitioner herein, filed application for authority to abandon trans-  
portation of passengers between Denver, Colorado and the Rocky Mountain  
Arsenal.

Formal protests were filed by numerous parties, among whom  
were the protestants herein.

The matter was formally set for hearing, and heard, at the  
Hearing Room of the Commission, 330 State Office Building, Denver, Colorado,  
on April 21, 1950, after notice to interested parties, and at the con-  
clusion of said hearing, the above-entitled matter was taken under advisement.



It appears that on November 27, 1942, The Denver Tramway Corporation was granted temporary authority to operate such busses and equipment as necessary to transport personnel from Denver to the Rocky Mountain Arsenal and return; that, after public hearing had on December 16, 1942, an order was entered by the Commission, granting The Denver Tramway Corporation a certificate of public convenience and necessity to operate a bus line between Denver and the Rocky Mountain Arsenal.

The record discloses that on December 10, 1948, The Denver Tramway Corporation applied to this Commission for authority to abandon this service. After hearing had, and on February 3, 1949, such request was denied, in our Decision No. 32089.

In the instant matter, W. A. Alexander, President of The Denver Tramway Corporation, described the present corporate structure of said corporation and its history. He stated that the business of The Denver Tramway Corporation is to furnish to the public in the territory served by it the best possible mass transportation service; that since the advent of the automobile, the difficulties incident to the operation of an efficient and profitable mass transportation service has multiplied many fold, and the Tramway Corporation, to meet their problem of remaining in business and still giving an adequate and dependable service, has found it necessary to modernize its entire system -- that is, to provide a faster and more economical service; that in the plan to meet this challenge, the management has determined that re-routing on some lines is necessary, and on the instant application, between Denver and the Rocky Mountain Arsenal, said service should be discontinued; that company has made studies, and from said studies it has determined that net operating losses for The Denver Tramway Corporation, as a whole, during the Year 1948, were in the sum of \$19,207.70; in 1949 the net loss was \$23,997.56, and for the first three months of 1950, the loss was \$26,492.81. On the Arsenal Line, the loss in 1948 was \$7,797.15 and for 1949, the loss was \$6,707.96. In other words, the witness stated it has cost The Denver Tramway Corporation approximately \$500.00 per month to continue the operation of the Arsenal

Line, or approximately \$6,000.00 per year, or 25% of the 1949 deficit of the entire Tramway system.

Mr. Alexander identified Exhibit No. 1, which is a statement of the earnings and expenses of The Denver Tramway Corporation for the Years 1947, 1948, 1949, and the first three months of 1950. Exhibit No. 2 is the balance sheet of The Denver Tramway Corporation, as of March 31, 1950. In conclusion, Mr. Alexander summarized his testimony as follows:

"In my judgment, the public interest, convenience and necessity require the abandonment of bus service between Denver and the Rocky Mountain Arsenal."

Henry E. Jobes, Superintendent of Transportation of The Denver Tramway Corporation and Intermountain Railroad Company, testified he had been associated with The Denver Tramway Corporation since 1924, and has served in various capacities and departments since that time until the present; that he has been particularly active in the field of bus transportation, and has been closely connected with the bus operations of The Denver Tramway Corporation since their inception. The witness identified the following exhibits:

Exhibit No. 3 - A schedule of the tariff charged for transportation to and from the Rocky Mountain Arsenal.

Exhibit No. 4 - A compilation of the passenger traffic to and from the Arsenal for a selective representative period.

Exhibit No. 5 - A map showing the route which is proposed to be abandoned.

Exhibit No. 6 - A schedule of the operations over this line.

Exhibit No. 7 - A statement showing operating revenues and expenses during the period from 1942 to date.

The witness further stated that the service to the Arsenal was undertaken at the specific request of the War Department, through the Commanding Officer of the Rocky Mountain Arsenal, in November, 1942, and in compliance with the certificate of public convenience and necessity issued by this Commission; that at the present time the service is maintained by one bus, which makes three round trips per day from East 34th

Avenue and Harrison Street, in Denver, to and through the Rocky Mountain Arsenal, with a total one-way mileage traveled on each trip of 9.54 miles. The witness further stated that shortly after the Commission refused to permit abandonment of this service in Decision No. 32089, and in accordance with such decision, the company attempted economies by curtailment of service; that notwithstanding such curtailments and the reduction of operating expenses in 1949, the figure was reduced to \$8,870.78, as compared to \$12,215.97 in 1948. The loss for 1949 was \$6,707.67, as compared to a loss of \$7,797.15 in 1948.

The witness further stated that Company has considered the possibility of increased rates, but has determined that no reasonable increase of rates would remove the deficit.

Robert D. Scott, a Major in the United States Army, located at the Rocky Mountain Arsenal, stated there was presently stationed at the Arsenal, connected with the Army, 232 military personnel, and 502 civilian employees; that a portion of these use the service of the Tramway, and if said service is abandoned it would cause some hardship to the personnel of the Army.

Robert L. Silber, Manager of Julius Hyman & Company, stated they had some 200 employees; that he understood some 20 employees used the Tramway service, and he also thought that it would be a hardship to his employees if service was discontinued.

It was stipulated between the applicant and the attorney for the Mountain States Bean Company that there are from 8 to 30 employees of the Mountain States Bean Company, and that there are from 5 to 12 of said employees that are presently using the service of the Tramway, but that number decreased during the winter months.

The instant case does not present a new question. Similar matters have been before the Commission on numerous occasions, and to some extent we are bound by decisions heretofore expressed by the Commission in



such cases. The instant matter was before the Commission, and application was denied. The Commission, at that time, was not satisfied that public convenience and necessity required the discontinuance of service. Naturally, we are hesitant to deprive patrons of service. Witnesses for applicant testified that they had tried to effect economies and made further studies of the Arsenal operation, and now they are convinced that the operation cannot be made to pay, and that the continuance of said operation is jeopardizing the entire operation of applicant, as it represents one-fourth of the entire loss on the total operation. The instant record is clear that a substantial saving will result by the discontinuance of said service by The Denver Tramway Corporation between Denver and the Rocky Mountain Arsenal.

There seems to be no question whatsoever, nor was it contended by protestants, but that the entire operations of The Denver Tramway Corporation are conducted at a deficit. If the entire operations were conducted at a profit, the Commission might then take a view that even though a segment or a portion of the operation was conducted at a loss, still, if public convenience and necessity so demanded, there would be justification for compelling the Tramway to continue the Arsenal operation. However, such is not the case.

Likewise, as we view the record, it cannot now be contended that this operation can possibly produce a profit, nor, in our judgment, was there any testimony to refute this.

### FINDINGS

#### THE COMMISSION FINDS:

That it is not in the public interest to require the continued operation by The Denver Tramway Corporation of its busses between Denver, Colorado, and the Rocky Mountain Arsenal, and that public convenience and necessity require the discontinuance of the same.

ORDER

THE COMMISSION ORDERS:

That authority should be, and the same hereby is, granted to The Denver Tramway Corporation to discontinue operation of its bus between Denver, Colorado and the Rocky Mountain Arsenal, effective July 1, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph C. Horton

John R. Barry

Joseph C. Hawley  
Commissioners.

Dated at Denver, Colorado,  
this 16th day of June, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEO K. TUCKER AND ROBERT E. )  
TUCKER, DOING BUSINESS AS "CITY )  
TRANSFER AND STORAGE COMPANY," )  
CRAIG, COLORADO. )  
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CASE NO. 52869-T  
PUC NO. 1699

-----  
June 16, 1950  
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S T A T E M E N T

By the Commission:

On May 22, 1950, in Case No. 52869-T, the Commission entered an order cancelling the above-numbered certificate for failure of respondents to keep on file the required tariff.

The Commission is now in receipt of a communication from said certificate-holders, requesting reinstatement of said certificate. It appears that respondents were inadvertently eliminated from the Motor Tariff Service, Colorado Motor Freight Tariff No. 1-A, Colorado PUC No. 3, as a participating carrier. Subsequently, said respondents have been published in said tariff as participants, thereby fulfilling the Commission's tariff requirements.

F I N D I N G S

THE COMMISSION FINDS:

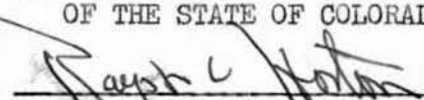
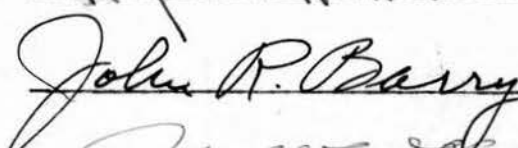
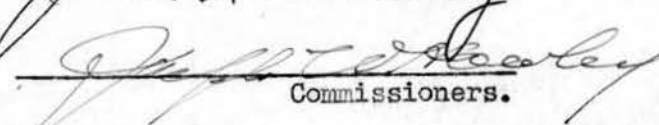
That the request should be granted.

O R D E R

IT IS ORDERED:

That Certificate No. 1699 be, and the same hereby is, reinstated, as of June 16, 1950, revocation order entered in Case No. 52869-T, under date of May 22, 1950, being hereby set aside, cancelled, and held for naught.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
RALPH SOUTH, ORDWAY, COLORADO, FOR  
AN EXTENSION OF PERMIT NO. B-2624.  
-----

} APPLICATION NO. 10253-PP-Extension.

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June 20, 1950  
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Appearances: E. B. Evans, Esq., Denver,  
Colorado, for applicant;  
Ernest U. Sandoval, Esq.,  
Walsenburg, Colorado, for  
Levy Transfer and Storage  
Company, and Gottula Truck-  
ing and Transportation;  
Marion F. Jones, Esq., Denver,  
Colorado, for Sorenson Truck  
Service and T. J. Isenhardt;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company;  
Harold D. Torgan, Esq., Denver,  
Colorado, for Duffy Storage  
and Moving Company.

STATEMENT

By the Commission:

Under Permit No. B-2624, as amended, Ralph South, Ordway, Colorado, is authorized to transport buildings, from point to point within a radius of 100 miles of Ordway, provided, however, that applicant will not use U. S. Highway Nos. 50 and 85, and will, in all events, when using a highway, comply with all highway rules and regulations.

On October 25, 1944, said Ralph South filed application for extension of said permit to include the transportation of buildings between all points in the State of Colorado, which application, after hearing, was denied by Decision No. 25158, of date November 21, 1945, on the ground that the granting of the authority sought would tend to impair the now adequate services of authorized common carrier motor vehicle operators.



On June 4, 1949, said Ralph South filed application for extension of said permit, to include the transportation of houses, buildings, box cars and trolley cars, erected and knocked down, between points in the State of Colorado, which application, after hearing, was denied by Decision No. 34384, of date March 15, 1950, on the ground that applicant had produced no customer witnesses, or other evidence to indicate any need for his service.

On March 27, 1950, said Ralph South filed a new application for extension of said permit, to include the transportation of buildings between all points in the State of Colorado.

The application was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on April 24, 1950, and after due notice to all parties in interest, was there heard and taken under advisement.

Applicant testified that he has been engaged in moving buildings exclusively for the past twenty years. He has two part-time employees. A list of his equipment, valued at \$51,209.00, was filed as Exhibit I. He gave his assets as between \$10,000.00 and \$12,000.00 in cash, \$20,000.00 in real estate, with indebtedness of but \$1,100.00. He has been serving an area within a radius of 150 miles of Ordway through a misunderstanding as to the extent of his authority, but no other motor vehicle carriers within the radius specialize in moving buildings. He can handle buildings 100 feet long and 50 feet wide. Last Fall he had an opportunity, through correspondence, of moving houses off the reservoir site at Grand Lake. His brother at Sterling wants a house moved and another party residing three miles from Sterling, but another carrier has like authority in that district. Recently, under temporary Letter of Authority from this Commission, he has been moving houses off the right-of-way of the new highway at Palisade at the request of the State Highway Department and another party there, and has had a request to move a five-room house from Ridgeway to Montrose.



L. G. Truehart, right-of-way engineer for the State Highway Department, stated that it is his duty to secure the right-of-way for new or relocated highways. It often becomes necessary to purchase land upon which there are privately-owned dwellings, or other buildings, and these buildings must be moved from the right-of-way before a contract can be let for the construction of the road. He contacts the owners who either sell their buildings to be removed by the purchasers and at their expense, or, if the owners wish to retain possession and have the buildings moved to another site, an estimate of the cost of removal is made, and this estimate is used as a basis of settlement between the owners and the Department. The Department pays \$20.00 for the estimate, and most of the authorized house movers, especially those based at Denver, refuse to make an estimate at that price. There is no advertising for bids, and many authorized house movers are never contacted. Sometime ago, he contacted Anderson at Fort Collins, and Gottula at Pueblo, and the latter refused to do a moving job for the price it was estimated to be worth. Recently applicant was asked to make an estimate for the removal of 15 houses from a new right-of-way at Palisade. The estimate was made, the owners contacted by applicant, and most of them hired applicant to do the work, which was satisfactory. The Department purchases rights-of-way all over the State, requiring the removal of buildings. A project is being processed at Trinidad where the new highway will run all the way through the City. It would be convenient for the Department to have applicant's services available all over the state, as he makes a fair estimate and does a good job, and the services of such a mover are needed. However, witness was not in a position to know whether other authorized movers could do the work in case the Department should advertise for bids, or in some other way advise them that the work is available.

J. A. McElvane of Palisade, testified that he had owned a house and garage which had to be moved from the new highway in that vicinity.

He was solicited by applicant and another mover, and gave the contract to applicant.

Albert Worley, of Palisade, had a home that must be moved. He saw applicant's advertisement in the Grand Junction Sentinel, was solicited by applicant and another carrier, and gave the contract to applicant on the lowest bid.

On being recalled, applicant testified that he had advertised his house moving business in the newspapers at Ordway, Fort Collins and Palisade.

In protest, Archie L. Levy, Jr., doing business as Levy Transfer and Storage Company, "PUC No. 570, at Walsenburg, with authority from and to points in Huerfano County, to and from points in the State of Colorado, testified that he had equipment capable of moving buildings 40 feet wide and 70 feet long, with 70 to 80 timbers of various sizes, including a 51-foot timber 14 x 14; six sets of rubber-tired dollies, etc., and can move 3 to 5 buildings at one time. He emphasized the decrease in such business recently. He had moved 8 box cars in Huerfano County in the past six months, and there are no more to move and no more box cars or trolley cars at Pueblo. Denver will have no more trolley cars to move after July 1st, and the Sorenson Truck Line and others take care of all the movement of box cars around Denver. Railroads are now rebuilding their box cars, instead of selling them. Witness has had no request for estimates from the State Highway Department.

Witness Levy complained that applicant had advertised as the "largest house mover in the State," in the World-Independent at Walsenburg, and the Morning Light at Trinidad. The local moving business has almost disappeared, and more competition would cause witness to further cut down his equipment and crews.

Ernest J. Gottula, PUC No. 222, with headquarters at Pueblo, testified that he can move buildings of any size, always serves when called, and never refused to make estimates. He has moved 150 houses during the past year, and has \$35,000.00 invested in house moving equipment.

He has moved houses in Salida, Canon City, Calhan, Divide and any other places in the State, and 25% of his gross transportation business comes from house moving. He has made an estimate on moving 28 houses on the new freeway at Pueblo, and has already moved part of them.

T. J. Isenbart, PUC No. 1658, has authority to move buildings in Baca, Prowers, Bent, Otero, Kiowa, Crowley, Lincoln, Huerfano and Pueblo Counties, and testified that he had no other business. He described his equipment, stated that he had moved 75 buildings during the past few months, and refused no job because of lack of equipment, in which he has \$6,000.00 invested. There is no present lack of service, and if he loses his business to applicant, he can no longer serve the public.

At the conclusion of the evidence, counsel for protestants joined in a motion to exclude box cars and trolley cars from any authority issued on the ground that applicant had proved no demand for such service on his part, and also, in a motion to dismiss the application on the ground that there had been no change in conditions since the previous hearing, which motions were taken under advisement.

The last preceding application herein was denied by our Decision No. 34384, of date March 15, 1950, on the ground that applicant had produced no customer witnesses, or other evidence to indicate any need for his services. Such evidence, in the instant case is, to say the least, meager, especially in support of an application for state-wide authority. The State Highway Department cannot be considered a customer. When buildings are located on land needed for a right-of-way, the owner either sells his building to another who becomes a customer of the carrier, or if he retains ownership, makes his own arrangement with a carrier to remove the building, and is recompensed by the Department. So either the owner of the building, or the parties to whom he sells the same, are the prospective customers. Witnesses McKlwan and Worley have used the services of applicant, but there is no evidence of future demand, except the desire of the State Highway Department that his services may become available if needed by future customers.



On this point, it might be suggested that the State Highway Department might have no difficulty in securing for the purchasers of the buildings the services of other house movers, provided that the Department should advertise the fact that a new right-of-way must be cleared, and should notify the certificated carriers so that they also might have the opportunity of contacting the owners of the buildings. Naturally, these carriers are interested in obtaining all possible new business, and under the present setup they have little or no chance of obtaining this business, in competition with the preference shown applicant, and his opportunity of first soliciting the business after having been given the contract to estimate the cost. Witness Levy had never had an opportunity of making such estimates, and witness Gottula had never refused to make them when requested.

Applicant has advertised his service in newspapers in Grand Junction, Ordway, Palisade, Fort Collins, Walsenburg and Trinidad, often advertising as the "largest house mover in the State," in direct violation of the rules and regulations of this Commission governing private carriers for hire. The appropriate rule reads as follows:

"No private motor vehicle carrier shall advertise in any newspaper, magazine or other publication, or otherwise hold himself out to serve indiscriminately the public, or accept, discharge or transport freight or passengers indiscriminately for the public. Nothing in this rule shall be so construed as prohibiting any private motor vehicle carrier from soliciting or seeking a limited number of regular contracts for the transportation of passengers or freight as he may be entitled under the law."

The exception in the above quoted rule refers to a "limited number of regular contracts" and the contracts applicant has been soliciting are not limited in number, nor are they contracts with regular customers.

In effect, applicant has been serving as a common carrier by motor vehicle, without authority as such, rather than as a private carrier. He has used as a base area a radius of 150 miles of Ordway, Colorado, while his authority covers only a radius of 100 miles. He has violated the rules and regulations of this Commission as to advertising and the

solicitation of business. A showing that a motor carrier has engaged in unauthorized operations, in violation of law, should be considered in determining whether he should be granted additional authority, and, while not conclusive, an application should be denied where the carrier has wilfully violated the rules and regulations of this Commission for an extended period of time, and has continued such violations up to the time of hearing, and where the public need for the service is not so great that the Commission should authorize operations by a confirmed violator of the law.

### F I N D I N G S

Upon the record made (the above Statement being by reference incorporated as a part hereof), and after a careful consideration thereof, the Commission finds that granting of the authority sought would impair the efficiency of existing adequate common carrier motor vehicle service now operating in the area sought to be served by applicant, and for that reason, and for the further reason that applicant has persistently violated the rules and regulations of this Commission, the instant application should be denied.

### O R D E R

#### THE COMMISSION ORDERS:

That the instant application, No. 10253, of Ralph South, for extension of his authority under his Private Carrier Permit No. B-2624, 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

*Ralph C. Hutton*

*John R. Barry*

*Robert T. Kealey*  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of June, 1950.  
ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INVESTIGATION AND SUSPENSION  
OF PROPOSED RATES ON NEWSPAPERS  
OF THE ATCHISON, TOPEKA AND  
SANTA FE RAILWAY COMPANY, ET AL. }

Investigation and Suspension  
Docket No. 305

June 19, 1950

S T A T E M E N T

By the Commission:

It appearing that by an order dated the 27th day of February, 1950, the Public Utilities Commission of the State of Colorado entered upon a hearing concerning the lawfulness of new individual rates and charges, stated in schedules contained in tariffs designated in said order; that pending such hearing and decision, the Commission ordered that the operation of said schedules contained in said tariffs be suspended and that the use of the rates and charges stated in said schedules be deferred upon intrastate traffic in the State of Colorado until the 28th day of June, 1950, unless otherwise ordered by the Commission; that a hearing and decision cannot be concluded within the period of suspension above ordered.

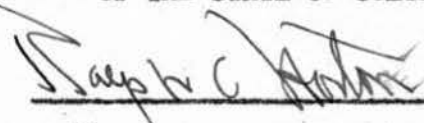
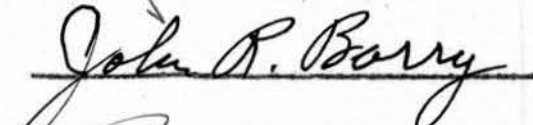
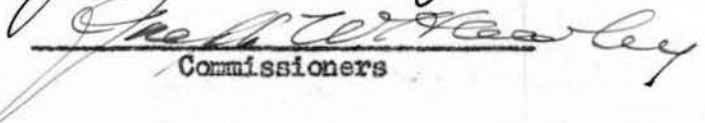
O R D E R

IT IS ORDERED:

That, the operation of the schedules contained in the tariffs specified in said order dated the 27th day of February, 1950, be further suspended and that the use of the rates and charges stated in said schedules be further deferred upon intrastate traffic in the State of Colorado until the 28th day of December, 1950 unless otherwise ordered by the Commission and no change shall be made in such rates and charges during said period of suspension; that the rates and charges thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension has expired; that

a copy of this order be filed with said schedules in the office of the Public Utilities Commission of the State of Colorado and that copies be forthwith served upon George F. Sherman, P.T.M., The Atchison, Topeka and Santa Fe Railway Company, Topeka, Kansas; Clark J. Ely, G.P.A., The Colorado and Southern Railway Company, Denver, Colorado; A. D. Martin, G.P.T.M., The Chicago, Rock Island and Pacific Railway Company, Chicago, Illinois; C. J. Collins, G.P.T.M., Union Pacific Railroad Company, Omaha, Nebraska; R. J. McDermott, G.P.T.M., Missouri Pacific Railroad Company, St. Louis 3, Missouri; H. F. Eno, P.T.M., The Denver and Rio Grande Western Railroad Company, Denver, Colorado; A. Cotsworth, Jr., P.T.M., Chicago, Burlington & Quincy Railroad Company, Chicago, Illinois; Otis J. Gibson, Counsel, The Denver and Rio Grande Western Railroad Company, Rio Grande Building, Denver, Colorado; the American Newspaper Publishers Association, 370 Lexington Avenue, New York 17, New York; Robert W. Boyd, Circulation Manager, The Rocky Mountain News, Denver, Colorado; Edwin A. Bemis, Managing Director, The Colorado Press Association, Denver, Colorado; Dar M. Sims, Circulation Director, The Denver Post, Denver, Colorado and E. B. Padrick, Chairman, Western Passenger Association, Room 436, Union Station, Chicago 6, Illinois; that this proceeding be and same is hereby assigned for hearing on the 6th day of July, 1950 at 10:00 o'clock A.M. in the hearing room of the Commission, 330 State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
Commissioners

Dated at Denver, Colorado  
this 19th day of June, 1950.

hm



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
H. E. EMERY, 1432 SANTA FE DRIVE,  
DENVER, COLORADO, FOR A CLASS "A"  
PERMIT TO OPERATE AS A PRIVATE  
CARRIER BY MOTOR VEHICLE FOR HIRE.  
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APPLICATION NO. 10606-PP

-----  
June 21, 1950  
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Appearances: Wayne D. Calderwood, Esq.,  
Denver, Colorado, for ap-  
plicant;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transpor-  
tation Company;  
Harold D. Torgen, Esq., Denver,  
Colorado, for North Denver  
Transportation Company;  
Cecil A. Foster, Denver, Colo-  
rado, for Foster Truck Line.

STATEMENT

By the Commission:

Applicant herein seeks authority to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of groceries, consisting of canned goods, soap and packaged foods, from termini in the vicinity of 22nd and Blake Streets, Denver, Colorado, to various termini (grocery stores) located in Arvada, Aurora, Lakewood, Englewood, and Littleton, Colorado.

The application was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on June 9, 1950, and after due notice to all parties in interest, was there heard and taken under advisement.

Applicant testified that he operates a warehouse at 2020 Market Street, Denver, Colorado, for Berger Sales Company, where he fills orders, unloads freight cars and does a general warehouse business.



His equipment consists of a one and one-half-ton 1944 Chevrolet Truck, with stake body, and a one-half-ton 1937 panel Ford Truck, and his net worth is \$3,000.00. He has been requested to apply for the permit by four wholesale firms, to-wit:

H. J. Heinz and Company, 2240 Blake Street,  
Denver, Colorado, distributor of canned  
goods.

Berger Sales Company, 2020 Market Street,  
Denver, Colorado, distributor of such  
products as packaged beans, rice, and  
powdered milk, in sacks of 100 pounds and  
upward.

Colgate-Palmolive-Pest Company, 1863 Wazee  
Street, Denver, Colorado, distributor of  
soap.

Ace Mercantile Company, 2220 Blake Street,  
Denver, Colorado, distributor of canned  
goods.

Applicant expects to obtain authority to distribute merchandise for these firms in Denver, making from fifteen to twenty-five stops per day. On the service outside Denver, he expects to make about three trips weekly, delivering to grocery stores in the following places: Arvada, 2 stores; Aurora, 2 stores; Lakewood, 3 stores; Englewood, 2 stores, Littleton, 3 stores.

The above wholesale firms now distribute their own merchandise, except for an occasional delivery by a common carrier. Applicant expects to charge ten cents per hundred and fifty cents additional per stop for the service.

Fred H. Splata, Manager of the warehouse of Ace Mercantile Company, testified that his firm uses four trucks in their delivery service, one operating outside Denver under a Commercial Carrier Permit. They can handle all their Denver business, but need the service of applicant for outside deliveries. Witness has known applicant eight or ten years.

L. W. McVey, Denver Office Manager for Heinz, has known applicant for thirteen years. The firm has used the Stewart Truck Line at times, but service by common carriers is not satisfactory and requires additional work in labeling each case of merchandise. Most of the Heinz Distribution is handled by their own trucks, which operation is not entirely satisfactory, as often orders must be delayed longer than they should be.

His trucks deliver to outside outlets on Tuesdays and Fridays, and under the proposal of applicant he will operate in Denver on those days, and deliver outside for the wholesalers on the other days of the week.

Heinz needs the proposed service of applicant, who knows the merchandise, and can make early deliveries, which are advantages over the service offered by common carriers.

William Boden, Office Manager of Berger Sales Company, stated that he knows applicant to be honest and reliable. His firm needs the proposed service to the points named, for two or three shipments per week. He has used North Denver Transportation Company on shipments to Remico, and the service of that company, and of Foster Truck Line, when needed and used, has been satisfactory.

In protest, James J. Finn, President of North Denver Transportation Company (PUC No. 475), testified that his company is operating thirty-seven trucks, offering daily or more frequent service in the territory applied for, and can handle more business, if offered. They can pick up for Heinz at any time, and transport from 20,000 to 25,000 pounds per day to King Suppers, Inc., from the warehouse of Ace Mercantile Company. There has been no complaint on the service rendered.

Cecil A. Foster, owner of the Foster Truck Line, PUC No. 72, stated that he serves daily all the points mentioned, except Lakewood and Arvada, but has no pickup and delivery service in Denver. His trucks are not always loaded to capacity, and in his opinion, adequate service is now rendered by the common carriers, and there is no reason for granting the authority sought.

Class "A" private carriers embrace all private carriers by motor vehicle operating over substantially regular or established routes, or between substantially fixed termini, or to a fixed terminus or termini. The authority sought in the instant application falls squarely within this definition. Any authority granted should be limited to the customers whose need for the service is shown and between the substantially fixed termini. With the exception of only a few movements of merchandise by common carriers, there would be no change in the delivery service, ex-

dept that the service now given by the wholesalers' own trucks will be in part supplemented by the service of an authorized carrier. By the limitations imposed in the following Order, the Commission cannot say that the transportation now offered by certificated carriers can be materially affected.

### FINDINGS

#### THE COMMISSION FINDS:

That the granting of the instant application, as limited in the Order following, will not impair the efficiency of existing adequate common carrier motor vehicle service now operating in the area sought to be served by applicant, and that said application should be granted, with authority as hereinafter limited.

### ORDER

#### THE COMMISSION ORDERS:

That H. E. Emery, 1432 Santa Fe Drive, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of groceries, consisting of canned goods, soap, and packaged goods, from termini in the vicinity of 22nd and Blake Streets, Denver, Colorado, to termini (grocery stores) located in Arvada, Aurora, Lakewood, Englewood, and Littleton, Colorado, said service to be limited to the use of one truck only, and to be rendered only for the following-named wholesale firms, to-wit: H. J. Heinz and Company, Berger Sales Company, Colgate-Palmolive-Peet Company, and Ace Mercantile 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, and the required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John R. Barry*  
*Joseph C. Hawley*  
Commissioners

COMMISSIONER HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 21st day of June, 1950.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EUGENE GOETZ, 5200 SOUTH BROAD- )  
WAY, LITTLETON, COLORADO. )  
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PERMIT NO. B-2870

-----  
June 21, 1950  
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**S T A T E M E N T**

By the Commission:

By Decision No. 20671, Eugene Goetz, Littleton, Colorado, owner and operator of Permit No. B-2870, was authorized to extend operations under said permit to include the right to transport:

"farm products (no livestock) and manure between points within a radius of one hundred miles of Westminster, Colorado, save and except that no farm products outside of manure, loose hay, ground hay and grain, in bulk, shall be transported between towns within said area in competition with presently established common carrier service."

The Commission is now in receipt of a request from said permit-holder that said operations should be confined to a radius of seventy-five miles of his home, viz., 5200 South Broadway, Littleton, Colorado.

**F I N D I N G S**

**THE COMMISSION FINDS:**

That amendment to authority granted by Decision No. 20671 should be made, as requested by Eugene Goetz, holder of Permit No. B-2870.

**O R D E R**

**THE COMMISSION ORDERS:**

That authority granted by Decision No. 20671 should be, and the same hereby is, amended and restricted to authorize transportation of:

farm products (no livestock) and manure between points within a radius of seventy-five miles of 5200 South Broadway, Littleton, Colorado, save and except that no farm products outside of manure, loose hay, ground hay and grain, in bulk, shall be transported between towns within said area in competition with established common carrier service.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ray V. Hutton*  
*John R. Barry*  
*Charles H. Crowley*  
Commissioners

Dated at Denver, Colorado,  
this 21st day of June, 1950.

WV

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARL B. ENGEL, CASTLE ROCK, COLO- )  
RADO, FOR AN EXTENSION OF PERMIT NO. )  
A-1273. )  
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APPLICATION NO. 10597-PP-Extension

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June 21, 1950  
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Appearances: Earl B. Engel, Castle Rock,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 33848, of date December 16, 1949, as amended by Decision No. 33979, of date December 22, 1949, John V. Ehlers was authorized to transfer all his right, title, and interest in and to Permit No. A-1273 -- being the operating rights granted by Decision No. 7170 and Decision No. 20953 -- to Earl B. Engle, Castle Rock, Colorado, said permit authorizing 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, and extending south along said highway a distance of twenty-one miles, to the creamery at Larkspur, Colorado.

By Decision No. 34166, of date February 1, 1950, said permit-holder was authorized to suspend his operations under said Permit No. A-1273 until July 25, 1950, and on April 26, 1950 he filed the instant application for extension of said permit to include the transportation of milk and dairy products, from farms within the area described as: twenty miles north and south of Calhan, twenty-five miles east of Calhan, and west to Palmer Lake, to the creamery at Larkspur, Colorado.

The application was set for hearing, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on June 7,

1950, and after due notice to all parties in interest, was there heard and taken under advisement.

Applicant testified that since the suspension of his operations under said Permit No. A-1273, he has been operating in the same territory he now seeks to serve under Permit No. C-1501, of Frink Creamery Company, because of the fact that the territory he was authorized to serve under his own permit was too restricted to make his operation profitable. He now wants to serve under his own permit, the same territory he is now serving under the Frink Permit. His equipment consists of two 1949 Chevrolet Trucks, and he estimates his net worth at \$10,000.00.

Robert L. Frink, Vice-President of Frink Creamery Company, at Denver, Colorado, testified that applicant has been rendering good service, but operations under Permit No. A-1273 would be preferable to operations under a Commercial Carrier Permit.

No one appeared to protest the granting of the application.

Applicant agreed to have eliminated from his original authority all territory that may lie outside the boundaries of the area particularly described in the Order following.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be granted, as it does not appear that the proposed extended operations of applicant will impair the efficiency of existing adequate common carrier motor vehicle service now operating in the area sought to be served by applicant.

### O R D E R

#### THE COMMISSION ORDERS:

That Permit No. A-1273 of applicant, Earl B. Engel, Castle Rock, Colorado, be, and the same is hereby extended to include the right to transport milk and dairy products to the creamery at Larkspur, Colorado, from points within the following-described area, to-wit: bounded on the east by a line drawn north and south twenty-five miles

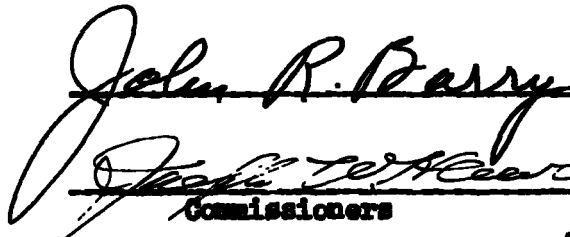


east of Calhan, Colorado; bounded on the west by a line drawn north and south through the west boundary line of Palmer Lake, Colorado; bounded on the north by a line drawn east and west twenty miles north of Calhan, Colorado; and bounded on the south by a line drawn east and west twenty miles south of Calhan, Colorado.

That all territory that applicant may have been authorized to serve under his original authority which lies outside the area specifically described in the preceeding paragraph be, and the same hereby is, eliminated from his authority under said Permit No. A-1273.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

COMMISSIONER RALPH C. HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 21st day of June, 1950.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE HOME GAS AND ELECTRIC COMPANY,  
GREELEY, COLORADO, FOR APPROVAL OF  
THE ISSUANCE OF ITS COMMON STOCK IN  
THE AMOUNT OF 3,332 SHARES.  
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APPLICATION NO. 10592.

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June 19, 1950  
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Appearances: William R. Kelly, Esq.,  
Greeley, Colorado, for  
applicant;  
W. Geo. Denny, Jr., Denver,  
Colorado, and  
C. L. Flower, Denver, Colo-  
rado, for the staff of  
the Commission.

STATEMENT

By the Commission:

This is an application by The Home Gas and Electric Company, a Colorado corporation (hereinafter called "Company"), for an order of this Commission, pursuant to Sub-section (c) of Section 3, Chapter 137, 1935 Colorado Statutes Annotated, authorizing it to dispose of 3,332 shares of its Treasury Stock, which stock has a par value of \$25.00 per share.

A public hearing was held on said application at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, on May 31, 1950, and the matter was taken under advisement.

Applicant is a corporation, existing under the laws of the State of Colorado, and is an electric public utility subject to the jurisdiction of this Commission, owning and operating an electrical system which is wholly within the State of Colorado, its office and principal center of distribution and sale of electricity being in Greeley, Colorado, and the immediate vicinity thereof. It is engaged principally in the purchase, transmission, distribution and sale of electricity, and to a limited extent is engaged in the sale of electrical appliances.

The following Balance Sheet shows the actual capital structure of the Company as of December 31, 1949, as well as the Pro Forma structure, giving effect to the issuance of the 3,332 shares involved in this application.

Explanation of Adjustment Entries is also given:

	<u>ASSETS</u>		Adjustments DR. CR.	<u>Pro Forma</u>
	As At Dec. 31, 1949			
Property and Plant	\$3,540,077.04			\$3,540,077.04
Current Assets:				
Cash	121,004.13	(1) 126,616.00		247,620.13
Special Deposits	17,471.25			17,471.25
Accts. Rec. (Less Reserve)	89,574.82			89,574.82
Inventories (at cost)	100,905.31			100,905.31
Prepayments	7,774.00			7,774.00
Total Current Assets -	\$336,729.51			\$463,345.51
Deferred Charges - Unamortized				
Debt Expense	37,399.28			37,399.28
TOTAL ASSETS -	\$3,914,205.83			\$4,040,821.83
<u>LIABILITIES</u>				
Capital Stock & Surplus:				
Common Stock	\$1,000,000.00			\$1,000,000.00
Capital Surplus	54,988.85	(2) 90,330.52 (1) 126,616.00		91,274.33
Earned Surplus	449,717.63			449,717.63
Total Capital Stock & Surplus -	\$1,504,706.48			\$1,540,991.96
Less Cost of Common Stock reacquired and held in treasury -	90,330.52	(2) 90,330.52		
	\$1,414,375.96			\$1,540,991.96
LONG TERM DEBT:				
First Mortgage 3½%				
Bonds due 1-1-69 -	\$ 765,000.00			765,000.00
First Mortgage 3%				
Bonds due 1-1-69 -	336,000.00			336,000.00
6% Cumulative Income Debentures due 7-1-74 -	275,000.00			275,000.00
TOTAL LONG TERM DEBT -	\$1,376,000.00			\$1,376,000.00
CURRENT AND ACCRUED LIABILITIES:				
Accounts Payable	\$ 87,744.16			\$ 87,744.16
Customers Deposits	31,824.33			31,824.33
Dividend Payable 1-1-50	18,334.00			18,334.00
Taxes Accrued	187,937.65			187,937.65
Interest Accrued	27,357.44			27,357.44
Payrolls & Misc.	9,500.28			9,500.28
TOTAL CURRENT & ACCRUED LIABILITIES -	\$ 362,697.86			\$ 362,697.86
UNAMORTIZED PREMIUM ON LONG TERM DEBT -	\$ 15,719.74			\$ 15,719.74
RESERVE FOR DEPRECIATION -	689,270.91			689,270.91
CONTRIBUTIONS IN AID OF CONSTRUCTION -	56,141.36			56,141.36
TOTAL LIABILITIES -	\$3,914,205.83			\$4,040,821.83

# EXPLANATION OF ADJUSTMENT ENTRIES ON PRO FORMA

BALANCE SHEET AS OF DECEMBER 31, 1949.

<u>ENTRY NO. I.</u>	<u>Debit</u>	<u>Credit</u>
Cash	\$126,616.00	
Capital Surplus		\$126,616.00

To record sale of 3,332 shares of Common Capital Stock, per value \$25.00 per share, now held in the treasury at sale price of \$38.00 per share.

## ENTRY NO. II.

Capital Surplus	90,330.52	
Reacquired Capital Stock		90,330.52

To charge Capital Surplus Account with cost of 3,332 shares of Common Capital Stock sold from treasury, amounting to \$27.11 per share.

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Company has an authorized Capital Stock of \$1,000,000.00, consisting of 40,000 shares of Common Stock of par value of \$25.00 per share, all of which has been issued, and of which there are 36,668 shares now outstanding in the hands of stockholders, and there is in the treasury reacquired stock numbering 3,332 shares. It is this stock which Company seeks authority to here sell.

Company further has issued and outstanding, as of January 1, 1950:

First mortgage sinking fund 3½% bonds,  
due January 1, 1969 .....\$765,000.00

First mortgage sinking fund 3% bonds,  
due January 1, 1969 ..... 336,000.00

Sinking fund 6% cumulative income  
debentures, due July 1, 1974 ..... 275,000.00

Taxes accrued, Federal and State,  
on income ..... 94,827.80

(beside accounts, customers deposits,  
accrued interest and dividends since paid).

Company proposes to issue said 3,332 shares of its Common Stock now in its Treasury, first to its stockholders on the basis of one right for each eleven shares of Common Stock held by each stockholder of record, as of 5:00 P. M., June 20, 1950, at the price of \$38.00 per share, said price to be

paid into the Company's Treasury, with the proviso that the stock so issued will be only in whole shares. Fractional subscription rights may be exercised when accompanied by other fractional subscription rights evidencing in the aggregate the right to subscribe to one or more full shares.

The proceeds of this sale will be used by Company to pay off notes and/or debentures, as well as aiding Company in its present construction program, which contemplates new lines, a new sub-station at LaSalle, Colorado, as well as street lighting in Greeley and the installation of irrigation pumps in the area which Company serves.

There will be no public offering, said shares being sold only to Company's own stockholders. The gross proceeds will not exceed \$126,616.00.

This is a rather novel application in that it seeks authority from us for the issuance, or rather the sale, of Treasury Stock. The statute is not clear whether this particular type of transaction is intended to be covered, and therefore, it is not clear whether we have jurisdiction. The stock in question has already been issued and is now -- since it has been repurchased by Company -- an asset of the Company and possibly could be sold by Company without our approval, just as they would sell any other asset.

On the other hand, since the statute provides that:

"all securities issued, assumed or guaranteed without application and approval of the Commission..... shall be void," (underlining ours)

it leaves a question in our mind, as well as applicant's, and certainly no harm can come to them, nor to us, by giving approval to this transaction. If we have jurisdiction and give approval, the securities are valid. If, on the other hand, we do not have jurisdiction, the granting of our approval will in no wise affect their legality.

After this sale, the ratio of Capital or Equity to Long Term Debt will be: Equity, 51½%; Long Term Debt, 48½%.

### FINDINGS

#### THE COMMISSION FINDS:

That petitioner, The Home Gas and Electric Company, is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated;



That this Commission has jurisdiction of said applicant and the subject-matter of the petition herein;

That the Commission is fully advised in the premises;

That the issuance by The Home Gas and Electric Company of 3,332 shares of its Treasury Common Stock, having a par value of \$25.00 per share, to its stockholders of record, as of 5:00 P. M., June 20, 1950, at a price of \$38.00 per share, on the basis of one right for each eleven shares of its said Common Stock held by each stockholder, and to issue stock based on fractional subscription rights when said fractional subscription rights aggregate the right to subscribe to one or more full shares is proper;

That the price of \$38.00 per share is proper and the sale of said stock is reasonably required and necessary for its proper corporate financing and the payment of its outstanding bank notes and construction program aforesaid;

That the proposed securities transaction is not inconsistent with the public interest, and the purpose or purposes therefor are permitted by, and are consistent with, the provisions of Chapter 137, of the 1935 Colorado Statutes Annotated, as amended, and the order sought should issue and should be made effective forthwith.

#### O R D E R

##### THE COMMISSION ORDERS:

That The Home Gas and Electric Company, a Colorado corporation, be, and it hereby is, authorized to dispose of 3,332 shares of its Treasury Common Stock, having a par value of \$25.00 per share, to its stockholders of record, as of 5:00 P. M., June 20, 1950, at a price of \$38.00 per share, on the basis of one right for each eleven shares of its said Common Stock held by each stockholder, and to issue stock based on fractional subscription rights when said fractional subscription rights aggregate the right to subscribe to one or more full shares;

That the proceeds of the sale of said Treasury Common Stock are to be expended by The Home Gas and Electric Company to pay its outstanding bank notes, and to extend and complete said additions and enlargements and extensions of its facilities and distribution lines serving customers in Greeley and vicinity.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Joseph C. Greeley  
Commissioners.

COMMISSIONER HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 19th day of June, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION  
OF RAILWAY EXPRESS AGENCY, INC.,  
DENVER UNION TERMINAL, DENVER,  
COLORADO, TO DISCONTINUE SERVICE  
AT CREEDE, COLORADO.  
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APPLICATION NO. 10614.

-----  
June 22, 1950  
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STATEMENT

By the Commission:

On May 23, 1950, the Railway Express Agency, Inc., by C. C. Case, its Superintendent, filed a petition under this Commission's General Order No. 35, requesting permission to discontinue service at its agency in Creede, Mineral County, Colorado.

Applicant states in its petition that The Denver & Rio Grande Railway discontinued its passenger service to Creede several years ago and since that time the Express Agency has been employing an over-the-road truck service to serve its agency at Creede. There has been a gradual diminishing of traffic to and from this office and during the past years, all the profitable short-hauls have been diverted to truck lines, leaving the Express Agency the expensive long-haul rail movements. During the past twelve (12) months there has been an average of 93 shipments per month, with an average income of \$3.57 per shipment. The out-of-pocket expense has averaged \$3.55 per shipment, not including a cost of \$33.93 per month for Agent's commission and an expense of \$92.78 per month for trucking expenses necessary in the operation. These two items, totaling \$126.71 per month, in addition to the out-of-pocket expense, result in a large annual loss. Because of the expenses enumerated above, this station has been operating at a loss.



If permission is granted to applicant to close this station, all shipments consigned to Creede in the future will be way-billed to Monte Vista, Colorado, where service is maintained six (6) days per week.

Proper notice to the public of the discontinuance of this office was posted in the office of the Railway Express Agency in Creede, Colorado, on June 7, 1950. No protests having been received by the Commission from anyone regarding the discontinuance of this service, the Commission determined to hear, and has heard, said matter forthwith without further notice, upon the records and files herein.

### **FINDINGS**

#### **THE COMMISSION FINDS:**

That the authority sought in the instant application should be granted.

### **ORDER**

#### **THE COMMISSION ORDERS:**

That the Statement and Findings be made a part hereof;

That the Railway Express Agency, Inc., be, and it hereby is, authorized to close its office at Creede, Colorado, on notice to this Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act of the State of Colorado.

Reference shall be made to the decision and order of the Commission in the schedules closing said station.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John P. Barry*

*John P. Barry*  
Commissioners.

COMMISSIONER HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 22nd day of June, 1950.

original

(Decision No. 35003)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
PUBLIC SERVICE COMPANY OF COLORADO,  
A CORPORATION ORGANIZED AND EXISTING  
UNDER THE LAWS OF THE STATE OF COLO-  
RADO, FOR AUTHORITY TO ISSUE 100,000  
SHARES OF ITS CUMULATIVE PREFERRED  
STOCK (PAR VALUE \$100 EACH) AND  
\$7,000,000 PRINCIPAL AMOUNT OF DE-  
BENTURES, CONVERTIBLE INTO COMMON  
SHARES (PAR VALUE \$10 EACH), IN-  
CLUDING AUTHORITY TO ISSUE SUCH  
COMMON SHARES UPON CONVERSION OF  
SUCH CONVERTIBLE DEBENTURES.

APPLICATION NO. 10658-Securities.

June 22, 1950

STATEMENT

By the Commission:

Upon consideration of the application filed June 22, 1950,  
by the Public Service Company of Colorado, a Corporation, in the above-  
styled matter:

ORDER

THE COMMISSION ORDERS:

That a public hearing be held, commencing on July 3, 1950,  
at 10:00 o'clock A. M., 330 State Office Building, Denver, Colorado,  
respecting the matters involved and the issues presented in this pro-  
ceeding. Any interested municipality or any representative of interested  
consumers or security holders of applicant corporation, and any other  
person whose participation herein is in the public interest, may inter-  
vene in said proceedings. Intervention petitions should be filed with  
the Commission on or before July 3, 1950, and should set forth the  
grounds of the proposed intervention, and the position and interest  
of the petitioners in the proceeding, and must be subscribed by  
interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John R. Barry*  
*Spencer C. Crowley*  
Commissioners.

COMMISSIONER HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 22nd day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF)  
LESLEY ESTES, OF 218 EAST )  
FIFTH, RIFLE, COLORADO )  
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PERMIT NO. B-3979

-----  
June 30, 1950  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the  
above-named permittee, requesting that his Permit No. B-3979  
be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Lesley Estes, be and he is hereby, authorized  
to suspend his operations under Permit No. B-3979 until  
October 16, 1950.

That unless said Lesley Estes shall, prior to the ex-  
piration 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

Ralph C. Horton  
John R. Barry  
Joseph W. Hawley

Commissioners.

Dated at Denver, Colorado,  
this 30th day of June, 1950.

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PIKES PEAK NATURAL GAS CO., A COLO-  
RADO CORPORATION, FOR AUTHORITY TO  
REFUND DEBENTURES, TO ISSUE DEBEN-  
TURES, AND TO CREATE LIENS ON ITS  
PROPERTY LOCATED IN THE CITIES OF  
LIMON AND HUGO, COUNTY OF LINCOLN,  
COLORADO.

APPLICATION NO. 10612--Securities.

June 22, 1950

Appearances: Akolt, Campbell, Turnquist &  
Shepherd, by  
Robert A. Dick, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

Applicant corporation is a Colorado corporation, organized to engage principally in the purchase, transmission, distribution and sale of natural or artificial gas, subject to the jurisdiction of this Commission, and now serving the area in and about the Cities of Hugo and Limon, Colorado.

By Decision No. 33722, of date November 5, 1949, said applicant was authorized to issue \$20,000.00 in debentures, with interest at the rate of five per cent per annum, \$2,000 of which to mature annually beginning August 1, 1951, to August 1, 1957, inclusive, \$3,000.00 to mature August 1, 1958, and \$3,000.00 to mature August 1, 1959, said debentures to be sold to the Security Mutual Life Insurance Company of Lincoln, Nebraska, through the First Trust Company of Lincoln, Nebraska, with no public offering of said debentures.

The debentures were 20 in number, numbered 1 to 20, in the denomination of \$1,000.00 each. The Security Mutual Life Insurance Company of Lincoln, Nebraska, still holds all of said debentures.

By the instant application, applicant seeks authority to issue \$30,000.00 in new debentures, for the purposes set forth in the application.

The application was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on June 9, 1950, and after due notice to all parties in interest, was there heard and taken under advisement.

Loran L. Laughlin, President of applicant corporation, testified that at and subsequent to the time of the issuance of the debentures issued under said Decision No. 33722, applicant was carrying on its books, as an open account, approximately \$12,000.00 for construction advances from Goodland Natural Gas Company, a Kansas corporation. One of the purposes in filing the instant application was to place this account on a long term basis.

Applicant proposes to issue debentures secured by a Trust Indenture, covering its properties at Hugo and Limon, Colorado, as follows: For \$30,000.00 with interest at the rate of five per cent per annum, \$3,000.00 of which to mature annually, beginning August 1, 1951, to August 1, 1957, inclusive, \$4,000.00 to mature August 1, 1958, and \$5,000.00 to mature August 1, 1959, the proceeds to be used for the following purposes:

1. \$20,000.00 to be used to refund the \$20,000.00 of debentures issued under the authority of said Decision No. 33722.
2. \$10,000.00 to be sold for cash to the Security Mutual Life Insurance Company of Lincoln, Nebraska, through the First Trust Company of Lincoln, Nebraska, without any public offering.

Mr. Laughlin testified that the Security Mutual Life Insurance Company of Lincoln, Nebraska, present holder of the \$20,000.00 of debentures referred to, has agreed to surrender the original debentures in exchange for \$20,000.00 of debentures to be issued under the instant proposal, if approved, and the sum of \$10,000.00 cash to be derived from the sale of the balance of the new debentures is to be delivered to Goodland Natural Gas Company, to cover advances made to applicant to



complete construction of the natural gas distribution systems at Hugo and Limon, Colorado. All monies derived from the sale of said debentures secured by said Trust Indenture, have been, or will be, used for the acquisition of property, and for the completion, extension and improvement of facilities in the Cities of Hugo and Limon, Colorado, in full compliance with Section 3, as amended, of Chapter 137, 1935 Colorado Statutes Annotated. All arrangements and negotiations for the exchange of, and sale of, the new debentures, have been made and conducted through the First Trust Company of Lincoln, Nebraska, and through the Security Mutual Life Insurance Company of Lincoln, Nebraska, and a public offering of said debentures would not be practicable.

There were offered and received in evidence the following exhibits:

Exhibit No. 1 - Balance Sheet of applicant as of March 31, 1950.

Exhibit No. 2 - Pro Forma Balance Sheet of applicant, as of March 31, 1950; Balance Sheet as of October 31, 1949, and Statement of Operations, January 1, 1949 to October 31, 1949.

Exhibit No. 3 - Indenture under the terms of which the debentures are to issue.

Exhibit No. 4 - Form of Debenture.

Mr. Laughlin testified that at the time the original debentures were issued, the applicant had 250 metered customers in the Limon-Hugo District. This number has been increased to 428, with a possibility of a total of 540.

The Pro Forma Balance Sheet (Exhibit No. 2), is set forth below:

PIKES PEAK NATURAL GAS COMPANY

PRO FORMA BALANCE SHEET

March 31, 1950

ASSETS

CURRENT

Cash	\$7,461.70	
Accounts receivable, customers	7,853.90	
Inventories, at cost	<u>469.57</u>	\$15,785.17

OTHER

Organization expenses	\$1,932.86	
Due from affiliated company	1,196.59	
Special deposits	<u>5.00</u>	\$ 3,134.45

PROPERTY AND PLANT

Distribution system	\$70,817.25	
Automotive equipment	1,850.64	
Shop equipment	261.94	
Office equipment	<u>396.98</u>	
	\$73,326.81	
Less: Reserve for Depreciation	<u>1,655.27</u>	\$71,671.54

PREPAID EXPENSES

Unamortized disc. and expense	\$ 908.33	
Prepaid insurance	<u>628.80</u>	\$ 1,537.13
		<u>\$92,128.29</u>

LIABILITIES

CURRENT

Accounts payable, trade	\$ 3,742.17	
Due affiliated company	3,531.42	
Accrued taxes and interest	<u>824.05</u>	\$ 8,097.64

OTHER

Due Goodland Nat. Gas Co. for construction advances	\$2,220.60	
Consumers' deposits	<u>4,865.00</u>	\$ 7,085.60

CAPITAL STRUCTURE

5% Debentures		30,000.00
---------------	--	-----------

CAPITAL AND SURPLUS

500 Sh. Preferred @ \$20.00	\$10,000.00	
900 Sh. Common @ 20.00	<u>18,000.00</u>	
	\$28,000.00	
Paid-In Surplus	5,360.37	
Earned Surplus		
Net Income, Nov. 1, 1949 to March 31, 1950 --	<u>13,584.68</u>	
Total Capital and Surplus --		\$46,945.05

\$92,128.29

This gives a debt ratio of equity capital to long term debt of 61.01 per cent, as to 38.99 per cent, which ratio is deemed proper for this type of operation.

The staff of the Commission has investigated the proposed transaction and has recommended that we approve the application.

### **FINDINGS**

#### **THE COMMISSION FINDS:**

That the petitioner, Pikes Peak Natural Gas Company, is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated; that this Commission has jurisdiction over said application and the subject-matter thereof; that the Commission is fully advised in the premises; that the proposed transaction is not inconsistent with the public interest, and the purpose or purposes therefor are permitted by and are consistent with the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended by the Session Laws of 1947, and that the order sought should issue and should be made effective forthwith;

That the debentures should be issued and sold to the Security Mutual Life Insurance Company of Lincoln, Nebraska, through the First Trust Company of Lincoln, Nebraska, and for proper and easy identification thereof shall bear a serial number on the face thereof;

That public interest does not require that said debentures be sold at competitive bidding.

### **ORDER**

#### **THE COMMISSION ORDERS:**

That Pikes Peak Natural Gas Company, a Colorado corporation, be, and it hereby is, authorized to issue \$30,000.00 in debentures, with interest at the rate of five per cent per annum, \$3,000.00 of which to mature annually beginning August 1, 1951 to August 1, 1957, inclusive, \$4,000.00 to mature August 1, 1958 and \$5,000.00 to mature August 1, 1959, the proceeds to be used for the following purposes:

1. \$20,000.00 to be used to refund the \$20,000.00 of debentures issued under authority of our Decision No. 33722 of date November 5, 1949.



2. \$10,000.00 to be sold for cash to the Security Mutual Life Insurance Company of Lincoln, Nebraska, through the First Trust Company of Lincoln, Nebraska, the proceeds thereof to be paid to Goodland Natural Gas Company to cover advances already made to applicant to complete construction of the Natural Gas Distribution System at Hugo and Limon, Colorado.

That public interest does not require that said debentures be sold at competitive bidding, and that it should be waived in this instance and there should be no public offering of the debentures.

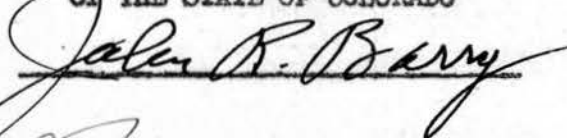
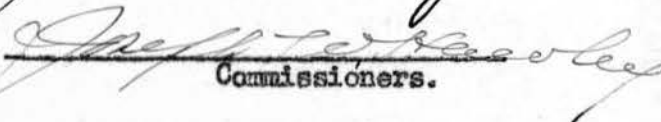
That debentures to be issued hereunder shall bear on the face thereof, serial numbers for proper and easy identification; that within 60 days from the issuance and delivery of said debentures, applicant shall make verified report to the Commission of the said serial numbers placed on the debentures so issued.

That applicant be, and he hereby is, authorized to amortize over the life of said debentures, the expenses incurred in connection with the issuance, exchange and sale thereof.

That applicant shall make verified report to the Commission not later than 3 months after the sale and exchange of said debentures, stating the details as to the refunding of the original debentures, and the monies received from debentures sold, and, in detail, expenses incident to such transaction, accompanying same with copies of the entries recorded on the books of the applicant, as a result of consummation of said financing, as before provided, along with a copy of the final Trust Indenture.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

COMMISSIONER HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 22nd day of June, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
THOMAS G. ALLUMBAUGH AND GUY R.  
STEVENS, CO-PARTNERS, DOING BUSI-  
NESS AS "ALLUMBAUGH AND WILLIAMS  
TRUCK LINE," ORDWAY, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 369  
TO JOHN E. AVARA AND LOLA M. AVARA,  
JOINT TENANTS, DOING BUSINESS AS  
"ALLUMBAUGH-WILLIAM TRUCK LINE,"  
ORDWAY, COLORADO.

APPLICATION NO. 10659-Transfer

-----  
June 22, 1950  
-----

Appearances: Harry E. Mast, Esq., Ordway,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 2300, of date June 18, 1929, T. G. Allumbaugh  
and C. W. Allumbaugh were granted a certificate of public convenience  
and necessity to operate as common carriers by motor vehicle for hire  
for the transportation of:

freight between Pueblo and Sugar City and  
intermediate points on said route, and  
the farms situated within a radius of  
fifteen miles of Ordway and within a  
radius of five miles of the other towns  
east of Boone, Colorado,

said operating rights being designated "PUC No. 369."

Pursuant to authority contained in Decision No. 13463, of date  
May 8, 1939, said certificate-holders transferred said PUC No. 369 to  
T. G. Allumbaugh, Guy R. Stevens, and Leila J. Williams, co-partners,  
doing business as "Allumbaugh and Williams Truck Line," Ordway, Colo-  
rado, with authority as follows:

transportation of freight from Pueblo and  
Sugar City and intermediate points and be-

tween points on said route and farms within a radius of fifteen miles of Ordway and within a radius of five miles of other towns east of Boone; also to include the right to transport livestock, used household goods, used farm machinery and equipment in connection with the movement of farmers between points in their present authorized territory to and from points in said territory, from and to points in the State of Colorado; provided, however, that no authority is granted to pick up commodities on U. S. Highway No. 50, with the exception of livestock.

Subsequently (Decision No. 18544, of date March 18, 1942), said operating rights were acquired by Thomas G. Allumbaugh and Guy R. Stevens, co-partners, doing business as "Allumbaugh and Williams Truck Line," Ordway, Colorado, who, by the instant application, seek authority to transfer said PUC No. 369 to John E. Avara and Lola M. Arvara, in joint tenancy, doing business as "Allumbaugh-Williams Truck Line," Ordway, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise, are able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Thomas G. Allumbaugh and Guy R. Stevens, co-partners,

doing business as "Allumbaugh and Williams Truck Line," Ordway, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 369 -- being the operating rights granted by Decisions Nos. 2300 and 13463 -- to John E. Avara and Lola M. Avara, in joint tenancy, doing business as "Allumbaugh-Williams Truck Line," Ordway, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

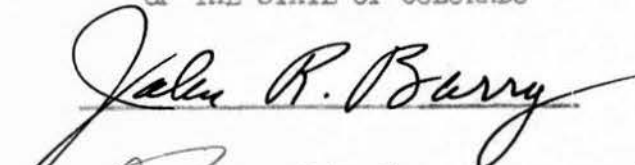
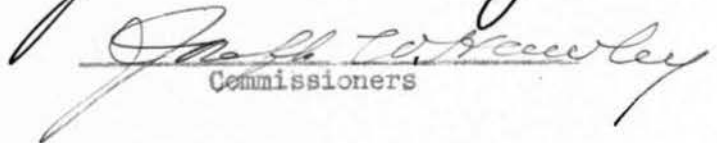
The right of transferee to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by them or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

COMMISSIONER RALPH C. HORTON  
NOT PARTICIPATING.

  
  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of June, 1950.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LOUBERT'S FURNITURE, INC. )  
574 SANTA FE DRIVE, DENVER )  
4, COLORADO ) PERMIT NO. C-4428  
 )  
 )  
 )  
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-----  
July 6, 1950  
-----

S T A T E M E N T

By the Commission:  
The Commission is in receipt of a communication from  
Loubert's Furniture, Inc.  
requesting that Permit No. C-4428 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:  
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:  
That Permit No. C-4428, heretofore issued to  
Loubert's Furniture, Inc. be,  
and the same is hereby, declared cancelled effective June 2, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VINCENT HENRY, 3300 SOUTH )  
ELIOT STREET, ENGLEWOOD, )  
COLORADO )

PERMIT NO. C-25212

July 6, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Vincent Henry  
requesting that Permit No. C-25212 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25212, heretofore issued to  
Vincent Henry be,  
and the same is hereby, declared cancelled effective June 9, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 6th day of July, 1950

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CARL & BORGHILD SEIVERT, 1611 )  
EAST BOULDER, COLORADO SPRINGS,) )  
COLORADO ) PERMIT NO. C-23929  
 )  
 )  
 )  
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-----  
July 6, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from -----  
Carl & Borghild Seivert  
-----  
requesting that Permit No. C-23929 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23929, heretofore issued to -----  
----- be,  
and the same is hereby, declared cancelled effective May 5, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
Kearney C. Norton  
\_\_\_\_\_  
John T. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1950  
jt



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
P. E. CONNOLLY & CLARENCE LUNS- )  
FORD, 814 WINTERS AVENUE, )  
GRAND JUNCTION, COLORADO ) PERMIT NO. C-25110  
 )  
 )  
 )  
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-----  
July 6, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
P. E. Connolly & Clarence Lunsford-----  
requesting that Permit No. C-25110-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25110-----, heretofore issued to-----  
P. E. Connolly & Clarence Lunsford-----be,  
and the same is hereby, declared cancelled effective June 7, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
-----  
Ralph C. Heston  
-----  
John R. Barry  
-----  
Joseph W. Hawley  
-----  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HELEN & JAKE F. MARY, BOX 236 )  
ADAMS CITY, COLORADO )  
 ) PERMIT NO. C-25115  
 )  
 )  
 )  
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-----  
July 6, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Helen & Jake F. Mary.  
requesting that Permit No. C-25115 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25115, heretofore issued to  
Helen & Jake F. Mary be,  
and the same is hereby, declared cancelled effective June 7, 1950

THE PUBLIC UTILITIES COMMISSION  
-- OF THE STATE OF COLORADO.  
Karl W. Norton  
George W. Hawley  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK EDWARD BARBER, )  
BRANDON, COLORADO )  
 )  
 )  
 )  
 )

PERMIT NO. C-19240

July 6, 1950

S T A T E M E N T

By the Commission:

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

Frank Edward Barber

requesting that Permit No. C-19240 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19240, heretofore issued to.....

Frank Edward Barber be,

and the same is hereby, declared cancelled effective June 7, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

<i>Ralph C. Norton</i>	
<i>J. P. Barry</i>	
<i>Joseph W. Hawley</i>	
Commissioners	

Dated at Denver, Colorado,

this 6th day of July, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE & DEAN MIZUSHIMA, DOING )  
BUSINESS AS "MIZUSHIMA BROS." )  
ROUTE 4 ) PERMIT NO. C-24695  
GRAND JUNCTION, COLORADO )  
 )  
----- )

-----  
July 6, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
George & Dean Mizushima, doing business as "Mizushima Bros." .....  
requesting that Permit No. C-24695 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24695, heretofore issued to .....  
George & Dean Mizushima, doing business as "Mizushima Bros." ..... be,  
and the same is hereby, declared cancelled effective April 10, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1950

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

IN THE MATTER OF THE APPLICATION OF  
HENRY A. HODER, FLORISSANT, COLORADO, }  
FOR A CERTIFICATE OF PUBLIC CONVEN- }  
IENCE AND NECESSITY. }

APPLICATION NO. 10637

-----  
June 26, 1950  
-----

Appearances: R. T. Thomas, Esq., Colorado Springs,  
Colorado, for applicant;  
J. A. Carruthers, Esq., Colorado Springs,  
Colorado, for Pikes Peak Automobile  
Company, and Broadmoor Garage,  
Cleo Starks, Colorado Springs, Colorado,  
for Cleo Starks Motor Tours.

S T A T E M E N T

By the Commission:

By the instant application, Henry A. Hoder seeks authority to operate a passenger sightseeing service from Wildhorn Dude Ranch, Florissant, Colorado, to points of scenic interest in the vicinity of Colorado Springs and Manitou Springs, and return to Wildhorn Dude Ranch, Florissant, Colorado.

The application was set for hearing, at the Council Chambers, City Hall, Colorado Springs, Colorado, on June 15, 1950, and after due notice to all parties in interest, was there heard and taken under advisement.

Applicant testified that he owns and operates the Wildhorn Dude Ranch, distant 12 miles north of Florissant, by narrow, winding gravel road, and 48 miles from Colorado Springs. The ranch is operated for approximately 120 days each summer. The nearest telephone is at Florissant.

Applicant has lodges to accommodate 100 guests at a time, and during the three year period he has been operating, his business has constantly increased, and he expects to entertain 400 guests during the current season. He furnishes transportation for his guests to his ranch, to

and from Colorado Springs. These guests frequently wish to see the points of scenic interest in the vicinity of Colorado Springs and Manitou Springs. Applicant's equipment consists of one 1935 Packard, one 1940 Packard, one 1943 Chevrolet Suburban, and one GMC Suburban, each with seven passenger capacity, and his net worth is \$150,000.00.

Applicant first attempted to obtain sightseeing service for his guests from other certificated carriers, but they were not interested unless applicant would agree to bring the guests from his ranch to Colorado Springs where they could arrange for sightseeing expeditions with certificated carriers. This would be too expensive an operation, both to applicants and his guests.

Applicant wishes to serve only the guests at his ranch, the sightseeing trip originating and terminating at the ranch. He can handle these sightseeing operations with three cars, and will charge rates not competitive with the rates charged for similar service by the certificated carriers at Colorado Springs.

At the close of applicant's testimony, Counsel for protestants stated that they had no objections to the granting of the certificate sought, if the operation is restricted, as set forth in the order following.

## FINDINGS

### THE COMMISSION FINDS:

That the instant application should be granted, with the restrictions hereinafter set forth.

## ORDER

### THE COMMISSION ORDERS:

That the present and future public convenience and necessity requires, and will require, the proposed motor vehicle operation of the applicant herein, for the transportation of passengers from,

Wildhorn Dude Ranch, Florissant, Colorado,  
to Royal Gorge, Canon City, Pikes Peak, Cripple  
Creek, Victor, Colorado Springs, Garden of The  
Gods, Cheyenne Mountain, Manitou Springs and  
points of scenic interest in the vicinity of  
Colorado Springs and Manitou Springs, Colorado,  
with return to Wildhorn Dude Ranch, Florissant,  
Colorado,

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

- a. That all sightseeing operations by the applicant herein shall be limited to round trip operations originating and terminating at Wildhorn Dude Ranch, Florissant, Colorado.
- b. That no one-way transportation of passengers shall be permitted to any of the points in said Pikes Peak Region from said Wildhorn Dude Ranch.
- c. That the quantity of equipment to be used in this operation shall be limited to three automobiles.
- d. That the certificate herein granted shall not be transferable.

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.

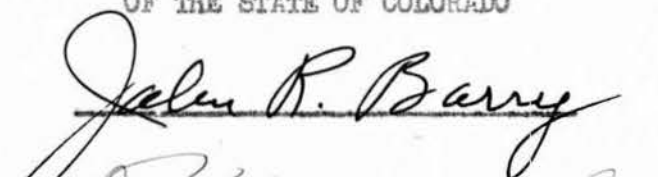

The applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Chairman Horton  
not participating.

  
  
Commissioners

dated at Denver, Colorado,  
this 26th day of June, 1950

bf



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

C. C. ROGERS, DOING BUSINESS AS  
"ROGERS FOOD PRODUCTS," FORT COL-  
LINS, COLORADO, AND FREDERIC A.  
BETHKE, DOING BUSINESS AS "BETHKE  
TRUCK LINES," GILCREST, COLORADO,

Complainants,

vs.

DENVER-LARAMIE-WALDEN TRUCK LINE,  
INC., 2921 WALNUT STREET, DENVER,  
COLORADO,

Respondent.

CASE NO. 5020

June 28, 1950

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, and  
Bruce Owenby, Denver, Colorado,  
for Complainants;  
T. S. Wood, Denver, Colorado,  
for The Public Utilities  
Commission of the State of  
Colorado.

STATEMENT

By the Commission:

On April 27, 1950, C. C. Rogers, doing business as "Rogers Food Products," Fort Collins, Colorado, and Frederic A. Bethke, doing business as "Bethke Truck Lines," Gilcrest, Colorado, filed a complaint, alleging that the present rate of 34¢ per hundred pounds on cherries, minimum weight 10,000 pounds, from Fort Collins, Colorado, to Denver, Colorado, is unreasonable and confiscatory, and asked that the Commission prescribe a classification of fourth class on cherries from Fort Collins, Colorado, to Denver, Colorado, subject to the minimum weight of 10,000 pounds, to move at the fourth class rate of 26¢ per hundred pounds.

The application was set for hearing, at the Hearing Room of

the Commission, 330 State Office Building, Denver, Colorado, on June 21, 1950, and after due notice to all parties in interest, was there heard and taken under advisement.

B. F. Van Zant, a partner in the business known as "Rogers Food Products," Fort Collins, Colorado, testified that his firm is engaged in the purchase and processing of cherries for marketing at Fort Collins, Colorado, handling about 1,000 tons per annum in a season, and is in direct competition with similar processors of cherries at Loveland; that on March 20, 1950, a rate of 24¢ per hundred pounds for cherries, minimum weight 10,000 pounds, from Loveland to Denver, was prescribed by this Commission; that at the present time, on fruit, the classification is third class, which carries a rate of 34¢ per hundred pounds, from Fort Collins to Denver; that the fourth class rate between said points is 26¢ per hundred pounds, and Loveland is an intermediate point between Fort Collins and Denver, being approximately 12 miles south of Fort Collins.

Complainant Rogers alleges that he cannot compete with Loveland enterprises, in view of the disparity of rates between Loveland and Denver, and Fort Collins and Denver. He contends that a rate of 26¢ per hundred pounds would be just, reasonable and compensatory, from Fort Collins, Colorado, to Denver, Colorado, and that it would be in line with 24¢ per hundred pounds, from Loveland to Denver, as now prescribed. Unless such a rate is established, Rogers Food Products will have to give consideration to some other method of transportation than by for-hire carriers, in transporting its products to Denver. If the change in rate is effected, Rogers would use the service of Bethke Truck Lines. It appears that applicant is operating on a very small margin, and if the present rate of 34¢ per hundred pounds from Fort Collins to Denver is maintained, applicant will lose money, or cut down the amount that he can pay to the growers. If the application is allowed, applicant can pay the growers the same as they are being paid by Loveland processors.

Frederic A. Bethke is the owner of private carrier permit No.

A-519, and testified in favor of the application and in favor of the publication of the 26¢ rate -- Fort Collins to Denver. He testified that the cherries would be loaded by Rogers in Fort Collins, and upon arrival in Denver the consignee attends to the unloading. The driver would not be required to perform any labor in loading or unloading of the cherries. He has ample equipment to handle the transportation, and explained that this operation would generally be a back-haul and that the 26¢ rate would be reasonable and compensatory.

The Denver-Laramie-Walden Truck Line, Inc. is a common carrier by motor vehicle, authorized to and operating between Denver and Fort Collins, Colorado, but did not appear at the hearing in opposition to the Complaint.

### FINDINGS

#### THE COMMISSION FINDS:

That inasmuch as there was no opposition on the part of the common carrier operating between Fort Collins, Colorado and Denver, Colorado, and the producers in the Fort Collins area are in direct competition with the producers in the Loveland area, the proposed rate of 26¢ per hundred pounds on cherries, minimum weight 10,000 pounds, from Fort Collins, Colorado, to Denver, Colorado, would be in line with the present rate from Loveland, Colorado, to Denver, Colorado, and would be just, reasonable and compensatory, and should be established.

### ORDER

#### THE COMMISSION ORDERS:

That the Statement and Findings contained herein shall be made a part hereof.

That a rate of 26¢ per hundred pounds on cherries, minimum weight 10,000 pounds, from Fort Collins, Colorado, to Denver, Colorado, is just and reasonable; that the Denver-Laramie-Walden Truck Line, Inc. be, and it is, hereby required to publish such rate, to become effective July 10, 1950, on not less than one day's filing and posting, in the manner prescribed in Section 16 of the Public Utilities Act; that all private carriers, to the extent they are affected, shall not charge

less than a rate of 26¢ per hundred pounds, minimum weight 10,000 pounds, on cherries from Fort Collins to Denver, and that this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Joseph C. Hawley  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 28th day of June, 1950.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEROY ENGLISH AND MURIEL ENGLISH, )  
DOING BUSINESS AS "ACE EXPRESS," )  
2930 WEST 26TH AVENUE, DENVER, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY. )  
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APPLICATION NO. 10653

-----  
June 23, 1950  
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Appearances: Clarence Werthan, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

On May 10, 1950, applicants herein filed application for a certificate of public convenience and necessity to operate as common carriers by motor vehicle for hire.

Subsequently, said application was set for hearing on June 27, 1950, at ten o'clock A. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

Said applicants, by their attorney, have now requested that said application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, dismissed, at the request of applicants.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Charles T. Hickey  
Commissioners

COMMISSIONER RALPH C. HORTON  
NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 23rd day of June, 1950.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF  
CARL GROSS, LYONS, COLORADO.

CASE NO. 52582-R.  
(Permit No. C-24306)

June 27, 1950

**S T A T E M E N T**

By the Commission:

On June 1, 1950, in Case No. 52582-R, the Commission entered an order revoking Permit No. C-24306, for failure to file monthly road tax reports for the period December 1, 1949 through April 30, 1950.

Said reports have now been filed and permit-holder has otherwise complied with all rules and regulations of the Commission, and the permit should now be reinstated.

**F I N D I N G S**

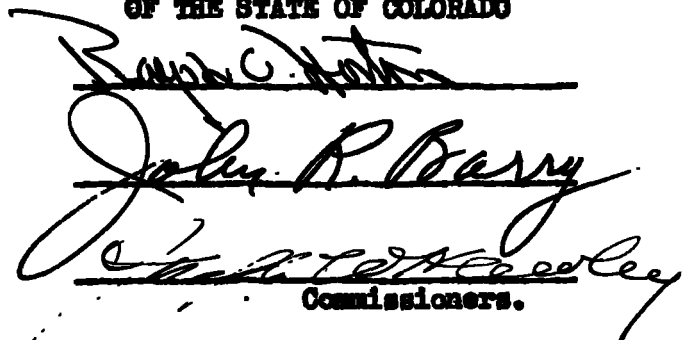
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 52582-R should be cancelled and set aside, and said Permit No. C-24306 restored to its former status.

**O R D E R**

THE COMMISSION ORDERS:

That Decision No. 52582-R should be, and it hereby is, cancelled and set aside, and said Permit No. C-24306 restored to its former status as of June 1, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of June, 1950.



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
MONUMENT ELECTRIC COMPANY, P. O.  
BOX 755, TRINIDAD, COLORADO, FOR  
APPROVAL OF A MORTGAGE NOTE RUNNING  
BETWEEN MONUMENT ELECTRIC COMPANY  
AND THE UNITED STATES OF AMERICA,  
DEPARTMENT OF AGRICULTURE, RURAL  
ELECTRIFICATION ADMINISTRATION, AND  
FOR AUTHORITY TO BORROW \$25,000.00,  
PURSUANT TO THE TERMS OF SAID  
MORTGAGE NOTE FROM SAID RURAL ELEC-  
TRIFICATION ADMINISTRATION.

APPLICATION NO. 10624-Securities.

June 26, 1950

STATEMENT

By the Commission:

This is an application by and on behalf of Monument Electric Company, of Trinidad, Colorado, to execute a Supplemental Mortgage between said company and The United States of America, Department of Agriculture, Rural Electrification Administration, and to borrow the sum of Twenty-five Thousand Dollars (\$25,000.00) from said Rural Electrification Administration for the construction of additional lines and other improvements, in order that said Monument Electric Company can and may serve additional customers in its territory.

Under date of November 8, 1946, Rural Electrification Administration loaned certain moneys to Monument Electric Company under the terms of a Loan Contract. Under date of March 30, 1950, the parties to this contract agreed to an amendment, which amendment requires the execution of a Supplemental Mortgage on the property of applicant, and the execution of a Mortgage Note in the principal amount of \$25,000.00.

This, insofar as the Commission is concerned, is rather a novel situation in that it is the first application of this nature which we have received since the Colorado Legislature gave us jurisdiction over the issuance of securities by gas and electric companies within this state.

We have considered the matter and are now of the opinion that no particular advantage would inure to anyone if this matter were set for formal hearing. The only parties in interest are Monument Electric Company and Rural Electrification Administration. The Rural Electrification Administration has gone into the matter thoroughly and it is to be assumed that if they are agreeable to make this loan, they certainly are satisfied with the finances and operations of Monument Electric Company. We feel that the Rural Electrification Administration is perfectly capable of protecting its own interests in such a matter, and that it does not necessarily need our scrutiny in matters of this nature.

However, there is no doubt that we have exclusive jurisdiction over this matter, and without our approval the Mortgage Note would be of no value and have no binding legal effect.

We have considered the financial structure of Monument Electric Company, as well as the Mortgage Note, the Supplemental Mortgage, and the Amendment to the Loan Contract. We therefore feel that we are fully advised in the premises.

## **FINDINGS**

### **THE COMMISSION FINDS:**

That Monument Electric Company, of Trinidad, Colorado, should be authorized to:

- (1) Amend its present Loan Contract between itself and The United States of America, Department of Agriculture, Rural Electrification Administration;
- (2) Enter into a Supplemental Mortgage between itself and The United States of America; and
- (3) Execute a Mortgage Note between itself and The United States of America.

O R D E R

THE COMMISSION ORDERS:

That Monument Electric Company, of Trinidad, Colorado, should be, and it hereby is, authorized to:

(1) Amend its Loan Contract entered into between said company and The United States of America, Department of Agriculture, Rural Electrification Administration, as of November 8, 1946, said amendment bearing the date of March 30, 1950;

(2) Enter into a Supplemental Mortgage between said company and The United States of America, under date of April 3, 1950;

(3) Execute a Mortgage Note between itself and The United States of America, under date of March 31, 1950, in the principal amount of \$25,000.00;

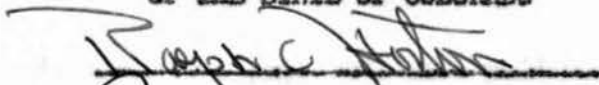
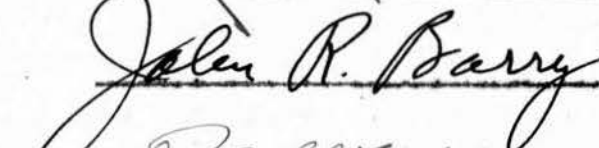
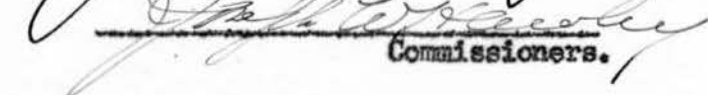
(4) Use the proceeds derived from this transaction for the construction of lines and other expenses incident to the operation of said company.

That nothing herein shall be construed to imply any recommendation or guaranty of or any obligation with respect to this transaction on the part of the State of Colorado.

That said Mortgage Note to be executed shall bear on the face thereof a serial number for the proper and easy identification thereof.

This order shall become effective from and after the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of June, 1950.

ea

(Decision No. 35018)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VIRGIL E. ROMINE, DOING BUSINESS )  
AS "ROMINE TRUCK LINES", COPE, }  
COLORADO. }

PERMIT NO. B-3554

-----  
July 6, 1950  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee, requesting that his Permit No. B-3554 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Virgil E. Romine, doing business as "Romine Truck Lines", be, and he is hereby, authorized to suspend his operations under Permit No. B-3554 until December 23, 1950.

That unless said Virgil E. Romine, doing business as "Romine Truck Lines" 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

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\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado  
this 6th day of July, 1950.

(Decision No. 35019)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF)  
CECIL L. GOODLOE, 210 WEST  
SECOND AVENUE, DENVER, COLO-  
RADO. }

PERMIT NO. B-2583

-----  
July 6, 1950  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee, requesting that his Permit No. B-2583 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

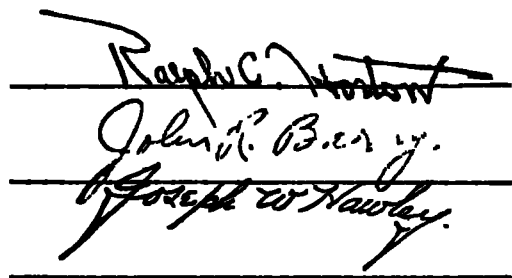
O R D E R

THE COMMISSION ORDERS:

That Cecil L. Goodloe be, and he is hereby, authorized to suspend his operations under Permit No. B-2583 until December 26, 1950.

That unless said Cecil L. Goodloe 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 6th day of July, 1950.

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
JANE PERRY CLARK, DOING BUSINESS AS  
"DENVER-FORT COLLINS TRUCK LINE,"  
3220 WALNUT STREET, DENVER, COLORADO,  
FOR AUTHORITY TO TRANSFER PERMIT NO.  
A-783 TO HAROLD E. WATSON, JR., 1495  
TWENTY-THIRD STREET, DENVER, COLORADO.  
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APPLICATION NO. 9439-PP-Transfer.

(TO AMEND DECISION NO. 31387)

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June 27, 1950  
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Appearances: Truman A. Stockton, Jr., Esq.,  
and  
John H. Lewis, Esq., Denver,  
Colorado, for Denver-Laramie-  
Walden Truck Lines;  
E. B. Evans, Esq., Denver, Colo-  
rado, for Harold E. Watson, Jr.;  
A. J. Fregeau, Denver, Colorado,  
for Welcker Transfer and  
Storage Company;  
Bernard B. Carraher, Esq., Denver,  
Colorado, for Costello Motor  
Company;  
Victoria F. Gross, Englewood, Colo-  
rado, for Jane Perry Clark and  
Arthur E. Dussart.

STATEMENT

By the Commission:

By Decision No. 31387, of date October 7, 1948, this Com-  
mission authorized Jane Perry Clark, Denver, Colorado, to transfer her  
private carrier Permit No. A-783, and the complimentary interstate  
authority, to Harold E. Watson, Jr., Denver, Colorado, if and when the  
said Harold E. Watson, Jr., should pay to Joseph W. Hawley, as Trustee,  
the sum of \$3,650.00, which amount should be disbursed by said Trustee,  
for the payment of claims in the following order:

First: Payment of mortgage claim of Arthur E.  
Dussart for \$2,000.00, plus interest;

Second: Payment of amount due the Collector of  
Internal Revenue, amounting on said date  
to \$990.30;

Third: Payment to State of Colorado of unpaid tax-  
mile tax amounting at that time to \$87.48,  
the balance remaining after said disbursements



to be prorated among unsecured claimants listed in the appendix to said order, in the proportion their respective claims bear to the claims remaining, after payment of mortgage and tax claims aforesaid.

By Decision No. 32620, of date May 17, 1949, the former Decision No. 31387 was vacated, insofar as said decision required Harold E. Watson, Jr., to pay the purchase price of \$3,650.00, for said permit No. A-783, to Joseph W. Hawley, as Trustee, and insofar as said decision requires Joseph W. Hawley to disburse said purchase price to the creditors of Jane Perry Clark, and said former Decision No. 31387 was amended to provide that the purchase price for said permit, if and when paid by said Harold E. Watson, Jr., should be paid to John H. Murch, as Trustee, to be distributed in accordance with said Decision No. 31387.

Since the entry of said Decision No. 31387, the contract of purchase and sale by and between the said Jane Perry Clark and Harold E. Watson, Jr., became the subject of litigation in a case lately pending in the District Court in and for the City and County of Denver, Colorado, in Civil Action No. A-63946, Division 1, entitled "Jane Perry Clark and Arthur Dussart, Plaintiffs, vs. Harold E. Watson, Jr., Defendant;" that said action was originally brought against said defendant and the Public Utilities Commission of the State of Colorado, but was dismissed as to said Public Utilities Commission.

On March 4, 1950, the District Court in which said action was pending, entered its judgment and decree, a certified copy of which is on file herein.

In the action in District Court referred to, plaintiffs set forth, as their first cause of action, the indebtedness represented by the promissory note of Jane Perry Clark, of date February 21, 1948, payable to the order of Arthur E. Dussart, in the principal sum of \$2,000.00, secured by chattel mortgage upon private carrier permit No. A-783, no part of which had at that time been paid. The second cause of action was based upon a claim for rental of a certain trailer owned by plaintiffs and used by defendant, and the third cause of action was



based upon a claim, that at the time the original Decision No. 31387 of this Commission was entered, said Jane Perry Clark reserved to herself the right to receive all outstanding accounts receivable, in connection with the operation of said truck line, but that Defendant Harold E. Watson, Jr., had received funds and monies due the Plaintiff Jane Perry Clark, and failed to account therefor or to pay over the same to the said Jane Perry Clark.

By the decree of the said District Court of date March 4, 1950, it was adjudged that Defendant Harold E. Watson, Jr., should pay to John H. Murch, Trustee, for the use and benefit of Plaintiff Arthur E. Dussart, the following amounts:

- (a) \$160.00 on February 23, 1950;
- (b) \$440.00 on or before March 15, 1950;
- (c) \$ 83.33 on the 15th day of each month, beginning April 15, 1950 until the note of Jane Perry Clark, dated February 21, 1948, payable to the order of Arthur Dussart, in the principal amount of \$2,000.00, together with interest at the rate of 6% per annua, secured by chattel mortgage upon Private Carrier Permit No. A-783, shall have been paid in full according to its terms, interest accruing thereon to date in excess of the amount of \$160.00 being waived. This disposed of the first cause of action in the complaint.

It was further decreed that Defendant Harold E. Watson, Jr., pay to John H. Murch, Trustee, the sum of \$10.00, on the 15th day of each month, beginning March 15, 1950, until the sum of \$150.00 shall have been paid, to be distributed in accordance with the provisions of said Decision No. 31387. It was further decreed that the parties should apply for reinstatement of certificate of public convenience and necessity issued by the Interstate Commerce Commission No. M. C. 106011; and in the event of such reinstatement Defendant Watson should realize the best price obtainable from the sale or lease of such certificate, and pay over the proceeds to said Trustee, less expenses and counsel fees, to be disbursed by said Trustee under the provisions of said Decision No. 31387.

It was further decreed that said John H. Murch, Trustee, should make and file with the Commission, on or before September 1, 1950, an intermediate report of his acts and doings as such Trustee, together with receipts for monies disbursed by him under the terms of said judgment and decree, and also a final report, as soon as it shall appear that creditors shall have received final dividend.

It was further decreed that Private Carrier Permit No. A-783 be forthwith transferred to Defendant Harold E. Watson, Jr., and that the second cause of action be dismissed with prejudice. The third cause of action, and the decree relative thereto, pertains solely to controversies between Plaintiff Jane Perry Clark and Defendant Harold E. Watson, Jr., in which this Commission has no interest.

By the instant application, Jane Perry Clark and Harold E. Watson, Jr., pray that the findings and decree of said District Court be approved; that Private Carrier Permit No. A-783 be finally transferred to applicant Harold E. Watson, Jr., and that in the event Interstate Commerce Commission Certificate No. M. C. 106011 be reinstated, and any money realized from the sale thereof, that the proceeds of such sale be distributed in accordance with the order of this Commission, contained in its Decision No. 31387, by the Trustee appointed in Decision No. 32620.

There being no parties in interest who might be adversely affected by the Order requested, the Commission has decided to hear, and has heard, this matter, upon the application and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the instant application should be approved and granted, and an appropriate order entered as prayed for, subject to the conditions hereinafter imposed.

### ORDER

#### IT IS ORDERED BY THE COMMISSION:

That as a condition precedent to the granting of the transfer involved, the said Harold E. Watson, Jr., shall pay to the State Treasurer

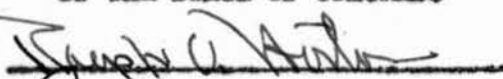


of the State of Colorado, all monies due said State Treasurer, as ton-mile tax on the operation of the said Jane Perry Clark and Harold E. Watson, Jr., under said Private Carrier Permit No. A-783.

That upon payment of the ton-mile tax, as above provided, the transfer of said Private Carrier Permit No. A-783, and the complementary interstate authority issued by the State of Colorado to Harold E. Watson, Jr., be, and shall then, become final.

That the findings and decree of the District Court, in and for the City and County of Denver, Colorado, in Civil Action No. A-63946, Division 1, entitled "Jane Perry Clark and Arthur Dussart, Plaintiffs, vs. Harold E. Watson, Jr., Defendant," be, and the same are, approved, and that the said Harold E. Watson, Jr., as transferee of said Private Carrier Permit No. A-783, be, and is hereby, directed to comply with all of the terms and conditions imposed upon him by the said findings and decree, the certified copy of said findings and decree, as filed herein with the instant application, being made a part hereof by reference.

That this Order be, and hereby is, made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of June, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF)  
HARRY HARBISON, 232 EAST )  
PROSPECT, FORT COLLINS, COLO- )  
RADO. )  
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PERMIT NO. C-19628

-----  
July 6, 1950  
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S T A T E M E N T

By the Commission:

On January 9, 1950, the Commission entered an order revoking the above-numbered permit for failure of respondent to file monthly road tax reports for the period August 1 to November 30, 1949.

It now appears that said reports have been filed and that Permit No. C-19628 should be reinstated as of January 9, 1950.

F I N D I N G S

After careful consideration of the record and the request, the Commission is of the opinion, and finds, that Permit No. C-19628 should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19628 of Harry Harbison, of 232 East Prospect, Fort Collins, Colorado, should be, and the same hereby is, reinstated, as of January 9, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Raymond C. Vinton*  
*John H. Berry*  
*Joseph W. Hawley*

\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 6th day of July, 1950.

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: PETITION OF MOTOR TRUCK  
COMMON CARRIERS' ASSOCIATION,  
AS AGENT, FOR AND ON BEHALF OF  
NORTH EASTERN MOTOR FREIGHT,  
INC.; MC KIE TRANSFER COMPANY,  
AND LANTZ TRUCK LINE: ALSO  
PETITIONS FROM BARLOW'S SERVICE  
AND CHRIS SORENSON, FOR VARIOUS  
CHANGES IN RATES.

CASE NO. 1585

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June 28, 1950  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of four applications for various changes in rates designated as follows, viz:

Application No. 178.

The Motor Truck Common Carriers' Association, as agent, for and on behalf of Robert and Jacqueline Lantz, d/b/a Lantz Truck Line seeks authority to publish the following increased rates in cents per 100 pounds of milk, on milk, in milk shipping cans, to Denver, Colorado, from

		<u>Rate</u>
Jim Chambers	Aurora, Colo.	\$.25
Henry Knous	" "	.25
D. M. Atwater	Bennett, Colo.	.37
Elmer Castle	" "	.37
John Clair	" "	.35
F. J. Cline	" "	.35
Loyd King	" "	.36
James Layne	" "	.35
Alvin Meyers	" "	.37
Melvin Mitchell	" "	.35
James Perkins	" "	.37
John Schroth	" "	.35
Ed Taylor	" "	.37
Howard Taylor	" "	.37
Jennie Thornburg	" "	.35
W. C. Thornburg	" "	.35
Fred Toft	" "	.37
Mr. Trushlood	" "	.37
W. F. Eagan	Derby, Colo.	.35
Tom Pugh	" "	.37
C. W. Short	" "	.35
James Thompson	" "	.35



Bob Ziegler	Derby, Colo.	\$ .34	
Carl Ziegler	" "	.34	- over 15 cans .30
Ed Zyback	Strasburg, Colo.	.35	
Alvin Becker	Watkins, Colo.	.34	
Mary Becker	" "	.34	
Frank Behrens	" "	.28	
Jeff Drohn	" "	.34	over 15 cans .30
Chas. Hicks	" "	.34	

Subject to a minimum charge of 50 cents per day per stop. Where two shippers ship from the same farm, the minimum charge will be 25 cents for each shipper.

Application No. 180.

The Motor Truck Common Carriers' Association, as agent, for and on behalf of the McKie Transfer Company and the North Eastern Motor Freight, Inc., seeks authority to publish the following specific commodity rates in cents per 100 pounds:

Commodity	From	To	Rate
<u>For account of McKie Transfer Co.</u>			
Ice Cream		Berthoud, Colo.	56
Mix, sweetened	Denver, Colo.	Longmont, Colo.	51
Condensed Milk,		Mead, Colo.	56
or Sweet Cream	<u>For account of North Eastern Motor Freight, Inc.</u>		
for use in		Amherst, Colo.	100
making Ice Cream,		Atwood, Colo.	83
in milk shipping		Brush, Colo.	76
cans.		Crook, Colo.	91
Shipper must		Dailey, Colo.	95
furnish all neces-		Fleming, Colo.	91
sary refrigerants		Fort Morgan, Colo.	70
to keep shipment	Denver, Colo.	Goodrich, Colo.	74
in good condition.		Haxtum, Colo.	95
Rates include		Hillrose, Colo.	77
return of empty cans.		Holyoke, Colo.	99
The carrier will not		Iliff, Colo.	90
furnish pick-up or		Julesburg, Colo.	100
delivery service at		Merino, Colo.	80
Denver, Colo., in		Orchard, Colo.	70
connection with the		Ovid, Colo.	99
rates herein		Paoli, Colo.	97
prescribed.		Proctor, Colo.	91
		Sadgwick, Colo.	97
		Sterling, Colo.	89
		Weldona, Colo.	76
		Wiggins, Colo.	64

Application No. 5.

Chris Sorenson, for and on behalf of Ethel E. Sorenson, d/b/a Sorenson Truck Line, seeks authority to cancel its Motor Freight Tariff No. 2 Colo. P.U.C. No. 2, naming rates on livestock (other than sheep), fit for

slaughter without further feeding or finishing necessary to be classified as "good" or "choice", minimum weight 16,000 pounds, from points in northern Colorado to Denver, Colorado, together with rules governing stopping in transit at Denver for consolidation, sale or speculation.

Unnumbered Application dated June 15, 1950.

Arthur N. Barlow, d/b/a Barlow's Service, by R. L. Ellis, seeks authority to publish a rate of .396 cents per gallon on petroleum and petroleum products as described in Item No. 20 of Freight Tariff Colo. P.U.C. No. 4 from Denver refineries to Camp George West, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

After careful examination of the applications, that the proposed schedules, tariffs, rates and changes as set out in said applications are fair, just and reasonable and that the applicants should be allowed to publish same.

O R D E R

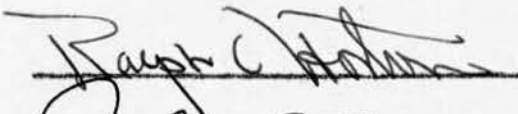
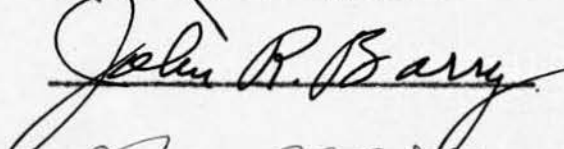
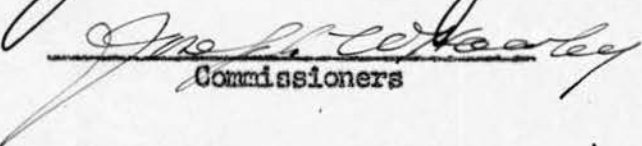
THE COMMISSION ORDERS:

1. That this order shall become effective forthwith; 2. that all motor vehicle common carriers, to the extent they are affected, shall publish new schedules, tariffs and rates reflecting the changes set forth in the statement above; 3. that all private carriers by motor vehicle, to the extent they are affected, shall not henceforth publish, charge or collect rates or charges less than those herein prescribed for motor vehicle common carriers, and shall publish new tariffs where necessary to comply with this order; 4. that the rates and provisions prescribed herein shall become effective on the 17th day of July, 1950, on notice to this Commission and the general public by not less than five days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act, and Section 10, Chapter 120, Session Laws of 1931, as amended; 5. that on and after July 17, 1950, all motor vehicle common carriers, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges that shall be greater or less than the rates prescribed in said schedules on the



traffic involved; 6. that on and after said date, all private carriers by motor vehicle, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than the rates proscribed in said schedules; 7. that the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission; 8. that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 28th day of June, 1950.

hn

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAILWAY EXPRESS AGENCY, INC., DENVER )  
UNION TERMINAL, DENVER, COLORADO, )  
TO DISCONTINUE PICKUP AND DELIVERY )  
SERVICE IN HUGO, LINCOLN COUNTY, )  
COLORADO. )  
-----

APPLICATION NO. 10627

-----  
June 27, 1950  
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S T A T E M E N T

By the Commission:

On May 26, 1950, the Railway Express Agency, Inc., by C. C. Case, its Superintendent, filed a petition under this Commission's General Order No. 35 requesting permission to discontinue pickup and delivery service in connection with its agency at Hugo, Lincoln County, Colorado.

Applicant states that there has been a gradual diminishing of traffic to and from this office and during the last twelve (12) months there has been an average of 135 shipments per month, or only about five per day. Out of this daily average of five shipments, an average of two shipments were handled by pickup and delivery service, the balance of traffic originating with or destined to rural customers where this type of service was not available.

The average income per shipment has amounted to \$2.51 while the average expense has amounted to \$2.49; however, the average expense item does not include the local delivery charge at Hugo and when this is added it results in a small loss to applicant for every shipment handled. By eliminating this free pickup and delivery service at Hugo, applicant hopes to effect a small savings that will enable this office to show a profit and thus to continue to operate.

Since the depot at Hugo is but a short distance from the business district, applicant does not believe that shippers will be unduly inconvenienced by this change in service. If permission is granted applicant to discontinue this phase of service at Hugo, all traffic arriving at this station will be held at the station and consignees notified by telephone or postal card after which traffic will be held until called for.

Proper notice to the public of the discontinuance of this pickup and delivery service was posted in the office of the Railway Express Agency in Hugo on June 12, 1950. No protests having been received by the Commission from anyone regarding the discontinuance of this service, the Commission determined to hear, and has heard, said matter forthwith without further notice upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought in the instant application should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

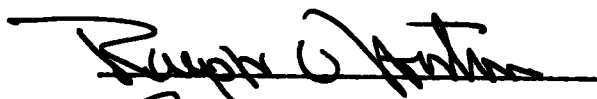
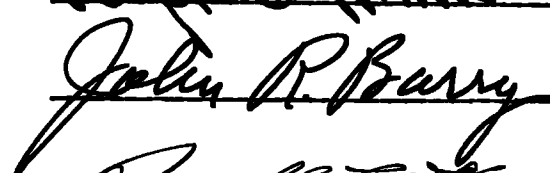

That the above Statement and Findings be made a part hereof;

That the Railway Express Agency, Inc., be, and it hereby is, authorized to discontinue pickup and delivery service at Hugo, Lincoln County, Colorado, on notice to this Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act of the State of Colorado;

That reference shall be made to the decision and order of the Commission in the schedules discontinuing said service;

That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of June, 1950.

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PUBLIC SERVICE COMPANY OF COLORADO,  
A CORPORATION ORGANIZED AND EXISTING  
UNDER THE LAWS OF THE STATE OF COLO-  
RADO, FOR AUTHORITY TO ISSUE 100,000  
SHARES OF ITS CUMULATIVE PREFERRED  
STOCK (PAR VALUE \$1.00 EACH) AND  
\$7,000,000 PRINCIPAL AMOUNT OF DEBEN-  
TURES, CONVERTIBLE INTO COMMON SHARES  
(PAR VALUE \$10 EACH), INCLUDING AUTH-  
ORITY TO ISSUE SUCH COMMON SHARES UPON  
CONVERSION OF SUCH CONVERTIBLE DEBEN-  
TURES.

APPLICATION NO. 10658

-----  
June 28, 1950  
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Appearances: Lee, Bryans, Kelly & Stansfield, Esqs.,  
Denver, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above matter was set for hearing before this Commission  
for July 3, 1950, 10:00 a.m.

The Commission is now advised that the Governor of the State  
of Colorado has declared a holiday for all state officials and em-  
ployees on July 3, 1950, and all state office buildings will be  
closed on that day.

F I N D I N G S

THE COMMISSION FINDS:

That the setting of the above matter should be vacated,  
and hearing reset for a later date.

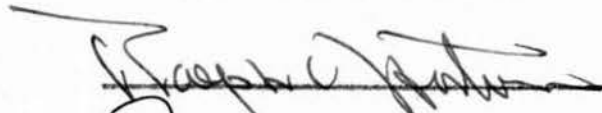
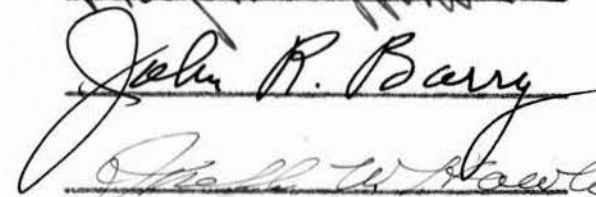
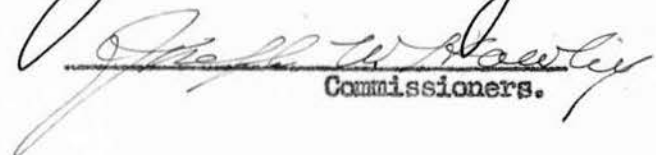
O R D E R

THE COMMISSION ORDERS:

That the setting for hearing of the above application for  
July 3, 1950, be, and the same is, hereby vacated, and that said  
matter be, and is, hereby reset for hearing, at the Hearing Room of

the Commission, 330 State Office Building, Denver, Colorado, on  
July 5, 1950 10:00 a.m.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado  
this 28th day of June, 1950.

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

Northern Colorado Coals, Inc.,  
a corporation,

Complainant,

vs.

The Atchison, Topeka and Santa Fe  
Railway Company; Chicago, Burlington  
& Quincy Railroad Company; Chicago,  
Rock Island and Pacific Railroad  
Company; The Colorado and Southern  
Railway Company; The Denver and  
Intermountain Railroad Company;  
The Denver and Rio Grande Western  
Railroad Company and the Union  
Pacific Railroad Company,

Defendants.

CASES NOS. 5003,  
5004 and 5005.

June 28, 1950.

S T A T E M E N T

By the Commission:

On August 26, 1949, the above named complainant filed three separate complaints, wherein it alleged that the rates on coal from mines located in northern Colorado, in what is designated as Group 36 in Western States Coal and Coke Tariff No. 1-A, Agent A. S. Ahlstrom's Colo. P.U.C. No. 28, to certain named destinations on the lines of the defendants were unjust, unreasonable and excessive and in violation of the laws of the State of Colorado.

Between September 1 and 10, 1949, separate replies from the defendants were received by the Commission wherein the allegations of the complainant were denied.

On October 4, 1949, Mr. K. G. Carlson, Freight Traffic Manager - Rates - Union Pacific Railroad Company, Omaha, Nebraska, wrote in part the following:



"The matters involved in these cases have been discussed informally with the complainant by a committee of the defendant carriers, and it was agreed that the latter would make a careful study and analysis of the present rates in order to determine if there are any grounds for a voluntary adjustment which will be acceptable to the complainant and enable withdrawal of the complaints. The carriers are now engaged in making such a study, and, in the circumstances, I have been directed as the chairman of the Committee of Railroads assigned to the defense of the complaints to request of your Commission that these cases be not assigned for hearing until a reasonable time shall have elapsed to permit a conclusion of our efforts toward a settlement.

"A copy of this letter is being sent to Mr. A. L. Vogl, Attorney for the complainant, so that he may indicate direct to you his concurrence in the rail carriers' suggestion."

On October 11, 1949, Mr. A. L. Vogl, advised the Commission he was agreeable to the request of Mr. Carlson.

On February 23, 1950, Mr. Carlson advised the Commission as follows:

"A conference was held on January 18th between Northern Colorado Coals, Inc., and the involved railroads in these complaints. Regret to state that the carriers have been unable through this conference and subsequent correspondence to arrange a satisfactory settlement of the issues involved."

On May 12, 1950, Mr. A. J. Stilling, Assistant Freight Traffic Manager, Union Pacific Railroad Company, Omaha, Nebraska, wrote the Commission in part as follows:

"No official notice of the hearing date has been received but I understand that it has been definitely decided that formal hearing will be held beginning July 10. It occurs to me that these complaints would be ideal for handling in a manner similar to the Interstate Commerce Commission's modified procedure under which the complainant prepares exhibits and testimony in writing for distribution to the Commission and the defendants, and the defendants then prepare their exhibits and written statements of testimony for filing with the Commission and the complainants. A formal hearing could then be held for the purpose of offering the exhibits in evidence and for the purpose of permitting complainants to offer rebuttal testimony and to allow all of the parties to cross examine opposing witnesses if they so desire."

On May 16, 1950, the Commission advised Mr. Stilling that, if agreeable to all concerned, it would have no objection to the handling of the cases as suggested. On May 24, 1950, Mr. Stilling wrote Mr. Vogl relative to the proposed procedure.

On May 31, 1950, Mr. Vogl advised Mr. Stilling and the Commission he was agreeable to the proposed procedure.

On June 15, 1950, the rate department of the Commission wrote Mr. Stilling and Mr. Vogl the following partly quoted letter:

"Inasmuch as the procedure that we are contemplating following is a new one for this Commission, the question arises as to the rights of any intervener who might desire to intervene in these proceedings at the time the hearing was set for cross examination and/or rebuttal testimony.

"In discussing this matter with our Commissioners, they have suggested that a preliminary hearing be held relative to the proposed procedure and that in assigning the preliminary hearing, it would be our endeavor to notify any potential interveners that we know of."

On June 16, 1950, Mr. Stilling advised the Commission and Mr. Vogl that the rail lines were willing that a preliminary hearing be held on the question of the so-called modified procedure.

### FINDINGS

#### THE COMMISSION FINDS:

That, a preliminary hearing should be held on the question of the so-called modified procedure.

### ORDER

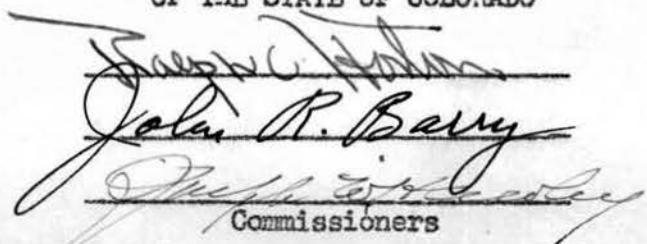
#### THE COMMISSION ORDERS:

That, cases Nos. 5003, 5004 and 5005, be, and they are hereby assigned for a preliminary hearing on July 11, 1950, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M., Mountain Standard Time, for the purpose of entering formal appearances, the reception of petition of intervention and the fixation of dates for the filing of exhibits and prepared statements of testimony of all interested parties.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado  
this 28th day of June, 1950.

hn

  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
ESTES SCENIC AIRWAYS, NOT INCORPORATED, 664 WEST MICHIGAN AVENUE, }  
CHICAGO, ILLINOIS, FOR A CERTIFICATE } APPLICATION NO. 10652.  
OF PUBLIC CONVENIENCE AND NECESSITY. }  
----- }

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June 28, 1950  
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Appearances: Ralph Sargent, Esq.,  
Denver, Colorado, for  
Rocky Mountain  
Motor Company;  
Willard F. Bridgeman,  
Denver, Colorado, of  
The Public Utilities  
Commission of the State  
of Colorado, for the  
Commission.

STATEMENT

By the Commission:

The above-styled matter was regularly set for hearing at 330 State Office Building, Denver, Colorado, June 27, 1950, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, Willard F. Bridgeman, Aeronautical Inspector for the Commission, moved that said application be dismissed for lack of prosecution, in which motion Ralph Sargent, Esq., appearing for Rocky Mountain Motor Company, joined.

The matter was taken under advisement.

FINDINGS

THE COMMISSION FINDS:

That said application should be dismissed for lack of prosecution.

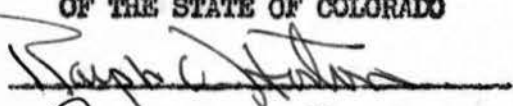
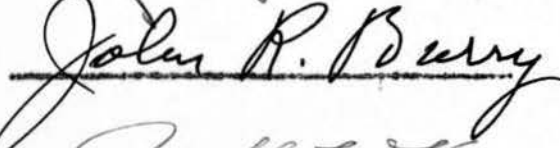
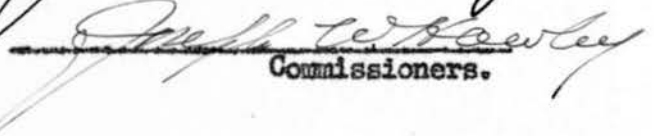
ORDER

THE COMMISSION ORDERS:

That the above-styled matter should be, and the same hereby  
is, 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 28th day of June, 1950.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
HAROLD S. TUCKER AND MINNIE C. TUCKER,  
DOING BUSINESS AS "WHITE TOP TAXI  
SERVICE," GUNNISON, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 1797  
TO FRED M. STAPLES AND BOBBY J.  
MARTIN, CO-PARTNERS, DOING BUSINESS  
AS "WHITE TOP TAXI SERVICE," GUN-  
NISON, COLORADO.

APPLICATION NO. 10665-Transfer.

June 28, 1950

Appearances: Porter and Carroll, Esqs.,  
Gunnison, Colorado, for  
applicant.

STATEMENT

By the Commission:

By Decision No. 28539, of date June 30, 1947, Leo Klinker,  
doing business as "White Top Taxi Service," Gunnison, Colorado, was  
authorized to operate as a common carrier by motor vehicle for hire  
for the transportation of:

passengers in cabs of not to exceed five-  
passenger capacity, plus driver, between  
points within the City of Gunnison, Colo-  
rado, and from and to said City of Gunnison,  
to and from all points within a radius of  
twenty-five miles of Gunnison, and also from  
Gunnison to the Town of Lake City and return,  
with the proviso that for service between  
Gunnison, on the one hand, and, on the other,  
points within a radius of twenty-five miles  
of Gunnison, and to Lake City, the rate for  
one passenger shall not be less than twenty-  
five cents per mile one way, with ten cents  
per mile for each additional passenger, and  
two and one-half cents per minute waiting time,

said operating rights being designated "PUC No. 1797."

Pursuant to authority contained in Decision No. 33846, said  
PUC No. 1797 was transferred to Harold S. Tucker and Minnie C. Tucker, co-  
partners, doing business as "White Top Taxi Service," Gunnison, Colorado.

By Decision No. 34622, of date April 21, 1950, said certificate-holders were authorized to extend operations under PUC No. 1797 to include:

- (1) transportation of passengers for hire in sightseeing service originating and terminating in Gunnison County within a one-hundred-mile radius of Gunnison, Colorado;
- (2) transportation of passengers in sightseeing service from Gunnison County and return via U. S. Highway No. 50 to Montrose, U. S. Highway No. 550, Montrose to Durango (with the right to make side trip to Mesa Verde National Park); thence via U. S. Highway No. 160 to Monte Vista; thence from Monte Vista to Gunnison, Colorado, via U. S. Highway No. 285 and U. S. Highway No. 50, or an alternate route from Monte Vista via U. S. Highway No. 285 and State Highway No. 114.

By the instant application, Harold S. Tucker and Minnie C. Tucker, co-partners, doing business as "White Top Taxi Service," seek authority to transfer PUC No. 1797 to Fred M. Staples and Bobby J. Martin, co-partners, doing business as "White Top Taxi Service," Gunnison, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise, are able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Harold S. Tucker and Minnie C. Tucker, doing business as "White Top Taxi Service," Gunnison, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1797 — being the operating rights granted by Decision No. 28539, as extended by Decision No. 34622 — to Fred M. Staples and Bobby J. Martin, co-partners, doing business as "White Top Taxi Service," Gunnison, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

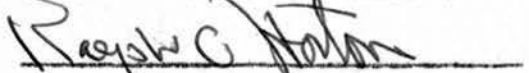
The tariff of rates, rules and regulations of transferors shall become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

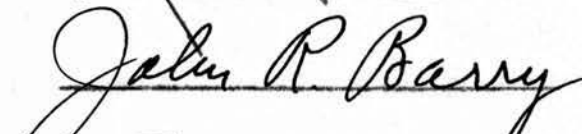
The right of transferees to operate under this order shall depend upon the prior filing by transferors of delinquent reports, if any, covering their operations under said certificate up to the time of the transfer of said certificate, and the payment by them or transferees of all unpaid passenger-mile tax.

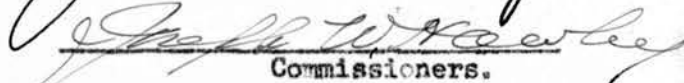
That ton-mile tax deposit of transferors shall be transferred and credited to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners.

Dated at Denver, Colorado,  
this 28th day of June, 1950.

es



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
L. L. SIMPSON, RAYMOND GAIL SIMPSON,  
AND RICHARD ALLEN SIMPSON, CO-  
PARTNERS, DOING BUSINESS AS "SIMPSON  
& SONS," FOUNTAIN, COLORADO, FOR  
AUTHORITY TO TRANSFER PERMIT NO.  
A-671 TO EUGENE U. WILLIAMS, FOUNTAIN,  
COLORADO.

APPLICATION NO. 10664-PP-Transfer

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IN THE MATTER OF THE APPLICATION OF  
L. L. SIMPSON, RAYMOND GAIL SIMPSON,  
AND RICHARD ALLEN SIMPSON, CO-  
PARTNERS, DOING BUSINESS AS "SIMPSON  
& SONS," FOUNTAIN, COLORADO, FOR  
AUTHORITY TO TRANSFER INTERSTATE  
OPERATING RIGHTS TO EUGENE U. WILLIAMS,  
FOUNTAIN, COLORADO.

PERMIT NO. B-1894-I-Transfer

-----  
June 30, 1950  
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S T A T E M E N T

By the Commission:

On April 28, 1934, H. T. Huff was authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

freight from Fountain to Colorado Springs  
and return, via U. S. Highway No. 85,

said operating rights being designated "Permit No. A-671."

Pursuant to authority contained in Decision No. 7345, of date March 16, 1936, said operating rights were acquired by A. S. Harns, who, pursuant to authority contained in Decision No. 26312, of date July 31, 1946, transferred said Permit No. A-671 to L. L. Simpson, Raymond Gail Simpson, and Richard Allen Simpson, co-partners, doing business as "Simpson & Sons," Fountain, Colorado, who, by Application No. 10664-PP, seek authority to transfer said operating rights to Eugene U. Williams, Fountain, Colorado.

On June 3, 1937, Interstate Permit No. B-1894-I issued to A. S. Harns, subject to the provisions of the Federal Motor Carrier Act of 1935, with authority to operate as a private carrier, in interstate commerce, only:

between all points in Colorado and the Colorado State Boundary Line, where all highways cross the same.

Pursuant to authority contained in Decision No. 26312, of date July 31, 1946, said permit-holder transferred said Permit No. B-1894-I to L. L. Simpson, Raymond Gail Simpson, and Richard Allen Simpson, co-partners, doing business as "Simpson & Sons," Fountain, Colorado, who, by the instant application, seek authority to transfer said operating rights to Eugene U. Williams, Fountain, Colorado.

Inasmuch as the files of the Commission and the applications herein show that said operating rights are in good standing; that road tax has been paid; that ten -mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permits; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operations, and it does not appear that any useful purpose would be served by setting said applications for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said applications, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That L. L. Simpson, Raymond Gail Simpson, and Richard Allen Simpson, co-partners, doing business as "Simpson & Sons,"

Fountain, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. A-671 -- said operating rights having been acquired by them pursuant to authority contained in Decision No. 26312 -- to Eugene U. Williams, Fountain, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferors of delinquent reports, if any, covering their operations under said permit up to the time of transfer of said permit, and the payment by them or transferee of all unpaid ton-mile tax.

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

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferee.

That L. L. Simpson, Raymond Gail Simpson, and Richard Allen Simpson, co-partners, doing business as "Simpson & Sons," Fountain, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-1894-I -- said operating rights having been acquired by them pursuant to authority contained in Decision No. 26312 -- to Eugene U. Williams, Fountain, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and also subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferee.

This order shall become effective as of the day and date  
hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Hutton  
John R. Barry  
Joseph C. Hawley  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of June, 1950.

jt



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
CAPT D. COX and MARY E. COX, doing  
business as COLORADO SPRINGS SIGHT-  
SEEING COMPANY, 432 NORTH NEVADA,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 132.

APPLICATION NO. 10638.

IN THE MATTER OF THE APPLICATION OF  
W. A. FOWLER, doing business as  
ALLIED MOTOR TOURS, IMPERIAL HOTEL,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 1503.

APPLICATION NO. 10639.

IN THE MATTER OF THE APPLICATION OF  
GALLIE DELLACROCE, 318 BEACON STREET,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 1504.

APPLICATION NO. 10640.

IN THE MATTER OF THE APPLICATION OF  
WILLIAM LOMBARDO, 110 NORTH WAHSATCH,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 1505.

APPLICATION NO. 10641.

IN THE MATTER OF THE APPLICATION OF  
A. H. FULLER, 716 PASEO, COLORADO  
SPRINGS, COLORADO, TO MAKE PERMANENT  
TAXICAB CERTIFICATE BETWEEN COLORADO  
SPRINGS, CAMP CARSON AND PETERSON  
FIELD, UNDER PUC NO. 1506.

APPLICATION NO. 10642.

IN THE MATTER OF THE APPLICATION OF  
W. L. FULLER, doing business as  
COLORADO SCENIC TOURS, 716 PASEO,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 1507.

APPLICATION NO. 10643.

IN THE MATTER OF THE APPLICATION OF  
FRANK J. FORTUNA, 34 1/2 EAST ROMONA,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 1508.  
(WAR TIME RIGHTS FOR SUCH SERVICE  
WERE ORIGINALLY GRANTED TO CHARLES &  
PAUL W. WEISS, dba CONSOLIDATED TOURS.

APPLICATION NO. 10644.

IN THE MATTER OF THE APPLICATION OF  
FRANK FORTUNA, 34 1/2 EAST ROMONA,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 1872.

APPLICATION NO. 10645.

IN THE MATTER OF THE APPLICATION OF  
E. F. BOWLETT & KENNETH PEBBLES,  
doing business as R & P SCENIC TOURS,  
335 CHEYENNE, COLORADO SPRINGS, COLO-  
RADO, TO MAKE PERMANENT TAXICAB CERTIF-  
ICATE BETWEEN COLORADO SPRINGS, CAMP  
CARSON AND PETERSON FIELD, UNDER PUC  
NO. 1985.

APPLICATION NO. 10646.

IN THE MATTER OF THE APPLICATION OF  
WILLIAM LOMBARDO, 1723 NORTH NEVADA,  
COLORADO SPRINGS, COLORADO, TO MAKE  
PERMANENT TAXICAB CERTIFICATE BETWEEN  
COLORADO SPRINGS, CAMP CARSON AND  
PETERSON FIELD, UNDER PUC NO. 2054.

APPLICATION NO. 10647.

June 30, 1950

Appearances: Marion F. Jones, Esq.,  
Denham Building, Denver,  
Colorado, for applicant;  
J. A. Carruthers, Esq., Colo-  
rado Springs, Colorado, for  
Yellow Cab Company of Colo-  
rado Springs;  
Strachan, Horn & Anderson, Esqs.,  
Colorado Springs, Colorado, for  
Colorado Springs Transfer Company.

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

##### By the Commission:

The certificates of public convenience and necessity herein involved are limited for the "duration of the war," and by Decision No. 34504, of date March 31, 1950, this Commission held that the purpose of the limited certificates had been accomplished; that for the purpose of determining a definite expiration date for all authority so limited, April 1, 1950, was declared to be the end of the "duration of the war," and held that on April 1, 1950, the winding-up period of three or six months, as limited in the certificates, should begin to run on all such limited authorities, and further held,

"That all authorities limited in time by phrases as aforesaid shall terminate, expire, and come to an end three months after April 1, 1950, (being July 1, 1950) or six months after April 1, 1950, (being October 1, 1950) or within such other time as may be limited by the order granting such authority, unless prior to the expiration of said winding-up periods, applications shall have been made, and orders shall have been issued by the Commission, altering, extending, amending or making permanent all such temporary authorities."

The decision above quoted was dated March 31, 1950, and application was filed by each of the above-named applicants on May 6, 1950, asking that the temporary authorities be made permanent. Because of the delay in filing these applications, and the other cases already set for hearing at the time said applications were filed, and the necessity for setting same at least ten days subsequent to the date of the applications, said applications could not be set for hearing until June 20, 1950, when hearing was had at Colorado Springs, Colorado, and the cases taken under advisement.

Because of a current rush of business before the Commission, resulting from the railroad strike and other emergencies, it will be impossible to obtain a transcript of the evidence given at the hearing referred to, and consider the same in time to make a decision upon the applications referred to prior to July 1, 1950, and the Commission is of the opinion that Paragraph 4 of said Decision No. 34504 should be amended, as provided in the following Order.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That Paragraph 4 of said Decision No. 34504 should be amended, as hereinafter provided.

#### O R D E R

##### IT IS ORDERED BY THE COMMISSION:

That Paragraph 4 of Decision No. 34504, of date March 31, 1950, should be, and is hereby, amended to read as follows:



"That all authorities limited in time by phrases, as aforesaid, shall terminate, expire and come to an end three months after April 1, 1950, (being July 1, 1950) or six months after April 1, 1950, (being October 1, 1950) or within such other time as may be limited by the order granting such authority, unless prior to the expiration of said winding-up periods, applications shall have been made for an order of this Commission to make such temporary authorities permanent, and hearings shall have been had on such applications."

That in all other respects, said Decision No. 34504 shall be, and remain, in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton

John R. Barry

Joseph C. Hawley

Dated at Denver, Colorado,  
this 30th day of June, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DAVID GRAY, DOING BUSINESS AS "GRAY )  
MOVING & STORAGE CO.," 1258 SOUTH )  
PEARL STREET, DENVER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1990 )  
TO DAVID GRAY AND FAIRY BELLE GRAY, )  
CO-PARTNERS, DOING BUSINESS AS "GRAY )  
MOVING & STORAGE," 1258 SOUTH PEARL )  
STREET, DENVER, COLORADO. )  
-----

APPLICATION NO. 10673-Transfer

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 32733, of date May 25, 1949, David Gray, doing business as "Gray Moving & Storage Co.," Denver, Colorado, acquired from Leamon Resler, doing business as "Resler Truck Line," Denver, Colorado, authority to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of:

used household goods, office and store furnishings and fixtures in the City and County of Denver, and in the Counties of Adams, Arapahoe, and Jefferson, and for occasional service to all points in the State of Colorado and each of the counties thereof, he not to establish a branch office or have an agent employed in any other town or city than Denver for the purpose of developing business,

said operating rights being designated "PUC No. 1990."

By the instant application, said certificate-holder seeks authority to transfer PUC No. 1990 to David Gray and Fairy Belle Gray, co-partners, doing business as "Gray Moving & Storage," Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations

against said certificate; that transferees, pecuniarily and otherwise, are able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### O R D E R

#### THE COMMISSION ORDERS:

That David Gray, doing business as "Gray Moving & Storage Co.," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1990 — being the operating rights acquired by him pursuant to authority contained in Decision No. 32733 — to David Gray and Fairy Belle Gray, co-partners, doing business as "Gray Moving & Storage," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


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

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by him or transferees of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Hottel  
John R. Barry  
Orville C. Hawley  
Commissioners

Dated at Denver, Colorado,  
this 30th day of June, 1950.

mw

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

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
JIM HILLYARD, PRITCHETT, COLO- )  
RADO )

**PERMIT NO. C-23909**

**July 14, 1950**

## STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from.....  
 Jim Hillyard.....  
 requesting that Permit No. C-23909 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-23909, heretofore issued to Jim Hillyard be,  
and the same is hereby, declared cancelled effective June 23, 1950

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

Ralph C. Norton  
John B. B. J.  
Joseph W. Hawley.  
Commissioners

**Dated at Denver, Colorado,**

this 14th day of July, 1950  
it

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

✻ ✻ ✻ ✻

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE D. RASMUSSEN, BOX 581 )  
LARAMIE, WYOMING )

PERMIT NO. C-22279

July 14, 1950

# STATEMENT

**By the Commission:**

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

George D. Rasmussen

requesting that Permit No. C-22279 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-22279, heretofore issued to \_\_\_\_\_

George D. Rasmussen be.

and the same is hereby, declared cancelled effective June 24, 1950

~~THE PUBLIC UTILITIES COMMISSION~~  
~~OF THE STATE OF COLORADO~~

## Commissioners

**Dated at Denver, Colorado,**

this 14th day of July, 195<sup>0</sup>  
 at



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
EUGENE WRIGHT, RIVERDALE NO. )  
DAKOTA )  
 )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-24982

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
Eugene Wright .....  
requesting that Permit No. C-24982 ..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24982 ..... heretofore issued to .....  
Eugene Wright ..... be,  
and the same is hereby, declared cancelled effective May 8, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Ralph C. Norton  
John H. Barry  
Joseph W. Hawley  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THOMAS C. BROWN, Route 2, )  
BOX 1-E, MONTROSE, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-24044

July 14, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Thomas C. Brown.....  
requesting that Permit No. C-24044 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24044, heretofore issued to.....  
Thomas C. Brown..... be,  
and the same is hereby, declared cancelled effective June 16, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Horton*  
*John R. Barry*  
*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 195 <sup>0</sup>

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VIRGIL E. ROMINE, DOING BUSI- )  
NESS AS "ROMINE TRUCK LINE", )  
COPE, COLORADO ) PERMIT NO. C-22296  
 )  
 )  
 )  
----- )

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Virgil E. Romine, doing business as "Romine Truck Line"  
-----  
requesting that Permit No. C-22296-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22296-----, heretofore issued to-----  
Virgil E. Romine, doing business as "Romine Truck Line"-----be,  
and the same is hereby, declared cancelled effective June 23, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*John H. Barry*  
*Joseph W. Hawley*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF)  
J. W. DALY, WHEATLAND, WYOMING)  
-----)

PUC . 2111-I

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
J. W. Daly requesting that Certificate of Public Convenience and Ne-  
cessity be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. PUC : 2111-I, heretofore issued to  
J. W. Daly be, and the same is hereby, declared cancelled effective  
June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
John H. Barry  
Joseph W. Hawley

Commissioners.

Dated at Denver, Colorado,  
this 14th day of July, 1950.

jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HYNES ICE & COLD STORAGE COM- )  
PANY, P. O. BOX 393, CANON CITY )  
COLORADO ) PERMIT NO. C-5304  
 )  
 )  
 )  
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-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Hynes Ice & Cold Storage Company.....  
requesting that Permit No. C-5304.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5304....., heretofore issued to.....  
Hynes Ice & Cold Storage Company.....be,  
and the same is hereby, declared cancelled effective June 23, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Ralph C. Brown  
John R. Barry  
Joseph W. Hardy  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950  
jt

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EMERY BOLING, 914 EAST 14th AVE, )  
DENVER 3, COLORADO. )

PERMIT NO. C-20987.

July 14, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Emery Boling,.....  
requesting that Permit No. C-20987 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20987, heretofore issued to.....  
Emery Boling,.....be,  
and the same is hereby, declared cancelled effective June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*

*John R. Barry*

*Joseph W. Hawley*

Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GERTRUDE LOVELY, 4768 BRIGHTON )  
BOULEVARD, DENVER 16, COLORADO )  
 )  
 )  
 )  
-----

PERMIT NO. C-13164.

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from -----  
Gertrude Lovely,-----  
requesting that Permit No. C-13164 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13164, heretofore issued to -----  
Gertrude Lovely,-----be,  
and the same is hereby, declared cancelled effective **June 23, 1950.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*James H. Barry*  
*Joseph W. Hawley*

Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
TED J. ANDERSON, RT 5, BOX 317-0 )  
DENVER 11, COLORADO )  
)  
)  
)  
-----

PERMIT NO. C-15809

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Ted J. Anderson,  
requesting that Permit No. C-15809 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-15809, heretofore issued to  
Ted J. Anderson, be,  
and the same is hereby, declared cancelled effective June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MARKETWISE-DENVER COMPANY, )  
17TH & BASSETT STREETS, DENVER, )  
COLORADO. )  
----- )

PERMIT NO. C-19377.

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from -----  
Marketwise-Denver Company, -----  
requesting that Permit No. C-19377 ----- be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-19377 -----, heretofore issued to -----  
Marketwise-Denver Company, ----- be,  
and the same is hereby, declared cancelled effective June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Ralph C. Norton  
John R. Barry  
George W. Smith  
-----  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDWARD W. CROSS, HENRY ROUTE, )  
AKRON, COLORADO. )

PERMIT NO. C-21736

July 14, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
Edward W. Cross,.....  
requesting that Permit No. C-21736 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-21736, heretofore issued to.....  
Edward W. Cross,.....be,  
and the same is hereby, declared cancelled effective June 11, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. RIGGINS, MONTE VISTA, COLO. )  
 )  
 )  
 )  
 )

PERMIT NO. C-14303

July 14, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
L. Riggins,.....  
requesting that Permit No. C-14303.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14303....., heretofore issued to.....  
L. Riggins,.....be,  
and the same is hereby, declared cancelled effective May 13, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK A. HIRSCHFELD, 1766 PEARL )  
STREET, DENVER 5, COLORADO. )  
)  
)  
)  
-----

PERMIT NO. C-23839

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Frank A. Hirschfeld,.....  
requesting that Permit No. C-23839 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted. .

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23839, heretofore issued to.....  
Frank A. Hirschfeld,.....be,  
and the same is hereby, declared cancelled effective June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*Ralph C. Norton*  
\_\_\_\_\_  
*John R. Barry*  
\_\_\_\_\_  
*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CROFT TRAILER HITCH CO. INC., )  
1573 SO. BROADWAY, DENVER, )  
COLORADO. )

PERMIT NO. C-23203.

July 14, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Croft Trailer Hitch Co. Inc.,.....  
requesting that Permit No. C-23203 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23203, heretofore issued to.....  
Croft Trailer Hitch Co. Inc.,.....be,  
and the same is hereby, declared cancelled effective June 6, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John C. Barry*  
*George W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MAUDE A. HERLACHER, 1006 GRAND )  
AVENUE, CANON CITY, COLORADO. )  
 )  
 )  
 )

PERMIT NO. C-1530

July 14, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Maude A. Herlacher,.....  
requesting that Permit No. C-1530.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-1530....., heretofore issued to.....  
Maude A. Herlacher,.....be,  
and the same is hereby, declared cancelled effective June 16, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
John R. Barry  
Joseph W. Hickey  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 195 0.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. WEINGARTEN, BOX 92, STOCK- )  
YARDS STATION, DENVER, COLO. )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-5739

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from .....  
W. Weingarten,.....  
requesting that Permit No. C-5739.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5739....., heretofore issued to.....  
W. Weingarten,.....be,  
and the same is hereby, declared cancelled effective June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John H. Brown*  
*Joseph W. Hawley*

Commissioners

Dated at Denver, Colorado,

this 14th day of July, 195 0.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
 )  
W. WEINGARTEN, BOX 92, STOCK- )  
YARDS STATION, DENVER, ) PERMIT NO. B-1666  
COLORADO. )  
 )  
----- )

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
W. Weingarten,-----  
requesting that Permit No. B-1666-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-1666-----, heretofore issued to-----  
W. Weingarten,-----be,  
and the same is hereby, declared cancelled effective June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 14th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE OPERATION OF MIKE PACHELO )  
D/B/A RAPID DELIVERY SERVICE )  
2301 WEST 45TH AVENUE, DENVER, )  
COLORADO, AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE. )  
-----

CASE NO. 1585

-----  
June 30, 1950  
-----

S T A T E M E N T

By the Commission:

On June 2, 1950, Decision No. 34889 in Application No. 10531-PP, authority was issued to Mike Pachelo, doing business as "Rapid Delivery Service", Denver, Colorado, to operate as a Class "B" private carrier by motor vehicle for hire, in intrastate commerce, for the transportation of merchandise from Denver, Colorado, on the one hand, and points and places within a radius of ten miles from the city limits of the City and County of Denver, Colorado, on the other hand, with return of unclaimed or damaged merchandise, for Sears Roebuck and Company, only, without the right to increase or add to the number of his customers except by order of the Commission first had and obtained, after notice to all parties in interest.

In the above referred to decision, it is stated that J. E. Pierce, Sales Manager for Sears Roebuck and Company, testified, "that he had requested applicant to secure a permit to handle his company's intrastate shipments in the trade territory served by his company in the area directly adjacent to the City and County of Denver; that his company had determined from its experience in Denver and in other like cities, that common carrier service by motor vehicle for hire for delivery of merchandise for his company is not as satisfactory as service of a carrier who devotes his service exclusively to store's interests; that he has found that his company needed men trained in the manner of conducting their business, pertaining to exchange policy, collections and installation of some of its merchandise; that it needs carriers under the store's direction

and before his company would go to common carrier service, they would operate their own trucks."

The Commission found, among other things, that the sought service would not impair the efficiency of common carrier services now serving the territory sought to be served by the applicant.

The Commission has previously, in Case No. 1585, ordered that its prescribed rates, rules and regulations shall not apply in connection with operations of private carriers by motor vehicle under the same or similar circumstances as those prevailing in the instant case.

The permit as issued is for one customer only, viz: Sears Roebuck and Company, and as such is purely a contract proposition which will not lend itself to an operation such as a line haul or package delivery common carrier service, because there is a personalized service required and performed, not present or required in a common carrier service.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That, Case No. 1585 should be reopened; that the prescribed rates, rules and regulations should not apply in connection with the operation of Mike Pachelo, doing business as Rapid Delivery Service, Denver, Colorado, as authorized by Decision No. 34,889, in Application No. 10531-PP.

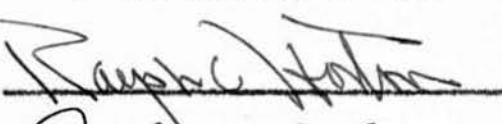
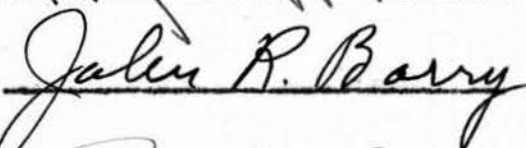
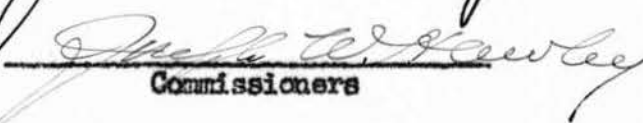
#### O R D E R

##### THE COMMISSION ORDERS:

1 - That, Case No. 1585, be, and the same is hereby reopened. 2 - That, this order shall become effective forthwith. 3 - That, the prescribed rates, rules and regulations for motor vehicle common carriers and private carriers by motor vehicle shall not apply in connection with the operation of Mike Pachelo, doing business as "Rapid Delivery Service", Denver, Colorado, a private carrier by motor vehicle, as authorized by Decision No. 34,889, in Application No. 10531-PP. 4 - That, the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission. 5 - That, jurisdiction is retained to make such

further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado

this 30th day of June, 1950.

hn

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
WILLIAM R. STOW, DOING BUSINESS AS  
"ARTESIA WATER COMPANY," ARTESIA,  
COLORADO, REQUESTING AUTHORIZATION  
TO DISCONTINUE OPERATION OF A WATER  
DISTRIBUTION SYSTEM AT ARTESIA,  
COLORADO.

APPLICATION NO. 10297.

June 30, 1950

Appearances: Earl T. Thrasher, Esq.,  
828 Equitable Building,  
Denver, Colorado, for  
applicant;  
George S. Graham, Esq.,  
Grand Junction, Colorado,  
for the Town of Artesia;  
Sid Pleasant, Esq., Craig,  
Colorado, for Mrs. F. B. S.  
Jeffrey;  
Worth Shrimpton, Esq., Craig,  
Colorado, for Lawrence G.  
Hoggatt, Receiver of Artesia  
Water Company;  
J. M. McNulty, Denver, Colorado,  
for the Commission.

S T A T E M E N T

By the Commission:

On November 2, 1949, William R. Stow, doing business as  
"Artesia Water Company," filed a petition by his attorneys, with this  
Commission, asking permission to discontinue the distribution and sale  
of water as a public utility in Artesia, Moffat County, Colorado.

The matter was set for hearing before Examiner Paul M. Hupp,  
duly appointed for the purpose, on Wednesday, May 17, 1950, at 2:00  
o'clock P. M., at the Court House in Craig, Colorado. The matter was  
there heard by said Examiner Hupp and taken under advisement.

The original certificate of public convenience and necessity  
to serve water at Artesia, Colorado, was issued by the Commission to  
I. W. Cox, Decision No. 25326, of December 29, 1945. By Decision No.  
26622, of September 5, 1946, Mr. Cox was authorized by the Commission



to transfer this certificate to W. R. Stow and D. B. Cook, co-partners, who then took over the water utility operations. On May 1, 1948, the Commission issued its order, Decision No. 30462, authorizing W. R. Stow to purchase the interests of D. B. Cook, his partner, and after said date Mr. Stow was sole owner and operator of the Artesia Water Company.

Mr. Stow filed an application before this Commission on October 13, 1948, asking permission to discontinue operations of the water utility in Artesia for the reason that he was failing in health and was losing money in the water company operation. After an investigation and hearing, the Commission denied the application as the records and financial accounts were in such a condition that it was impossible to determine if applicant was losing money, and whether or not the abandonment was justified.

Nevertheless, Mr. Stow personally abandoned the Artesia Water Company and left the town of Artesia about April 1, 1949, without obtaining an order permitting the abandonment. The water company was operated by an employee of Mr. Stow after his departure and until the Public Utilities Commission petitioned the District Court of Moffat County to appoint a Receiver for said water system. Mr. Dan Oldson was appointed Receiver for the Artesia Water Company by the Court, and accepted the appointment on June 28, 1949. Mr. Oldson acted as Receiver until March, 1950, when he petitioned the Court for discharge as Receiver. Mr. Lawrence G. Hoggatt was appointed Receiver to succeed Mr. Oldson, and is acting in that capacity at the present time, although the Court has not yet formally discharged Mr. Oldson.

At the hearing before the Examiner in Craig, attorney for applicant stated that Mr. Stow was now living in Crestline, Ohio, and that because of a heart condition he was not able to be present at the hearing, and in all probability would never be able to return to Colorado in the future. He further stated that his client claims no interest in the property comprising the Artesia Water Company, having re-conveyed his interests

to Mr. Cox in partial satisfaction of the mortgage on the system, but wants the certificate of public convenience and necessity cancelled.

Considerable testimony was given at the hearing regarding the reasons why this system should, or should not, be abandoned. The Commission is fully informed in the situation from a public convenience standpoint. The town has had about one year to prepare itself for any eventuality regarding water service since the water company has been in the hands of the receivers for about that length of time, continuing service having been secured as a result of an injunction suit against Mr. Stow, filed by the Commission. A bond issue in the amount of \$45,000.00 was approved by the residents of Artesia on June 1, 1950, the proceeds to be used for building or buying a municipal water system.

Since the hearing, late-filed exhibits have been received by the Commission, consisting of the report of Receiver Dan Oldson for the period July to November, 1949, inclusive, and the report of the Receiver Lawrence G. Hoggatt for the period March to May 26, 1950, inclusive. It is our understanding that the report of Mr. Oldson, covering the Months of December 1949 to February 1950, has not, as yet, been filed with the Court.

A brief summary, taken from the figures contained in these two exhibits, is included herein:

<u>Month</u>	<u>Income</u>	<u>Out-of-pocket Expense</u>
July	\$569.35	\$279.87
August	1147.20	919.10
September	645.42	812.72
October	589.72	550.05
November	<u>691.11</u>	<u>700.45</u>
Total ..	\$3642.80	\$3262.19
Net Income .....		\$380.61

Receiver Hoggatt's report, March to May 26, 1950:

<u>Month</u>	<u>Income</u>	<u>Out-of-pocket Expense</u>
March	\$417.86	\$ 369.27
April	534.27	580.21
May 1 to 26	<u>494.38</u>	<u>483.69</u>
Total -	\$1446.51	\$1433.17

Net Income ..... \$13.34

Oldson's Report \$380.61

Hoggatt's Report 13.34

Total Net Income .....\$393.95

The above figures cover a period of eight (8) months and show a total income of \$393.95 over and above bare out-of-pocket expenses, with no depreciation, or return on investment, and with many bills still unpaid.

Further examination of these two exhibits reveals that at the time Mr. Oldson took over the receivership, there was \$1,301.18 in outstanding customer accounts, and of this amount \$904.37 was owed by customers prior to April, 1949. The Hoggatt report shows that \$182.00 in back accounts had been paid by May 26, 1950, but does not show the amount still outstanding in past due accounts.

Testimony by Mr. Cox, who operates the electric company in Artesia, discloses that the water company still owes approximately \$800.00 for electricity. This electricity was used for pumping water from the well into the water tank that supplies the system. Mr. Cox also stated that the water company has not been able to pay the full amount on its current monthly electric bill.

The files of the Commission disclose that there is a past-due water bill of approximately \$1500.00 as of November, 1949. This water is purchased wholesale by the water company from one Clyde Colletti, who has a deep well on his property a short distance from Artesia. A statement was made at the hearing that the water company still owed a back bill for water to Mr. Colletti, but no exact figures as to the amount were presented.

### CONCLUSIONS

Although the prior application for abandonment of this certificate was refused by the Commission because of inadequate showing and incomplete financial records, it was obvious to all concerned that the Artesia water operation was not being operated as a profitable business. If Mr. Stow had been in good health and had managed the company in the usual and proper manner, it is possible that operations could have been continued for some time, although the poor quality of the pipe, testimony at both hearings indicating that it was merely "invasion type" used by the United States Army in island invasions, would sooner or later have led to a crisis in the affairs of the company, with new capital necessary to maintain proper service.

Since the Commission filed the injunction suit, the Receivers appointed by the Court have merely acted, for the most part, as agents for the collection of water bills and the payment of the running expenses, including some necessary repairs. Their reports show that the financial status of this company will continually deteriorate, and in view of the fact that the city now has taken steps to build and maintain a proper and efficient municipal water system, there is no necessity for further attempts to force Mr. Stow to continue a losing battle. The winding-up of the Receivership of the company can probably be delayed until the town is able to take over, and the suppliers of water and electricity have indicated, in testimony and otherwise to the Commission, that they will cooperate in this regard.

### FINDINGS

#### THE COMMISSION FINDS:

That public convenience and necessity no longer require the operation of the water system at Artesia, Colorado, and that the application of William R. Stow, doing business as "Artesia Water Company," to discontinue the operation of the company and to abandon his certificate should be granted.

### ORDER

#### IT IS ORDERED:

That effective twenty (20) days after this order, applicant William R. Stow shall be authorized to abandon water utility operations in

the Town of Artesia, Colorado, and the certificate of public convenience and necessity for the operation thereof, previously issued by this Commission, shall, on the effective date of this order, be cancelled.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Walter C. Horton

John R. Barry

Joseph T. Hawley  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of June, 1950.

222

(Decision No. 35051)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF)  
EVELYN E. FURMAN, 815 HARRISON)  
LEADVILLE, COLORADO )  
-----

PERMIT NO. C-24802

-----  
July 14, 1950  
-----

S T A T E M E N T

By the Commission:

On June 23, 1950, the Commission entered an order re-  
voking the above-numbered permit for failure of respondent to  
file monthly road tax reports for the period January to February,  
1950.

The Commission is now in receipt of said delinquent  
reports, with a request that Permit No. C-24802 be reinstated.

F I N D I N G S

After careful consideration of the record and the re-  
quest, the Commission is of the opinion, and finds, that Permit  
No. C-24802, should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24802 of Evelyn E. Furman, of 815  
Harrison, Leadville, Colorado, should be, and the same hereby is,  
reinstated, as of June 23, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Hartman  
John R. Barry  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of July, 1950.

jt



(Decision No. 35052)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
KANSAS-COLORADO UTILITIES, INC., OF  
LAMAR, COLORADO, FOR A CERTIFICATE RE-  
LATING TO A PROPOSED ISSUE OF 400 SHARES  
OF ITS 5% PREFERRED CAPITAL STOCK.

APPLICATION NO. 10672

July 6, 1950

S T A T E M E N T

By the Commission:

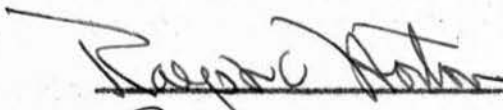
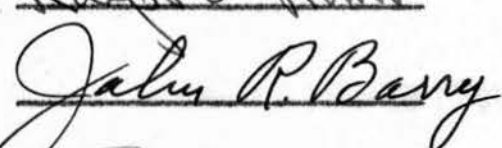
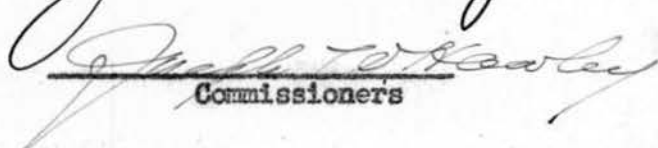
Upon consideration of the application filed June 27, 1950, by the  
Kansas-Colorado Utilities, Inc., in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Tuesday, July 25, 1950,  
respecting the matters involved and the issues presented in this proceed-  
ing. Any interested municipality or any representative of interested  
consumers or security holders of applicant corporation, and any other  
person whose participation herein is in the public interest, may intervene  
in said proceedings. Intervention petitions should be filed with the  
Commission on or before July 20, 1950, and should set forth the grounds  
of the proposed intervention, and the position and interest of the peti-  
tioners in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1950  
jh



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APPLICATION NO. 10060--Extension.

July 7, 1950

S T A T E M E N T

George A. Shirkey and C. E. Huffman, co-partners, doing business as "Out West Auto Livery," 1514 Seventeenth Street, Denver, Colorado, are the owners of PUC-192, with operating rights granted by Decision No. 15343, of date May 4, 1940, authorizing them to transport passengers over the following routes. to-wit:

These operating rights were transferred to applicants by Decision No. 28058, of date April 11, 1947.

-1-

"The transportation of passengers and hand baggage, limited to the use of two cars, over the following routes: Denver to the City of Estes Park and return via Boulder, South St. Vrain and North St. Vrain Highways, and via Loveland-Big Thompson Highway, exclusive of transportation of passengers to any intermediate points on routes designated, all operations to be limited to sightseeing, round-trip, one-day operations."

The application was set for hearing for June 23, 1949, but the setting was vacated at the request of applicants because of the illness of Mr. Shirkey. By a later request, the hearing was set for Denver, Colorado, on March 8, 1950, after which the matter was taken under advisement.

Charles E. Huffman, one of applicants, testified that under PUC-192, he and his partner, George Shirkey, served all sightseeing points of consequence in the Rocky Mountain Region around Denver, except Estes Park, and that all the other certificated carriers with sightseeing authority served that point. At present, if applicants have passengers who wish to see Estes Park, they must be turned over to another carrier with proper authority, and applicants receive but 20% of the fare paid the other carrier as their commission, or else exchange trips with the other carrier. They own and operate two 7-passenger cars, and their net worth is \$12,000.00. Witness does most of the driving. They have received from 70 to 100 requests for service to Estes Park each of the last two summers. Some passengers make the trip with other carriers, but about 40% of them do not make the Estes Park trip because witness is not permitted to do the driving.

Gilbert H. Harkness, doing business as "Harkness Sightseeing Co." owns PUC-89 and PUC-191. The former is a limited certificate similar to PUC-192 of applicants, and he operated under this certificate for a year until he obtained PUC-191 with sightseeing authority. Under his limited operation he could not serve Estes Park and it was embarrassing to explain to his passengers why he could not take them to that point, and it was an inconvenience to the passengers to change carriers. On several occasions the cars of the authorized carriers were filled before his passengers reported for the trip and they were held over to the next day.

They did not have the confidence in a new driver that he had inspired in them on other trips. Applicants owe the witness \$200.00 for services rendered by him for them last summer.

At the conclusion of applicants' testimony, counsel for protestants interposed a motion for dismissal of the application, on the ground that no public convenience and necessity for the proposed operation had been shown, which motion was taken under advisement.

For protestants, A. K. Holmes, Vice-President and General Manager of Rocky Mountain Motor Company -- which serves Estes Park -- testified that such service is profitable only in the months of July and August, and because of the fact that his company must maintain facilities for service, whether profitable or not, it operates at a loss to Estes Park during the remaining months. His company uses two White vista dome buses, 25-passenger capacity, costing \$14,000.00 each at the factory, on this operation, and has spent \$150,000.00 for equipment since the war years. His company operates these buses daily, on schedule, the year around over substantially the same route applied for by applicants, and witness named the other sightseeing operators with similar authority. He explained how his company looks after the comfort and convenience of its passengers, arranging for enroute stops, furnishing comfort stations, etc. He stated that all traffic to Estes Park is adequately handled; there is no need for additional service, and the granting of authority to another carrier would result in the curtailment of the business of his company.

The situation here presented has been discussed in several previous decisions of the Commission. The equipment of applicants consists of two cars only. In Decision No. 3176, of date December 26, 1930, the Commission denied the application of Arthur Bawden for a similar extension, holding:

"At the time of issuing the various sightseeing certificates, including those of the applicant and Gerst, the Commission took the position that those operators having fewer than four cars in the service could not properly and adequately operate to all of the scenic points visited from Denver by tourists and others. Accordingly, it refused authority to such operators to go to Estes Park . . . . .

"Whether this application is granted must depend on the answer to the question, what does the public convenience and necessity require. The evidence shows that the operators now serving Estes Park have been, and doubtless will continue to be, able to transport all passengers offering themselves. On the other hand, passengers who take other trips with the respondent and who become accustomed to and pleased with his service are displeased and, in some cases, provoked, when they are told that he is not able to transport them to Estes Park and that they will be required, in the event they wish to visit that point, to ride in cars owned and operated by other certificate holders. We appreciate fully that it is unfortunate that those sightseeing operators who transport passengers to scenic points other than the Park are unable to continue serving their passengers by continuing on to that point with them. However, the evidence shows that there are already some twelve or thirteen Denver operators authorized to carry sightseeing passengers to the Park; that a large part of the equipment now available for such service is idle most of the time.

"As already stated, the applicant has heretofore received a certificate of public convenience and necessity from this Commission and he has been rendering a very efficient and excellent service in the territory in which he is authorized to operate. It is, therefore, with some regret that we reluctantly make the findings which in our opinion, the record requires us to make."

Not only do these applicants own but two cars, which, in itself, is a fact that has been considered by the Commission as a basis for denying similar applications or extensions heretofore, but it is also incumbent upon them to prove public convenience and necessity, and they failed to produce any passengers or prospective passengers to testify as to the need for the proposed extended service, or that the present common carrier service to Estes Park is inadequate.

#### FINDINGS

After careful consideration of the evidence, the Commission is of the opinion and so finds, that applicants have not sustained the burden of proving that the public convenience and necessity require that they, in addition to the many other authorized carriers, be permitted to serve Estes Park, and further finds that the motion interposed by protestants should be granted.



ORDER

THE COMMISSION ORDERS:

That the motion of protestants, for the dismissal of the instant application on the ground that no public convenience and necessity for the proposed operation has been shown, be, and the same is hereby, granted, and for the reason assigned in the motion, and the further reasons assigned in the Statement and Findings, which by reference are made a part hereof, the instant application should be, and hereby is, denied and dismissed.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Robert C. Hinton

John R. Barry

Joseph H. Hensley  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ROY WAILES, DOING BUSINESS AS THE  
BENNETT TELEPHONE COMPANY FOR THE  
TRANSFER OF A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY ISSUED TO  
THE NORTH BENNETT MUTUAL TELEPHONE  
COMPANY IN APPLICATION NO. 1852.  
-----

APPLICATION NO. 10628.

-----  
July 7, 1950  
-----

Appearances: Roy Wailes, Bennett,  
Colorado, pro se;  
J. M. McNulty, Denver,  
Colorado, for the  
Commission.

S T A T E M E N T

By the Commission:

The instant application seeks to transfer the certificate of public convenience and necessity originally issued to The North Bennett Mutual Telephone Company to Mr. Roy Wailes, doing business as The Bennett Telephone Company.

The matter was set for hearing at the Commission's Hearing Room, 330 State Office Building, Denver 2, Colorado, on Thursday, June 29, 1950, at 10:00 A. M., after due notice to all interested parties and was there heard by the Commission and taken under advisement.

A certificate of public convenience and necessity was issued to The North Bennett Mutual Telephone Company, in Application No. 1852, Decision No. 3590, dated August 10, 1931, granting authority to the telephone company to exercise franchise rights granted in Ordinance No. 22 by the Town of Bennett. Ordinance No. 22 is a 20-year franchise dated June 2, 1931, granting permission to operate a telephone system in Bennett, Colorado, to the North Bennett Mutual Telephone Company, its successors and assigns. Mr. Roy Wailes now proposes to operate a telephone company under this same franchise in the Town of Bennett, and, in addition, seeks authority

from this Commission to operate a telephone utility in the following described territory:

Sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35 and 36; all in Range 63 West, Township 1 South.

All Sections in Range 63 West, Township 2 South.

Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36; all in Range 64 West, Township 2 South.

All Sections in Range 63 West, Township 3 South.

Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36; all in Range 64 West, Township 3 South.

All Sections in Range 63 West, Township 4 South.

Sections 1, 12, 13, 24, 25, 36 in Range 64 West, Township 4 South.

Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36; all in Range 63 West, Township 5 South.

At the hearing before the Commission, Mr. Wailes stated he was familiar with the telephone business as he has served on the Board of Directors of the North Bennett Mutual Telephone Company and has taken an active part in the management of the mutual telephone company. He entered into an agreement with the North Bennett Mutual Telephone Company to purchase said company and a copy of the Agreement is attached to the instant application. Mr. Wailes stated he has completed the sale in accordance with said Agreement having paid \$4,000.00 cash for all the property and assets of the North Bennett Mutual Telephone Company. There is, however, a \$3,500.00 loan outstanding against The Bennett Telephone Company owned by Mr. Wailes. Applicant stated his net worth to be \$30,000.00.

The Bennett Telephone Company has 110 customers served by 65 miles of pole line. The lines are all metallized and the system is of the magneto type. Service is available 24 hours of the day.

No one appeared in opposition to the proposed transfer.

The rates now on file with the Commission are those of the North Bennett Mutual Telephone Company and are not applicable in toto to the new



operation proposed herein since this is not a mutual telephone company; therefore, Mr. Wailes shall be required to file new rates, rules and regulations for The Bennett Telephone Company at least three (3) days prior to the effective date of this order. The rates to be filed shall set forth the rates and charges now in effect or to be charged in the future by The Bennett Telephone Company. No present customers shall be adversely affected by the rates so filed.

### FINDINGS

#### THE COMMISSION FINDS:

That the application of Roy Wailes, doing business as The Bennett Telephone Company should be granted, and that a certificate of public convenience and necessity should issue therefor.

### ORDER

#### THE COMMISSION ORDERS:

That the certificate of public convenience and necessity heretofore issued to the North Bennett Mutual Telephone Company in Application No. 1852 be, and the same is hereby, transferred to Mr. Roy Wailes, doing business as The Bennett Telephone Company, and that said certificate shall be, and is hereby, extended to include authority to render telephone service in the following described territory, to-wit:

Sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36; all in Range 63 West, Township 1 South.

All Sections in Range 63 West, Township 2 South.

Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36; all in Range 64 West, Township 2 South.

All Sections in Range 63 West, Township 3 South.

Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36; all in Range 64 West, Township 3 South.

All Sections in Range 63 West, Township 4 South.

Sections 1, 12, 13, 24, 25, 36 in Range 64 West, Township 4 South.

Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36; all in Range 63 West, Township 5 South.

That this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Mr. Roy Wailes, doing business as The Bennett Telephone Company shall be required to file new rates, rules and regulations at least three (3) days prior to the effective date of this order.

That the tariffs to be filed shall set forth the rates, and charges now in effect, or to be charged in the future by The Bennett Telephone Company.

That no present customers shall be adversely affected by the rates so filed.

That applicant shall set up its books and maintain its accounts in agreement with the Uniform System of Accounts for telephone companies as adopted by this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Samuel C. Harkins*

*John R. Barry*

*Joseph T. Hawley*  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of July, 1950.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE DISCONTINUANCE  
OF THE AGENCY STATION OF THE ATCHISON,  
TOPEKA AND SANTA FE RAILWAY COMPANY  
AT FOUNTAIN, EL PASO COUNTY, COLORADO.  
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} APPLICATION NO. 10650.

At a General Session of The  
Public Utilities Commission  
of the State of Colorado, held  
at its offices in Denver,  
Colorado, July 7, 1950.

INVESTIGATION AND SUSPENSION DOCKET NO. 311.

On June 9, 1950, The Atchison, Topeka and Santa Fe Railway Company, by its attorneys, Grant, Shafroth and Toll, filed its petition under the Commission's General Order No. 34, proposing to discontinue, effective July 10, 1950, the agency station of said Atchison, Topeka and Santa Fe Railway Company at Fountain, El Paso County, Colorado.

As stated by the petition, in recent years most of the revenue derived from the operation of this station has come from the movement of the carload freight, consisting principally of sugar beets from Fountain in October and November of each year, such shipments constituting most of the carload freight handled to and from this station. There are occasional carload shipments of livestock to and from this station, but no other commodity is handled there in any appreciable quantity or frequency.

If the authority to close this station is granted, applicant proposes to bill outgoing freight shipments by conductors' waybill, or in the applicant's agency station at Colorado Springs, 12.7 miles to the north, or at Pueblo, 30.5 miles to the south; and, incoming freight shipments all may thereafter be sent with freight prepaid as to any non-agency prepay station. Applicant has a four-pen stockyard at this station which it will continue to maintain there so that if the station is closed as an agency station, shipments of livestock may nevertheless continue to be loaded or

unloaded there. In recent years little passenger business has been done at this station, and express and telegraph business has also been light.

According to applicant, the discontinuance of the expense of maintaining an agent at this station, which is now no longer needed in the operation of the railroad, is a proper and logical economy on the part of the Railroad Company, and as such should be approved and allowed by the Commission since the public convenience and necessity no longer demand the continuance of said station.

The intention of the application having become known to interested parties, the Commission received a complaint from the Town of Fountain protesting the closing of said station.

It appears that the effective date of the proposed discontinuance of the agency station at Fountain, Colorado, might injuriously affect the rights and interests of the community and parties involved, and it is therefore necessary to suspend the effective date of the discontinuance of said agency station. The application and files in this matter will, therefore, be transferred to Investigation and Suspension Docket No. 311 on the Commission's docket.

### FINDINGS

#### THE COMMISSION FINDS:

That the discontinuance of the agency station of The Atchison, Topeka and Santa Fe Railway Company at Fountain, Colorado, should be suspended and an investigation had in the matter.

### ORDER

#### THE COMMISSION ORDERS:

That the effective date of the proposed discontinuance of the agency station of The Atchison, Topeka and Santa Fe Railway Company at Fountain, El Paso County, Colorado, be, and it hereby is, suspended for a period of one hundred and twenty (120) days from July 10, 1950, or until November 7, 1950, unless otherwise ordered.

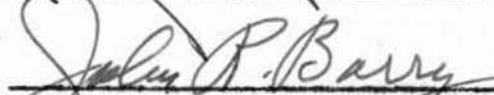
That the matter of the proposed discontinuance of the agency station at Fountain, Colorado, be made a subject of investigation by this Commission within said period of suspension, or within such further time as the same may be lawfully suspended.

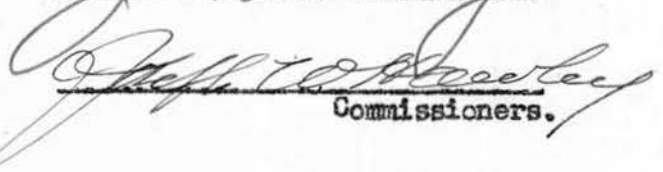
That Application No. 10650 originally assigned to the instant proceeding be, and it hereby is, closed, and all records and files of said Application be transferred to Investigation and Suspension Docket No. 311.

That a copy of this order be filed with Application No. 10650 and with Investigation and Suspension Docket No. 311, and copies served on Grant, Shafroth and Toll, 730 Equitable Building, Denver 2, Colorado, attorneys for The Atchison, Topeka and Santa Fe Railway Company, and M. J. Million, Mayor, Town of Fountain, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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\_\_\_\_\_ Commissioners.

Dated in Denver, Colorado,  
this 7th day of July, 1950.

ea



original

(Decision No. 35056)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
THE RAILWAY EXPRESS AGENCY, INC.,  
TO DISCONTINUE PICKUP AND DELIVERY  
SERVICE AT YUMA, YUMA COUNTY, COLO-  
RADO.  
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APPLICATION NO. 10634.

At a General Session of The Public  
Utilities Commission of the State  
of Colorado, held at its offices  
in Denver, Colorado, July 7, 1950.

INVESTIGATION AND SUSPENSION DOCKET NO. 312.

On June 3, 1950, the Railway Express Agency, Inc., by its  
Superintendent, C. C. Case, filed its petition under the Commission's  
General Order No. 35 proposing to discontinue, effective July 10, 1950,  
pickup and delivery service at its agency at Yuma, Colorado.

As stated in the petition, at the time this pickup and  
delivery service was established there was sufficient revenue to main-  
tain the service but within the past few years there has been a gradual  
diversion of traffic to other carriers. The average monthly number of  
shipments handled for the past twelve (12) months was 227, while the  
average cost of pickup and delivery service was \$17.49. Investigation  
shows more than 50% of all the shipments handled are destined or shipped  
from persons residing outside the city, and, therefore, not involved in  
pickup and delivery service.

The railroad station from which it operates its business at  
Yuma is located within a block or so of the business district, and its  
customers who live in town will not be greatly inconvenienced by reason  
of this proposed change, according to the petition.

The intention of the applicant having become known to parties  
in interest, viz.: the Town of Yuma, the Commission has received a protest  
from the Town filed by the Town Attorney, asking that certain matters be  
considered before the Commission reaches a decision.

It appears that the effective date of the proposed discontinuance of the pickup and delivery service at Yuma might injuriously affect the rights and interests of the community and parties involved, and it is therefore necessary to suspend the effective date of the discontinuance of said pickup and delivery service. The application and files in this matter will therefore be transferred to Investigation and Suspension Docket No. 312 on the Commission's docket.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the discontinuance of the pickup and delivery service of the Railway Express Agency, Inc., at Yuma, Colorado, should be suspended and an investigation had in the matter.

#### O R D E R

##### THE COMMISSION ORDERS:

That the effective date of the proposed discontinuance of pickup and delivery service of the Railway Express Agency, Inc., at Yuma, Yuma County, Colorado, be, and it hereby is, suspended for a period of one hundred and twenty (120) days from July 10, 1950, or until November 7, 1950, unless otherwise ordered.

That the matter of the proposed discontinuance of pickup and delivery service at Yuma, Colorado, be made a subject of investigation by this Commission within said period of suspension or within such further time as the matter may be lawfully suspended.

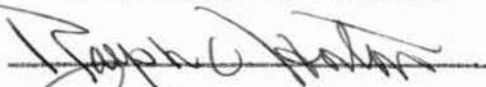


That Application No. 10634, originally assigned to the instant proceeding be, and it hereby is, closed, and all records and files of said Application be transferred to Investigation and Suspension Docket No. 312.

That a copy of this order be filed with Application No. 10634 and with Investigation and Suspension Docket No. 312, and copies served on C. C. Case, Superintendent, Railway Express Agency, Inc., Express Annex,



Denver Union Terminal, Denver 17, Colorado, and Glenn S. Thompson,  
First National Bank Building, Yuma, Colorado, attorney for the Town  
of Yuma.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of July, 1950.

ea

original

(Decision No. 35057)

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, on July 7, 1950.

INVESTIGATION AND SUSPENSION DOCKET NO. 307

IT APPEARING, That on March 10, 1950, the Railway Express Agency, Inc., by its Superintendent, Mr. C. C. Case, filed its petition under the Commission's General Order No. 35, proposing to discontinue, effective April 9, 1950, the Merchant Agent arrangement of said Express Agency at Manitou Springs, El Paso County, Colorado; and

IT FURTHER APPEARING, That the intention of the applicant having become known to parties in interest, viz.: the people living in and around Manitou Springs, Colorado, the Commission has received a petition signed with forty-four (44) signatures, stating, in effect, that they are in opposition to the closing of the Railway Express Agency in Manitou Springs, Colorado; and

IT FURTHER APPEARING, That the effective date of the proposed discontinuance of the Merchant Agent Station at Manitou Springs might injuriously affect the rights and interests of the community and parties involved, the Commission suspended the effective date of the proposed discontinuance of said Agent until July 8, 1950; and

IT FURTHER APPEARING, That the said suspension date will have expired before the Commission has completed its investigation in the matter, and it now becomes necessary to further suspend the proposed date for the discontinuance of the Merchant Agent at Manitou Springs, El Paso County, Colorado,

F I N D I N G S

THE COMMISSION FINDS:

That the discontinuance of the Merchant Agent arrangement of the Railway Express Agency, Inc., at Manitou Springs should be further suspended.

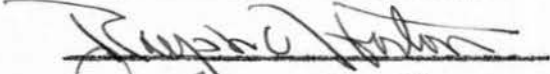
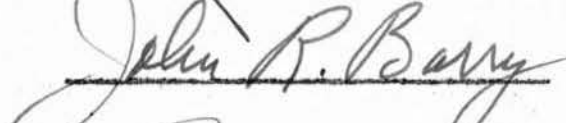
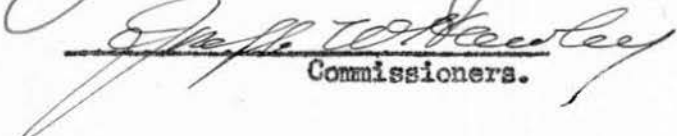
O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed discontinuance of the Merchant Agent at Manitou Springs, El Paso County, Colorado, be further suspended for an additional period of one hundred and twenty (120) days from July 8, 1950, or until November 5, 1950, unless otherwise ordered.

That a copy of this order be filed with Application No. 10509 and with Investigation and Suspension Docket No. 307; and a copy hereof be served on Mr. C. C. Case, Superintendent of the Railway Express Agency, Express Annex, Denver Union Terminal, Denver 17, Colorado; Mr. N. Jensen, Manitou Springs Express and Transfer, 258 Manitou Avenue, Manitou Springs, Colorado, representing the 44 signers of the petition.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANK KNOLL, JR., ROUTE 1, BOX 209, )  
DERBY, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 10603-PP  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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-----  
July 7, 1950  
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Appearances: Frank Knoll, Jr., Derby, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, Colorado, and to points within a radius of fifteen miles of Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, June 8, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was taken under advisement.

At the hearing, applicant, testifying in his own behalf, stated that he is the owner of a 1942 one and one-half-ton Chevrolet Truck, with which he proposes to conduct his operations.

No one appeared in opposition to granting of the authority sought.

It did not appear that the proposed service will impair the efficiency of any common carrier service operating in the territory which applicant proposes to serve.

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

## F I N D I N G S

### THE COMMISSION FINDS:

That authority sought should be granted.

## O R D E R

### THE COMMISSION ORDERS:

That Frank Knoll, Jr., Derby, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, Colorado, and to points within a radius of fifteen miles of Denver, Colorado.

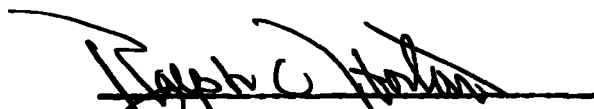
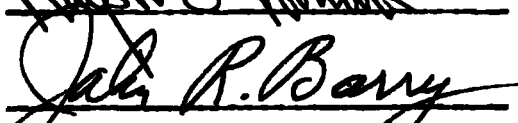
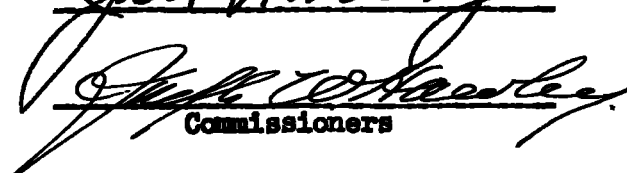
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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, and the required insurance, and has secured identification cards.

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

This order shall become effective as of twenty (20) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PROPOSED INCREASE ON RATES  
ON BREAD AND CAKE IN THE STATE  
OF COLORADO VIA RAILWAY EXPRESS  
AGENCY, INC.

Investigation and Suspension  
Docket No. 306

-----  
July 7, 1950  
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S T A T E M E N T

By the Commission:

By schedules filed to become effective on the 1st day of March, 1950, the Railway Express Agency, Inc., by C. B. Williams, its Traffic Manager, proposed to cancel all of its commodity rates on Bakery Goods, including Bread and Cake, also its special minimum charge per shipment on Bread and Cake and in lieu thereof apply its classification rating, billing weights and minimum charge per shipment. At the same time it proposed to change the classification rating on bread and cake from second class pound rates to straight second class on the weight of the shipment, and the billing weight from net to gross weight of the shipment. The proposed changes were embodied in Supplement No. 12 to Local and Joint Commodity Tariff Colo. P.U.C. No. 126, Item No. 4, Sections Nos. 1, 2, 4-A, 6 and 7 and Supplement No. 1 to Official Express Classification No. 34, Colo. P.U.C. No. 162, Items Nos. 315-A 320-A and 325-A.

At the time of the proposed changes on Colorado intrastate traffic, similar changes were proposed on Interstate Traffic. By petitions dated February 14, 1950, the Continental Baking Company, New York, and the Mayflower Doughnut Corporation, New York, requested the Interstate Commerce Commission to suspend the proposed changes. Under dates of February 14 and 17, 1950, these companies forwarded to this Commission copies of their petitions to the Interstate Commerce Commission and requested this Commission to take such action as it cared to in the public interest. Under date of February 22, 1950, the Denver Chamber of Commerce, on behalf of six Denver Bakeries, petitioned this Commission to suspend on Colorado intrastate traffic the proposed changes and



to enter upon a hearing concerning the lawfulness of the proposed changes.

On February 27, 1950, Decision No. 34314, Investigation and Suspension Docket No. 306 this Commission ordered the suspension of the operation of the said schedules until the 28th day of June, 1950, unless otherwise ordered by the Commission, and assigned the matter for hearing on the 22nd day of March, 1950, (later changed to March 29, 1950), in Denver, Colorado. On March 8, 1950, at the request of the Railway Express Agency, Inc., the hearing set for March 29, 1950, was vacated, to be reset at some subsequent time.

Under date of May 1, 1950, Mr. C. B. Williams advised this Commission, that after some conferences with representatives of the bakery industry, decision was made to arrange for the cancellation of the interstate publications insofar as they applied on bakery products, with the exceptions of Items Nos. 315-A, 320-A and 325-A of the classification, which had been suspended by the Interstate Commerce Commission in its I & S Docket No. 5762; that in lieu of the proposed changes, it would be the purpose of the Railway Express Agency, Inc., to file new tariffs of commodity rates on bakery goods applicable on interstate traffic to become effective on June 15, 1950 on statutory notice. The commodity rates to be so published will reflect 50 per cent of first class express rates named in Local and Joint Schedule of First and Second Class Express Rates No. 12, I.C.C. No. 7700, that became effective on April 18, 1950. In addition to this procedure, the Express Agency will petition the Interstate Commerce Commission to vacate its suspension of Items Nos. 315-A, 320-A and 325-A of the classification. Similar action is intended to be taken by the Express Agency with respect to intrastate rates on bakery goods and request is hereby respectfully made on the Public Utilities Commission of the State of Colorado, that authority be given to cancel on one day's notice Item No. 4, Sections 1, 2, 4-A, 6 and 7 of commodity tariff Colo. P.U.C. No. 126. It is also requested that authority be given to apply on intrastate shipments of bakery goods between stations in Colorado Items Nos. 315-A, 320-A and 325-A of Supplement No. 1 to the classification Colo. P.U.C. No. 162, through the vacating of the order of suspension in I & S No. 306, this change to become effective concurrently with the lifting of suspension by the Interstate Commerce Commission



in its I & S Docket No. 5762. Under date of May 3, 1950, the rate department of the Commission forwarded a copy of Mr. Williams' letter to the Denver Chamber of Commerce, Continental Baking Co. Inc., and the Mayflower Doughnut Corporation and requested that they express to the Commission in writing their reaction to Mr. Williams' request.

Under date of May 16 and 17, 1950, the Continental Baking Co., Inc. and the Mayflower Doughnut Corporation, respectively, forwarded to this Commission copies of their letters to the Interstate Commerce Commission withdrawing their protests concerning the matters involved in I & S Docket No. 5762.

Under date of June 30, 1950, the Denver Chamber of Commerce, on behalf of the Denver bakers it represented, advised the Commission in part, that it had been authorized to withdraw its protest to the originally proposed basis and to have I & S No. 306 vacated, and in lieu thereof to permit the intra-state application of the proposal made by Mr. Williams in his letter of May 1, 1950, such action to be without prejudice to any subsequent formal complaint.

The withdrawal of the three protests hereinbefore set forth eliminates the cause of action in this proceeding.

### FINDINGS

#### THE COMMISSION FINDS:

That, the order heretofore entered in its Investigation and Suspension Docket No. 306, Decision No. 34314, dated February 27, 1950, should be vacated and set aside as of June 28, 1950, *nunc pro tunc*, and that this proceeding should be discontinued; that in lieu of the cancelled commodity rates and minimum charges on Bread and Cake contained in Local and Joint Commodity Tariff, Colo. P.U.C. No. 126, the Railway Express Agency, Inc., should publish commodity rates on bakery goods (as described in its tariff I.C.C. No. 7695) which will reflect 50 per cent of first class express rates named in Local and Joint Schedule of First and Second class Express Rates No. 12, Colo. P.U.C. No. 163 subject to a minimum charge of \$1.00 per shipment, to become effective 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; that the application of the provisions of Items Nos. 315-A, 320-A and

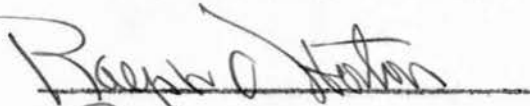
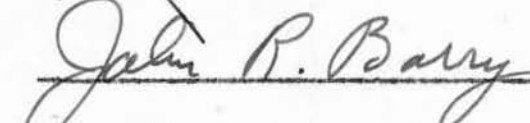
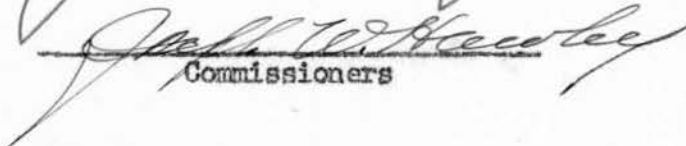
325-A, Supplement No. 1 to Official Express Classification No. 34, Colo. P.U.C. No. 162, should be withheld until the effective date of the hereinbefore referred to 50 per cent basis, and that any outstanding undercharges which may accrue should be waived.

ORDER

THE COMMISSION ORDERS:

1. That the statement and findings be and they are hereby made a part hereof.
2. That the basis of rates on bakery goods set forth in the findings shall be published by the Railway Express Agency, Inc. to become effective 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.
3. That the provisions of Items Nos. 315-A, 320-A, and 325-A, Supplement No. 1 to Official Express Classification No. 34, Colo. P.U.C. No. 162, shall not become effective until the effective date of the tariff naming the 50 per basis of commodity rates on bakery goods, and the minimum charge per shipment on same.
4. That waiver of any outstanding undercharges which may accrue is hereby authorized.
5. That the order heretofore entered in Investigation and Suspension Docket No. 306, Decision No. 34314, dated February 27, 1950, suspending the schedules set forth in the statement, be, and it is hereby vacated and set aside as of June 28, 1950, nunc pro tunc, and <sup>that</sup> ~~this~~ proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 7th day of July, 1950.

(Decision No. 35060)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THE MOUNTAIN UTILITIES CORPORATION )  
FOR RATIFICATION AND APPROVAL OF )  
PREVIOUSLY ISSUED BONDS AND AUTHORIZA- )  
TION FOR THE ISSUANCE OF ADDITIONAL )  
BONDS IN THE AMOUNT OF \$126,000.00. )

APPLICATION NO. 10676

-----  
July 6, 1950  
-----

S T A T E M E N T

By the Commission:

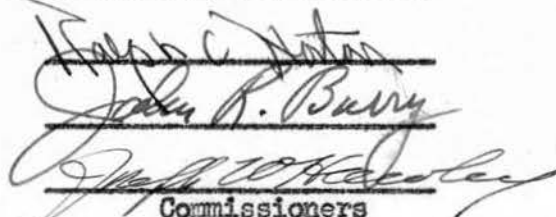
Upon consideration of the application filed June 30, 1950,  
by The Mountain Utilities Corporation in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Monday, July 17, 1950, at ten o'clock A. M., 330 State Office Building, Denver, Colorado, respecting the matters involved and the issues presented in this proceeding. Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceedings. Intervention petitions should be filed with the Commission on or before July 11, 1950, and should set forth the grounds of the proposed intervention, and the position and interest of the petitioners in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 6th day of July, 1950

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

Decision No. 35061

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

- (a) Failure to file application as required by law and Rule 2 of the rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.
- (b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.
- (c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.
- (d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of the said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED

That each of the application proceedings heretofore commenced by:

Willie Albrow  
Clyde S. Anderson  
Edgar Anderson & Sons  
C. Arckneaux  
Arnold Machinery

Box 735, La Junta, Colo.  
Oklahoma City, Okla.  
Potter, Nebr.  
Box 416, Opalouza, La.  
433 W. Second, Salt Lake City, Utah



L. C. Ashley	Jasper, Texas
T. S. Ashley	Rt. 5, Wichita Falls, Tex.
Q. A. Atencio	Dixon, New Mex.
Aurst Poultry & Egg Co.	128 E. 5th, Newton, Kans.
Ayers & Maddox	Phoenix, Ariz.
G. C. Balker	2311 Lee, Little Rock, Ark.
Fruman Ballew	Tulsa, Okla.
Bardy Milling	Brady, Tex.
Guy F. Barnett	Amarillo, Tex.
Bishop Bros.	C/O City Market, 1606 N. Hampshire, Joplin, Mo.
E. H. Blackburn	Dunn, No. Carolina
Roy E. Blakley	Gen. Del., Palisade, Colo.
Troy Braden	Greenville, Tex.
Jimmy Bradford	Ft. Worth, Tex.
Verl Brereton	Provo, Utah
A. L. Brock	Rt. 6, Marshall, Tex.
Raymond W. Brown	1117 River Drive, Atlanta, Ga.
Ivo Buchler	St. Louis, Mo.
W. M. Burmeister	Chicago, Ill.
David C. Burns	Brownwood, Tex.
Butler Bros.	El Centro, Calif.
E. Canty	Houston, Tex.
Capital Steel & Grain Co.	1726 S. Agnew, Okla. City, Okla.
Ceramo Co.	Jackson, Mo.
Chambers Market	Chadron, Nebr.
Chemical Machine, Inc.	11th St., Neodesha, Kans.
D. H. Clark	Birmingham, Ala.
Clowe & Cowan, Inc.	223 West 4th, Amarillo, Tex.
Ben Cole	1005 Crest, Atlanta, Ga.
Comley Lumber Co	Beacon Bldg., Wichita, Kans.
Artie Conger	Atlanta, Ga.
N. T. Cooper	Fayetteville, Ark.
L. B. Covington & Nell Ivey	El Paso, Tex.
J. L. Crawford	Birmingham, Ala.
Art Crocker	Maryville, Ind.
R. V. Dannheim	Box 295, Tampa, Tex.
O. L. Davenport	2201 Bisbo, Tampa, Fla.
H. Davis	Springfield, Ill.
Homer Davis	Indianapolis, Ind.
Walter E. Davis	Amarillo, Tex.
Ralph Day	Pueblo, Colo.
W. M. DeHart	Rt. 1, Tuscumbia, Ala.
Dominick Diaz	New Orleans, La.
Donley G W	2800 W. 5th, Grand Island, Nebr.
Anton Dorak	Scott City, Kans.
Dorris Farm Equipment Co.	Clovis, New Mex.
N. C. Duncan	Marlin, Tex.
William H. Dunham	444 N. E. 8th St., Amarillo, Tex.
Durango Furn, Shop & Haleck Mfg.	Box 927, Durango, Colo.
Eastern Seed Co.	Schalenberg, Tex.
Edmonson Brokerage	Box 88, Columbus, Miss.
Dean Empson	1141 River Ave., Indianapolis, Ind.
W. J. Fike	Big Springs, Tex.
Wm. Flaughner	Casper, Wyo.
F. W. Foosten	Grant, Nebr.
Harry R. Foote	Lubbock, Tex.
Clarence M. Foster	Dallas, Tex.
Kathryn Foster	Dallas, Tex.
Everett Fredrickson	Salt Lake City, Utah
E. J. Freeman	531 No. Mesquite, Los Cruces, N. Mex.
Loe R. Fritz	815 Oak St., Osage, Iowa
S. E. Frozier	Quinter, Okla.
George Garza	Houston, Tex.
L. Garza	San Antonio, Tex.
Gibson Tractor & Implement Co.	379 So. Industrial Blvd., Dallas, Tex.
John Gies, Jr.	Orchard, Nebr.

Gill Bros.  
 Gilmore Jos  
 Walter Ginn  
 Alfred T. Godinez  
 Goodpasture Grain & Milling Co.  
 Arthur B. Goss  
 Wayne Graves  
 Don Gray  
 Cyril E. Green  
 E. E. Gresham  
 Clark Grubb  
 Virginia Guirre  
 Hahler Buick Auto  
 Hahn Bros.  
 Harbaughs Market  
 Ibb Harmon  
 R. T. Henthorn  
 Leon Herdley  
 Edward Herread  
 Allen Hillhouse  
 Bud Holland  
 J. Holmes, Jr. & Joe Cook  
 L. H. Hoston  
 L. L. Houser  
 Howard & Eason  
 John Hudson  
 E. P. Humphrey  
 G. Humphrey  
 Earl Humphries  
 Louis Hutchins  
 William A. Iley  
 J & K Produce Co  
 J. T. Jenkins Co.  
 T. F. Johnston  
 Jones Bros.  
 Glenn Jones  
 J. P. Jordan  
 Kasey's Garage  
 E. L. Kemp  
 Joe Kesel  
 Leon Kladock & Tom Jenkins  
 W. S. Knight  
 Gilbert Kulkan  
 M. W. Lane Produce Co

Wichita Falls, Tex.  
 Jefferson, Ind.  
 1727 Beaumont, Dallas, Tex.  
 Fresno, Calif.  
 Brownfield, Tex.  
 New York City, New York  
 444 S. W., Indianapolis, Ind.  
 San Antonio, Tex.  
 Rt. 1, Robrue, Tex.  
 Griffin, Tex.  
 2001 Everett, Lincoln, Nebr.  
 Tenn Hotel, Houston, Tex.  
 418 W. 14th, No. Platte, Nebr.  
 Kansas City, Mo.  
 Brighton, Colo.  
 Lubbock, Tex.  
 5926 Roscoe, Dallas, Tex.  
 Detroit, Mich.  
 Raton, New Mex.  
 Carlsbad, New Mex.  
 Paris, Tex.  
 Woodward, Okla.  
 Littlerock, Ark.  
 Box 714, Plains, Tex.  
 Birmingham, Ala.  
 No. Little Rock, Ark.  
 Marble Falls, Tex.  
 Temple, Tex.  
 Blakley Island, Ala.  
 2612 So. St., Houston, Tex.  
 Del Norte, Colo.  
 Milwaukee, Wisc.  
 1423 Santa Fe., Los Angeles, Calif.  
 Vernon, Tex.  
 Atlas, Ark.  
 519 So. Cedar, Little Rock, Ark.  
 Hereford, Tex.  
 Grant, Nebr.  
 Wauchula, Fla.  
 217 I St., Salida, Colo.  
 Palisade, Colo.  
 1021 Champa, Denver, Colo.  
 Las Cruces, New Mex.  
 Atlanta, Ga.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(Seal)

ATTEST: A TRUE COPY

J. J. Mahoney  
 (Secretary)

Dated at Denver, Colorado, this  
 Fifteenth day of July, 1950

*Harold Hahn*  
 Commissioner

*John R. Barry*  
 Commissioner

*John W. Hecoley*  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

Decision No. 35062

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle..

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7, of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings hereto fore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Moses Lashene  
E. E. Leatherwood  
Lewis Chev. Co.  
L. P. Lidlow  
Enois Limbaugh  
Lincoln Store Fixture Co.  
Clinton Little  
R. L. Loftice  
A. D. Logan  
Jerome R. Logsdon  
W. H. Lotiville  
B. G. & W. G. Landy  
Kenneth Lynch

Dallas, Tex.  
Houston, Tex.  
224 Main, Fowler, Colo.  
Shreveport, La.  
114 Davis St., Birmingham, Ala.  
109 Third St., Decatur, Ill.  
Abilene, Tex.  
McKinney, Tex.  
Tulsa, Okla.  
Grant, Nebr.  
Chicago, Ill.  
Andalusia, Ala.  
Maryville, Mo.



D. Malone  
 Harold A. Mann  
 John Manning & Floyd Fleming  
 Donald L. Marsh  
 V. B. Mason  
 Frank Maxey  
 James W. Mayfield  
 McAfee, Inc.  
 K. L. McBloom  
 J. C. McConnell  
 D. W. McCullers  
 M. McGarty & A. L. Covey  
 D. L. McGuire  
 J. M. McKellar,  
 Miller & Peevyhouse  
 Miller-Wohl Co., Inc.  
 D. A. Mitchell  
 Roy Mitchell  
 Montleth Bros, Inc.  
 W. C. Mooney  
 Morgan City Canning  
 Oce L. Morgan  
 National Sign Co.  
 Otho Nichols  
 O. R. Niswanger  
 Stanley Norris  
 Nu-Way Products Co.  
 Geo. Olford  
 Nash Osborn  
 Osceola Implement Co.  
 P & G. Trucking Co.  
 J. H. Payne  
 G. C. Pendleton  
 Pharr Canning Co.  
 Plains Machine Co.  
 M. M. Plunk  
 E. J. Potts  
 Produce Dist., Co.  
 Produce Transport, Inc.  
 J. D. Puett  
 Quint County Coop. Creamery  
 J. R. Rainbolt  
 Fred A. Raley  
 E. D. Ramsey  
 Ramsey Trucking Co.  
 Lester E. Redfoot  
 C. V. Rhoades  
 Riche Equipment Co.  
 Barney Biggs  
 D. H. Roberts  
 D. F. Rodgers  
 August Ruiz  
 Sandy Food & Can Co.  
 James M. Sanford  
 Max H. Scott  
 Allen Scale  
 Sharp Trailer Coach Co.  
 Dallas Silvey  
 Robert Slater  
 Roy O. Smith  
 Robert Snowden  
 Smith State Fruit Company  
 O. L. Southerland  
 Melvin Sowers  
 Ira Stafford

Los Angeles, Calif.  
 Rt. 1, Walton, Ind.  
 Miami, Fla.  
 Danville, Ill.  
 Modesta, Calif.  
 Pleasanton, Tex.  
 Rt. 1, Angola, Ind.  
 Amarillo, Tex.  
 Kelsay Hotel, Lamar, Colo.  
 Fayetteville, Ark.  
 Gen. Del., Besfort, S. Carolina  
 San Antonio, Tex.  
 Bennettsville, S. Carolina  
 E. Chicago, Indiana.  
 Dixby, Okla.  
 New York City, N. Y.  
 1124 Hartes Rd., Dallas, Tex.  
 Chicago, Ill.  
 Paola, Kans.  
 4506 W. Third, Amarillo, Tex.  
 Houma, Okla.  
 Thackerville, Okla.  
 Ottawa, Kans.  
 Gen. Del., Indianapolis, Ind.  
 Dallas, Tex.  
 301 N. Market, Dallas, Tex.  
 E. 9th Bristow, Okla.  
 Box 604, Aspen, Colo.  
 Dallas, Tex.  
 Osceola, Nebr.  
 226 San Marco, San Augustine, Tex.  
 Bullard, Tex.  
 5907 30th St., Pampa, Tex.  
 Pharr, Tex.  
 Odessa, Tex.  
 Rt. 1, Seigerville, Tex.  
 Birmingham, Ala.  
 Jacksonville, Tex.  
 Tampa, Florida  
 Woodward, Okla.  
 Mangum, Okla.  
 Ft. Worth, Tex.  
 Las Cruces, New Mex.  
 Atlanta, Ga.  
 Rivers Bldg., Los Angeles, Calif.  
 Albuquerque, N. Mex.  
 795 Ogden, Beaumont, Tex.  
 Kansas City, Kans.  
 Rt. 1, Box 846, Austin, Tex.  
 Tulsa, Okla.  
 Lubbock, Tex.  
 119 So. Juniata, San Antonio, Tex.  
 Sandy, Utah  
 3125 No. Fletcher, Beaumont, Tex.  
 Bisbee, Ariz.  
 Amarillo, Tex.  
 Newton, Kans.  
 1017 So. 10th St., Omaha, Nebr.  
 107 W. 171 St., N. Y., N. Y.  
 R. D. 2, Beaver Falls, Pa.  
 Huntington Park, Calif.  
 Winter Haven, Fla.  
 Los Angeles, Calif.  
 711 Blyer St., Seguin, Tex.  
 Armijo, New Mex.

M. H. Stanley & Son  
 J. P. Starrett  
 Delbert Steele  
 A. P. Sullivan  
 Sun Bag Co.  
 Sunset Motors  
 J. W. Sylvest  
 J. A. Tager  
 A. R. Taylor  
 Charley Terrell  
 L. E. Terrell  
 R. G. Terrill  
 Lester Terry  
 Edith Teter  
 T. T. Thompson  
 Frank Torres  
 Eddy Towell  
 Travelite Trailer Co.  
 Luz Gonzales Trevino  
 Turner Building Supply  
 Two States Produce  
 Frank A. Underwood  
 Weldon Vaughan  
 Sam Vinci  
 John Vitrano  
 John Vitrawe  
 Van L. Waggener  
 Earl Walker  
 Jack Walker  
 Eugene Bert Wallace  
 J. H. Wallace, Jr.  
 Wanda Ward  
 Erick R. Weinbrenner  
 Western Glass Co.  
 Jack Whitehead  
 Carl F. Wideman  
 R. L. Willingham  
~~Wilson and White~~  
 S. B. Winfree  
 Clyde Wiseman  
 Clint Woods  
 B. M. Woolsey  
 G. A. Wright  
 Ted Wright  
 W. J. Warbrough  
 Frank R. Young  
 Robert Lee Young

Indianapolis, Ind.  
 1342 So. High, Abilene, Tex.  
 1700 Rockwell St., Akron, Colo.  
 213 W. Brihart, Perryton, Tex.  
 San Antonio, Tex.  
 Englewood, Colo.  
 20 Vona Ave., Montgomery, Ala.  
 2415 Smith, Houston, Tex.  
 Roswell, New Mex.  
 Rt. 2, Las Cruces, N. Mex.  
 Dallas, Tex.  
 Birmingham, Ala.  
 Layton, Utah  
 Fairplay, Colo.  
 1929 So. Federal, Aberdeen, Tex.  
 San Antonio, Tex.  
 St. Louis, Mo.  
 Ft. Worth, Tex.  
 1723 Leal St., San Antonio, Tex.  
 Heber City, Utah  
 Second & Rose Sts., Blytheville, Ark.  
 Apaca, Tex.  
 Gen. Del., Reform, Ala.  
 816 Linden, Los Angeles, Calif.  
 Auditorium Hotel, Houston, Tex.  
 Auditorium Hotel, Houston, Tex.  
 Montgomery, Ala.  
 1638 Water, Dallas, Tex.  
 Raton, New Mex.  
 307 W. Gaines, Monticello, Ark.  
 1904 E. Pastin, Tampa, Fla.  
 432-5th St., Las Animas, Colo.  
 Wildwood, Fla.  
 Coney, Kans.  
 Dalhart, Tex.  
 San Antonio, Tex.  
 366 E. Height. San Antonio, Tex.  
 Box 148, Kit Carson, Colo.  
 Miami, Fla.  
 Helena, Mont.  
 Gen. Del. Springdale, Ark.  
 Bowie, Tex.  
 Pasadena, Calif.  
 Pharr, Tex.  
 Rt. 2, Atlanta, Ga.  
 Box 71, Blarisville, Ga.  
 Box 214, Nashville, Ark.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.


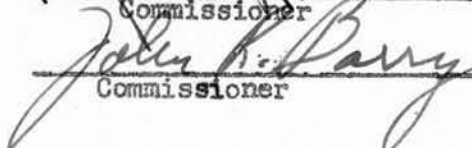

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(SEAL)

Attest: A True Copy

J. J. Mahoney  
Secretary

Dated at Denver, Colorado, this  
Fifteenth Day of July, 1950.

  
 Commissioner  
  
 Commissioner  
  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35063

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Ronald Acton  
Robert C. Adcox  
J. O. Adkinson  
Harold Agner  
Albuquerque Gravel Products  
J. D. Alexander  
Wm. F. Allen  
Allied Oil Co.

Wauneta, Nebr.  
Burnett, Tex.  
401 1/2 So. Lowe, Hobart, Okla.  
Rt. 2, Ottawa, Ohio  
Albuquerque, New Mex.  
De Leon, Tex.  
1104 Church St., East Point, Ga.  
Tyler, Texas

Allison & Co.  
 Alpine Milk Products, Inc.  
 Alside, Inc.  
 R. N. Altman  
 Ignacio Alvarez  
 Leo J. Ambert & Son  
 Lawrence & Orrie Ambroy  
 American Produce Co.  
 American Produce Co.  
 American Produce Co.  
 American Produce & Vegetable Co.  
 Frank Amicantonio  
 Anadarko Supply Co.  
 Elmer C. Anderson  
 Dale Archer  
 Leonard Archer  
 Arkansas City Co-op.  
 Carl Ascello  
 Associated Transport, Inc.  
 Atherton Transfer & Storage  
 Earl Avery  
 Estel Avery  
 Glenn Avery  
 Eddie Awada  
 Willis Ayoub  
 B. & L. Stores  
 B & M Wholesale Co.  
 W. L. Bagley & Son  
 Bland Bailey Mfg. Co.  
 Baker Block Co.  
 Joe Balfour  
 R. E. Ballenger  
 Preston Banks  
 Banner Dairy Products  
 Joseph J. Barbaro  
 C. O. Barham  
 Lester Barione  
 A. W. Barker  
 Barker Bros. Produce  
 Graves F. Brunett  
 John L. Barrett  
 O. B. Barsh

Enid, Okla.  
 Santa Fe Yard, Trinidad, Colo.  
 1415 W. Waterloo Road, Akron, Ohio  
 R. R. Ignacio, Bayfield, Colo.  
 5217 W. Commerce, San Antonio, Tex.  
 14 & Scott, Little Rock, Ark.  
 Rt. 1, Norfolk, Nebr.  
 618 Main, Pine Bluff, Ark.  
 1120 S. Preston, Dallas, Tex.  
 Sioux City, Iowa  
 1120 So. Preston St., Dallas, Tex.  
 2207 E. Routt, Pueblo, Colo.  
 Perryton, Tex.  
 Rt. 2, Box 151-A, Montrose, Colo.  
 Star Route, Chester, Okla.  
 Valley Wells, Texas  
 Arkansas City, Ark.  
 2631 Workman St., Los Angeles, Calif.  
 6110 Natural Bridge, St. Louis, Mo.  
 127 No. Water, Wichita, Kans.  
 Garber, Okla.  
 Gen. Del., Covington, Okla.  
 Box 224, Covington, Okla.  
 573 So. First West, Salt Lake City, Utah  
 306 Smith St., Houston, Tex.  
 246 Main, Longmont, Colo.  
 204 No. Orchard Ave., Farmington, New Mex.  
 848 Brooklyn St., S. W., Atlanta, Ga.  
 4032 Fremont, Kansas City, Mo.  
 Craig, Colo.  
 608 Broadway, Quincy, Ill.  
 Lometa, Tex.  
 Frederick, Okla.  
 Ft. Scott, Kans.  
 Box 180, Aguilar, Colo.  
 Box 75, Blooming Grove, Tex.  
 706 S. 4th St., Clinton, Okla.  
 17th & Main, Little Rock, Ark.  
 Little Rock, Ark.  
 Rt. 1, Garner, Tex.  
 Rt. 8, San Antonio, Tex.  
 67 So. Trenton, Tulsa, Okla.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(SEAL)

ATTEST: A TRUE COPY

J. J. Mahoney  
 (Secretary)

Dated at Denver, Colorado, this  
 Fifteenth day of July 1950.

*Ralph C. Horton*  
 Commissioner

*John R. Barry*  
 Commissioner

*Jeff W. Hawley*  
 Commissioner



ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

Decision No. 35064

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

W. H. Bartlmus  
William Barton  
A. D. Baskin & E. K. Conley  
W. J. Bass  
C. F. Batson & H. W. Dickenson  
Ban Batten, Jr.  
H. M. Battenfield  
L. J. Bauer

418 W. 62nd St., Chicago, Ill.  
West Plains, Mo.  
206 Maple Ave., Springdale, Ark.  
1309 S. Taylor, Amarillo, Tex.  
Tampa, Tex.  
Douglas, Ga.  
Clovis, New Mexico  
1308 Austin, Wichita Falls, Tex.

Earnest Beck  
 George Beck  
 T. E. Belkham  
 Carson S. Belt  
 Cecil Belt  
 John Biazo  
 Binkley Mfg. Co.  
 R. L. Birdwell  
 Alvin F. Bishop  
 J. E. & R. B. Bishop  
 P. R. Bishop, Jr.  
 Black Beauty Coal Co..  
 Blake & Co., Inc.  
 Blakeman Milling Co.  
 James P. Bond  
 Bordenaro Fruit Co.  
 Sam Borkin  
 Borum Grocery Co.  
 William F. Bosch, Jr.  
 Guy Bostwick  
 Ronald A. Boswell  
 Boulton, Henry H.  
 Carl Boultoy  
 A. M. Bounds  
 Gordon Boutiller  
 A. S. Boyd  
 Patton Boyd  
 Bozied Produce  
 Bradbury Bros.  
 T. K. Braddock  
 J. R. Brewington  
 Henry L. Bridgefarmer  
 Delbert A. Bridges  
 Harold H. Brigham  
 Everett Bristow  
 James G. Brock  
 Oscar Bronson  
 E. C. Broswell  
 E. L. Brown  
 Elwayne Brown  
 Brown Industries  
 W. H. Brown

McLean, Tex.  
 1546 So. Sydney Dr., Los Angeles, Calif.  
 Joplin, Mo.  
 108 Graves, Mc Kinney, Tex.  
 McKinney, Tex.  
 Springdale, Ark.  
 Warrenton, Mo.  
 825 W. 8th, Big Spring, Tex.  
 101 W. Victory, Poplar Bluff, Mo.  
 1050 Murphy Ave., Atlanta, Ga.  
 865 White St., S. W., Atlanta, Ga.  
 Box 130, Walsenburg, Colo.  
 Little Rock, Ark.  
 Phippsburg, Colo.  
 Goodman, Mo.  
 139 Second Ave., Des Moines, Ia.  
 504 W. 14th, Sioux City, Ia.  
 Booneville, Ark.  
 1420 Mulberry, Maryville, Mo.  
 Bartow, Fla.  
 1218 N. 6th, Longview, Tex.  
 Idabel, Okla.  
 Idabel, Okla.  
 1240 Ashland, Houston, Tex.  
 2531 Blake Austin Blvd., Austin, Tex.  
 Denton, Tex.  
 1733 Harlan, Joplin, Mo.  
 Brookings, So. Dak.  
 Sullivan, Indiana  
 Page, Nebr.  
 2324 S. W. 35th, Oklahoma City, Okla.  
 McKinney, Texas  
 1705 Santa Fe., La Junta, Colo.  
 920 W. 3rd, Hobart, Okla.  
 125 Grace, Longmont, Colo.  
 502 No. Beach, Cortez, Colo.  
 Scottsbluff, Nebr.  
 2019 Cadiz, Dallas, Tex.  
 Gen. Del., Roscoe, Tex.  
 Alma, Ark.  
 6328 E. Utah, Spokane, Wash.  
 Box 382, Plano, Tex.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

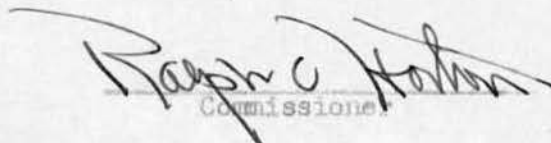
THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

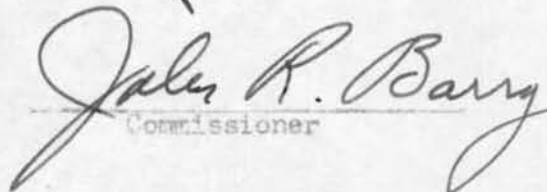
(Seal)

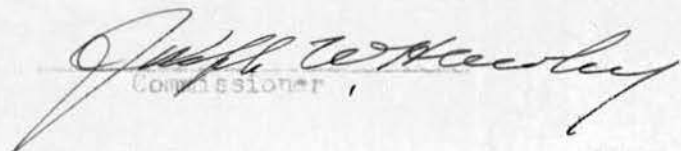
ATTEST: A TRUE

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth day of July, 1950

  
 Commissioner

  
 Commissioner

  
 Commissioner



ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

Decision No. 35065

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Earl Browning  
Brundidge Bros.  
C. A. Buchanan  
M. E. Buckley  
Buckman Lumber Co.  
Orville Bullock  
Bu-Pro Gas Co.  
Jim Burke  
J. A. Burnside  
Willard Burnside

2311 Cedar, Independence, Mo.  
Granger, Tex.  
422 Robert E. Lee St., San Antonio, Tex.  
Box 63, Bowling Green, Fla.  
Chama, New Mex.  
Winton, Okla.  
820-18th St., Sidney, Nebr.  
Box 246, Amarillo, Tex.  
5209 No. MacDill, Tampa, Fla.  
McKinney, Tex.

Ottie Burton  
 J. C. Burton  
 Butane Equipment Co.  
 C. W. Butler & H. C. Manspeken  
 J. A. Caballero  
 Carl F. Campbell  
 W. M. Cannon  
 Capital City Produce Co.  
 C. S. Capps  
 James Cardwell  
 C. N. Carey  
 Carl Carr  
 Wm. R. Carter  
 Carthage Creamery Co.  
 Wallace B. Cary  
 Cauble & Field  
 H. T. Cave  
 Carl Chandler  
 W. E. Chapman  
 Frank Chazawow  
 H. D. Cherington  
 W. S. Chorn  
 C. W. Christian  
 Louis Ciani  
 Domenic Leo Cierci  
 City Packing Co.  
 B. E. Clark  
 Byers Clark  
 J. T. Clark  
 Clark Produce  
 Curtis Cline  
 W. R. Cline  
 J. R. Cobb  
 Coberley's Used Cars  
 Carl Cobien  
 R. F. Cockson  
 Lewis G. Collins  
 Collins Mill & Lumber Co.  
 Roy Collins  
 Harold Lee Colvin

1840 No. Deacon, Sedalia, Mo.  
 Walsh, Colo.  
 3301 So. Lamar, Dallas, Tex.  
 317 E. Klein, Oklahoma City, Okla.  
 2708 Grant Ave., El Paso, Tex.  
 Box 444, Paonia, Colo.  
 Smithfield, Tex.  
 Box 1118, Santa Fe, New Mex.  
 Box 55, Lometa, Tex.  
 Springdale, Ark.  
 Winfield, Tex.  
 Mincola, Tex.  
 618 Nichols, Lake Charles, La.  
 545 N. Main St., Carthage, Mo.  
 Box 141, Holyoke, Colo.  
 401 So. Middle C, Cape Girardeau, Mo.  
 Rt. 59, Sauconna, Ill.  
 Sapinero, Colo.  
 1718 Shearn, Houston, Tex.  
 402 N. 6th, Waco, Tex.  
 Raymondsville, Tex.  
 Abeline, Tex.  
 Forestburg, Tex.  
 Hayden, Colo.  
 411 E. Lake Ave., Baltimore, Maryland  
 Ft. Worth, Texas  
 Carthage, Tex.  
 Rt. 4, Box 289, Greeley, Colo.  
 Lometa, Tex.  
 307 No. 25th, Birmingham, Ala.  
 947 Lake, Sikeston, Mo.  
 524 W. 22nd, Joplin, Mo.  
 612 East Sycamore, Sherman, Tex.  
 1500 So. Main, Lamar, Colo.  
 Lakin, Kans.  
 Huntington, Tex.  
 3201 Littlejohn St., Ft. Worth, Tex.  
 121 No. Liberty, Harrison, Ark.  
 Box 92, Edinburg, Tex.  
 Nevada, Mo.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(SEAL)

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950.

*Ralph C. Johnson*  
 Commissioner

*John R. Barry*  
 Commissioner

*Joseph C. Hawley*  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

Decision No. 35066

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Connersville Casket Co.  
Herman Cook  
T. T. Cooper  
Coopers Woodworking  
T. P. Costilow  
A. H. Couch  
G. N. Cox  
Walter Cox  
Chester Crawford  
Crisp Mfg. Co.

Connersville, Ind.  
Box 48, Cayuga, Ind.  
Rt. 5, Fayetteville, Ark.  
Onieda, Tenn.  
300 Scott, Wichita Falls, Tex.  
2009 Pine, Abilene, Tex.  
Rt. 1, Littlefield, Tex.  
1201 Claude St., Dallas, Tex.  
Van Buren, Ark.  
Dell Rapid, So. Dakota



C. D. Croft  
H. H. Crow Equipment Co.  
Ray Culipher  
Cullman Banana Supply  
Harry D. Cumler  
O. F. Cundiff  
E. L. Daniel  
Le Roy Daniels  
Daugherty & Wright  
Dickey Davis  
Roy A. Davis Typewriter Sup. Co.  
Wayne A. Davis  
Neil R. Day  
Omer C. Deatherage  
Cecil Dekle  
R. G. Delaney  
Billy De Long  
De Long's Business  
Delta Canning Co.  
Elmer DeWitt  
Robert Dietz  
Di Vincent Bros.  
Dixon Bros.  
Dixon, Inc.  
Dixon, Inc.  
Harry H. Dobbs  
Dorsie Dorman  
Douman & Barnes  
Cecil Doyal  
C. H. Dragoot  
Jack Frilling  
J. A. Dubas  
L. E. Dunkin  
Robert Dunn  
J. G. Duplantis  
Durango Recap Co.  
Donald & O D. Dye  
O. D. Dyke  
East Texas Lead Co.  
George L. Eastburn

Las Vegas, New Mexico  
3815 E. Broadway, No. Little Rock, Ark.  
Rt. 2, Wichita Falls, Tex.  
213-3rd West, Cullman, Alabama  
1142 E. Ridding, Wichita, Kans.  
329 N. Rotta, Ft. Worth, Tex.  
Rt. 2, Killeen, Tex.  
Lometa, Tex.  
500 McCormick, Bressler City, La.  
1902 W. Earl Drive, Phoenix, Ariz.  
105 N. Tejon St., Colorado Springs, Colo.  
2201 Avenue R, Snyder, Tex.  
Allen, Tex.  
Box 171, Childress, Tex.  
2213 McKenzie, Waco, Tex.  
2415 Buchanan, Beaumont, Tex.  
Usleta, Tex.  
Box 22, Taos, New Mex.  
222 West Sauz, Raymondville, Tex.  
Market Square, Joplin, Mo.  
Orleans, Nebr.  
702 N. 28th St., Baton Rouge, La.  
1050 Murphy Ave. S. W., Atlanta, Ga.  
1050 Murphy Ave., Atlanta, Ga.  
300 Poydras St., New Orleans, La.  
Mineral Wells, Tex.  
Rt. 1, South, Coffeyville, Okla.  
Box 385, Fayette, Ark.  
Box 86, Lake Arthur, New Mex.  
Dallas, Tex.  
Edinburg, Tex.  
1117 So. 10th, Omaha, Nebr.  
Lyford, Texas  
Springville, Utah  
Houma, La.  
638 Main St., Durango, Colo.  
Kingman, Kans.  
~~Elgin, Kans.~~  
Henderson, Tex.  
Box 454, Holly, Colo.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor Vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(Seal)

ATTEST: A TRUE COPY

J. J. Mahoney  
Secretary

Dated at Denver, Colorado, this  
Fifteenth Day of July 1950.

Ralph C. Holton  
Commissioner

John R. Barry  
Commissioner

Joseph C. Hensley  
Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35067

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Lynn Easter  
Lloyd Echtenkamp  
A. A. Edens  
James W. Edgar  
Leonard Edgleman  
Robert Edington  
A. H. Edwards  
George H. Eggers  
Leonard Eggleman  
H. B. Eidson

1805 Keo, Des Moines, Iowa  
68 So. Maple, Fremont, Nebr.  
Rt. 3, Box 451-T, Ft. Collins, Colo.  
Kirtland, New Mex.  
Leota, Mo.  
Box 188, Chattahoochee, Ga.  
Spellman, Mo.  
Lexington, Nebr.  
Leota, Mo.  
Cullman, Alabama

Eidson Produce Co  
 Calvin Lewis Elam  
 J. W. Ellis  
 Elsa Canning Co.  
 Royal Elwess  
 Eskridge Pipe & Supply Co.  
 Espy Produce Co.  
 Rudolfo Estrada  
 Bob Eubanks  
 Nolan Eubanks  
 R. L. Eubanks  
 William Eubanks  
 King Motor Co.  
 Glenn Swton  
 Paul Fahrbach  
 Farley Sales Co.  
 W. R. Farmer  
 Farmers Feed & Seed  
 Farmers Produce  
 Farmer's Union Grain & Supply Co.  
 Willie Faulkner  
 W. T. Feagin  
 V. W. Field  
 Delton W. Finch  
 S. H. Findley  
 John Fleming  
 Flexible Co.  
 E. O. Fling  
 Flower Box Floral Co.  
 F. D. Foote  
 Fort Smith Trading Co.  
 Fox Produce Co.  
 Foxworth & McCalla  
 H. P. Francis  
 Fred Francisco  
 Fredrickson Grain  
 J. C. Freeman  
 Bob Frix  
 W. B. Fuigham  
 D. H. Fuqua

1131 First Avenue North, Birmingham, Ala.  
 Manassa, Colo.  
 605 Hulme St., Bowie, Tex.  
 Elsa, Tex.  
 Chama, New Mex.  
 119 No. Atlantic, Tulsa, Okla.  
 1130 First Ave. N., Birmingham, Ala.  
 1415 Monterray, San Antonio, Texas  
 706 West Main, Russellville, Ark.  
 Rt. 1, Wylie, Texas  
 109 Ave "A" Garland, Texas  
 Sherman, Texas  
 310 Second St., Mercedes, Tex.  
 208 North Third St., Gallup, New Mexico  
 Belleville, Kans.  
 Walsh, Colo.  
 Cedar Lake, Indiana  
 Pittsburg, Tex.  
 Gen. Del., Springdale, Ark.  
 2111 Montana Ave., Billings, Mont.  
 Valliant, Okla.  
 Sherman, Texas  
 1006 Barkley, San Antonio, Tex.  
 1928 1/2 N. W. 7th, Oklahoma City, Okla.  
 Ada, Okla.  
 116 So. Frisco, Tulsa, Okla.  
 North Water St., Londonville, Ohio  
 Box 232, Bishop, Tex.  
 114 E. Second St., Dumas, Tex.  
 Osceola, Mo.  
 Ft. Smith, Arkansas  
 Kearney, Nebr.  
 1418 West Jefferson St., Phoenix, Ariz.  
 Enid, Okla.  
 1212 East 9th, Texarkana, Ark.  
 Meridan, Iowa  
 1637 Brae Burn Drive, Atlanta, Ga.  
 Gen. Del., Mercedes, Tex.  
 Rt. 2, Petersburg, Tex.  
 3915 E. Hillsborough, Tampa, Fla.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Deal)

ATTEST: A TRUE COPY

J. J. Mahoney  
Secretary

Dated at Denver, Colorado, this  
fifteenth day of July 1950.

*Joseph C. Hoken*  
Commissioner

*John R. Barry*  
Commissioner

*Joseph W. Heasley*  
Commissioner



ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35068

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAY )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Deward Fuqua  
G. I. Surplus Dist. Co.  
E. G. Galligar  
C. D. Gallini  
Hershel Gann  
Salvador E. & Cirilo Garcia  
Urban L. Garcia  
William R. Garlinghouse  
Garner & Williams Lumber Co.  
Lonnie Garrett

3915 S. Hillsborough Ave., Tampa, Fla.  
Austin, Tex.  
701 W. Patterson, Lakeland, Fla.  
Box 89, Irving, Texas  
50 No. Trenton, Tulsa, Okla.  
Box 364, Mancos, Colo.  
Gen. Del., Monte Vista, Colo.  
Box 101, Mancos, Colo.  
Dove Creek, Colo.  
1810 N. Birmingham, Tulsa, Okla.

W. J. Garwood  
 General Homes Co.  
 Coolite Company  
 A. C. George  
 Edward D. Gibson  
 H. W. Gibson  
 J. L. Gibson  
 John Gies  
 Gish Appliance  
 W. A. Glenn  
 Henry Gochry  
 J. M. Goladay  
 Albino Gonzales  
 Gonzales Bros.  
 Gene Gore & Allen Rainey  
 Samuel Gottgolf  
 Gould Tavern  
 E. S. Graham  
 Harry Graham  
 Gray Trailer Co.  
 Green Motor Co.  
 H. H. Greifenstein  
 Griswold & Helms  
 B. A. Grizzard  
 B. A. Grizzard  
 C. L. Grooms  
 Barney Gross Supply Co.  
 E. M. Gpethaus  
 Paul Ross Quarino  
 C. A. & C. L. & Wm. Guidry  
 Preston Guidry  
 Carl Gummow & Roy E. Dimick  
 A. L. Gunter  
 Buddy Gunter  
 Guy Gunter  
 Keith Gurr  
 John Haefeli  
 O. H. Maislip  
 Geo. G. Hall  
 J. J. Hall

Box 83, Wheatland, Wyo.  
 2405 So. Second West, Salt Lake City, Utah  
 Box 297, Antonito, Colo.  
 Tulia, Tex.  
 107 E. South, Hastings, Nebr.  
 1500 W. Beaver, Thomasville, Ga.  
 Box 376, Covington, Okla.  
 5053 Orchard St., Lincoln, Nebr.  
 Box 505, Limon, Colo.  
 500 First South East, Childress, Texas  
 Ogallala, Nebr.  
 3624 Frank, Dallas, Tex.  
 Box 256, Ordway, Colo.  
 300 Buena Vista St., San Antonio, Tex.  
 Chickasha, Okla.  
 180 W. Park, Mansfield, Ohio  
 Gould, Colo.  
 Springdale, Ark.  
 Rt. 4, Neosho, Mo.  
 San Angelo, Tex.  
 1515 E. 7th, Joplin, Mo.  
 1215 Kenny Ave., Corpus Christi, Tex.  
 126 E. Main, Cortez, Colo.  
 1204 Gordon St., Atlanta, Ga.  
 Farmers Market, Atlanta, Ga.  
 Maryville, Mo.  
 1608 Wazee St., Denver, 2, Colo.  
 Franklin, Nebr.  
 1910-8th Ave., Tampa, Fla.  
 Arnaudville, La.  
 Sunset, La.  
 Rt. 2, Guthrie, Okla.  
 Gunter, Tex.  
 Gunter, Tex.  
 Box 304, Gustine, Tex.  
 Rt. 2, Box 183, Orem, Utah  
 Monte Vista, Colo.  
 Rt. 3, Lee's Summit, Mo.  
 De Leon, Tex.  
 Rt. 2, Grapevine, Texas

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(Seal.)

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950

  
 Commissioner

  
 Commissioner

  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35069

IN THE MATTER OF THE FAILURE OF VARIOUS)  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATION FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Norman J. Hall  
Robert Hall Co.  
O. L. Hamilton  
Odis Hamilton  
Kenneth Hanshew  
R. L. Harber  
Bud Hardenbrock  
T. A. Hardin  
B. E. Harmon  
Josephine E. Harmon

Alta Luna, Calif.  
1241 Broadway, New York City, N. Y.  
Chester, Okla.  
1208 Jones St., Ft. Worth, Tex.  
Fayetteville, Ark.  
Rt. 4, Floydada, Tex.  
Box 136, Beaver City, Nebr.  
Rt. 2, Box 468, Dallas, Tex.  
Laverne, Okla.  
718 So. 18th St., Terre Haute, Ind.



J. D. Harper  
 L. B. Harris  
 A. H. Harrison  
 Leslie & Clyde Harrison  
 Robert Parrod  
 J. A. Hart  
 James C. Hart  
 Ed Hartz  
 C. D. Hastings  
 Thomas J. Hastings  
 Harley Hay  
 Earl Hayden  
 W. H. Hayes  
 Wayne L. Hayes  
 C. T. Hays  
 Hays Trucking Co.  
 B. N. Head  
 O. H. Heard  
 E. J. Heath  
 W. H. Hedley  
 Luke W. Henson  
 Martin Henson  
 Herbst Bros.  
 Harold Herron  
 C. R. Hester  
 Hicks Rubber & Salvage Co.  
 R. C. Hilburn  
 James Hill  
 Leonard Hill  
 Hillenbrand Industries  
 H. L. Hodges  
 Freeman August Hollandsworth  
 D. R. Hollingsworth  
 Henry R. Holmes  
 Ruffie H. Holt  
 Leo Holshuter  
 Steve Homalka  
 Robert S. Hood  
 Earl H. Hoover  
 L. C. Hoover

205 S. 6th, La Mesa, Texas  
 Tuttle, Okla.  
 Lometa, Texas  
 709 E. Oklahoma, Ponca City, Okla.  
 808 Jackson, Altus, Okla.  
 1107 S. E. 15th, Mineral Wells, Texas  
 Rockwell, Tex.  
 Parshall, Colo.  
 3112 S. W. 27th, Oklahoma City, Okla.  
 2020 West Prince, Tucson, Ariz.  
 Box 1115, Cortez, Colo.  
 Elma, Iowa  
 Muleshoe, Tex.  
 Rt. 1, Box 160, Ft. Collins, Colo.  
 Joplin, Mo.  
 Oklahoma City, Okla.  
 Glenendon, Tex.  
 Box 114, Petersburg, Tex.  
 Dallas, Tex.  
 4300 Xavier St., Denver 12, Colo.  
 404 Lamar Ave., Houston, Tex.  
 Pineville, Mo.  
 Princeton, Minn.  
 Hemingford, Nebr.  
 Blytheville, Ark.  
 3724 Commerce, Fort Worth, Texas  
 Delta, Colo.  
 1516 E. Admiral, Tulsa, Okla.  
 319 So. Ellison, Oklahoma City, Okla.  
 Batesville, Ind.  
 3915 E. Hillsboro, Tampa, Fla.  
 Gen. Del., Parkdale, Colo.  
 512 W. Main, Gatesville, Tex.  
 1110 Pressley, Atmore, Ala.  
 Alva, Okla.  
 Topeka, Kans.  
 Ellsworth, Kans.  
 Laketon, Tex.  
 138 E. 2nd, Palisade, Colo.  
 Littlefield, Tex.

before this commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(Seal)

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950

*Ralph C. Johnson*  
 Commissioner

*John R. Barry*  
 Commissioner

*John W. McCool*  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35070

IN THE MATTER OF THE FAILURE OF VARIOUS)  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed:

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Hopkins Bros.  
Bob Horner  
Jim Horton  
W. C. Horton  
W. R. Horton  
Hotchkiss Sales Yard  
Howard Banana Co.  
C. G. Howard  
Emerson Howard  
Ivan Howard

1211 Blvd. Frive, Ft. Worth, Tex.  
1617 N. W. 4th, Oklahoma City, Okla.  
Oneonta, Ala.  
Longview, Texas  
Haines City, Florida  
Hotchkiss, Colo.  
385 So. Ellison, Oklahoma City, Okla.  
221 River Drive, Amarillo, Texas  
Estherville, Iowa  
325 S. Ellison, Oklahoma City, Okla.

Hub Petroleum Co.  
 Robert L. Huff  
 Hughes Bros.  
 Cleo Humphreys  
 Hutchinson Produce Co.  
 Walter F. Huwa  
 Ironwood Trailer Coaches, Inc.  
 J. & R. Sales Co.  
 H. W. Jacobs Co.  
 Woody James  
 Jerry Janecka  
 George & Claud Jenssen  
 J. R. Jantzen Refrigeration Service  
 Philiberto Jaquez  
 Jekyll Island Packing Co.  
 Freda M. Jesser  
 Will Johnessee  
 H. G. Johnson  
 Curtis W. Jones  
 Jones Fruit & Vegetable Market  
 Jones Lumber Co.  
 V. L. Jones  
 Jordan & Gray Wholesale Produce  
 W. L. Justice  
 Louis Kaleel, Jr.  
 Kaplan Bros.  
 Kearney Laundry & Machine Co.  
 Keenesburg Dehydrating & Milling Co.  
 Lonnie Kelly  
 Kenneth Kenion  
 Claude Kerr  
 Walter Keyser  
 Woodrow W. Killen  
 R. W. Kimbell  
 Robert Cecil Kimbell  
 A. N. King  
 Raymond H. & Sara King  
 W. Paul King  
 C. C. Kipps  
 Klass Produce Co.

300 South Taylor St., Craig, Colo.  
 Box 312, Arvada, Colo.  
 Box 54, Carbondale, Colo.  
 Clifton, Colo.  
 219 S. Third, Albuquerque, N. Mex.  
 Box 137, Ft. Lupton, Colo.  
 Ironwood, Mich.  
 316 South 5th, St., Phoenix, Ariz.  
 Pleasant Grove, Utah  
 Rt. 1, Box #E, Orem, Utah  
 1102 S. Kentucky, Roswell, New Mex.  
 Dewitt, Nebr.  
 Box 576, New Castle, Colo.  
 719 W. 2nd Street, Florence, Colo.  
 Box 120, Brunswick, Ga.  
 1004 19th St., Denver 2, Colo.  
 Joplin, Mo.  
 5413 Pershing, Ft. Worth, Texas  
 Blanding, Utah  
 So. Main, Lusk, Wyoming  
 Benton, Ark.  
 Linden, Texas  
 412 Mississippi, Malvern, Ark.  
 6402 Simpson Ave., Columbus, So. Carolina  
 198 Harvard, Houston, Tex.  
 Columbus, Nebr.  
 1800 Central Ave., Kearney, Nebr.  
 Gen. Del., Keenesburg, Colo.  
 1050 Murphy Ave., Atlanta, Ga.  
 Fairfield, Iowa  
 Henderson, Tex.  
 Maple Hill, Kans.  
 Tucumcari, New Mex.  
 Princeton, Texas  
 1305 N. Waddill, McKinney, Tex.  
 2214 Mathews Blvd., Albuquerque, New Mex.  
 Bailey, Colo.  
 2811 Cardine Ave., St. Louis, Mo.  
 Miami, Okla.  
 Sioux City, Iowa

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(Seal)

ATTEST: A TRUE COPY

J. J. Mahoney  
Secretary

Dated at Denver, Colorado, this  
Fifteenth Day of July 1950.

*Ralph C. Hahn*  
Commissioner

*John R. Barry*  
Commissioner

*John P. Hecoley*  
Commissioner



ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

Decision No. 35071

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1990

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

- (a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.
- (b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.
- (c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.
- (d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Klein Motor  
R. G. Klein  
Louis Klinzman  
E. J. Knight  
J. B. Knight  
M. C. Knight  
Ivan Knox  
Louis Kostello  
Bernard Dean Krcner  
Glen Krieg, Jr.

Montrose, Colo.  
Shattuck, Okla.  
Haugler, Nebr.  
Wauchula, Fla.  
Colen, Tex.  
1540 So. Main, Salt Lake City, Utah  
Box 77, Alpena, So. Dakota  
Montezuma, Colo.  
Milford, Nebr.  
P. O. Box 622, Lamar, Colo.

Vernon L. Kruse  
 George Laakso  
 Pete La Coco Co.  
 Ralph Ladd  
 Lakin Implement Co., Inc.  
 Earl Lamons  
 M. J. Lance  
 J. P. Landens  
 G. E. Lanier  
 E. S. League  
 Antonio Llamas  
 Glenn Lile  
 R. S. Limbo  
 Herman J. Linnebur  
 Loyds Trailer Sales  
 David C. Loucks  
 Harry Lowe  
 John Lucero  
 E. T. Lunsford  
 Lupen Wholesale  
 Lustron Corp.  
 J. B. Mackey  
 Maddox Bros.  
 Magic City Produce  
 Mancos Electric  
 L. Mansfield  
 Joe Manzanares  
 Marden Mfg. Co.  
 Willie Marion  
 Marklen Produce Co.  
 Wilbur Marshall  
 Al Martin Transportation Co.  
 Eugene Martin  
 Gene Martin  
 J. H. Martin & Son  
 Mathews Bros.  
 Matthews Supply Co.  
 Chris Mayfield  
 Mayfield & Herrin  
 John L. Mayre

714 Delmore, Neosho, Mo.  
 Box 322, Los Fresnos, Tex.  
 New Orleans, La.  
 Berwick, La.  
 124 No. Main, Lakin, Kans.  
 Geary, Okla.  
 82 N. Trenton, Tulsa, Okla.  
 110 W. Elm, Rogers, Ark.  
 2354 So. Market, Wichita, Kans.  
 Pond Creek, Okla.  
 118 Simpson, San Antonio, Tex.  
 Las Cruces, New Mex.  
 205 Dale St., Birmingham, Ala.  
 Roggen, Colo.  
 2349 E. Van Buren, Phoenix, Ariz.  
 Copeland, Kans.  
 230 Church, Galion, Ohio  
 510 No. 13th, Rocky Ford, Colo.  
 1050 Murphy Ave. S. W., Atlanta, Ga.  
 Johnson, Ark.  
 4200 E. 5th Ave., Columbus, Ohio  
 Ingram, Tex.  
 2200 Forest, Knoxville, Tenn.  
 1013 First Avenue North, Birmingham, Ala.  
 Mancos, Colo.  
 Edgar Spring, Mo.  
 Castillo, New Mex.  
 Auburndale, Fla.  
 Box 4, Allen, Tex.  
 Des Moines, Iowa  
 Rt. 1, Manith, Mich.  
 1630 Hermosa Dr., Temple City, Calif.  
 Kerrick, Tex.  
 1312 E. 9th, Texarkana, Ark.  
 Whitt, Texas  
 2219 Forest Ave., Knoxville, Tenn.  
 210 Hunt, Ranger, Tex.  
 Clayton, New Mex.  
 Willis Point, Tex.  
 Calumet, Okla.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor Vehicle, be, and hereby are, dismissed.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(SEAL)

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950

*Ralph C. Holton*  
 Commissioner

*John R. Barry*  
 Commissioner

*Joseph T. Hawley*  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

Decision No. 35072

IN THE MATTER OF THE FAILURE OF VARIOUS)  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following Particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Maytag Appliance Store

Keenesburg, Colo.

Carl McAllister

Box 412, Coleman, Tex.

C. H. McCaskill & D. S. Parson

Candor, No. Carolina

Barney McCormack

806 N. Main, Pocatello, Idaho

McDonald Machine Co.

Tulia, Tex.

Sinclair McDonald

311 Washington, Bowie, Tex.

Dewey McFadden

Boise City, Okla.

Bob McFarland

2641 North 7th St., Grand Junction, Colo.

George McGee

525 N. Goodrich, Seguin, Tex.



Curtis McKee  
 Howard McKee & Paul Welner  
 John Mc Laughlin  
 J. W. McManus  
 McMullen Co.  
 E. L. McNaabb  
 H. C. McNeil  
 Gaylord McReynolds  
 Lee McVey  
 Finis Melton  
 Lawrence D. Mengon  
 H. L. Merryman  
 Bob Metcalf  
 Herbert W. Merz  
 Joe Kostas  
 Michaels & Osborn Hardware Co.  
 A. M. Miller  
 C. L. Miller  
 Edward L. Miller  
 Ralph E. Mills  
 Minnequa Hardware  
 F. J. Mitchell  
 Hope A. Mitchell  
 O. C. Mitchell  
 Shelton Mitchell  
 Modern Home & Improvement Co.  
 Oliver R. Moffett  
 A. C. Moore  
 C. H. Moore  
 Ray Morgan  
 Wanda Morgan  
 Moss Produce Co.  
 Motor Parts & Supply Co.  
 Ernest Munch  
 W. H. Murdock  
 Taft Murphy  
 Myrath Co.  
 H. R. Myrick  
 E. C. Neil & Son  
 Neil's Electric Co.

Idabelle, Okla.  
 350 Main, Longmont, Colo.  
 2710 Texas Ave., Lubbock, Tex.  
 2111 Cadiz, Dallas, Tex.  
 1200 Main St., Alamosa, Colo.  
 Nacona, Texas  
 Atoka, Okla.  
 715 So. Bdwy., St. Louis, Mo.  
 St. Joseph, Mo.  
 Rt. 2, Plant City, Fla.  
 Cherryville, Kans.  
 Bradenton, Fla.  
 Brownwood, Texas  
 Dove Creek, Colo.  
 Las Vegas, New Mex.  
 222 Walnut St., Ft. Collins, Colo.  
 Electra, Tex.  
 3415 Ave. I, Ft. Worth, Tex.  
 113 1/2 E. 12th St., Joplin, Mo.  
 1612 Market, Denver, Colo.  
 2109 E. Evans, Pueblo, Colo.  
 716 Pascal, San Antonio, Tex.  
 1278 W. Valley Blvd., Fontana, Calif.  
 1050 Murphy Ave., Atlanta, Ga.  
 300 So. Travis, Sherman, Tex.  
 Jet, Okla.  
 2215 Ave. Baston, Joplin, Mo.  
 New Castle, Wyo.  
 Tulia, Tex.  
 403 West Broadway, Seminole, Okla.  
 2413 S. W. 25th St., Oklahoma City, Okla.  
 1601 Market, Madison, Illinois  
 329 E. Pikes Peak Ave., Colorado Springs, Colo.  
 912 Cherry, Pratt, Kans.  
 R. 1, Box 91, Wellington, Tex.  
 Brwonfield, Tex.  
 Dodge City, Kans.  
 Rt. 1, Mesquite, Tex.  
 Rogers, Ark.  
 925 Palmer, Glenwood Springs, Colo.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO


(SEAL)

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth day of July 1950

  
 Commissioner

  
 Commissioner

  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

Decision No. 35073

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

L. M. Nelson  
Melvin Newland  
Ray Newton  
New York Store  
Nicholas, Ferris & Mack  
P. L. Nichols  
Morris Nicholson  
Don Noddin Cheese Co.  
North Texas Tank Co.

Spearman, Tex.  
Rt. 5, Greenville, Tex.  
Van Buren, Ark.  
Phoenix, Ariz.  
Joplin, Mo.  
301 Pine St., Glenwood Springs, Colo.  
124 Hudson, Longview, Tex.  
Girard, Kans.  
Denton, Tex.

Edward J. Nugent & Son  
O & E Heating Co.  
O'Berry & Hall Co.  
John L. O'Brien  
J. W. O'Bryan  
Ormsbee & Huddleston  
F. M. Overstreet  
Mark Overton & Roy McReynolds  
Eddie Ownada  
Palisade Sand & Gravel Co.  
Palo Lumber Co., Inc.  
Parker Bros.  
O. L. Parker  
T. Parker  
J. J. Parker  
R. H. Parlin & R. A. Wicks  
C. O. Parone  
M. L. Partin  
Calvin Patterson  
Pauls Produce  
Richard Payne  
Pearce Electric  
F. L. Pendergrass  
Joe Pentycuff  
Perales & Watson  
Perishable Trans. Service  
Permian Produce Co.  
J. D. Perser  
Sam Peter  
Sam Petro  
A. J. Pfeiffer  
Pharr Canning Co.  
J. O. Phillips & Sons  
Clyde Pierce  
Wesley Piper  
Pirnie Bros.  
Plains Chevrolet Co.  
Planck Motor Co.  
Planck Motor Co.  
Kenneth Plumlee

Box 85, Loveland, Colo.  
1110 N. College, Ft. Collins, Colo.  
Tampa, Florida  
Wallace, Nebr.  
1000 E. Main, Van Buren, Ark.  
Rt. 3, La Junta, Colo.  
5526 Hiway, Corpus Christi, Tex.  
Frederick, Okla.  
573 So. First West, Salt Lake City, Utah  
Box 220, Green River, Wyo.  
Taos, New Mex.  
325 N. W. Red Road, Miami, Fla.  
302 N. W. 6th Ave., Mineral Wells, Tex.  
Rt. 3, Roscoe, Tex.  
Rt. 2, Jacksonville, Tex.  
Sargents, Colo.  
Springdale, Ark.  
1114 North Stiles, Oklahoma City, Okla.  
Rt. 1, Stilwell, Okla.  
2148 So. Randall, Indianapolis, Ind.  
Box 212, Custer, So. Dakota  
337 Railroad, Rifle, Colo.  
1309 W. First, Lamesa, Tex.  
923 So. 8th St., Waco, Tex.  
1443 Salinas, Laredo, Tex.  
Sanford, Florida  
2020 Kermit Road, Odessa, Tex.  
Box 96, Boyd, Tex.  
611 Prairie, Houston, Tex.  
611 Prairie, Houston, Tex.  
2195 Wilson, Beaumont, Tex.  
Van Buren, Ark.  
618 W. Broad, Mineola, Tex.  
719 Eli, Dallas, Tex.  
Box 153, Walsh, Colo.  
Broken Bow, Nebr.  
Amarillo, Tex.  
Mc Cook, Nebr.  
611 W. B. St., Mc Cook, Nebr.  
Pineville, Mo.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(SEAL)

ATTEST: A TRUE COPY

J. J. Mahoney  
Secretary

Dated at Denver, Colorado, this  
Fifteenth Day of July 1950

*Joseph C. Johnson*  
Commissioner

*John R. Dany*  
Commissioner

*Joseph C. Johnson*  
Commissioner



ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION,  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35074

IN THE MATTER OF THE FAILURE OF VARIOUS)  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Fred D. Pratt  
Pratt Grocer Company  
Leo Presley  
W. J. Preston  
Curtis A. Price  
Herbert E. Price  
Prince Produce Co.  
Monico Puentes  
Albert Purdy  
R. C. & L. V. Quaintance

Hoxie, Kans.  
Box 449, Ardmore, Okla.  
50 W. Evergreen, Durant, Okla.  
De Leon, Tex.  
Box 115, Palo Pinto, Tex.  
Rt. 1, Lookaba, Okla.  
800 So. Main, Council Bluffs, Iowa  
Fairview, Mont.  
1871 S. W. 21st., Miami, Fla.  
1907 So. Broadway, Denver 10, Colo.

R A Company  
 Rago Produce Co.  
 Ollie Rainey  
 John J. Randall  
 Louis Rauh  
 J. L. Ray  
 Mike Ray  
 John D. Redford  
 Archie Reed  
 Bryan Reed  
 Ralph Reddon  
 Paul Rider  
 Joe Riojas  
 D. F. Roach  
 Fred Roach  
 J. R. Roach  
 E. P. Robbins  
 R. P. Roberts  
 E. L. Roberstein  
 Robbins Lightning Protection Co.  
 Robinson Truck & Equipment Co.  
 Billy Rheam  
 R. J. Richter  
 Dean Rogers  
 William T. Rogers  
 E. J. Rose  
 Roth Bros.  
 Harry Rouch  
 Pete Rousis & Mary Ann David  
 Richard Raune  
 R. R. Rumuth  
 Rupe Motor Co.  
 Frank S. Russ, Jr.  
 Carl Russell  
 Russell Produce  
 R. H. Russell & W. J. McAvoy  
 Albert Saenz  
 Salum & Cicinto  
 Samuels & Co.  
 Santa Rosa Lumber Co.

4038 Chestnut, Philadelphia, Pa.  
 331 Hickox, Santa Fe, New Mex.  
 Rt. 1, Pocasset, Okla.  
 Breckenridge, Colo.  
 Shattuck, Okla.  
 Box 53 College Park, Atlanta Ga.  
 Joplin, Mo.  
 835 Donneybrook, Tyler, Tex.  
 Lincoln, Ark.  
 Clyde, Ark.  
 112 Vera Cruz, San Antonio, Tex.  
 Box 247, Gimer, Tex.  
 309 El Paso, San Antonio, Tex.  
 Maryville, Mo.  
 215 Smith, Wyoming, Illinois  
 P. O. Box 12, Saguache, Colo.  
 Greenville, Tex.  
 Cortez, Florida  
 Oshkosh, Nebr.  
 Maryville, Mo.  
 Mobile, Ala.  
 205 W. South, Fayetteville, Ark.  
 Enid, Okla.  
 5021 So. Santa Fe., Littleton, Colo.  
 Lee's Summit, Missouri  
 903 Austin St., San Antonio, Tex.  
 McLean, Tex.  
 1415 W. Waterloo Road, Akron, Ohio  
 935 So. Jackson, Casper, Wyo.  
 Box 212, Custer, So. Dakota  
 Dalton, Nebr.  
 Hays, Kans.  
 Rt. 54, Box 373, Pueblo, Colo.  
 Wagon Mound, New Mex.  
 Russell, Iowa  
 Palo Pinto, Tex.  
 San Antonio, Tex.  
 26 East Third, Kansas City, Mo.  
 Dallas, Tex.  
 Santa Rosa, New Mex.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

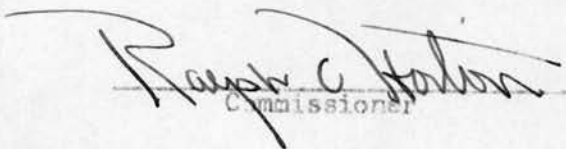
That this order shall become effective ten days from this date.


THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(Seal)

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

  
 Commissioner

  
 Commissioner

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950

  
 Commissioners

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35075

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more to the following particulars:

- (a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.
- (b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.
- (c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.
- (d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

C. B. Santos  
Ernest W. Schank  
Clarence Scheidt  
Harry E. Schmidt  
Wm. W. Schneider  
George Schott  
H. C. Scott  
Tommie Scott  
Scott Used Furniture  
Harold Segelke

Uvalde, Tex.  
1102-10th Ave., Scottsbluff, Nebr.  
229 Des Moines, Salina, Kans.  
302 Smith St., Houston, Tex.  
Sharon Springs, Kans.  
1914-4th St., Gering, Nebr.  
Fay, Okla.  
Corpus Christi, Tex.  
1925 Ave. H, Lubbock, Tex.  
Espanola, New Mex.



Vernon Selvidge  
 Service Equipment  
 Seymour Packing Co.  
 Shamrock Service  
 Gerald W. Sharp  
 Ray Sharp  
 Shaver Produce Co.  
 W. H. Shaver  
 Shaw Mfg. Co.  
 Sheperd & Pipkin  
 Shepherd Mill Lumber  
 Sherman Western Lumber Co.  
 E. T. Shogrin  
 Silver Produce  
 Charles Simco  
 George B. Simons  
 Sisk Bros.  
 Lloyd Sisk  
 Smith Bros.  
 D. L. Smith  
 Edwin Smith  
 N. R. Smith  
 O. R. Smith  
 Ralph S. Smith  
 Spencer Smith  
 Thal Smith  
 South Dakota Fur & Hide Co.  
 Southern Sash Supply & Sales  
 Southern Shell Fish Co., Inc.  
 Southern Tire Co.  
 Frank Sovey  
 Sparrow Equipment Co.  
 Abe Speer  
 George & Eddie Springer  
 H. M. Stanley  
 Nelson Stanley  
 W. H. Stapleton  
 H. P. Starnes  
 Charles Stein  
 Herbert Stelly

407 Turner Drive, Houston, Tex.  
 Dallas, Tex.  
 Smith Center, Kansas  
 1209 Main, Springfield, Colo.  
 Healy, Kans.  
 Mineola, Tex.  
 Forest Ave. Market, Knoxville, Tenn.  
 307½ Austin St., Wichita Falls, Tex.  
 Galesburg, Kans.  
 214 Oklahoma Ave., Weslaco, Tex.  
 Sarcoxie, Mo.  
 Lyons, Colo.  
 Fowler, Kans.  
 3708 Dodge, Omaha, Nebr.  
 Mt. Burg, Ark.  
 2226 E. Illinois, Dallas, Tex.  
 Box 61, Texhoma, Okla.  
 302 Oak, Clayton, New Mex.  
 Arvin, Calif.  
 Box 407, Mission, Tex.  
 Boerne, Tex.  
 Wallace, Nebr.  
 205 N. W. 7th St., Ft. Worth, Tex.  
 2608 N. Harrison, Shawnee, Okla.  
 McKinney, Tex.  
 Van Buren, Ark.  
 Hot Springs, So. Dakota  
 Raleigh Ave., Sheffield, Ala.  
 Harvey, La. (Box 97)  
 Court St., Florence, Ala.  
 202 No. Staple, Corpus Christi, Tex.  
 1214-10th Ave., Sidney, Nebr.  
 301 Travis St., Houston, Tex.  
 Box 1047, Albuquerque, New Mex.  
 505 So. Pearl, Dallas, Tex.  
 641 Home Place, Indianapolis, Ind.  
 Marble Falls, Tex.  
 Harlingen, Tex.  
 Rt. 6, Wichita, Kans.  
 Gen. Del., Grand Coteau, La.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

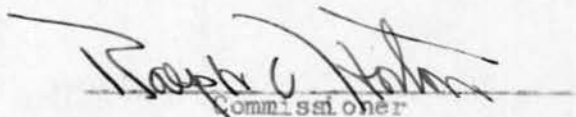
THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

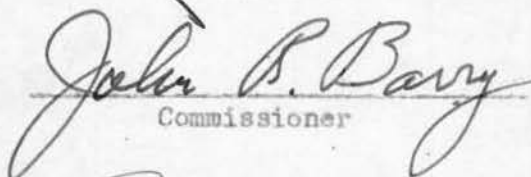
SEAL

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950

  
 Commissioner

  
 Commissioner

  
 Commissioner

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

Decision No. 3576

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Cecil Stephens  
H. P. Sterner  
J. H. Stevens  
Jack A. Stewart  
Paul F. Stewart  
Ray Stinebaugh  
D. U. Stone  
Edmond M. Stone & Sons  
Charles F. Stowell  
W. C. Striggins

Rex Route, Laramie, Wyo.  
Harlingen, Tex.  
Rt. 1, Lindale, Tex.  
Ouray, Colo.  
Loneta, Tex.  
Farmersville, Tex.  
Dunedin, Florida  
Chariton, Iowa  
2101 Canton, Dallas, Tex.  
Delta, Colo.

George H. Stroh  
 J. West Stroud  
 M. J. Styles  
 Sunflower Mfg. Co.  
 Charles L. Swallows  
 Jack P. Swanner & H. W. Berlin  
 Tedlock & Hess  
 Taylor Fruit  
 Kyle Taylor  
 Tennessee Valley Tomato Co.  
 Terminal Produce Co.  
 Texas & California Produce Co.  
 Texas Candy & Nut Co.  
 Theobald's, Inc.  
 Homer L. Thomas  
 L. M. Thomas & Son  
 L. J. Thompson  
 K. E. Thompson & H. E. Thompson  
 Booty Tillam  
 Edgar O. Tippie  
 A. G. Travis  
 Treadway Bros.  
 Sylvester Treat  
 W. J. Tregay  
 Rufino Trevino  
 Trinity Produce  
 Joe Trollinger  
 Tom Trotter  
 J. M. Trout  
 Floyd Truner  
 E. E. Tucker  
 Claude Tuggle  
 Everett L. Tuning  
 Tyler Pipe & Foundry Co.  
 Underwood & Randall  
 Union Aluminum Co.  
 Union Supply Co.  
 Universal Tire & Tool, Inc.  
 Vaden Engineering Co.  
 Valdez Dist. Co.

602-16th St., Greeley, Colo.  
 501 N. Third Ave., Amarillo, Tex.  
 1500 Plaza, San Leandro, Calif.  
 312 South Pine, Beloit, Kans.  
 410 Ave. "C", South East, Winter Haven, Fla.  
 Gen. Del, Cortez, Colo.  
 702 Filmore St., Amarillo, Tex.  
 Ada, Okla.  
 Snyder, Okla.  
 22 Forest Ave., Knoxville, Tenn.  
 309 Main, Kansas City, Mo.  
 65-9th N. W. St., Paris, Tex.  
 McKinney, Tex.  
 Imperial, Nebr.  
 1112 Bradish St., La Junta, Colo.  
 1050 Murphy Ave., Atlanta, Ga.  
 Cometa, Tex.  
 2227 No. Nevada, Colorado Springs, Colo.  
 Box 101, Produce, Florida  
 Iola, Kans.  
 Roosevelt, Texas  
 2302 Lee, Greenville, Tex.  
 Branson, Mo.  
 Rollinsville, Colo.  
 10th & Zaragoza, Laredo, Tex.  
 2121 Cadiz, Dallas, Tex.  
 Fayetteville, Ark.  
 612 E. Sycamore, Sherman, Tex.  
 Drumright, Okla.  
 211 E. Orange, Indianapolis, Ind.  
 522 Holcomb St., Springdale, Ark.  
 Rt. 2, Grandby, Mo.  
 Midland, So. Dak.  
 916 E. Oakwood, Tyler, Texas  
 292 Ponce De Leon, Atlanta, Ga.  
 Raleigh Ave., Sheffield, Ala.  
 Box 447, Casper, Wyo.  
 9th St. & 3rd Ave., Birmingham, Ala.  
 3045 Pine, Abilene, Tex.  
 2029 Cadiz, Dallas, Tex.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(SEAL)

ATTENTION: A TRUE COPY

J. J. Mahoney  
 Secretary

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950

*Ralph H. Hohn*  
 Commissioner

*John R. Barry*  
 Commissioner

*Joseph W. Hawley*  
 Commissioner



ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35077

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Harold Vandover  
L. M. Vanhooser & Son  
Ray Vawter  
Verlin Vedder  
Alvin Veith  
Jesus Vela  
Veterans Oil Co.  
Victor Coach Industries, Inc.  
Ralph Villapando  
Alton Vinson

541 So. Crayler, Pampa, Texas  
514 Palo Pinto, Weatherford, Texas  
203 W. Merritt, Marshall, Texas  
Gen. Del., Cheyenne, Wyoming  
101 N. Jackson, Joplin, Mo.  
Monte Vista, Colo.  
Public & Emma Sts., Lafayette, Colo.  
Route 15, Bristol, Ind.  
Rt. 1, Box 630, Cheyenne, Wyo.  
Alba, Tex.

F. L. Vinyard  
 Vitalis & Elliott  
 Wagner Fireworks Co.  
 M. N. Walcher  
 Delbert Waling  
 B. V. Walker  
 O. Walker  
 Earl Wallace Lumber Company  
 Claude Wallis  
 Wm. R. Walton  
 T. E. Warne  
 Art Warren  
 Wash-O-Mat  
 John F. Waters  
 L. H. Watkins  
 C. W. Watson  
 J. O. Watson  
 Weatherford Oil Tool Co.  
 S. J. Weatherspoon  
 Don Weaver  
 Weaver Food Co.  
 Jimmie Weaver  
 Russell Webb  
 Wallace Pop Corn Co.  
 Kenneth Wentzell  
 G. L. Werner  
 William Gene Werner  
 Ed. L. Wessels  
 Clarence W. Westbrook  
 Western School Supply Co.  
 James T. Westfall  
 J. B. Westover  
 Woodrow Whitley  
 Lawson Widner  
 Wiens Oil Co.  
 G. W. Wiley  
 Wiley's Used Cars  
 Thomas N. Wilkin  
 Clyde & Oliver Williams  
 M. B. Williams

313 Smith St., Houston, Tex.  
 1334 E. Grand, Des Moines, Iowa  
 1918 So. 5th Ave., Sioux Falls, So. Dak.  
 407 N. W. Second, Bethany, Okla.  
 Indianola, Nebr.  
 Larned, Kans.  
 126 Pike, Jacksonville, Arkansas  
 317 Ave. H., Lubbock, Tex.  
 1412 Moultrie Ave., Matton, Illinois  
 Gen. Del., Dalhart, Tex.  
 1628 Dayton, Wichita Falls, Tex.  
 Loma Linda, Calif.  
 619-8th Ave., Greeley, Colo.  
 411 Lane 9, Sun Flower, Kans.  
 R. F. D. 1, Box 202, Homestead, Fla.  
 Brinkley, Ark.  
 1209 First Ave. North, Birmingham, Ala.  
 Box 303, Weatherford, Tex.  
 Box 8, Label, Okla.  
 Limon, Colo.  
 Boise City, Okla.  
 Tribune, Kans.  
 Fayetteville, Ark.  
 Wellake, Iowa  
 Pompano, Fla.  
 1328 S. W. 28th, Oklahoma City, Okla.  
 826 East Overland, El Paso, Tex.  
 York, Nebr.  
 3019 Holdrege, Lincoln, Nebr.  
 72 W. Second South, Salt Lake City, Utah  
 Canyon, Tex.  
 Bristol, Colo.  
 Carthage, Tex.  
 Hartville, Mo.  
 Drummond, Okla.  
 Box 179, Loveland, Colo.  
 2336 E. Platte Ave., Colorado Springs, Colo.  
 1307 E. Walker, Breckenridge, Tex.  
 2217 Forest Ave., Knoxville, Tenn.  
 630 Solot St., McAlester, Okla.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

( SEAL )

ATTEST: A TRUE COPY

J. J. Mahoney  
 Secretary

*Joseph C. Watson*  
 Commissioner  
*John R. Barry*  
 Commissioner

*Joseph T. Hawley*  
 Commissioner

Dated at Denver, Colorado, this  
 Fifteenth Day of July 1950

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

Decision No. 35078

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO )

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

R. E. Williams  
R. T. Williams  
Roy Williams  
Virgil Williams  
Walter Williams  
Wills Lumber Co.

Maryville, Mo.  
2708 Filmore, Amarillo, Tex.  
Tupelo, Miss.  
2425 E. 36th St., Oklahoma City, Okla.  
Joplin Market Square, Joplin, Mo.  
1712 E. 7th, Sedalia, Mo.



Pete Wilson  
O. S. Winkles  
Ira Wolf  
Oris O. Wolfe  
Clyde Woods  
Paul Woods  
J. E. Woodson  
Robert F. Wooten  
Curtis Wright  
LeRoy Wright  
Wright City Mfg. Co.  
Wright's Skelgas Sales & Service  
Geo. Wunderlick Co.  
Wylie Bros.  
Fred Yancy  
J. C. Yancey  
Victor Yeager  
D. C. Yearwood  
Sam H. Yeary  
O. F. Young Produce Co., Inc.  
R. C. Young

Rt. 3, Lone Wolf, Okla.  
Brownfield, Tex.  
Gen. Del., Bentley, Kans.  
Kearney, Nebr.  
Las Cruces, New Mex.  
Las Cruces, New Mex.  
307 W. Main, Gatesville, Tex.  
Cedarhill, Tex.  
1627 S. 26th, Birmingham, Ala.  
Lookeba, Okla.  
Wright City, Mo.  
Strasburg, Colo.  
1300 Canton St., Dallas 2, Tex.  
1009 No. 3rd St., Albuquerque, New Mex.  
1020 N. Troust, Tulsa, Okla.  
2700 N. W. 36th, Miami, Fla.  
Box 84, Roggen, Colo.  
Rt. 6, Box 241, Jackson, Miss.  
714 W. Pierce, Phoenix, Ariz.  
48 So. Market, Asheville, No. Carolina  
Lubbock, Tex.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by Motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

(SEAL)

ATTEST: A TRUE COPY

J. J. Mahoney  
Secretary

Dated at Denver, Colorado, this  
Fifteenth day of July 1950

*Ralph V. Anton*  
COMMISSIONER  
*John R. Barry*  
COMMISSIONER  
*Joseph W. McCool*  
COMMISSIONER

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
COMMERCIAL CARRIERS OVER THE HIGHWAYS )  
OF THE STATE OF COLORADO. )

JULY 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of ten Dollars as a filing fee for a Commercial Carrier Permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one of more of the following particulars:

(a) Failure to file application as required by law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highways compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain and to keep in force at all times, public liability and property damage insurance or ~~an~~ a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure to comply with the requirements hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the applications proceedings heretofore commenced by;

Ferrell W. Dickerman  
East Ten Pkg. Company  
John D. Radford  
E. J. Raehn  
Harold Houghtaling  
Kemp Truck Lines  
Lewis Paint & Glass Company  
Sun Bag Company

514 W Lindon Arkansas City Kansas  
Mt. Pleasant Texas  
835 South Donnybrook, Tyler Texas  
968 21st St San Bernardino Calif  
Artesia New Mexico  
1132 Harris, Fort Worth Texas  
755 Cerrillos Road Santa Fe N Mex  
San Antonio Texas 2603 So Flores St

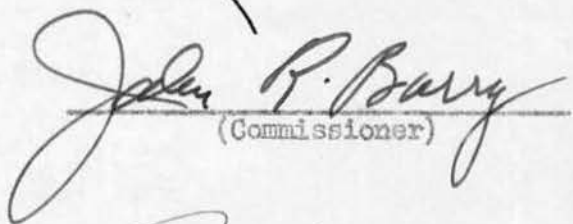
before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

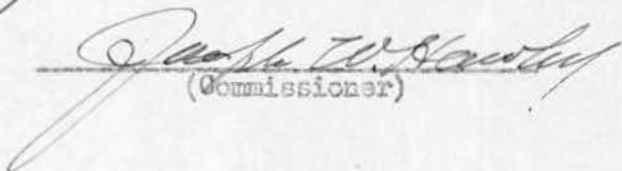
S E A L

  
(Commissioner)

  
(Commissioner)

Secretary

Dated at Denver, Colorado,  
this fifteenth day of July, 1950.

  
(Commissioner)



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE  
APPLICATIONS FOR PERMITS TO OPERATE AS  
PRIVATE CARRIERS FOR HIRE BY MOTOR  
VEHICLE OVER THE HIGHWAYS OF THE STATE  
OF COLORADO IN INTERSTATE COMMERCE

July 15, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for a private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado in Interstate Commerce, pursuant to Chapter 120, Session Laws of 1931, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by Law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the Corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by;

Rodger Allen  
George L. Anderson  
Glen Anderson  
W A Beatty  
Joe Bennett  
William Betts  
Carl Berg  
Harvey Bloom  
Kenneth Bluemer  
C W Botler

Clovis New Mexico  
Casper Wyoming  
Bridgeport Nebraska  
Tulia Texas  
Oklahoma City Oklahoma  
Seminole Texas  
San Angelo Texas  
Oklahoma City Oklahoma  
952 Wellington Denver Colo  
Oklahoma City Oklahoma

Carl Byrd  
 C J Industries  
 Ed Cahill  
 William C. Carter  
 Frank Chisholm  
 E. E. Christinson  
 William Cofer  
 B. D. Coffee  
 Community Carriers Inc.  
 Jack Cowan  
 T. Cowan  
 Perry Craddock  
 Lewis Craig  
 J. R. Crumley  
 C. R. Cunningham  
 E. R. Doerflinger  
 Ray & Lee Donahey  
 Jas. Duff  
 Lee E. Donahey  
 E. Dunn  
 Robert Eakin  
 S. R. Elliott  
 Louis Garcia  
 Mary C. Golding  
 Tim Gray  
 C. R. Hagner  
 Charles Hainline  
 Paul Hardon  
~~Barrett Harper~~  
 Brackett Harper  
 J. D. Hattis  
 Edgar Hennis  
 Eldon Henry  
 C. D. Herms  
 Housley-Sprout & Bohannon  
 N. C. Hudsten  
 C. R. Hughes  
 Illinois Trailer Convoy  
 H. I. Jeffries  
 William E. Johnson  
 Jack Jones  
 David Kaufman  
 Kendrick E W  
 C. T. Kopetka  
 Henry J. Kraft  
 M. D. Lee  
 Ben Lilner  
 Leo Long  
 R. Lummas  
 Owen Mangus  
 John L. Massick  
 Claude McFarlin  
 Mid-States Trailer Transportation  
 J. A. Middleton  
 Harry F. Miller  
 L. Ken Nemer  
 R. E. Patson  
 F. E. Patterson  
 Paul Trucking Service  
 Otis Pry  
 R. E. Pugh  
 C. M. Rennie  
 Bill Richardson  
 Bob H. Rodgers  
 Leonard E. Roelfs  
 M. J. Rogers  
 Charles C. Rohert  
 L. E. Rose  
 W. H. Smith  
 C. C. Somers  
 Slaven Trad.

San Angelo Texas  
 312 Mitchell St San Antonio Texas  
 Hondo Texas  
 Tulsa Oklahoma  
 Alhury Wisconsin  
 Littleton Colorado  
 Toledo Ohio  
 Lubbock Texas  
 St. Paul Minnesota  
 Lamont Texas  
 Big Springs Texas  
 Lubbock Texas  
 Box 354 Walden Colorado  
 Floydada Texas  
 Spearman Texas  
 Tulsa Oklahoma  
 1108 Lee St., Clovis N. Mex  
 Denver, Colorado  
 Clovis N Mex  
 San Angelo Texas  
 603 N 18th St Omaha Nebraska  
 Amarillo Texas  
 Bon Carbo Colorado  
 Amarillo Texas  
 Roswell N. Mex  
 Spearman Texas  
 Wichita Kansas  
 Ashland Kansas  
  
 Rt 2 Cleveland Tenn  
 Tulsa Texas  
 Danley Oklahoma  
 Sterling Colorado  
 251 18th St S A Mason City Iowa  
 324 South 9th Worland Wyoming  
 Balm Texas  
 Spearman Texas  
 Chicago Illinois  
 4740 S Shields Oklahoma City Oklahoma  
 2123 State St Indianapolis Inc  
 Amarillo Texas  
 Tozwell, Illinois  
 Jackson Texas  
 Madison Nebraska  
 Tulsa Oklahoma  
 Little Rock Arkansas  
 Sherman Texas  
 Vinta Oklahoma  
 Miles Texas  
 Walsh Colorado  
 Red Lodge Montana  
 Dumas Texas  
 1535 E 76th St Chicago Ill  
 Abilene Kansas  
 Coffeyville Kansas  
 Pampa Texas  
 Fort Scott Kansas  
 Oklahoma City, Oklahoma  
 2831 University Ave Minneapolis Minn  
 Spearman Texas  
 Clovis N. Mex.  
 Murray Oklahoma  
 Carpo Oklahoma  
 Corpus Christie Texas  
 Dillon Nebraska  
 Scott City Kansas  
 Elkhart Indiana  
 Carlsbad N. Mex  
 San Antonio Texas  
 Dover Delaware  
 1825 Menorrion Omaha Nebraska

Roy F Taylor  
Dee Thompson  
C J Van Oosten  
Thomas Waddle  
A A Walker  
Washington Motor Express  
W E White  
Widner Bros  
W Willoughby  
J T Woods  
John Worland  
Carl Young

Rt 2 Bx 692

Gen Del

Ogden, Utah  
Prague, Okla  
Cajon, Calif  
Clinton, Okla  
Sherman, Tex  
Seattle, Wash  
Lubbock, Tex  
Memphis, Tenn  
El Paso, Tex  
Dwight, Kans  
Springfield, Mo  
Harlin, Tex

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

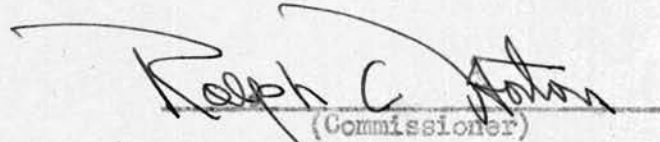
This order shall become effective ten days from this date.

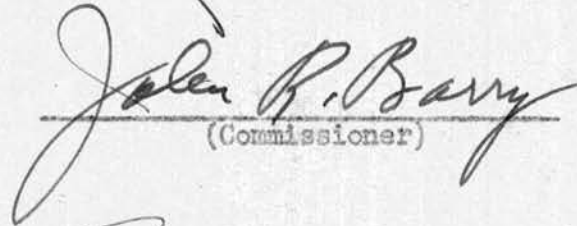
THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

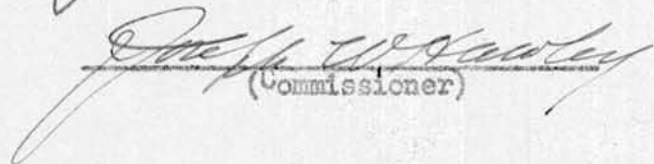
S E A L

Secretary

Dated at Denver, Colorado, this  
fifteenth day of July, 1950.

  
(Commissioner)

  
(Commissioner)

  
(Commissioner)



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
R. VIRGIL DONOVAN, WRAY, )	PERMIT NO. B-1576.
COLORADO. )	
----- )	

-----  
July 15, 1950  
-----

S T A T E M E N T

By the Commission:

On May 1, 1950, the Commission authorized R. Virgil Donovan to suspend operations under his Permit No. B-1576 until August 6, 1950.

The Commission is now in receipt of a communication from the above-named permittee, requesting that his permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-1576 should be, and the same hereby is, reinstated as of June 27, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
*Ralph C. Hartman*  
\_\_\_\_\_  
*John R. Barry*  
\_\_\_\_\_  
*Joseph W. Hawley*  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
A CORPORATION ORGANIZED AND EXIST- )  
ING UNDER THE LAWS OF THE STATE OF )  
COLORADO, FOR AUTHORITY TO ISSUE )  
100,000 SHARES OF ITS CUMULATIVE )  
PREFERRED STOCK (PAR VALUE \$100 EACH) )  
AND \$7,000,000 PRINCIPAL AMOUNT OF )  
DEBENTURES, CONVERTIBLE INTO COMMON )  
SHARES (PAR VALUE \$10 EACH), INCLUD- )  
ING AUTHORITY TO ISSUE SUCH COMMON )  
SHARES UPON CONVERSION OF SUCH CON- )  
VERTIBLE DEBENTURES. )

APPLICATION NO. 10658

-----  
July 7, 1950  
-----

Appearances: Lee, Bryans, Kelly and Stansfield,  
Esqs., Denver, Colorado, for  
Public Service Company of Colorado;  
Kenneth L. Smith, Utilities Director,  
for the City and County of Denver,  
Colorado;  
W. George Denny, Jr., Denver, Colo-  
rado, for The Public Utilities  
Commission of the State of Colorado.

S T A T E M E N T

By the Commission:

Pursuant to Subsection (c) of Section 3, Chapter 137, 1935  
Colorado Statutes Annotated, as amended, Public Service Company of Colo-  
rado, a Colorado corporation, hereinafter called "Applicant," filed  
with this Commission on June 22, 1950, its application, as amended by  
its filing on June 29, 1950, of its Amendment No. 1 thereto, for an  
order of this Commission authorizing it to issue and sell:

1. A new series of its authorized but unissued Cumulative  
Preferred Stock consisting of 100,000 shares of a par value of \$100  
each, the designation of which new series, the dividend rate to be  
paid thereon, the price upon voluntary liquidation, the redemption  
price thereof, and other qualifications and restrictions with respect



thereto to be fixed by the Board of Directors of Applicant all in accordanced with the provisions of Applicant's Certificate of Incorporation, as amended. The price which Applicant will receive for said new series, which will not be less than par value, will be determined by existing market conditions at the time of the issuance thereof.

2. \$7,000,000 principal amount of Convertible Debentures to be dated July 1, 1950, to mature July 1, 1960, to bear interest at a rate not in excess of 3% per annum, to be convertible into Common Stock of Applicant at any time prior to maturity at a basic conversion price (exclusive of adjustments) of \$30-10/33 per share, being equivalent to 33 shares of Common Stock for each \$1,000 principal amount of Debentures, and to be issued under a proposed Indenture to be dated July 1, 1950. The price which Applicant will receive therefor (not less than the principal amount thereof) and the redemption premium will be determined by existing market conditions at the time of issuance of such proposed Debentures.

3. 231,000 shares of its authorized but unissued Common Stock, into which the proposed \$7,000,000 principal amount of Convertible Debentures may be converted; such shares of Common Stock to be issued from time to time upon conversion of said Convertible Debentures in accordance with the terms thereof and the terms of the proposed Indenture to be dated July 1, 1950.

By Decision No. 35003, dated June 22, 1950, this Commission ordered a public hearing upon the aforesaid application to be held July 3, 1950, at ten o'clock A. M., at 330 State Office Building, Denver, Colorado. Interested parties, municipalities, and representatives of interested consumers or security holders of the Company, or other persons were invited to intervene in the proceedings. Petitions of intervention were to be filed with this Commission on or before July 3, 1950.

The hearing on the aforesaid Application was set over from July 3, 1950, until July 5, 1950, at 10 o'clock A. M., after due notice to all interested parties, at which time and place the matter was heard and taken under advisement.

No petitions of intervention were filed with the Commission on or before July 3, 1950. The City and County of Denver, through its Utilities Director, appeared at the hearing, and with Commission approval was permitted to intervene as said City and County's interest might appear.

Applicant is a corporation organized and existing under the laws of the State of Colorado and is a public utility operating company engaged principally in the generation, purchase, transmission, distribution and sale of electricity, and in the purchase, distribution, and sale of natural gas. Applicant's operations are wholly within the State of Colorado, the principal center of distribution and sale of electricity and gas being in the City and County of Denver, Colorado, and its environs. It is also engaged, but to a minor extent only, in rendering steam heating service, bus transportation service, and manufactured gas service.

Applicant is the owner of all the outstanding capital stock of Colorado-Wyoming Gas Company, a Delaware corporation, and the Green and Clear Lakes Company, a New York corporation. It is also the owner of all the outstanding capital stock (other than directors' qualifying shares) of the Cheyenne Light, Fuel and Power Company, a Wyoming corporation, and of The Pueblo Gas and Fuel Company, a Colorado corporation. The Applicant also holds a controlling interest in three other relatively small companies.

For the calendar year ended December 31, 1949, Applicant reported consolidated operating revenues of \$37,740,512 and consolidated net income, that is, the amount available for dividends and surpluses, of

\$6,273,202. During the Year 1949 the amount of \$970,270 was appropriated for preferred stock dividends, and the amount of \$2,629,692 for common stock dividends. Earnings in prior years have been satisfactory.

As of December 31, 1949, Applicant reported its assets and liabilities as follows:

ASSETS

Property, Plant, Equipment, Investments, etc.	\$126,251,705
Current Assets	17,328,345
Deferred Charges	4,114,158
	<u>\$147,694,208</u>

LIABILITIES

Capital Stock	\$ 44,914,980
Funded Debt	53,130,000
Current Liabilities	12,248,787
Other Liabilities	1,593,736
Reserves	22,883,591
Premium on Capital Stock	3,556,118
Earned Surplus	9,366,996
	<u>\$147,694,208</u>

The Certificate of Incorporation of Applicant, as amended, provides for an authorized capital stock of \$75,000,000 divided into 375,000 shares of Cumulative Preferred Stock of a par value of \$100 each and 3,750,000 shares of Common Stock of a par value of \$10 each. Applicant's Cumulative Preferred Stock pursuant to the powers contained in its Certificate of Incorporation, as amended, is issuable in one or more series.

The Company had issued and outstanding as of May 31, 1950:

(a) \$40,000,000 principal amount of First Mortgage Bonds, 2 7/8% Series due 1977, issued under and secured by Applicant's Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of December 1, 1939, and indentures supplemental thereto, including the Supplemental Indenture with respect to such bonds dated as of June 1, 1947;

(b) \$10,000,000 principal amount of First Mortgage Bonds, 3 1/8% Series due 1978, issued under and secured by Applicant's Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of December 1, 1939, and indentures supplemental thereto, including the Supplemental Indenture with respect to such bonds dated as of October 1, 1948;

(c) 175,000 shares of Cumulative Preferred Stock designated as the initial series and known as "4 $\frac{1}{2}$ % Cumulative Preferred Stock" of the par value of \$100 each; and

(d) 2,491,168 shares of Common Stock of the par value of \$10 each.

By the proposed issuance and sale of (1) the new series of Cumulative Preferred Stock consisting of 100,000 shares of a par value of \$100 each, and (2) the new \$7,000,000 principal amount of Convertible Debentures, Applicant proposes to raise approximately \$17,000,000 which will be used toward plant additions, extensions, and improvements to assist in its construction program, substantially as set forth in its Revised Exhibit "H" attached to the aforesaid application, as amended, for the remainder of this year and for a major portion of the year 1951.

The estimated aggregate amount to be spent by Applicant in its construction program during the three years 1950-1952 as set forth in said Revised Exhibit "H" is \$53,100,000. Of this amount, according to the testimony of J. E. Loiseau, President of Applicant, given at the hearing, approximately \$5,800,000 had been spent prior to April 30, 1950, upon which last mentioned date Applicant had approximately \$5,000,000 available for construction purposes. Applicant anticipates that approximately \$13,000,000 additional can be supplied from its general funds to further assist in such program, and that the balance required to complete said construction program will be raised by the issuance and sale of additional securities when the need for such action occurs.

After giving effect to the proposed issuance and sale of the new securities for which authorization is hereby sought, the pro forma capital structure of the Company as of May 31, 1950, will be as follows, with percentages of each item to total capitalization being shown in the right-hand column:

First Mortgage Bonds	\$50,000,000	39.70%
Convertible Debentures	7,000,000	5.56
Preferred Stock	27,500,000	21.84
Common Stock	24,911,680	19.77
Premium on Capital Stock	6,047,120	4.82
Earned Surplus	10,474,694	8.31
Total Capitalization	<u>\$125,933,494</u>	<u>100.00%</u>



It is represented that Applicant intends to offer the new series of its Cumulative Preferred Stock and its new Convertible Debentures at competitive bidding and to enter into sales and purchase agreements with the bidders whose bids are accepted. The dividend rate on the new series of Cumulative Preferred Stock and the interest rate on the Convertible Debentures will be fixed as the result of such competitive bidding. It is further represented by Applicant, however, that the dividend rate on said new series of Cumulative Preferred Stock will not be in excess of  $4\frac{1}{2}\%$  per annum, and that the interest rate on the new Convertible Debentures will not be in excess of 3% per annum. The proposed Indenture to be dated as of July 1, 1950, pursuant to which the new Convertible Debentures will be issued will contain the terms and conditions governing such Debentures.

#### FINDINGS

##### THE COMMISSION FINDS:

That the Applicant, Public Service Company of Colorado, a Colorado corporation, is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated, as amended.

That this Commission has jurisdiction of said Applicant, and the subject matter of the application herein.

That this Commission is fully advised in the premises.

That the proposed issuance and sale by Applicant at competitive bidding of a new series of its Cumulative Preferred Stock consisting of 100,000 shares of a par value of \$100 each, and of \$7,000,000 of Convertible Debentures, as hereinafter set forth, is reasonably required and necessary for its proper corporate financing.

That the proposed securities transaction is not inconsistent with the public interest, that the purpose or purposes thereof are permitted by, and are consistent with, the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended by the Session Laws of 1947, and that the order sought should issue and should be made effective forthwith.



## O R D E R

### THE COMMISSION ORDERS:

That Public Service Company of Colorado be, and it hereby is, authorized and empowered to issue and sell a new series of Cumulative Preferred Stock consisting of 100,000 shares of a par value of \$100 each, having a dividend rate of not to exceed  $4\frac{1}{2}\%$  per annum, at the best price obtainable through competitive bidding, but at a price to Applicant which shall be not less than 100% of the par value thereof; said new series to have such designation, dividend rate, redemption rights, and other qualifications, limitations, and restrictions not inconsistent with Applicant's Certificate of Incorporation, as amended, as its Board of Directors may by law be permitted to fix; and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized and empowered to issue and sell \$7,000,000 principal amount of new Convertible Debentures at the best price obtainable through competitive bidding, but at a price to Applicant which shall not be less than the principal amount thereof; that said Convertible Debentures be dated July 1, 1950, to mature July 1, 1960, to bear interest at a rate not in excess of 3% per annum, and to be issued under an Indenture to be dated July 1, 1950, to be entered into between Applicant and the International Trust Company, Denver, Colorado, substantially in the form of Exhibit "G" submitted with the Applicant's application but with such modifications as Applicant or its counsel may deem necessary or proper or find desirable in arranging for the disposition of said Convertible Debentures; and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized and empowered to issue 231,000 shares of its Common Stock from time to time upon conversion of the aforesaid Convertible Debentures into shares of Common Stock in accordance with the terms thereof; and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized to use the proceeds derived from the issuance and sale of the proposed new Cumulative Preferred Stock and Convertible

Debentures for plant additions, extensions, and improvements to assist in its construction program substantially as set forth in Revised Exhibit "H" filed with Applicant's application herein, as amended; and it is further

ORDERED, That the securities authorized to be sold hereunder shall bear on the face thereof a serial number for proper and easy identification; that within 60(sixty) days from the issuance and delivery of said securities, Applicant shall make a verified report to this Commission of such serial numbers placed on such securities as are initially issued; and it is further

ORDERED, That Applicant be, and it hereby is, required to offer all of its said securities for sale at competitive bidding under the following conditions:

- (a) That bids be invited by newspaper publication stating where copies of the bidding documents may be obtained;
- (b) That all bids be publicly opened at a specified date, hour, and place, at which time representatives of the various bidders may be present to examine each bid submitted;
- (c) That the bid on either of said new issues shall not be conditioned upon the acceptance of a bid or bids for the other of said issues;
- (d) That at the conclusion of the bidding, Applicant shall file a statement with the Commission, showing all bids received and which bid or bids were accepted; and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized, in reflecting in its accounts the consummation of the financing outlined above, to make and record the various accounting entries in accordance with the Uniform System of Accounts for Electric and Gas Utilities prescribed by the National Association of Railroad and Utilities Commissioners, and adopted by this Commission on October 19, 1938; and it is further

ORDERED, That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said new series of Cumulative Preferred Stock or the new Convertible Debentures

to be issued by Applicant hereunder, or the interest or dividends thereon, on the part of the State of Colorado; and it is further

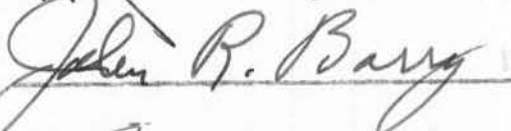

ORDERED, That within ninety (90) days from the date of the sale of the new securities authorized to be sold hereunder, Applicant shall make, pursuant to the terms and conditions of this order, a verified report to this Commission of the issue and disposition of said new securities, the consideration for which such securities were sold, and the interest or dividend rates established for such securities, the fees, commissions, and expenses incident to such sale, accompanying such report with a new balance sheet reflecting the issuance and sale of said securities and supporting journal entries which shall reflect the exercise of the authority herein granted, together with copies of the accompanying entries recorded on Applicant's books as a result of the consummation of such financing; and it is further

ORDERED, That the right shall be reserved to Applicant to reopen the proceedings herein upon good cause shown after hearing upon notice to all interested parties; and it is further

ORDERED, That the Commission retains jurisdiction of these proceedings to the end that it may make such further orders in the premises as to it may seem to be proper and desirable; and it is further

ORDERED, That the authority herein granted shall be exercised from and after this date, this order being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 7th day of July, 1950.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. W. WILSON, C. W. BAKER, JR., )  
AND MARTIN J. LARSON, CO-PARTNERS, )  
KOKOMO, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. B-2451 TO EARL )  
SMITH, DILLON, COLORADO. )  
-----

APPLICATION NO. 10678-PP-Transfer

-----  
July 11, 1950  
-----

STATEMENT

By the Commission:

By Decision No. 34283, of date February 15, 1950, J. W. Wilson, C. W. Baker, Jr., and Martin J. Larson, co-partners, Kokomo, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

(a) sand, gravel, and other road surfacing materials from point to point within a radius of eighteen miles of Kokomo, Colorado; (b) household goods, furniture, coal, lumber, and mining supplies, from point to point within a radius of eight miles of Kokomo, and from and to points in said area, to and from points in the State of Colorado, excluding, however, transportation of household goods, furniture, lumber, and mine supplies between points served by motor vehicle common carriers; (c) ore and concentrates from mines within a radius of eight miles of Kokomo to the A. V. Smelter, near Leadville, Colorado,

said operating rights being designated "Permit No. B-2451."

By the instant application, said permit-holders seek authority to transfer Permit No. B-2451 to Earl Smith, Dillon, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is



able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to granting the authority sought, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That J. W. Wilson, C. W. Baker, Jr., and Martin J. Larson, co-partners, Kokomo, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-2451 — being the operating rights granted by Decision No. 34283 — to Earl Smith, Dillon, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferors of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit, and payment by them or transferee of all unpaid ton-mile tax.

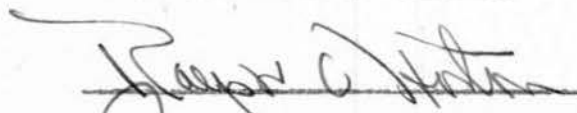
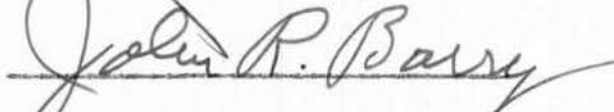
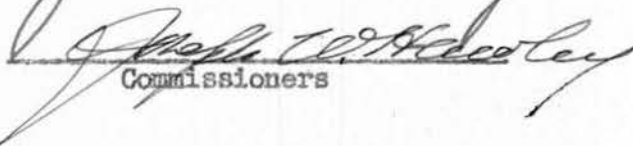
This order is made a part of the permit authorized to be transferred.

That ton-mile tax deposit of transferors should be transferred and credited to account of transferee.



24  
This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 11th day of July, 1950.

MW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
EVA ROBBINS, WIDOW OF T. R. ROBBINS, }  
DECEASED, FOR AUTHORITY TO TRANSFER }  
PERMIT NO. A-1034 TO JACK C. }  
WHARTON, MESA, COLORADO. }

APPLICATION NO. 10677-FP-Transfer

-----  
July 11, 1950  
-----

Appearances: Coit and Graham, Esqs., Grand  
Junction, Colorado, for ap-  
plicants.

S T A T E M E N T

By the Commission:

On October 9, 1935, by Decision No. 6713, Lee L. Prewett was  
authorized to operate as a Class "A" private carrier by motor vehicle  
for hire for the transportation of:

farm products and livestock from Mesa to  
Grand Junction; butter and sweet cream  
from Mesa to Grand Junction, Clifton and  
Palisade, with back-haul of groceries,  
cartons and farm supplies, Grand Junction  
to Mesa, specifically excluding the right  
to serve intermediate points, Mesa to  
Grand Junction, except butter haul to  
Clifton and Palisade,

said operating rights being designated "Permit No. A-1034."

Thereafter, on June 4, 1938, said permit was transferred to  
Wayne B. Thompson, who, on March 19, 1943, by Decision No. 20646, was  
authorized to transfer said operating rights to Willis Barnes.

Pursuant to authority contained in Decision No. 22639, of  
date August 23, 1944, said Willis Barnes transferred Permit No. A-1034  
to T. R. Robbins, Grand Junction, Colorado.

Said T. R. Robbins having departed this life, Eva Robbins,  
widow of said T. R. Robbins, him surviving, by the instant application,  
seeks authority to transfer said operating rights to Jack C. Wharton,

Mesa, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ten-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any, against said operation.

### ORDER

#### THE COMMISSION ORDERS:

That Eva Robbins, Widow of T. R. Robbins, Deceased, should be, and she hereby is, authorized to transfer all her right, title, and interest in and to Permit No. A-1034 -- being the operating rights granted by Decision No. 6713 -- to Jack C. Wharton, Mesa, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

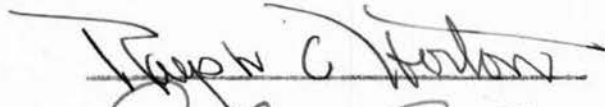
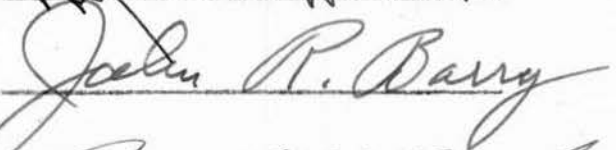

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit, and payment by transferor or transferee of all unpaid ten-mile tax.

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

That ton-mile tax deposit of transferor should be transferred and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 11th day of July, 1950.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
RUSSELL VON DER AHE, DOING BUSINESS )  
AS "VON DER AHE MOVING COMPANY," )  
4601 OLIVE STREET, ST. LOUIS, )  
MISSOURI, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO )  
VON DER AHE VAN LINES, INC., A )  
CORPORATION, 4601 OLIVE STREET, )  
ST. LOUIS, MISSOURI. )  
-----)

PUC NO. 1744-I.

-----  
July 11, 1950  
-----

**STATEMENT**

By the Commission:

Heretofore, Russell Von Der Ahe, doing business as "Von Der Ahe Moving Company," St. Louis, Missouri, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle in interstate commerce, and PUC No. 1744-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Von Der Ahe Van Lines, Inc., a corporation, St. Louis, Missouri.

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

**FINDINGS**

THE COMMISSION FINDS:

That said transfer should be authorized.

**ORDER**

THE COMMISSION ORDERS:

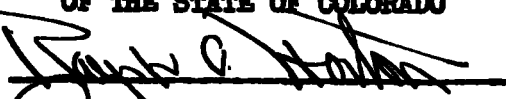
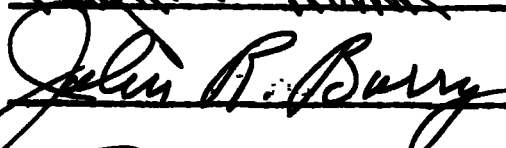

That Russell Von Der Ahe, doing business as "Von Der Ahe Moving Company," St. Louis, Missouri, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1744-I to Von Der Ahe Van Lines, Inc., St. Louis, Missouri, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.



That ton-mile tax deposit of transferer shall be transferred  
and credited to account of transferee.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of July, 1950.

ea.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
H. C. GROENDYKE, DOING BUSINESS AS )  
"GROENDYKE TRANSPORT COMPANY," )  
2401 NORTH GRAND, ENID, OKLAHOMA, )  
FOR AUTHORITY TO TRANSFER INTER- )  
STATE OPERATING RIGHTS TO GROENDYKE )  
TRANSPORT, INC., A CORPORATION, )  
2401 NORTH GRAND, ENID, OKLAHOMA. )  
----- )

PUC NO. 1873-I.

-----  
July 11, 1950  
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Appearances: G. H. Little, Esq.,  
Amarillo, Texas,  
for applicants.

**S T A T E M E N T**

By the Commission:

Heretofore, H. C. Groendyke, doing business as "Groendyke Transport Company," Enid, Oklahoma, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 1873-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Groendyke Transport, Inc., a corporation, Enid, Oklahoma.

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

**F I N D I N G S**

**THE COMMISSION FINDS:**

That transfer should be authorized.

**O R D E R**

**THE COMMISSION ORDERS:**


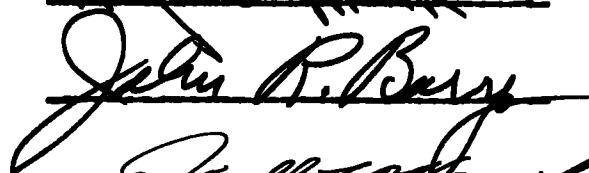

That H. C. Groendyke, doing business as "Groendyke Transport Company," Enid, Oklahoma, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1873-I

to Groendyke Transport, Inc., a corporation, Enid, Oklahoma, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of July, 1950.

ca

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
WILLIAM H. GRAVES, DOING BUSINESS AS  
"GRAVES TRUCK SERVICE," 700 NORTH  
13TH STREET, SALINA, KANSAS, FOR  
A UTORITY TO TRANSFER INTERSTATE  
OPERATING RIGHTS TO GRAVES TRUCK  
LINE, INC., 700 NORTH 13TH STREET,  
SALINA, KANSAS.

PUC NO. 2039-I.

July 11, 1950

STATEMENT

By the Commission:

Heretofore, William H. Graves, doing business as "Graves Truck Service," Salina, Kansas, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC-No. 2039-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Graves Truck Line, Inc., a corporation, Salina, Kansas.

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

FINDINGS

THE COMMISSION FINDS:

That transfer should be authorized.

ORDER

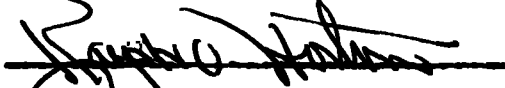
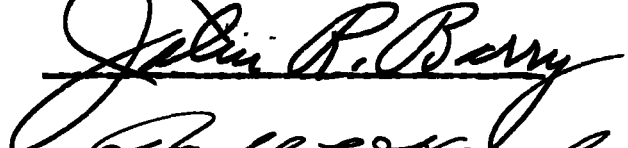

THE COMMISSION ORDERS:

That William H. Graves, doing business as "Graves Truck Service," Salina, Kansas, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2039-I to Graves Truck Line, Inc., a corporation, Salina, Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ten-mile tax deposit of transferor shall be transferred  
and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of July, 1950.

cc.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. C. BRINLEE, 130 WEST 6TH ) PERMIT NO. B-1873.  
STREET, FLORENCE, COLORADO. )  
-----)

-----  
July 15, 1950  
-----

S T A T E M E N T

By the Commission:

On February 15, 1950, the Commission, in Decision No. 34274, authorized E. C. Brinlee to suspend operations under his Permit No. B-1873 until July 25, 1950.

The Commission is now in receipt of a request from the above-named permittee requesting that his Permit No. B-1873 be further suspended for an additional six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That E. C. Brinlee be, and he is hereby, authorized to suspend his operations under Permit No. B-1873 until January 25, 1951.

That unless said E. C. Brinlee 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

Ralph C. Wentworth  
John R. Barry  
Joseph W. Hawley  
-----  
Commissioners.

Dated at Denver, Colorado,  
this 15th day of July, 1950.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
HARRY RUSSELL, 2730 WYANDOTT STREET,  
DENVER, COLORADO, FOR AUTHORITY TO  
TRANSFER PERMIT NO. A-4116 TO  
HAROLD E. TAYLOR, 2931 SOUTH LOGAN  
STREET, ENGLEWOOD, COLORADO.

APPLICATION NO. 10604-PP-Transfer.

IN THE MATTER OF THE APPLICATION OF  
HAROLD E. TAYLOR, 2931 SOUTH LOGAN  
STREET, ENGLEWOOD, COLORADO, FOR AN  
EXTENSION OF PERMIT NO. A-4116.

APPLICATION NO. 10605-PP-Extension.

July 17, 1950

Appearances: Harold Torgan, Esq., Denver,  
Colorado, for applicants;  
A. J. Fregeau, Denver, Colo-  
rado, for Welcker Transfer  
and Storage Company;  
E. B. Evans, Esq., Denver,  
Colorado, for M. A. Packard.

S T A T E M E N T

By the Commission:

On June 8, 1946, by Decision No. 27073, Harry Russell,  
Pueblo, Colorado, was authorized to operate as a Class "A" private  
carrier by motor vehicle for hire for the transportation of:

newspapers generally between Pueblo, Lamar,  
Eads, Ordway, and return to Pueblo, via U. S.  
50 to Lamar, U. S. 287 to Eads, U. S. 96 to  
Pueblo, with the right to serve all inter-  
mediate points, and the off-route point of  
Kit Carson, via U. S. Highway 287, and points  
intermediate Eads to Kit Carson; and the  
Rocky Mountain News, only, between Denver  
and Pueblo, and intermediate points, via  
U. S. Highway No. 85, it being contemplated  
that he can haul the Rocky Mountain News  
thereby from Denver to points heretofore  
named that he is authorized to serve east  
and south of Pueblo,

said operating rights being designated "Permit No. A-4116."

Said Harry Russell, now of Denver, Colorado, by Application  
No. 10604-PP, seeks authority to transfer said Permit No. A-4116 to  
Harold E. Taylor, Englewood, Colorado.

On May 12, 1950, Harold E. Taylor filed application for authority to extend operations under Permit No. A-4116 to include the right to transport auto parts and accessories and motion picture film from Denver to Pueblo and points beyond to Lamar on U. S. Highway No. 50; thence to Eads and Kit Carson and the off-route point of Cheyenne Wells; thence to Denver on U. S. Highway No. 40, serving all points between Pueblo and east, back to Denver, with no service between Denver and Pueblo, Colorado.

The above matters were consolidated for hearing, and heard, June 8, 1950, at 330 State Office Building, Denver, Colorado, at ten o'clock A. M., where said matters were taken under advisement.

At the hearing, the evidence disclosed that Harold E. Taylor has a net worth of \$16,500.00; that he is well qualified financially and by experience to carry on the proposed operation; that he proposes to operate two pieces of equipment -- one being a 1950 one-ton Chevrolet Truck, the other a 1949 one-half-ton Suburban. He stated he would like to amend his application for extension by eliminating "auto parts and accessories" from his application.

No objection was made to the amendment.

Applicant further testified that he has been requested by theater owners living along his route to render the film delivery service.

C. E. McLaughlin, who operates a theater in Las Animas, Colorado, stated he was presently receiving his films by bus; that the service is not satisfactory, and after careful investigation on his part, he desires applicant's proposed service.

Dave Davis, who is associated with Atlas Theater Corporation, testified he operates thirteen theaters in Colorado and three in the Town of Lamar; that he would use applicant's proposed service; that the time element is essential in film deliveries, and this will give his theaters located on said route an improved service.

Harry G. Woodrow, of Rocky Mountain News, stated he knew applicant and stated that he believed applicant is well qualified, both by experience and ability, to carry on his proposed operation.

No one testified in opposition to the granting of the above applications.

As no one is protesting the extension of authority under Permit No. A-4116 for transportation of films, it does not therefore appear from the record that the granting of said extension will impair the efficiency of the service of common carriers now authorized to serve the area.

#### F I N D I N G S

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

That ton-mile tax deposit of transferor should be transferred to account of transferee.

2. That the evidence did not disclose, nor did it appear, that the proposed extended operation of applicant, as hereinafter set forth, will tend to impair the efficiency of any motor vehicle common carrier service with which applicant will compete.

#### O R D E R

##### THE COMMISSION ORDERS:

That Harry Russell, Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-4116 -- being the operating rights granted by Decision No. 27073 -- to Harold E. Taylor, Englewood, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferor should be transferred and credited to account of transferee.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

That Harold E. Taylor, Eaglewood, Colorado, should be, and he hereby is, authorized to extend operations under said Permit No. A-4116 to include the right to transport motion picture films from Denver, Colorado, and points beyond, to Lamar, Colorado, on U. S. Highway No. 50; thence to Hads and Kit Carson, Colorado, and the off-route point of Cheyenne Wells, Colorado; thence to Denver, on U. S. Highway No. 40, serving all points between Pueblo and east, back to Denver, no service being authorized between Denver and Pueblo, Colorado, on U. S. Highways 85 and 87.

That this order is made part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Nelson

John R. Barry

James C. Bradley  
Commissioners.

Dated at Denver, Colorado,  
this 17th day of July, 1950.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
H. C. GROENDYKE, DOING BUSINESS AS  
"GROENDYKE TRANSPORT COMPANY,"  
2401 NORTH GRAND, ENID, OKLAHOMA,  
FOR AUTHORITY TO TRANSFER PUC NO.  
1873 TO GROENDYKE TRANSPORT, INC.,  
2401 NORTH GRAND, ENID, OKLAHOMA.  
-----

APPLICATION NO. 10679-Transfer.

-----  
July 17, 1950  
-----

Appearances: G. H. Little, Esq.,  
Amarillo, Texas,  
for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 30251, of date April 12, 1948, H. C. Groendyke, doing business as "Groendyke Transport Company," Enid, Oklahoma, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

petroleum products and liquefied petroleum  
gases, in bulk, in tank trucks, between  
points in the State of Colorado,

said operating rights being designated "PUC No. 1873."

By the instant application, said certificate-holder seeks authority to transfer said operating rights to Groendyke Transport, Inc., Enid, Oklahoma.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

## FINDINGS

### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

## ORDER

### THE COMMISSION ORDERS:

That H. C. Groendyke, doing business as "Groendyke Transport Company," Enid, Oklahoma, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1873 -- being the intrastate operating rights granted by Decision No. 30251 -- to Groendyke Transport, Inc., Enid, Oklahoma, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

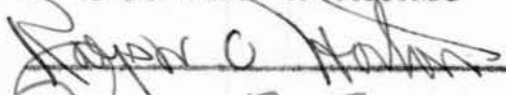
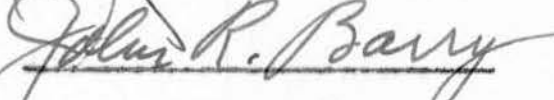

The tariff of rates, rules and regulations of transferor shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate up to the time of the transfer of said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 17th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	}	<u>PERMIT NO. B-3577.</u>
ROBERT FERNANDEZ, 364 SOUTH		
QUAIL STREET, DENVER, COLORADO.		
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July 17, 1950  
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S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 34759,  
of date May 2, 1950, Robert Fernandez, Denver, Colorado, acquired from  
Lilburn M. (L. M.) Holley, Denver, Colorado, Permit No. B-3577, being  
the right to operate as a private carrier by motor vehicle for hire  
for the transportation of:

sand, gravel, cement, plaster, brick, tile,  
cinder blocks, metal and rock lath, for the  
Threewit-Cooper Cement Company, of Denver,  
only, from Denver, Colorado, to points within  
a radius of 55 miles north of Denver, Colo-  
rado, 30 miles east of Denver, 10 miles west  
of Denver, and 35 miles south of Denver,  
Colorado, excluding service to Waterton,  
Colorado, said operation to be limited to  
one truck, with no back-haul from the point  
of delivery of the products of said company,  
to Denver, Colorado.

The Commission is now in receipt of a communication from  
said permit-holder, as follows:

"In view of the fact that none of my hauling  
will be beyond 50 miles north of Denver, will  
you please amend the records under Permit  
B-3577 to read '50 miles north of Denver,'  
instead of '55 miles.' "

Inasmuch as there appears to be no reason why said request  
should not be granted,

F I N D I N G S

THE COMMISSION FINDS:

That authority under Permit No. B-3577 should be amended  
and restricted, as requested by the owner thereof.

**ORDER**

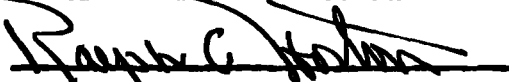
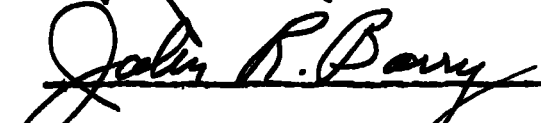

**THE COMMISSION ORDERS:**

That operating rights of Robert Fernandez, Denver, Colorado, under Permit No. B-3577 should be, and the same hereby are, restricted, as requested by said permit-holder, so that in the future Robert Fernandez, under Permit No. B-3577, should be authorized to transport:

sand, gravel, cement, plaster, brick, tile, cinder blocks, metal and rock lath, for the Threewit-Cooper Cement Company, of Denver, only, from Denver, Colorado, to points within a radius of 50 miles north of Denver, Colorado; 30 miles east of Denver, 10 miles west of Denver, and 35 miles south of Denver, Colorado, excluding service to Waterton, Colorado, said operation to be limited to one truck, with no back-haul from the point of delivery of the products of said company, to Denver, Colorado.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 17th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PHIL PLATT, LAMAR, COLORADO, FOR )  
AUTHORITY TO TRANSFER INTERSTATE )  
OPERATING RIGHTS TO LYHLE IRVIN )  
AND N. A. SEELYE, CO-PARTNERS, )  
DOING BUSINESS AS "SEELYE & IRVIN )  
TRANSPORT CO.," LAMAR, COLORADO. )  
----- )

PUC NO. 1876-I.

-----  
July 17, 1950  
-----

**S T A T E M E N T**

By the Commission:

On May 14, 1948, Phil M. Platt, doing business as "Platt Transport Co.," Lamar, Colorado, filed his application for a common carrier interstate certificate, setting out in said application the routes and territories authorized by the Interstate Commerce Commission, and describing the same as the authority heretofore owned by Stark and Todd, under MC-108010.

Thereafter, the Commission issued PUC No. 1876-I to said Phil M. Platt, doing business as "Platt Transport Co.," under which certificate said Phil M. Platt has conducted interstate business in the State of Colorado, making reports to this Commission of such operations.

On April 29, 1950, Phil Platt filed the instant application with the Commission, seeking authority to transfer PUC No. 1876-I to Lyhle Irvin and N. A. Seelye, co-partners, doing business as "Seelye & Irvin Transport Co.," Lamar, Colorado.

The records of this Commission show that on December 9, 1949, Lyhle Irvin and N. A. Seelye, co-partners, doing business as "Seelye & Irvin Transport Co.," filed their application for a common carrier interstate certificate, setting out in said application the routes and territories authorized by the Interstate Commerce Commission, and describing the same as the authority heretofore owned by Stark and Todd, under MC-108010.



Thereafter, the Commission issued PUC No. 2104-I to said Lyhle Irvin and N. A. Seelye, doing business as "Seelye & Irvin Transport Co.," Lamar, Colorado, under which authority said Irvin and Seelye are conducting their business and making reports of their operations to this Commission.

The files and records of the Commission disclose that on November 10, 1949, the Interstate Commerce Commission, in Docket No. MC-51018, ordered the substitution of Lyhle Irvin and N. A. Seelye, doing business as "Seelye & Irvin Transport Co.," for Phil M. Piatt, doing business as "Piatt Transport Co.," as lessees for the operating routes and territory owned by Stark and Todd, and described under Docket No. MC-108010.

### **FINDINGS**

#### **THE COMMISSION FINDS:**

That Phil M. Piatt, doing business as "Piatt Transport Co.," Lamar, Colorado, did not at the time of the filing of the instant application, nor does he now have, any interstate authority under PUC No. 1876-I to transfer to Lyhle Irvin and N. A. Seelye, doing business as "Seelye & Irvin Transport Co.," Lamar, Colorado.




### **ORDER**

#### **THE COMMISSION ORDERS:**

That the instant application for authority to transfer PUC No. 1876-I should be, and the same hereby is, dismissed.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 17th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

NORTHERN COLORADO COALS, INC., }  
A Corporation, }  
Complainant, }  
vs. }  
THE ATCHISON, TOPEKA AND SANTA }  
FE RAILWAY COMPANY, et al, }  
Defendants. }

CASES NOS. 5003,  
5004 and 5005.

-----  
July 14, 1950  
-----

Appearances: Ralph Sargent, Wm. F. Hodges, Jr., Hodges,  
Vidal and Goree, Denver, Colorado;  
W. B. Futral and M. A. Rawlings, 1200  
Fidelity Building, Kansas City, Missouri;  
for Chicago, Rock Island and Pacific  
Railway Co;  
Otis J. Gibson and F. J. Toner, Denver,  
Colorado, for The Denver and Rio Grande  
Western Railroad Company;  
J. C. Street, W. C. Wortz and J. A. Rice,  
Denver, Colorado, for The Colorado and  
Southern Railway Company;  
J. C. Street, J. A. Rice, Denver, Colorado;  
and C. H. Bruha, 547 West Jackson Boulevard,  
Chicago, Illinois, for Chicago, Burlington  
and Quincy Railroad Company;  
John J. Burchall and A. J. Stilling, 1416  
Dodge Street, Omaha, Nebraska, and E. G.  
Knowles, Denver, Colorado, for Union Pacific  
Railroad Company;  
A. L. Vogl, Denver, Colorado for Northern  
Colorado Coals, Inc;  
O. F. Bridwell, Denver, Colorado for Colorado-  
New Mexico Coal Operators Association.

S T A T E M E N T

By the Commission:

By order dated June 28, 1950, Decision No. 35025, the Commission assigned the above enumerated complaint cases for a preliminary hearing on July 11, 1950, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M., for the purpose of considering the submittal of testimony and exhibits under a proceeding similar

to what is known as "Modified Procedure" before the Interstate Commerce Commission; also entering formal appearances, the reception of petitions of intervention, and the fixation of dates for the filing of exhibits and prepared statements of testimony of all interested parties.

The hearing was held as hereinbefore set forth, at which time the Colorado-New Mexico Coal Operators Association filed its petition of intervention, which intervention was agreeable to both complainant and defendants; it being understood that said intervener would not attempt to broaden the issues as set forth in the original complaints.

Following a discussion of the proposed procedure, the dates for the submission of exhibits and written testimony were agreed upon by all parties present.

### F I N D I N G S

#### THE COMMISSION FINDS:

That, the following procedure should be followed:

1. That complainant and any intervener supporting the position of the complainant should file their written statements of facts and exhibits upon which they rely, with the Commission, the defendants, and any intervener opposing the complainant, on or before August 5, 1950.

2. That defendants and any intervener opposing the complainant, should file their written statements of facts and exhibits upon which they reply, with the Commission, the complainant, and any intervener supporting the complainant, on or before September 20, 1950.

3. That complainant and any intervener supporting the position of the complainant, should file their answers of rebuttal to the evidence of defendants and the evidence of any intervener opposing the complainant, with the Commission, the defendants and any intervener opposing the complainant, on or before October 10, 1950.

4. That on or before October 18, 1950, all parties to this proceeding should notify the Commission and the opposing parties the names of the witnesses who are desired for cross-examination. Such cross-examination should be limited to the extent of clearing up points that are not clear in the documentary testimony.

5. That a further hearing should be held on October 23, 1950, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M., Mountain Standard Time, for cross-examination, rebuttal testimony on subject matters not available at the time of the original filings as hereinbefore outlined and oral argument if oral argument is desired.

6. That twenty (20) copies of the complainant's evidence should be submitted to Mr. A. J. Stilling, Assistant Freight Traffic Manager, Union Pacific Railroad Company, 1416 Dodge Street, Omaha, Nebraska, for distribution to the defendants named in the complaints.

7. That six (6) copies of defendants' evidence, and the evidence of any intervener opposing the complainant, should be submitted to Mr. A. L. Vogl, Attorney at Law, 709 Kittridge Building, Denver 2, Colorado.

8. That two (2) copies of complainants' and defendants' evidence should be submitted to Mr. O. F. Bridwell, Secretary, Colorado-New Mexico Coal Operators Association, 814 Boston Building, Denver 2, Colorado, intervener in opposition to complainant.

9. That ten (10) copies of complainants' and defendants' and interveners' evidence should be submitted to the Public Utilities Commission of the State of Colorado, 318 State Office Building, Denver 2, Colorado.

#### ORDER

##### THE COMMISSION ORDERS:

1. That complainant and any intervener supporting the position of the complainant shall file their written statements of facts and exhibits (identified with the witness name) upon which they rely, with the Commission, the defendants, and any intervener opposing the complainant, on or before August 5, 1950.

2. That defendants and any intervener opposing the complainant shall file their written statements of facts and exhibits (identified with the witness name) upon which they rely, with the Commission, the complainant and any intervener supporting the complainant, on or before September 20, 1950.

3. That complainant and any intervenor supporting the position of the complainant, shall file their answers of rebuttal to the evidence of defendants and the evidence of any intervenor opposing the complainant, with the Commission, the defendants and any intervenor opposing the complainant, on or before October 10, 1950.

4. That on or before October 13, 1950, all parties to this proceeding shall notify the Commission and the opposing parties the names of the witnesses who are desired for cross-examination. Such cross-examination shall be for the purpose of clearing up points that are not clear in the documentary testimony.

5. That a further hearing shall be held on October 23, 1950, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M., Mountain Standard Time, for cross-examination, rebuttal testimony on subject matters not available at the time of the original filings as hereinbefore outlined and oral argument if oral argument is desired.

6. That twenty (20) copies of the complainants' evidence shall be submitted to Mr. A. J. Stilling, Assistant Freight Traffic Manager, Union Pacific Railroad Company, 1416 Dodge Street, Omaha, Nebraska.

7. That six (6) copies of defendants' evidence, and the evidence of any intervenor opposing the complainant, shall be submitted to Mr. A. L. Vogl, Attorney at Law, 709 Kittridge Building, Denver, 2, Colorado.

8. That two (2) copies of complainants' and defendants' evidence shall be submitted to Mr. O. F. Bridwell, Secretary, Colorado-New Mexico Coal Operators Association, 814 Boston Building, Denver 2, Colorado, Intervener, in opposition to complainant.

9. That ten (10) copies of complainants', defendants' and interveners' evidence shall be submitted to the Public Utilities Commission of the State of Colorado, 318 State Office Building, Denver 2, Colorado.

ATTEST: A true copy.

J. J. MAHONEY  
J. J. Mahoney, Secretary

Dated at Denver, Colorado  
this 14th day of July, 1950.

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THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
John E. Barry  
Joseph W. Hawley  
JOSEPH W. HAWLEY  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JERRY TENNANT, 6001 EAST ILLIFF )  
STREET, DENVER, COLORADO, FOR A ) APPLICATION NO. 10669-PP  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

-----  
July 18, 1950  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for Sorenson Truck  
Service;  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for Yockey  
Truck Line.

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 race and show horses between all points in the State of Colorado, using special type equipment, and for race and show purposes, only, in both intrastate and interstate commerce.

Said application was regularly set for hearing at 330 State Office Building, Denver, Colorado, July 12, 1950, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

Thereupon, attorneys for protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed for lack of prosecution.

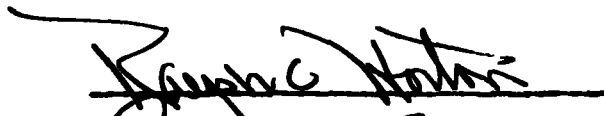
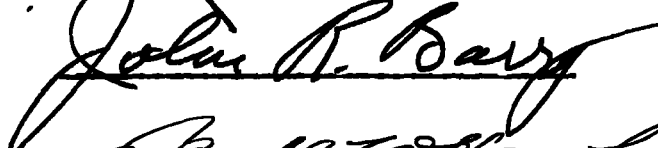

O R D E R

THE COMMISSION ORDERS:

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of July, 1950.

DMW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. A. WEISS, TABERNASH, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE ) APPLICATION NO. 10670-PP  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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-----  
July 18, 1950  
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Appearances: W. H. Cunningham, 5230 Washington  
Street, Denver, Colorado, for  
applicant.

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  
forest products from Willow Creek, about thirty-six miles north of  
Tabernash, Colorado, to Tabernash and Granby, Colorado; sawmill  
products from Tabernash, Colorado, and Granby, Colorado, to Denver,  
Colorado.

Said application, pursuant to prior setting, after appropriate  
notice to all parties in interest, was heard at 330 State Office Build-  
ing, Denver, Colorado, July 12, 1950, at ten o'clock A. M., and at the  
conclusion of said hearing, the matter was taken under advisement.

At the hearing, W. H. Cunningham, representing Broderick Wood  
Products Company, testified in behalf of applicant. He stated that ap-  
plicant's net worth was \$12,000.00; that he was the owner of two trucks,  
one of which has a pole trailer, with which he proposes to carry on his  
operation; that Broderick Wood Products Company desires service of appli-  
cant.

No one appeared in opposition to the granting of the authority  
sought, and it did not appear that the granting of said permit, and

operations thereunder by applicant, will tend to impair the efficiency of any common carrier service with which applicant will compete.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That R. A. Weiss, Tabernash, 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 forest products from Willow Creek, about thirty-six miles north of Tabernash, Colorado, to Tabernash, Colorado, and Granby, Colorado; sawmill products from Tabernash, Colorado and Granby, Colorado, to Denver, Colorado.

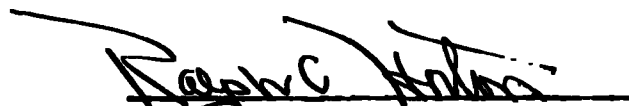


All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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, and the required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RUDY SAMS AND VERNE YOUNG, DOING )  
BUSINESS AS "FRONTIER HAULERS," )  
2360 CHAMPA STREET, DENVER, COLO- )  
RADO, FOR AUTHORITY TO OPERATE AS )  
CLASS "B" PRIVATE CARRIERS BY MOTOR )  
VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 10667-PP

-----  
July 18, 1950  
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Appearances: Verne Young, Denver, Colorado,  
for applicants.

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, dirt, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction 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.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, and at the conclusion of the evidence, said matter was taken under advisement.

At the hearing, Verne Young, testifying in behalf of applicants, stated that they are co-partners; that net assets of the partnership are \$7,000.00; that said partnership is the owner of a 1950 two-ton truck, which they propose to use in the conduct of their operations.

No one appeared in opposition to the granting of the authority sought.

It did not appear that the granting of said application, and



operations by applicants under said permit, will tend to impair the efficiency of any common carrier service with which they will compete.

### F I N D I N G S

#### THE COMMISSION FINDS:

That said application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Rudy Sams and Verne Young, co-partners, doing business as "Frontier Haulers," Denver, Colorado, should be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction 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.

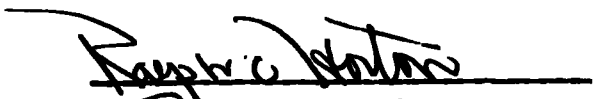
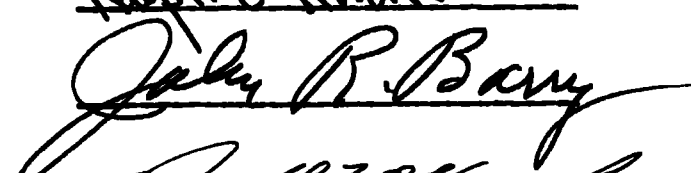

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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 18th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. MATIAS CRESPIAN, ROUTE 5, BOX 134, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 10666-PP

-----  
July 18, 1950  
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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 fertilizer between points and places within a radius of seventy-five miles of Denver, Colorado.

Said application was regularly set for hearing at Denver, Colorado, July 12, 1950, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

The files were made a part of the record and the matter taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. Matias Crespin, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of fertilizer between points and places within a radius of seventy-five miles of Denver, Colorado.


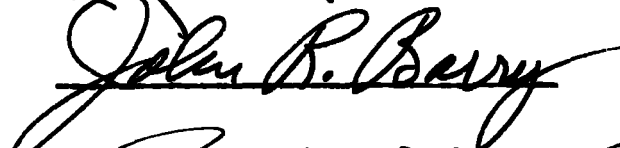

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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, and the required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of July, 1950.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MELVIN J. BLACKBURN, GRANBY, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO OP- )  
ERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 10661-PP

-----  
July 18, 1950  
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Appearances: Melvin J. Blackburn, Granby,  
Colorado, pro se.

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 forest and sawmill products from forest and sawmills within a radius of fifty miles of Granby, Colorado, to Granby, Colorado.

Said application, pursuant to prior setting, after appropriate notice, was heard at Greeley, Colorado, July 7, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was taken under advisement.

Applicant testified that his equipment consists of one two-ton GMC Truck, with pole trailer, and that his net worth is \$5,000.00; that he has been requested to obtain authority to haul forest and sawmill products from the area described in his application to the plant of Broderick Wood Products, at Granby, Colorado, and agreed that his service should be limited to the one customer.

No one appeared in opposition to granting of the authority sought.

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

It did not appear that the proposed operation of applicant

will impair the efficiency of the service of any common carrier serving said area.

### F I N D I N G S

#### THE COMMISSION FINDS:

. That said application should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Melvin J. Blackburn, Granby, 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 forest and sawmill products from forests and sawmills within a radius of fifty miles of Granby, Colorado, to Granby, Colorado, for Broderick Wood Products, at Granby, Colorado, without the right to add to the number of customers served by him without permission of the Commission first had and obtained.

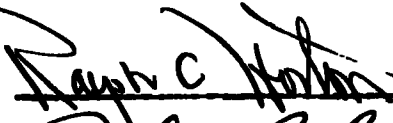
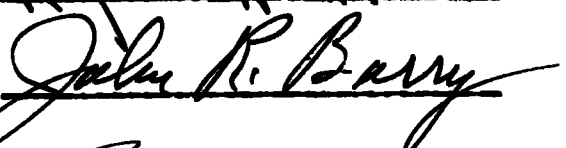

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of July, 1950.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BARRETT Y. BROWN, BOX 55, FORT LUP- )  
TON, COLORADO, FOR A CLASS "B" PER- )  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 10660-PP

-----  
July 18, 1950  
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Appearances: Mrs. Barrett Y. Brown, Fort  
Lupton, Colorado, for  
applicant.

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 potatoes from points within a radius of five miles of Greeley to Fort Lupton, and to farms within a radius of ten miles of Fort Lupton, Colorado; farm produce between points within a radius of ten miles of Fort Lupton, Colorado, and from said area to Denver, Colorado; beet pulp from Longmont to farms within a radius of five miles of Fort Lupton; natural fertilizer from feed lots within a radius of fifty miles of Fort Lupton, to farms within a radius of ten miles of Fort Lupton, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at Greeley, Colorado, July 7, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was taken under advisement.

At the hearing, applicant's wife, testifying in behalf of applicant, stated that he is the owner of a 1950 two-ton Dodge Truck, with which he proposes to conduct his operation; that his net worth is \$4,000.; that he has been requested to obtain the authority by various shippers in the area described in the application.

No one appeared in opposition to the granting of the authority sought.

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

It did not appear that the proposed operation of applicant will impair the efficiency of the service of any common carrier now serving said area.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Barrett Y. Brown, Fort Lupton, 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 potatoes from points within a radius of five miles of Greeley, Colorado, to Fort Lupton, Colorado, and to farms within a radius of ten miles of Fort Lupton, Colorado; farm produce between points within a radius of ten miles of Fort Lupton, Colorado, and from said area to Denver, Colorado; beet pulp from Longmont, Colorado, to farms within a radius of five miles of Fort Lupton, Colorado; natural fertilizer from feed lots within a radius of fifty miles of Fort Lupton, Colorado, to farms within a radius of ten miles of Fort Lupton, Colorado.

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


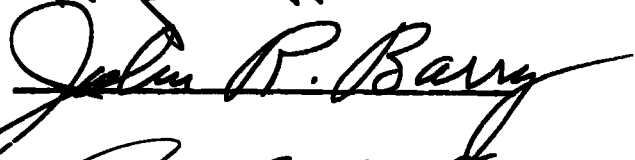

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon

his compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 18th day of July, 1950.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE PETITION OF  
UNION PACIFIC RAILROAD COMPANY  
AND CHICAGO, BURLINGTON & QUINCY  
RAILROAD COMPANY, FOR AUTHORITY  
TO ABANDON THE JOINT ARRANGEMENT  
FOR A CARETAKER AT ERIE, COLORADO,  
AND FOR THE ABANDONMENT AND RE-  
TIREMENT AND REMOVAL OF ALL DEPOT  
FACILITIES AT THAT POINT.  
-----

APPLICATION NO. 10675.

At a General Session of The  
Public Utilities Commission  
of the State of Colorado, held  
at its offices in Denver, Colo-  
rado, July 18, 1950.

INVESTIGATION AND SUSPENSION DOCKET NO. 312.

On June 30, 1950, the Union Pacific Railroad Company, by its attorneys, E. G. Knowles and Allan R. Phipps, and the Chicago, Burlington and Quincy Railroad Company, by its attorneys, J. L. Rice and John C. Street, filed a joint petition under the Commission's General Order No. 34, proposing to discontinue, effective August 1, 1950, the caretaker at Erie, Colorado, and to retire and remove the depot facilities at said location.

As stated by the petition, this Commission authorized the discontinuance of the maintenance of a station agency at Erie by Decision No. 4345 of June 1, 1932, effective June 14, 1932, conditioned upon petitioners' furnishing an employee with the duty of being at the station an hour each day, receiving and delivering l. c. l. freight and express and transmitting orders for cars for shipment of livestock and other commodities, l. c. l. freight to be delivered and picked up from the station by train crews and kept under lock.

The joint petition further states that the l. c. l. freight business at said station has so declined and is now so small in amount that the services of a caretaker as provided for by the Commission in said Decision No. 4345 are no longer needed or justified. There is no express business handled.

Petitioners further state that there is no need for the maintenance of a depot at Erie for the very small amount of freight that is handled in or out of that station. The expense of maintaining the joint caretaker at the depot is out of proportion to the possible revenue at the station and that the present and future public convenience and necessity do not and will not require the maintenance of the depot or the maintenance of the caretaker service at Erie.

If the authority to close this station is granted, applicant, the Union Pacific Railroad Company, proposes to handle their business for Erie at St. Vrain, Colorado, where they maintain an agent. The business for petitioner, the Chicago, Burlington & Quincy Railroad Company, will be handled by that Company's agent at Lafayette, Colorado.

The intention of petitioners having become known to interested parties, the Commission received numerous complaints protesting the closing of said station.

It appears that the effective date of the proposed discontinuance of the joint caretaker and the removal of the depot facilities at Erie might injuriously affect the rights and interests of the community and parties involved and it is therefore necessary to suspend the effective date of the discontinuance of said agency station. The application on file in the matter will, therefore, be transferred to Investigation and Suspension Docket No. 313 on the Commission's docket.

#### FINDINGS

##### THE COMMISSION FINDS:

That the discontinuance of the joint caretaker and the abandonment of the depot facilities of the Union Pacific Railroad Company and the Chicago, Burlington & Quincy Railroad Company should be suspended and an investigation had in the matter.

#### ORDER

##### THE COMMISSION ORDERS:

That the effective date of the proposed discontinuance of the joint caretaker and abandonment of the depot facilities at Erie, Colorado, be,

and it hereby is, suspended for a period of one hundred and twenty (120) days from August 1, 1950, or until November 28, 1950, unless otherwise ordered.

That the matter of the proposed discontinuance of the joint caretaker and abandonment of the depot facilities at Erie be made a subject of investigation by this Commission within said period of suspension or within such further time as the same may be lawfully suspended.

That Application No. 10675, originally assigned to the instant proceeding, be, and it hereby is, closed and all records and files of said application be transferred to Investigation and Suspension Docket No. 313.

That a copy of this order be filed with Application No. 10675 and with Investigation and Suspension Docket No. 313, and copies served on E. G. Knowles, Esq., and Allan R. Phipps, Esq., International Trust Building, Denver, Colorado, attorneys for the Union Pacific Railroad Company; J. L. Rice, Esq., and John C. Street, Esq., C. A. Johnson Building, Denver, Colorado, attorneys for the Chicago, Burlington & Quincy Railroad Company; Mr. O. E. Goodspeed, Secretary, Erie Lions Club, Erie, Colorado, Mrs. Florence Sherman, Box 71, Erie, Colorado; William Whiles, Executive Vice President and Cashier, Erie Bank, Erie, Colorado; William Ackley, Box 128, Erie, Colorado, and W. H. Hatcher, Superintendent, Erie Public Schools, Erie, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Horton*

*John B. Barry*

*Jeffrey C. Kearley*  
Commissioners

Dated at Denver, Colorado,  
this 18th day of July, 1950.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
COLORADO SPRINGS TRANSIT COMPANY, A  
COLORADO CORPORATION, FOR AUTHORITY  
TO ABANDON ITS PRESENT SERVICE BE-  
TWEEN THE CITY LIMITS OF THE CITY OF  
COLORADO SPRINGS, COLORADO, AND THE  
AIR BASE NOW KNOWN AS "PETERSON FIELD,"  
ABOUT EIGHT MILES EAST OF THE CITY OF  
COLORADO SPRINGS, UNDER PUC NO. 631.  
-----

APPLICATION NO. 10636.

-----  
July 14, 1950  
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Appearances: Strachan, Horn and Peterson, Esqs.,  
Colorado Springs, Colorado,  
for applicant;  
Walter Kuenning, Colorado Springs,  
Colorado, for City Manager of  
Colorado Springs;  
Howard M. Yates, Colorado Springs,  
Colorado, for Colorado Springs  
Chamber of Commerce.

S T A T E M E N T

By the Commission:

Applicant is the owner of PUC No. 631, authorizing it to operate as a common carrier by motor vehicle for hire for the transportation of passengers, on schedule, between Colorado Springs and the Government Air Base, located at the City Airport, about eight miles east of the City of Colorado Springs (later designated by the government as "Peterson Field") over U. S. Highway No. 24.

By the instant application, said applicant requests permission to abandon its operation for the transportation of passengers between the City Limits of Colorado Springs and Peterson Field, and for an extension of said PUC No. 631 to include the authority to operate an extension of its bus line to what is known as the "Native Lumber Yard."

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Council Chambers, City Hall, Colorado Springs, Colorado, June 15, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was taken under advisement.

Thomas S. Nickoll, President and General Manager of applicant company, testified in support of the application.

It appears from the testimony that after hostilities ceased between the United States and the other countries with which it was at war, Peterson Field was abandoned by the United States Government as a training center for the United States Air Corps, and is now operated only as a municipal airport by the City of Colorado Springs. It now has a very limited population of residents occupying the old barracks, and a few small industrial plants with but few employees.

Said airport is served by a bus operation for the transportation of passengers of the airlines, which bus line is operated by one James F. Donahue, doing business as "Air Line Cab Service." His buses meet all incoming and outgoing commercial airplanes, and said operator has a mail contract with the United States Government for the transportation of mail between the airport and the post office in Colorado Springs.

About one and one-half miles east of the City Limits of the City of Colorado Springs, on U. S. Highway No. 24, is located what is known as the "Native Lumber Yard." There is considerable patronage of the bus line between the business portion of Colorado Springs and said Native Lumber Yard, but no population or business developed between said Native Lumber Yard and Peterson Field.

At present, the bus line operates from the business district of Colorado Springs east on Pikes Peak Avenue to Weber Street, north on Weber Street to Platte Avenue, east on Platte Avenue through the City Limits on Union Boulevard to Iowa Avenue; thence northeasterly on U. S. Highway No. 24 to the Native Lumber Yard, and thence to Peterson Field. The present route covers a total of 8.37 miles.

Applicant now proposes to operate its bus line east from the business district of Colorado Springs along Pikes Peak Avenue to Iowa Avenue; thence north on Iowa Avenue to U. S. Highway No. 24; thence northeasterly over said U. S. Highway No. 24 to the Native Lumber Yard, a distance of 2.90 miles, and to abandon service beyond Native Lumber Yard, a distance of 5.47 miles.

Since the abandonment of Peterson Field, applicant has continued to render hourly service from 6:05 A. M. to 1:00 A. M., daily, between Colorado Springs and Peterson Field. The daily mileage is 319.62 miles, of which 211.67 miles are between the Native Lumber Yard and Peterson Field. There is fairly good pickup business between Colorado Springs and the Native Lumber Yard, but none between said yard and Peterson Field.

Exhibits were received, showing the total passengers carried on each trip to and from Peterson Field from June 10 to June 13, 1950, inclusive, the number on each trip being negligible. The expense of the operation amounts to 28.63¢ per passenger mile. Total revenue, January 1, 1950, to June 1, 1950 (including all passenger revenue between Colorado Springs and Native Lumber Yard) was \$5,038.13. The average revenue (17% of the total) on the operation between the Native Lumber Yard and Peterson Field was \$171.30 per month, while the operating expense on the same segment was \$2,073.52 per month. On this operation between Native Lumber Yard and Peterson Field, the over-all operating loss amounts to \$19,904.76 per annum. The applicant operates at a loss on its over-all operations every month, which loss will be materially reduced if this application is granted.

No opposition to the granting of the application was voiced at the hearing, except that Mr. Walter Kuening, speaking for the City Manager of Colorado Springs, suggested that a trial run at two-hour intervals be inaugurated. The Commission is of the opinion that the evidence does not justify such a burden on applicant.

The evidence shows that the revenue derived from the operation of the segment of the bus lines of applicant sought to be abandoned is relatively small, resulting in a very substantial net operating loss to applicant; that Peterson Field, which is the only community served beyond Native Lumber Yard, would not be seriously inconvenienced by the discontinuance of the operation of said segment, and that to require the continued operation of said segment would place an undue burden on applicant.



## FINDINGS

From the evidence reviewed in the above and foregoing statement, which by reference is made a part hereof, the Commission finds that public convenience and necessity do not require the continued operation of the segment of the bus line of applicant between the City Limits of Colorado Springs and Peterson Field, and that applicant should be permitted to discontinue the operation of buses over said segment.

That public convenience and necessity require the extension of PUC No. 631, as requested by applicant, as hereinafter provided, and that certificate of public convenience and necessity should issue therefor.

## ORDER

### THE COMMISSION ORDERS:

That Colorado Springs Transit Company, a Colorado corporation, Colorado Springs, Colorado, should be, and it hereby is, authorized to abandon its operation for the transportation of passengers between the City Limits of Colorado Springs, Colorado, and what is now designated as "Peterson Field," and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That PUC No. 631 of applicant be, and it hereby is, extended to include the right to transport passengers over the following route, to-wit: beginning at the intersection of Union Boulevard and Pikes Peak Avenue, at the City Limits of Colorado Springs; thence east over Pikes Peak Avenue to its intersection with Iowa Avenue; thence north over Iowa Avenue to its intersection with U. S. Highway No. 24; thence in a northeasterly direction over said U. S. Highway No. 24 to what is known as "Native Lumber Yard," and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

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

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Joseph C. Hutton

James B. Barry

Joseph C. Hutton  
Commissioners.

Dated at Denver, Colorado,  
this 14th day of July, 1930.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
REYNOLD UGOLINI, WALSBURG, COLO-  
RADO, FOR AUTHORITY TO OPERATE AS  
A PRIVATE CARRIER BY MOTOR VEHICLE  
FOR HIRE.  
-----

} APPLICATION NO. 10691-PP.

-----  
July 18, 1950  
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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 road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Reynold Ugolini, Walsenburg, 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 road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.




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

That this order is the permit herein provided for, but it shall not become effective until copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
E. G. (JACK) PERRY, DOING BUSINESS  
AS "HALL MOTOR FREIGHT COMPANY,"  
1420 38TH STREET, DENVER, COLORADO,  
FOR AUTHORITY TO MORTGAGE PERMIT NO.  
A-16 TO DENVER NATIONAL BANK, DENVER,  
COLORADO.

APPLICATION NO. 10681-PP-Mortgage.

July 18, 1950

Appearances: Marion F. Jones, Esq.,  
Denver, Colorado, for  
applicants.

STATEMENT

By the Commission:

E. G. (Jack) Perry, doing business as "Hall Motor Freight Company," Denver, Colorado, by the instant application, seeks authority to mortgage said operating rights to Denver National Bank, Denver, Colorado, to secure payment of note executed by said E. G. (Jack) Perry, payable to Denver National Bank, in the amount of Thirteen Thousand Dollars (\$13,000.00).

There appears to be no reason why said mortgage should not be approved.

FINDINGS

THE COMMISSION FINDS:

That E. G. (Jack) Perry, doing business as "Hall Motor Freight Company," Denver, Colorado, should be allowed to mortgage Permit No. A-16 to Denver National Bank, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That E. G. (Jack) Perry, doing business as "Hall Motor Freight Company," Denver, Colorado, should be, and he hereby is, authorized to mortgage all his right, title, and interest in and to Permit No. A-16

to Denver National Bank, Denver, Colorado, to secure payment of  
Thirteen Thousand Dollars (\$13,000.00) due said Denver National Bank  
from said E. G. (Jack) Perry, doing business as "Hall Motor Freight  
Company," in accordance with the terms and conditions of Chattel Mortgage  
of date May 4, 1950, attached to the application herein, and by reference  
made a part hereof.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Harkness  
John P. Barry  
Joseph W. Harkness  
Commissioners.

Dated at Denver, Colorado,  
this 18th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF }  
ROBERT S. LONDON }  
Box #20, Johnstown, Colorado }  
----- }

PERMIT NO. B-3235

-----  
July 22, 1950  
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STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named permittee, requesting that his Permit No. B-3235 be suspended for six months.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Robert S. London be, and he is hereby, authorized to suspend his operations under Permit No. B-3235 until January 1, 1951.

That unless said Robert S. London 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

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\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado  
this 22nd day of July, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	}	<u>PERMIT NO. B-2583</u>
CECIL L. GOODLOE, 210 WEST SECOND AVE.		
DENVER, COLORADO		
-----	}	

-----  
July 22, 1950  
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**STATEMENT**

By the Commission:

On July 6, 1950, the Commission authorized Cecil L. Goodloe to suspend operations under his Permit No. B-2583 until December 26, 1950.

The Commission is now in receipt of a communication from the above-named permittee, requesting that his permit be reinstated.

**FINDINGS**

THE COMMISSION FINDS:

That the request should be granted.

**ORDER**

THE COMMISSION ORDERS:

That Permit No. B-2583 should be, and the same hereby is, reinstated as of July 17, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Horton  
John R. Barry  
George W. Hawley  
Commissioners.

Dated at Denver, Colorado,  
this 22nd day of July, 1950

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
EVERETT S. SPRAGUE, DOING BUSINESS  
AS "ASPEN TAXI," P. O. BOX 182,  
ASPEN, COLORADO, FOR AN EXTENSION  
OF CERTIFICATE NO. 1710.

APPLICATION NO. 10656-Extension.

July 19, 1950

Appearances: Lewis, Grant, Newton, Davis & Henry,  
and John Adams, Esqs., Denver,  
Colorado, for applicant;  
H. L. Lesh, Glenwood Springs,  
Colorado, for Aspen Stages.

S T A T E M E N T

By the Commission:

On May 18, 1950, applicant herein filed his application  
for an extension of Certificate of Public Convenience and Necessity  
No. 1710, to authorize statewide taxicab service, limited to business  
originating in Aspen and vicinity.

The above application was set for hearing, and heard, on  
June 29, 1950, at 330 State Office Building, Denver, Colorado, and at  
the conclusion of the hearing the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is  
presently the owner of PUC-1710, which authorizes the following:

passengers and their baggage, on call and demand,  
as follows: (a) in taxicab and sightseeing service  
between points within the territory including Aspen  
and points within a radius of twenty-five miles  
thereof; (b) in taxicab service between Aspen and  
Glenwood Springs and intermediate points, between  
Aspen and Grand Junction, via Glenwood Springs, and  
intermediate points; (c) in sightseeing and taxi ser-  
vice from Aspen and points within a radius of twenty-  
five miles thereof to Twin Lakes and Leadville in  
one-way and round-trip service without the right to  
originate business in, or to furnish local service  
between points in, Lake County; with the following  
provisos: applicants shall not establish a stand  
or office in Glenwood Springs or engage in taxicab  
or sightseeing business in Glenwood Springs under  
this authority; that for service between points  
served by line-haul motor vehicle common carriers  
on schedule, applicants shall charge rates which



shall be computed on a basis of not less than twenty cents per mile, one way, for one passenger and five cents per mile per passenger for each additional passenger; that round-trip fares shall be computed on a basis of one and one-half times the one-way fare, with a charge of \$2.00 per hour waiting time; that service shall be confined to the use of sedan-type vehicles having a capacity of not to exceed seven passengers;

Mr. Sprague, the applicant herein, states that in his operation he has numerous requests for additional service to other points in the State of Colorado, especially to Denver, Winter Park, and other ski and recreational areas in Colorado; that many easterners come to Aspen to ski who remain a few days and then desire to try other ski areas in Colorado. He states that rail and line-haul bus services are not adequate to take care of their needs; that the requests come from people well qualified financially to pay for the luxury service provided by a taxicab operation.

William Hodges, Jr., of Denver, Colorado, who is Secretary of the Aspen company which is developing Aspen as a recreational and sports area, testified he is familiar with the situation in Aspen; that applicant's proposed service is needed by the visitors and residents of the Aspen area.

John Hazron, President of the Aspen Chamber of Commerce, and who is also interested in mining in Pitkin County, stated that the Chamber of Commerce felt applicant's proposed extension is needed for residents of Pitkin County, together with their summer and winter visitors.

E. L. Lesh, the operator of Aspen Stages, withdrew his objections to the extended operation if said operation is confined to a taxicab operation charging taxicab fares.

#### FINDINGS

##### THE COMMISSION FINDS:

That the public convenience and necessity require the proposed motor vehicle common carrier taxicab service of Applicant Everett S. Sprague, doing business as "Aspen Taxi," Post Office Box 182, Aspen, Colorado, for an extension of Certificate No. 1710, as more particularly set forth in the

application, and that certificate of public convenience and necessity should issue therefor, with the proviso that applicant shall at all times publish and keep in effect rates which shall be non-competitive with those of common carriers by motor vehicle operating on schedule for service between points served by such carriers.

#### O R D E R

##### THE COMMISSION ORDERS:

That the public convenience and necessity require the proposed extended motor vehicle common carrier service of Applicant Everett S. Sprague, doing business as "Aspen Taxi," authorizing the transportation of passengers and their baggage in one-way and round-trip taxicab service, on call and demand, from Aspen and points within a twenty-five mile radius of Aspen, to any point or points within the State of Colorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That for service between points served by line-haul motor vehicle common carriers, on schedule, applicant shall charge rates not less than 25 cents per mile one way, with fare and a half for round-trip for one passenger, with half fare extra for each passenger additional to a single passenger, either one way or round trip, and \$2.00 per hour waiting time.

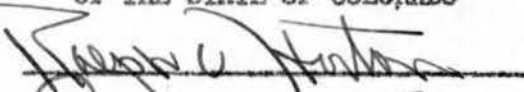
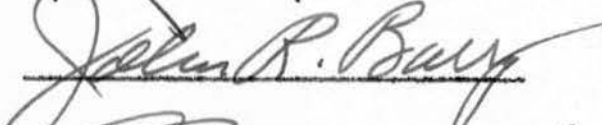

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That 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.

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

That 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, 1950.

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. H. MURDOCK AND HENRY DAUBERT, CO- )  
PARTNERS, DOING BUSINESS AS "DAUBERT )  
& MURDOCK," 710 F STREET, DODGE CITY, )  
KANSAS, FOR AUTHORITY TO TRANSFER )  
INTERSTATE OPERATING RIGHTS TO HENRY )  
DAUBERT, DOING BUSINESS AS "HENRY )  
DAUBERT TRUCK LINE," 706 7TH STREET, )  
DODGE CITY, KANSAS. )  
----- )

PUC NO. 1652-I.

-----  
July 20, 1950  
-----

S T A T E M E N T

By the Commission:

Heretofore, C. H. Murdock and Henry Daubert, co-partners, doing business as "Daubert & Murdock," Dodge City, Kansas, were authorized to operate as common carriers by motor vehicle for hire in interstate commerce, and PUC No. 1652-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Henry Daubert, doing business as "Henry Daubert Truck Line," Dodge City, Kansas.

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

F I N D I N G S

THE COMMISSION FINDS:

That transfer should be authorized,

O R D E R

THE COMMISSION ORDERS:

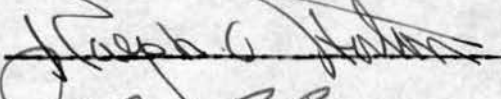
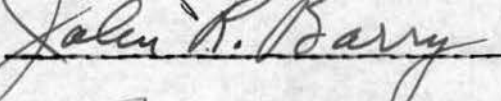
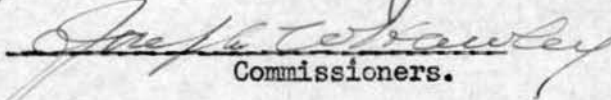
That C. H. Murdock and Henry Daubert, co-partners, doing business as "Daubert & Murdock," Dodge City, Kansas, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1652-I to Henry Daubert, doing business as "Henry Daubert Truck Line," Dodge City, Kansas, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935.



That ton-mile tax deposit of transferors shall be transferred  
and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
MARION R. LATIMER, 930 WYANDOT  
STREET, DENVER, COLORADO, FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY.

APPLICATION NO. 10671.

-----  
July 20, 1950  
-----

Appearances: Worth Allen, Esq., Denver,  
Colorado, for applicant;  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for Stock-  
yards Hauling Service,  
Yockey Truck Company;  
Marion F. Jones, Esq., Denver,  
Colorado, for Sorenson Truck  
Service, Fred Funk.

STATEMENT

By the Commission:

On June 23, 1950, Marion R. Latimer, Denver, Colorado, filed application for a certificate of public convenience and necessity for authority to transport thoroughbred and all lead horses used in connection with racing, on call and demand, from point to point throughout the State of Colorado.

The matter was formally set for hearing, and heard, July 12, 1950, at 330 State Office Building, Denver, Colorado, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, applicant testified he would begin such service, if said certificate is granted, with a new F-6 two-ton Ford Tractor and a thirty-foot Fruehauf drop-frame van semi-trailer, fully equipped, with a value of \$2500.00. Witness stated the van is fully enclosed with windows and roof ventilators; that it is built low to facilitate loading and unloading one or more horses at a time; that van also provides space for attendants to ride; that in his design of the trailer, particular emphasis was placed on the safety of the horse by providing



stalls and special rear-end and breast arrangements, so as to minimize the chances of the horses being hurt; that the van, in addition, has a side entrance for unloading, so that a horse can be taken from the van without interfering with the other horses, and said van has a capacity of six horses.

The evidence further discloses that applicant is financially responsible, and at present is interested in thoroughbred race horses.

Ralph S. Thomas, of 2377 Santa Fe Drive, Denver, Colorado, stated he is Superintendent of Stables at Centennial Turf Club; that he knows applicant and has examined his equipment. He stated he felt applicant was well qualified to furnish a specialized transportation service for thoroughbred race horses, which was needed at the Centennial Track; that the handling of thoroughbred race horses requires special equipment and extra care, and that applicant's proposed service is needed by owners and racing establishments in the State of Colorado.

Mr. E. K. Carey stated his principal business was oil, but that he also had some livestock and horses, and was presently breeding, racing and running thoroughbred race horses. He stated he has used some cattle trucks for hauling horses, but found same very unsatisfactory; that he knew applicant, was familiar with his equipment, and felt those raising or running race horses needed the service proposed by applicant.

Joseph J. Marsh, Director and member of the Executive Committee of Centennial Turf Club, stated on behalf of his company that he had made inquiry for this specialized service in hauling race horses, and had been unable to find suitable carriers. He stated that service was needed, and would be used by his company.

Phil Gorman, of Arapahoe County, stated he was engaged in racing race horses, and would like specialized service offered by applicant for transportation of horses to ranches and race meets. He stated that where you have a twelve-thousand-dollar horse, you cannot take any chances on the horse being injured.

Walter S. Stites, a farmer and race horse owner, also testified as to the need for applicant's proposed service.

The cross-examination of witnesses indicated that Sorenson Truck Service maintained equipment for the specialized handling of race horses, show horses, and prize livestock. However, all witnesses did not fully approve of his type of equipment, and felt applicant's proposed service would better fulfill their needs. All protestants withdrew objections to the granting of the application, if applicant is confined to thoroughbred race horses and all lead horses used in connection with thoroughbred racing, on call and demand, from point to point within the State of Colorado, it being understood that thoroughbred race horses includes race horses, stallions, colts and brood mares of a certain breed used in the racing business.

### FINDINGS

#### THE COMMISSION FINDS:

That public convenience and necessity require the granting of the instant application, as hereinafter limited, and that certificate of public convenience and necessity should issue therefor.

### ORDER

#### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle common carrier call and demand service of Marion R. Latimer, Denver, Colorado, for the transportation of thoroughbred race horses and all lead horses used in connection with thoroughbred racing, from point to point throughout the State of Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

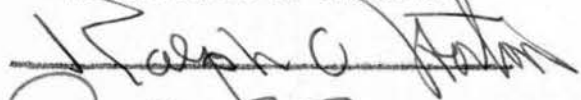
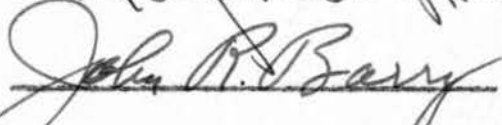
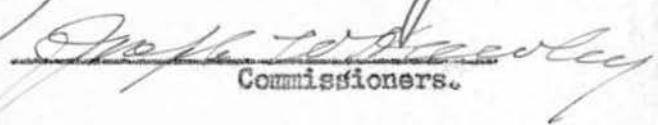
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That 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.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of July, 1950.

ea

(Decision No. 35109)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
CITIZENS UTILITIES COMPANY FOR AN ORDER  
AUTHORIZING THE ISSUANCE AND SALE OF  
2,500,000 PRINCIPAL AMOUNT OF FIRST  
MORTGAGE AND COLLATERAL TRUST 3 1/2  
PER CENT BONDS, SERIES OF 1980.

APPLICATION NO. 10680-  
Securities.

July 18, 1950

S T A T E M E N T

By the Commission:

Upon consideration of the application filed July 12, 1950,  
by the Citizens Utilities Company, a Corporation, in the above-styled  
matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on Friday, July 28,  
1950, at ten o'clock A. M., 330 State Office Building, Denver, Colorado,  
respecting the matters involved and the issues presented in this pro-  
ceeding. Any interested municipality or any representative of in-  
terested consumers or security holders of applicant corporation, and  
any other person whose participation herein is in the public interest,  
may intervene in said proceedings. Intervention petitions should be  
filed with the Commission on or before July 25, 1950, and should set  
forth the grounds of the proposed intervention, and the position and  
interest of the petitioners in the proceeding, and must be subscribed  
by interveners.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Hinton*  
*John B. Barry*  
*John C. Hinton*  
Commissioners

Dated at Denver, Colorado,  
this 18th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
J. B. HORTON )  
NIWOT, COLORADO )  
----- )

PERMIT NO. B-3499

-----  
July 22, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee, requesting that his Permit No. B-3499 be suspended for six months

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. B. Horton be, and he is hereby, authorized to suspend his operations under Permit No. B-3499 until December 19, 1950.

That unless said J. B. HORTON 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

Ralph C. Horton  
John R. Barry  
Joseph W. Hawley  
Commissioners

Dated at Denver, Colorado

this 22nd day of July, 1950.

eh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARL DENSMORE, DOING BUSINESS AS )  
"D & O TRUCKING COMPANY," P O BOX )  
1373, PAMPA, TEXAS, FOR AUTHORITY )  
TO TRANSFER INTERSTATE OPERATING )  
RIGHTS TO G. E. GRONINGER, JIM KING, )  
AND CECIL R. WILLIAMS, CO-PARTNERS, )  
DOING BUSINESS AS "GK TRUCKING )  
COMPANY," P O BOX 1381, PAMPA, TEXAS. )  
-----)

PUC NO. 1759-I

-----  
July 21, 1950  
-----

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Heretofore, Earl Densmore, doing business as "D & O Trucking Company," Pampa, Texas, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 1759-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to G. E. Groninger, Jim King, and Cecil R. Williams, co-partners, doing business as "G-K Trucking Company," Pampa, Texas.

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

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Earl Densmore, doing business as "D & O Trucking Company," Pampa, Texas, should be, and he hereby is, authorized to transfer all his

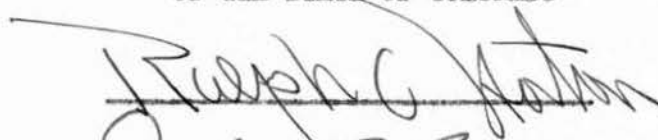
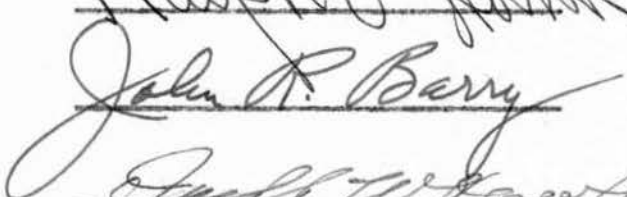



right, title, and interest in and to PUC No. 1759-I to G. E. Groninger, Jim King, and Cecil R. Williams, co-partners, doing business as "G-K Trucking Company," Pampa, Texas, subject to payment of outstanding indebtedness against said operation, if any there be, and subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 21 day of July, 1950.  
eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PERRY BOLIN, 5525 WEST COLFAX AVENUE, )  
LAKEWOOD, COLORADO )  
----- )

PERMIT NO. B-4101

-----  
July 25, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee, requesting that his Permit No. B-4101 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Perry Bolin be, and he is hereby, authorized to suspend his operations under Permit No. B-4101 until January 20, 1951.

That unless said PERRY BOLIN 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 25th day of July, 1950  
eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY NICHOLS & GEORGE NICHOLS )  
FLORESSANT, COLORADO )  
----- )

PERMIT NO. B-3786

-----  
July 25, 1950  
-----

**STATEMENT**

By the Commission:

The Commission is in receipt of a request from the above-named permittees, requesting that their Permit No. B-3786 be suspended for six months.

**FINDINGS**

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Henry Nichols & George Nichols be, and they are hereby, authorized to suspend their operations under Permit No. B-3786 until December 22, 1950.

That unless said HENRY NICHOLS & GEORGE NICHOLS 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 25th, day of July, 1950

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
DONALD JAPHET, 325 GRANT STREET,  
FORT MORGAN, COLORADO, FOR AN EX-  
TENSION OF PERMIT NO. B-3094.

APPLICATION NO. 10651-PP-Extension.

IN THE MATTER OF THE APPLICATION OF  
DONALD JAPHET, 325 GRANT STREET,  
FORT MORGAN, COLORADO, FOR AUTHORITY  
TO TRANSFER PERMIT NO. B-3094 TO  
BERNAL C. FLESHER AND ROBERT G. RAE,  
CO-PARTNERS, DOING BUSINESS AS "STAR  
MILK LINES," 727 SIMPSON STREET,  
FORT MORGAN, COLORADO.

APPLICATION NO. 10619-PP-Transfer.

IN THE MATTER OF THE APPLICATION OF  
DONALD JAPHET, 325 GRANT STREET,  
FORT MORGAN, COLORADO, FOR AUTHORITY  
TO TRANSFER PERMIT NO. A-2131 TO  
BERNAL C. FLESHER AND ROBERT G. RAE,  
CO-PARTNERS, DOING BUSINESS AS "STAR  
MILK LINES," 727 SIMPSON STREET,  
FORT MORGAN, COLORADO.

APPLICATION NO. 10620-PP-Transfer.

July 21, 1950

Appearances: Clarence L. Bartholic, Esq.,  
Denver, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By Decision No. 11456, of date February 26, 1938, Herman Vollmert,  
Fort Morgan, Colorado, was authorized to operate as a Class "A" private  
carrier by motor vehicle for hire for the transportation of:

milk and dairy products to Fort Morgan from  
farms within the area described as: beginning  
at Fort Morgan; thence north a distance of  
five miles; thence east seven miles; thence  
south eight miles; thence west seven miles;  
thence north three miles to the place of be-  
ginning, for the Northern Colorado Dairy Com-  
pany; sugar beets from farms within a radius  
of six miles of Fort Morgan to the factory  
therein; coal from the northern Colorado coal  
fields to customers residing within said six-  
mile area,

said operating rights being designated as "Permit No. A-2131."

By Decision No. 11735, of date April 19, 1938, the following authority was deleted from said operating rights:

transportation of coal from the northern Colorado coal fields to customers residing within the six mile area.

Pursuant to authority contained in Decision No. 22879, of date November 20, 1944, Donald S. Douglas acquired said Permit No. A-2131, which was transferred to Fred J. Nevin by Decision No. 25433, of date January 24, 1946.

By Decision No. 26023, of date May 28, 1946, said Fred J. Nevin was authorized to extend operations under Permit No. A-2131 to include:

delivery of milk and dairy products to McLagan Brothers Creamery, at Fort Morgan, Colorado.

By Decision No. 27478, of date February 7, 1947, said Fred J. Nevin was authorized to further extend operations under said permit to include the right to transport:

whole milk to Denver, Colorado, from farms within the area above described, and whole milk to Denver, Colorado, from Northern Colorado Dairy Company and McLagan Brothers Creamery in Fort Morgan, Colorado.

Pursuant to authority contained in Decision No. 33168, of date August 8, 1949, said Fred J. Nevin transferred Permit No. A-2131 to Harold D. Panches, Fort Morgan, Colorado, who, pursuant to authority contained in Decision No. 33455, of date September 17, 1949, transferred said Permit No. A-2131 to Donald Japhet, Fort Morgan, Colorado, who, by Application No. 10620-PP seeks authority to transfer said operating rights to Bernal C. Flesher and Robert G. Rae, co-partners, doing business as "Star Milk Lines," Fort Morgan, Colorado.

By Decision No. 22429, of date June 30, 1944, Keith Pease was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

milk to Fort Morgan from points along and within three miles of the route described as follows: commencing at Fort Morgan; thence west along U.S. Highway No. 6 to Wiggins; thence north along

State Highway No. 39 to Goodrich; thence on State Highway No. 144 east through Weldona, and south on same highway to intersection with U. S. Highway No. 6, and thence east to Fort Morgan, with back-haul of empty cans.

Pursuant to authority contained in Decision No. 25425, of date January 24, 1946, said permit-holder transferred said operating rights (Permit No. B-3094) to Earl B. McLagan, Fort Morgan, Colorado, who pursuant to authority contained in Decision No. 34078, of date January 13, 1950, transferred said Permit No. B-3094 to Donald Japhet, Fort Morgan, Colorado.

On June 1, 1950, said Donald Japhet filed his application, being Application No. 10651-PP, for an extension of Permit No. B-3094 to include the right to transport milk, cream, and dairy products between points within the following-described area or routes: from Wiggins to Hoyt, Colorado, and return, over Colorado Highway No. 52 and county road, with a six-mile radius on either side of the highway; Wiggins to Deerfield, Colorado, and return, over U. S. Highway No. 34, with a six-mile radius on either side of the highway, to creameries in Fort Morgan, Colorado.

By Application No. 10619-PP, said Donald Japhet seeks authority to transfer said Permit No. B-3094 to Bernal C. Flesher and Robert G. Rae, co-partners, doing business as "Star Milk Lines," Fort Morgan, Colorado.

Applications Nos. 10651-PP, 10619-PP, and 10620-PP were set and consolidated for hearing, July 12, 1950, at ten o'clock A. M., at 330 State Office Building, Denver, Colorado, and at the conclusion of said hearings, the above-named applications were taken under advisement.

In Application No. 10651-PP, the evidence disclosed that applicant has customers who desire his service for the transportation of milk in the area asked for in his application. Applicant stated he will have from fifteen to twenty customers requesting service.

J. H. James, of Wiggins, Colorado, stated he was a producer of milk and lived three miles west and south of Wiggins; that he needed



applicant's proposed extended service to handle delivery of milk to markets; that he produces sixty to seventy gallons of milk per day.

Fauss Yenne, field man for the creamery at Fort Morgan, Colorado, testified that his company needed the services of applicant. Other witnesses testified as to their need of applicant's service.

No one appeared to protest the granting of extension of Permit No. B-3094. It therefore appears that applicant's service is needed by his customers; that there are no common carriers now serving the area, and that the granting of the extension sought will not impair the efficiency of common carriers now duly authorized to serve the area, if any there be.

It appears that the consideration for transfer of Permits Nos. B-3094 and A-2131 and certain equipment is the sum of \$11,750.00; that transferees plan on putting up \$4,000.00 in cash, and borrowing \$7,000.00 from Reconstruction Finance Corporation, they, in return, to give a mortgage to Reconstruction Finance Corporation in the amount of \$7,000.00 covering certain motor vehicle equipment, together with the permits.

It also appears that said permits are in good standing; that road tax has been paid; that ton-mile tax deposit of transferor is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said permit, and that transferees, pecuniarily and otherwise, are able, willing, and qualified to carry on the operations.

### F I N D I N G S

#### THE COMMISSION FINDS:

1. That the extension asked for in Application No. 10651-PP is in the public interest, and should be granted, and that it does not appear that said extended operations will impair the service of common carriers now authorized to serve the area.

2. That the proposed transfers are compatible with the public interest, and should be authorized.

### O R D E R

#### THE COMMISSION ORDERS:

That Donald Japhet, Fort Morgan, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-3094 to

include the right to transport milk, cream, and dairy products between points within the following-described area or routes: from Wiggins to Hoyt, Colorado, and return, over Colorado Highway No. 52 and county roads, with a six-mile radius on each side of the highway; Wiggins to Deerfield, Colorado, and return, over U. S. Highway No. 34, with a six-mile radius on either side of the highway, to creameries in Fort Morgan, Colorado.

That this order is made part of the permit granted to applicant, and shall become effective twenty days from date.

2. That Donald Japhet, Fort Morgan, Colorado, should be, and he hereby is, authorized to transfer to Bernal C. Flesher and Robert G. Rae, co-partners, doing business as "Star Milk Lines," Fort Morgan, Colorado, all his right, title, and interest in and to Permit No. B-3094, as extended, and Permit No. A-2131, being the operating rights as heretofore set forth in the Statement preceding, which by reference is made a part hereof, said transferees to be permitted to secure their \$7,000.00 loan from Reconstruction Finance Corporation by chattel mortgage on said permits.

The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering his operations under said permits up to the time of transfer of said permits, and the payment by him or transferees of all unpaid ton-mile tax.

That ton-mile tax deposits of transferor shall be transferred and credited to account of transferees.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Aron*

*John R. Barry*

*James W. Hawley*  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of July, 1950.  
es

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EVERETT S. SPRAGUE, DOING BUSINESS )  
AS "ASPEN TAXI," P. O. BOX 182, )  
ASPEN, COLORADO, FOR AN EXTENSION )  
OF PUC NO. 1710. )  
-----

APPLICATION NO. 10656-Extension  
SUPPLEMENTAL ORDER

-----  
July 22, 1950  
-----

Appearances: Lewis, Grant, Newton, Davis and  
Henry, and John Adams, Esqs., Den-  
ver, Colorado, for applicant;  
H. L. Lesh, Glenwood Springs,  
Colorado, for Aspen Stages.

S T A T E M E N T

By the Commission:

On July 19, 1950, by decision No. 35106, applicant herein was granted a certificate of public convenience and necessity.

It now appears that in the second paragraph of the Order contained in said Decision No. 35106, restricting service between points served by line-haul motor vehicle common carriers on schedule, rates to be charged were erroneously set forth.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 35106 should be amended as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 35106, of date July 19, 1950, should be, and the same hereby is amended, nunc pro tunc, as of said 19th day of July, 1950, by striking therefrom the second paragraph of the Order contained in said decision (appearing on Page 3 thereof), commencing with the words:

"that for service between points served by line-  
haul motor vehicle common carriers, on schedule,"



and ending with the words and figure:

"\$2.00 per hour waiting time.",

and inserting in lieu thereof the following:

"That for service between points served by line-haul motor vehicle common carriers on schedule, applicants shall charge rates which shall be computed on a basis of not less than 20¢ per mile, one way, for one passenger, and five cents per mile per passenger for each additional passenger; that round-trip fares shall be computed on a basis of one and one-half times the one-way fare, with a charge of \$2.00 per hour waiting time; that service shall be confined to the use of sedan-type vehicles having a capacity of not to exceed seven passengers."

That except as herein amended, said Decision No. 35106 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Hahn*  
*John R. Barry*  
*James W. Hahn*  
Commissioners

Dated at Denver, Colorado,  
this 22 nd day of July, 1950

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE  
APPLICATIONS FOR PERMITS TO OPERATE AS  
PRIVATE CARRIERS FOR HIRE BY MOTOR  
VEHICLE OVER THE HIGHWAYS OF THE STATE  
OF COLORADO IN INTERSTATE COMMERCE

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado in Interstate Commerce, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failures in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the Corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

J Abbott  
Perfecto Abeyta  
Worley Adair  
Eugene Adkisson  
Jack Aguayo  
Jim G Akles  
Alaska Transportation  
C Alcaraz  
Raymond Alexander

1727 E Anderson  
Box 350  
Gen Del

Stockton, Calif  
Trinidad, Colo  
Perryton, Tex  
Dove Creek, Colo  
Belen, N Mex  
Amarillo, Tex  
Great Falls, Mont  
Garden City, Kans  
Mason, Tex

Merlin Anderson  
 Tony Apodaca  
 Carl T Aragon  
 A A Archer  
 Doyle Arnold  
 Arrow Freight Lines  
 Associated Transporters  
 C R Atkinson  
 John Atwater  
 Baier Tank Transport  
 G B Benn  
 Jos C. Barber  
 E H Barnes  
 W A Barry  
 Fremont Bartholomew  
 H M Battenfield  
 Isaac F Baylor  
 C J Beard  
 Cloyce J Beard  
 Beard & Whitaker  
 Aloha Beattie  
 Bell Transportation Co  
 Berggren & Sons  
 Berry Bros  
 W A Berry  
 J C Billing  
 August O Bloom  
 W Bohlender  
 E S Bond  
 Guy Bostick  
 Boutewell Butane Gas Co  
 Gene Bowers  
 Braaten Trucking  
 O B Bradshaw  
 Ray D Bragan  
 C B Brantley  
 D Breeding  
 Ray D Brogan  
 L G Bromley  
 Wilford J Brougher

1115 N Arno  
 Rt 2 Box A  
 Box 1213

7024 E 12th Terrace

Rt 2

Bx 573

Rt 2 Box 169B

Barton, Fla

1128 Elm St

Box 442

Ansley, Nebr  
 Albuquerque, N Mex  
 La Salle, Colo  
 Parshall, Colo  
 Kingsville, Tex  
 Broken Bow, Nebr  
 Kansas City, Mo  
 Vernon, Tex  
 Raton, N Mex  
 Bloomer, Wisc  
 Woodward, Okla  
 Rocky Ford, Colo  
 Palmyra, Wisc  
 Tulia, Tex  
 Cody, Nebr  
 Clovis, N Mex  
 Manzanola, Colo  
 Mineola, Kans  
 Mineola, Kans  
 Mineola, Kans  
 Floydada, Tex  
 Houston, Tex  
 Scottsbluff, Nebr  
 Tulia, Tex  
 Tulia, Tex  
 Lockney Tex  
 Hopkins, Minn  
 Kersey, Colo  
 Happy, Tex  
 Barton, Fla  
 Forest, Miss  
 Perry, Okla  
 Big Timber, Mont  
 Eldorado, Tex  
 Moreland, Okla  
 Geary, Okla  
 La Mesa, Tex  
 Mooreland, Okla  
 Sweetwater, Tex  
 Fairbanks, Alaska

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

SEAL

Secretary

Dated at Denver, Colorado, this  
 28th day of July, 1950

*Joseph C. Norton*  
 (Commissioner)  
*John R. Barry*  
 (Commissioner)  
*Joseph C. Norton*  
 (Commissioner)



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
PRIVATE CARRIERS FOR HIRE BY MOTOR )  
VEHICLE OVER THE HIGHWAYS OF THE STATE )  
OF COLORADO IN INTERSTATE COMMERCE )

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado in Interstate Commerce, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by Law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as require by law, and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission and of their failures in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and perons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Harry Buckmaster  
C E Buell  
Earl Bull  
J A Burleson  
Chas Bush  
Kenneth Busick  
Joe Butler  
Pete Cacarraco  
Floyd Calley  
Canadian Livestock Transp.

Hydro, Okla  
Buffalo, Wyo  
Dimmitt, Tex  
Abilene, Tex  
Midland, Tex  
Amarillo, Tex  
Newkirk, Okla  
Balmorhea, Tex  
Pecos, Tex  
Canadian, Tex

H B Burleson  
 Levi A Cantwell  
 John Carlson Jr  
 Fred H Carter  
 L M Casida  
 L Cataedda  
 Central Truckaway Co  
 Century Cab Co  
 Cheek Construction Co., Inc  
 Clark Clark  
 O R Clark  
 W F Clark  
 J D Clay  
 C Sterling Cluff  
 Vincent Coffey  
 Bruce Cole  
 Nelson Coleman  
 Hugh Collett  
 Harold F Combs  
 Commodity Carriers, Inc  
 Conlee Brothers  
 W C Conner  
 Joe Cortez  
 Mike Cortese  
 T Cowan  
 H L Cox  
 J E Cox  
 Kenneth Cross  
 C E Crouch  
 Melvin W Crouse  
 Robert Culbreth  
 Cupper Transport Co  
 B B Dailey  
 Band Damon  
 Darmer-Ingels  
 Ed Davenport  
 J H Davis  
 Gregory Delo  
 John L Derickson  
 George Deuel

Panell (or Pansel)

Box 278  
 8 West Reno

Montrose Hotel

1401 N Sec. East

942 Lillius  
 Box 171  
 2295 Wycliff

203 E Second

Decision No. 35117

No State given  
 Duncan, Okla  
 Bridgeport, Nebr  
 Oklahoma City, Okla  
 Duncan, Okla  
 Balmorhea, Tex  
 Indianapolis, Ind  
 Cedar Rapids, Iowa  
 Ulysses, Kans  
 Conway, Mo  
 Rotan, Tex  
 Winters, Tex  
 Aspermont, Tex  
 Provo, Utah  
 Hinton, Okla  
 Brady, Tex  
 Dyersburg, Tenn  
 Abilene, Tex  
 Dalhart, Tex  
 St Paul, Minn  
 Bryan, Tex  
 Dumas, Tex  
 Ft Sumner, N Mex  
 Ft Sumner, N Mex  
 Lamesa, Tex  
 Decatur, Tex  
 Breckenridge, Tex  
 208 E Second, McCook, Neb  
 Broken Bow, Nebr  
 Chester, Nebr  
 Springfield, Colo  
 Hutchinson, Kans  
 Rusco, Tex  
 Carlsbad, N Mex  
 Woodward, Iowa  
 Brady, Tex  
 Enochs, Tex  
 Evans, Colo  
 Lexington, Nebr  
 Lance Creek, Wyo

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

SEAL

*Ralph C. Horton*  
 (Commissioner)

*John R. Barry*  
 (Commissioner)

*Joseph W. Kearley*  
 (Commissioner)

Secretary

Dated at Denver, Colorado, this  
 28th day of July, 1950

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS)  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
PRIVATE CARRIERS FOR HIRE BY MOTOR )  
VEHICLE OVER THE HIGHWAYS OF THE STATE )  
OF COLORADO IN INTERSTATE COMMERCE )

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado in Interstate Commerce, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by Law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law, and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission and of their failures in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the applications proceedings heretofore commenced by:

Walter Doehling  
Donaldson Transfer  
Carl Donley  
Joe Dorsey  
Jack Drilling  
Wilard Drinkwalter  
Jim Duncan  
Leonard Dye  
George H Eggers  
M C Evans

6510 Ballard  
  
117 Cypress Park Hill  
Bx 175  
  
506 E 6th  
Box 683

Surprise, Nebr  
Lincoln, Nebr  
Boise City, Okla  
Rotan, Tex  
Little Rock, Ark  
Crawford, Nebr  
Grenville, N Mex  
Trenton, Nebr  
Lexington, Nebr  
Albany, Tex



Fairway Tran  
 Isadore Fantich  
 Farmers Union Co-Op Ass'n  
 Hardy Feelings  
 Fidelity Tfr & Stge Co  
 Everett Felch  
 Ferguson Trk Co  
 H E Fey  
 Fine Bros  
 Fordman Tran  
 J K Fore  
 W M France  
 Lee Francis  
 Grady Franklin  
 C T Frenzl & Son  
 Harold J French  
 Furniture Haulers  
 W F Furr  
 Roy G Galstow  
 Charles Garleff  
 Morris Garrell  
 I Catlin  
 Leo Geisler  
 A C George  
 Bill Gill  
 John Gilmore  
 G M Goates  
 Floyd Goodman  
 Iyl Gorrell  
 W A Gosnell  
 Henry Graber  
 GrainBelt Transportation Co  
 Paul Graves  
 J H Green  
 Green Truck  
 S F Griffey  
 E A Grontham  
 Lyman Halderman  
 Carlos Hall  
 J C Hall

2437 Tyler

Box 273  
 1540 E 5th Pl  
 Rt R

Bx 54

Rt 4 Box 169

630 - 13th St  
 1842 Mellwood Av

Bx 68

204 Lamar

611 Livestock Ex Bldg  
 803 N E 9th St

Blair, Nebr  
 Detroit, Mich  
 Pilger, Nebr  
 Tulia, Tex  
 Tulsa, Okla  
 Matheson, Colo  
 Keyes, Okla  
 McCook, Nebr  
 Holcomb, Kans  
 Crete, Nebr  
 Hereford, Tex  
 Abilene, Tex  
 Carrollton, Mo  
 Jacksonville, Tex  
 Mason, Tex  
 Greeley, Colo  
 Louisville, Ky  
 Post, Texas  
 Tyler, Tex  
 Foster, Nebr  
 Elida, N Mex  
 Clayton, N Mex  
 Sweetwater, Tex  
 Tulia, Tex  
 Miami, Tex  
 Alliance, Nebr  
 Sweetwater, Tex  
 Cairo, Nebr  
 Portales, N Mex  
 Birch Tree, Mo  
 Bridgewater, S Dak  
 Kansas City, Mo  
 Oklahoma City, Okla  
 Rotan, Tex  
 Logan, Utah  
 Maryville, Mo  
 Big Springs, Tex  
 Manter, Kans  
 Bluff, Utah  
 Tulia, Tex

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

S E A L

\_\_\_\_\_  
 Secretary

Dated at Denver, Colorado, this  
 28th day of July, 1950.

*Ralph C. Foster*  
 (Commissioner)  
*John R. Barry*  
 (Commissioner)  
*Joseph C. Hecox*  
 (Commissioner)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE  
APPLICATIONS FOR PERMITS TO OPERATE AS  
PRIVATE CARRIERS FOR HIRE BY MOTOR  
VEHICLE OVER THE HIGHWAYS OF THE STATE  
OF COLORADO IN INTERSTATE COMMERCE

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado in Interstate Commerce, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of the Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by Law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law, and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission and of their failures in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that allof said proceedings heretofore instituted by the corporations and person listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Lawrence Hall  
J Hamilton  
Homer Hanneman  
Kenneth Hanshaw  
J D Harris  
D Harrison  
Ralph Hart  
Frank Hay  
R M Hazelbaker  
Steve L Hazlewood

Box 1144  
  
111 S West St  
  
  
Gen Del

Lonetree, Iowa  
Tucumcari, N Mex  
Oakland, Nebr  
Fayetteville, Ark  
Tulia, Tex  
Rochelle, Tex  
Boise City, Okla  
Douglas, Wyo  
So West City, Mo  
Cortez, Colo

Hebron Truck Lines  
 C O Helms  
 Rubin Henrich  
 C W Henry  
 Burney Henson  
 Virgil Herndon  
 S E Hester  
 Gust Hilcher  
 Jim Hill  
 Sam H Hill  
 J W Hinson  
 George Hisel  
 Robert Hogg  
 Marvin Holden  
 C F Hollabaugh  
 D R Hollingsworth  
 Curtis Holloway  
 Ham Horton  
 John Houston  
 C Howard  
 N C Huelster  
 David Huff  
 Carl L Hughes  
 C A Humphries  
 Kenneth E Hunter  
 Vernon Hunter  
 J E Jackson  
 Chas Jacobs  
 Jennaro Bros  
 Elmer Jensen  
 Johnson Construction Co  
 S A Johnson  
 Phillip Jones  
 W T Jones  
 Vernon M Jones  
 Joseph Electric  
 James Juno  
 E T Justus  
 John L Karl  
 Albert Karr

1516 Admiral

1050 Murphy

Box 165

409 N Broadway

915 De Moss Petrie Rd

Hebron, Nebr  
 Rotan, Tex  
 Mason, Tex  
 Box 225 Dove Creek, Colo  
 San Angelo, Tex  
 Chandler, Okla  
 Hamlin, Tex  
 Arriba, Colo  
 Tulsa, Okla  
 Canyon, Tex  
 Pelham, Ga  
 Ft Sumner, N Mex  
 Meeteese, Wyo  
 Kalvesta, Kans  
 Canyon, Tex  
 Gatesville, Tex  
 Mason, Tex  
 Atlanta, Ga  
 Eric, Tenn  
 Bryan, Tex  
 Balmorhea, Tex  
 Upton, Wyo  
 Seaman, Tex  
 Garden City, Kans  
 Crofton, Ky  
 Seagraves, Tex  
 Stanford, Tex  
 Maxwell, Nebr  
 Milwaukee, Wisc  
 Independence, Iowa  
 Tucson, Ariz  
 Beaver City, Nebr  
 Hart, Tex  
 Johnson, Kans  
 Springfield, Colo  
 Little Rock, Ark  
 La Crosse, Kans  
 Crosbyton, Tex  
 Hastings, Nebr  
 Seward, Nebr

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

S E A L

\_\_\_\_\_  
 Secretary

Dated at Denver, Colorado, this  
 28th day of July, 1950.

*Ralph C. Aston*  
 (Commissioner)

*John R. Barry*  
 (Commissioner)

*Joseph W. Keenley*  
 (Commissioner)



ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE  
APPLICATIONS FOR PERMITS TO OPERATE AS  
PRIVATE CARRIERS FOR HIRE BY MOTOR  
VEHICLE OVER THE HIGHWAYS OF THE STATE  
OF COLORADO IN INTERSTATE COMMERCE

July 28th, 1950

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It further appears from the records of the Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file applications as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

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It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission and their failures in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Rex D Kee dba Kee's Grain Co  
Wayne Kelley  
C R Kelly  
Robert J Kelso  
G W Kennedy  
Geo Kilgore  
L L Kinnamon  
Herman & Gerald Kruger  
Alfred Krummen  
Raymond Kudlacek

Bx 872  
  
666 Collier  
  
Rt 1

Electra, Tex  
Lubbock, Tex  
Jayton, Tex  
Chugwater, Wyo  
Raton, N Mex  
Syracuse, Kans  
Ford, Kans  
North Bend, Nebr  
McClave, Colo  
David City, Nebr

C H Kyle & Son		Pampa, Tex
L M S, Inc	400 First Av	Calion, Ohio
Sig Lalum		Chester, Mont
Lionel Lamb		Joplin, Mo
Fred L Larson		Genoa, Nebr
LeRoy Lathan		Wellsville, Utah
Walter E Lawler		Alhance, Nebr
Fay Lawson		San Angelo, Tex
Preston Lawson		San Angelo, Tex
John Leonard	Box 214	Eagletown Okla
Levin Bros		Kensington, Kans
Lester Lowry		Sepaulpa, Okla
J H Luther	Box 431	Fannington, N Mex
J B Lynn		Roscoe, Tex
J B Lynn		Sweetwater, Tex
Harold Lytton		Truro, Iowa
I E Macon		Stanford, Tex
Clark Mackey	Rt 2 Box 5829	La Salle, Colo
John A Maline & Son	Rt 4	North Platte, Nebr
Mamot & Weatherwax		Cambridge, Nebr
Harry Martens	Desky Hotel	Brush, Colo
John E Martin		Benkelman, Nebr
Walter J Martin	627 Orchard St	Iowa City, Iowa
Felix Martinez	Gen Del	La Paloma, Tex
Mason Whse Ass'n		Mason, Texas
John Massey	2425 S W 32nd	Oklahoma City, Okla
Albert Matlock		Clovis, N Mex
Ellis P Maxwell	Mountainair, N Mex	Mountainair, N Mex
McAfee Transfer	601 Taylor Amarillo, Tex	Amarillo, Tex
Ben F McAllister		Imperial, Kans
Robert F McCartney	2450 W 29th Av	Denver, Colo
Frank McClure		Garden City, Kans
Joe McClure		Phillipsburg, Kans
Mason McConnell		Cherokee, Okla
McCoys Truck Line		Riverton, Wyo
D F McCraw	211 Line Bancroft	Shelby Cleve, N C
McCurry Bros		Sedgewick, Kans
John McCauglec		Gordon, Nebr
H A McNabb		Drumright, Okla
W McSpadden		Rotan, Tex

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

S E A L

Secretary

Dated at Denver, Colorado, this  
28th day of July, 1950

*Ralph C. Hohn*  
*Julius R. Barry*  
*Joseph W. Hohn*  
(Commissioners)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
PRIVATE CARRIERS FOR HIRE BY MOTOR )  
VEHICLE OVER THE HIGHWAYS OF THE STATE )  
OF COLORADO IN INTERSTATE COMMERCE )

July 28th, 1950

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(a) Failure to file applications as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

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It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission and their failures in respects hereinabove stated

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Edwin C Meyer  
Leo K Meyer  
Mid Central Egg Products  
H E Miller  
J A Miller  
J H Millwee  
Mississippi Moving Co  
Mo Valley Trans  
Gene Mitchell  
Montana Seed Co

614 - 17th St  
501 S Main  
315 E Oklahoma  
305 Callahan

Greeley, Colo  
Alliance, Nebr  
Hutchinson, Kans  
Woodward, Okla  
Lamesa, Tex  
Carnegie, Okla  
No Address  
Sioux City, Iowa  
West Liberty, Iowa  
Bozeman, Mont



M G Montano		Las Vegas, N Mex
M J Montano		Las Vegas, N Mex
Jim Moon		Norfolk, Neb
Willis F Moon	Box 163	Plattville, Colo
J D Mooneyham		Lawton, Okla
L Moore		Gate, Okla
Tommy Morgan		Stillwell, Okla
B G Morley		Spearman, Tex
Harvey G Morse		Spearman, Tex
Leslie Mortenise		Perry, Iowa
F Mosher	Box 551	Grant, Nebr
Kenneth Munger		Perryton, Tex
Munger Trucking Co		Perryton, Tex
Garvin Muno		Lenora, Okla
I H Murphey		Dumas, Tex
T W Murray		Dover, Del
Gib Nall		Casper, Wyo
Virgil Neill		Hennessee, Okla
O Waldo Nelson		Dassel, Minn
Velmer Nichols		Holcomb, Kans
Henry Niezen	10336 Hacienda	Bell flower, Calif
M M Nix		Texhoma, Okla
W H Nokes		McCook, Nebr
John Perry Nordan		Tatum Lee, N Mex
J V Norris		Swenson, Tex
Northern Limited	4551 N Kenmore	Chicago, Ill
Wilbur W Nutt		Liberal, Kans
Claude W Nydahl		Gordon, Nebr
Harvey Oberdick		Tribune, Kans
Helvin Oller		Pratt, Kans
Rienhart E Olsen		Minden, Nebr
Pete Osborne	Box 377	Perryton, Tex
Laverne Ostendorf	RFD 1	Gothenburg, Nebr
L D Ott		Bridgeport, Nebr
Raymond Ozanne dba Ozanne Transfer		Cozad, Nebr
Pacific Home Mfg Co		Glendale, Calif
Pacific Inland Supply Corp	150 N Center St	Reno, Nev
Buck Padgett		Midland, Tex
L W Page		Hartner, Kans
T A Padgett		Midland, Tex

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

SEAL

Secretary

Dated at Denver, Colorado, this  
28th day of July, 1950

*Robert C. Hahn*  
*John R. Barry*  
*John A. Newberry*  
(Commissioners)

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
PRIVATE CARRIERS FOR HIRE BY MOTOR )  
VEHICLE OVER THE HIGHWAYS OF THE STATE )  
OF COLORADO IN INTERSTATE COMMERCE )

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado in Interstate Commerce, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of the Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file applications as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or surety bond providing similat coverage, or to file with this Commission a certificate of insurance, all as required by law, and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission and their failures in respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Harold Palmer  
Panhandle Trailways  
W K Parmley  
Parsons Truck Line  
A O Patterson  
Frank Pell  
Perryton Equity Exchange  
W R Peterson  
C D Pipkin  
Plate Valley Tile Co

1301 E Wall St  
1122 E 9th

Tyrone, Okla  
Amarillo, Tex  
Warrensburg, Mo  
Ft Scott, Kans  
Stratford, Tex  
North Platte, Nebr  
Perryton, Tex  
Hrtley, Tex  
Pratt, Kans  
Scottsbluff, Nebr



Platte Bros		Pueblo, Colo
Ponder Prod		Birmingham, Ala
Martin Poppe		Ruskin, Nebr
Alvin L prauty		Scottsbluff, Neb
E L Pritte		Turpin, Okla
Dominic Profazi		Raton, N Mex
Basil Puckett	Box 561	Post Tex
Louis Pauh		Shattock, Okla
W W Ray		Archer City, Tex
J R Rector	2204 Webster	San Angelo, Tex
H D Reed		Amarillo, Tex
Bernard O Reichart	Rt 2	Ft Ripley, Minn
Reinstra & Stern		Round Lake, Minn
Ferdinand Relitz		Emerson, Nebr
Richter Trans Co		Fremont, Nebr
P Riebe & Sons Inc		Kansas City, Kans
Carl Rieger		Bellville, Kans
L O Robinson		Guthrie, Okla
Lyle J Robinson	Box 921	Buffalo, Wyo
J F & M Rodriguez		Albany, Tex
Christine & Roy Dean Rose		Greenriver, Utah
J G Roth		Ness City, Kans
Jay Roth		Broken Bow, Nebr
Lewis W Roundy	950 East Wastah	Provo, Utah
Wayne Rowley	Box 511	Grant, Nebr
Henry C Ruffing		Hat Creek, Wyo
M T Rutter		Hereford, Tex
J A Ruttman		Woodward, Okla
Marcus Torres Saiz		Gilcrest, Colo
Salinas Valley Wax Paper Co	Box 12	Salinas, Calif
J A Sansom		Brady, Tex
N H Schakenberg		Concordia, Mo
Ed Schanda		Anselmo, Nebr
M R Schotting		Springfield, Nebr
Roy Schumann		Prosser, Nebr
Hoot Scott	Box 856	Chickashaw, Okla
H T Scroggins		Pecos, Texas
Oscar Seastrom	Box 1488	Rapid City, S Dak
Billy Seay	1137 N Miller	Oklahoma City, Okla
Chas Seqfert	1836 W 11th Av	Grand Island, Nebr

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

SEAL

Secretary

Dated at Denver, Colorado, this  
28th day of July, 1950

hss

*Ralph C. Baker*  
*John R. Barry*  
*Joseph W. Hawley*  
(Commissioners)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
PRIVATE CARRIERS FOR HIRE BY MOTOR )  
VEHICLE OVER THE HIGHWAYS OF THE STATE )  
OF COLORADO IN INTERSTATE COMMERCE )

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado in Interstate Commerce, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of the Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file applications as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicle.

(b) Failure to make to this Commission: a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck and trailer or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law, and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission and their failures in respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and person listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Ed Shade  
L E Shanks  
O F Sheridan  
Fred Shrad  
Edward Simons  
Sioux City Motor Express  
Joe Slovinski  
H H Smith  
Tony Sneiderger  
Dick Snyder

143 - 4th St

E 4th St

Rt 7

400 Main St

Wild Horse, Colo  
Plainview, Tex  
Huron, S Dak  
Balmorhea, Tex  
Merriman, Nebr  
Sioux City, Iowa  
Platte Center, Nebr  
Lubbock, Tex  
Deer Lodge, Mont  
Clayton, N Mex

Colonel Sporkman  
 Walter R Speas  
 Wilhelm Stables  
 R C Starks  
 R W Steel  
 Mark Steinhausen  
 Ward Stephens  
 Paul Stock  
 C A Stokes  
 L G Straight  
 Straus Frank Co  
 Fred Stroade  
 G C Swinbank  
 Dale Switzer  
 T W Trucking Co  
 Tabor Bros  
 B C Taylor  
 C E Teague  
 Texas Warehouse Co  
 Buell Orian Thompson  
 F A Tiebrenz  
 Ralph Tippit  
 L D Todd  
 Trailer Trans Co  
 Trailer Transit Inc  
 A L Trowbridge  
 William A Tudor  
 Turvey Packing Co  
 Loyal Tyler  
 U S Airplane Carriers Inc  
 Vaugh Truck Service  
 L C Vick  
 W-E-W Truck Lines Inc  
 W T Wagner  
 Walker Bros  
 Ray Walker & Son  
 Roy Water  
 Vernon C Watson  
 H Weaver

Ex 377

2041-6th Av  
 301 S Florez

912 N Adams

402 E Harris

501 East Av

411 Pearl

1102 E Austin  
 Flint, Mich  
 4608 Hiawatha

Rice & Cliff Av  
 Box 336

Rt 2

Ark City, Okla  
 Kalona, Iowa  
 Benton, Ill  
 Mason, Tex  
 Clovis, N Mex  
 Sprague, Nebr  
 Billings, Mont  
 Texhoma, Okla  
 Lubbock, Tex  
 Greeley, Colo  
 San Antonio, Tex  
 Balmorhea, Tex  
 Crawford, Nebr  
 Grand Island, Nebr  
 Dover, Del  
 Great Falls, Mont  
 San Angelo, Tex  
 Carlsbad, N Mex  
 Austin, Tex  
 Beloit, Kans  
 Owatonna, Minn  
 Kent, Tex  
 Nevada Mo

Minneapolis, Minn  
 Sweetwater, Tex  
 Trinidad, Colo  
 Blackwell, Okla  
 Carnegie, Okla  
 Dover, Del  
 Sioux Falls, S Dak  
 Loop, Tex  
 Culbertson, Nebr  
 Vernon, Tex  
 Carlsbad, N Mex  
 Mason, Tex  
 Brodisco, Tex  
 Rogers, N Mex  
 Tucumcari, N Mex

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

S E A L

Secretary

Dated at Denver, Colorado,  
 this 28th day of July, 1950

hss

*Ralph C. Hoban*  
*Julius R. Barry*  
*Joseph W. Trevelyan*  
 (Commissioners)



ORIGINAL ✓

Decision No. 35124

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR AUTHORITY TO OPERATE AS )  
COMMON CARRIERS OR PRIVATE CARRIERS FOR )  
HIRE IN INTRASTATE COMMERCE BY MOTOR VE- )  
HICLE OVER THE HIGHWAYS OF THE STATE OF )  
COLORADO )

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have paid this Commission, a filing fee for a private carrier permit or a common carrier certificate to operate as a private carrier or a common carrier for hire, in intrastate commerce, over the Highways of the State of Colorado, and that the Commission has held hearings and granted said permits and certificates subject to the completion of the applications and the filing of the required insurance, tariff, description of equipment, statement of customers, deposit to insure payment of road tax, and other documents specified by law and in the Commission's rules.

All of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failures in one or more of the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should and hereby are, dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Fred Baca	Bx 463 Trinidad, Colo	Appl #8947-PP
Darwin Ballmes	4489 S Acoma, Englewood, Colo	" #8776-PP-Tsfr
Hymus Black	Blanding, Utah	" #9485-PP
J O Braden	Gen Del., Cortez, Colo	" # 10160-PP
Morris R Christie	Rt 1 Bx 76, Montrose, Colo	" #7901-PP-Tsfr
L D Clark c/o Carlson Frink	1230 - 13th St., Denver, Colo	" #8172-PP-Tsfr
Cass Cole	1978 E 2nd Av., Durango, Colo	" #9563-PP-####
Harold Dierdorff	550 Marine, Boulder, Colo	Appl #9426-PP
Walter E Fedler	Route 1, Delta, Colo	" #10165-PP
Paul C & Gordon W Fry d/b/a		
Foster Transfer Co	1219-12th St., Greeley, Colo	" #9030-PP-Tsfr
Lester J Garman	Box 145, Grand Lake, Colo	" #7332-PP
Lawrence W Garvie	Breckenridge, Colo	" #8326-PP

Wilford C Gronsten	2740 W Harvard, Denver 10, Colo	Appl No 9428-PP
L E Harding	910 S Institute Colo Springs Colo	" 10069-PP
Wesley J Harlan	106 Rood Av Grd Junction Colo	" 9958-PP
Henry Brothers	Cortez Colo	" 7119-PP
R C Hilburn	Monticello Utah	" 9478-PP
George M Jensen	310 Veta Av Pueblo Colo	" 8342-PP
R E Kelley	Gillette Wyo	" 10285-PP
R A, Morrison D & James R		
Kinnison dba R A Kinnison & Sons De Nova Colo		" 8817-PP
Clarence Merrill	Rangely Colo	" 8572-PP
Fred Mollett	Rt 1 Cortez Colo	" 10152-PP
Floyd R Montgomery	730 Dodge St Delta Colo	" 10150-PP
George L Oliphant	1801 E 16th St Pueblo Colo	" 9843-PP-Tsfr
Jack H Parks	805 S Lincoln Denver 9 Colo	" 8445-PP-Tsfr
Ted Paulsen	828 N Pine Colorado Springs Colo	" 9696-PP
Ralph Quick	Rt 1 Rocky Ford Colo	" 8256-PP
Louis & Frank Salvador	208 Nevada Trinidad Colo	" 7256-PP
A F Sutherland	Cortez Colo	" 10024-PP
Chester R Thatcher	Ex 192 Rangely Colo	" 9364-PP
Joe Torres	Monticello Utah	" 10026-PP
Albert Tribblehorn	4232 Knox Ct Denver 11 Colo	" 10131-PP
Frank Uher Jr	Genoa Colo	" 10316-PP-Tsfr
Read White	Bicknell Utah	" 10027-PP
Lester A Willison	Rt 1 Grand Junction Colo	" 9287-PP
Lonie Wilson	Bluff Utah	" 9635-PP
Harry W Himes	Beulah Colo	" 9404
Arthur Walk & Phillip A Magee dba		
Navajo Tally-Ho	Manitou Springs Colo	" 6663
A W Neitz	Wray Colo	" 10125-Tsfr
J R & David Vandaveer d/b/a		
J R Vandaveer & Son	Neodesha Kans	" 9531
Marguerite Kidd dba Vets Taxi Service	Vernal Utah	Appl 9# 9009
Kenneth Wright	Center Colo	" 8:84
Newman W Anderson & Harry B Cotes Gen Del Nucla Colo		" 10293-PP
Paul H Clark	Durango Colo	" 9418-PP
Lester McClure	321 S 8th St Durango Colo	" 10077-PP
W R Browning	Wichita Falls Tex	Interstate
Blake H Camp	Bender Ga	Interstate
C L Hutchings	Rt 5 Ex 38 Wichita Falls Tex	Interstate

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers or common carriers by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

SEAL

Secretary

Dated at Denver, Colorado, this  
28th day of July, 1950

*Joseph C. Norton*  
*John R. Barry*  
*Joseph C. Norton*



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR PERMITS TO OPERATE AS )  
PRIVATE CARRIERS FOR HIRE BY MOTOR )  
VEHICLE OVER THE HIGHWAYS OF THE STATE )  
OF COLORADO IN INTERSTATE COMMERCE )

July 28th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for private carrier permit to operate as a private carrier over the highways of the State of Colorado, for hire, in Interstate Commerce, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Private Carriers for hire by Motor Vehicles.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 (a) of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failures in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Tennis J Warren  
Wasatch Oil Co  
C F Webster  
Sol Weiner  
Ed Wellestate

General Delivery, Moab, Utah  
Ogden, Utah  
Helper, Utah  
1019 Olive, Long Beach, Calif  
2641 S Wells St, Chicago, Ill

E Westendorf  
W D Wharton  
White Star Motor Coach Lines  
R J Whitehead  
W P Whitman  
Dale Widener  
Widick Bros  
Roy Wilbanks  
H L Wilkerson  
Harry Williams  
John Williams  
R M Williams  
A M Willingham  
Jack Willis  
Donald G Wilson  
K M Wilson  
W C Wilson  
Wilson Wholesale Co  
J C Windham  
Ray Winker  
Ivan Wood  
N A Worman  
Chas E Wright  
Valley Feed & Grain  
H G Yocham  
Harold R Yohe  
L E Ziegler

Waverly, Iowa  
Vernon Tex  
Peoria, Ill  
RFD 2 Plant City Fla  
Rt 1 Sheridan, Wyo  
Gen Del Dimmitt, Tex  
Farnam, Nebr  
McPhee, Colo  
Big Spring, Tex  
303 Prod Bldg., Los Angeles, Calif  
Fairland, Okla  
Hartley, Tex  
Abilene, Tex  
Bx 49 Dolores, Colo  
Madison Ave Painesville, Ohio  
Sweetwater, Tex  
Ponca City, Okla  
Frederick, Okla  
Bx 624 Frostproof, Fla  
North Platte, Nebr  
McComb, Ill  
Bx 153 Gillette, Wyo  
Gradett, Ark  
Ft Sumner, N Mex  
Rankin, Tex  
Bx 261, Harrison, Nebr  
Donna, Texas

before this Commission to obtain a permit authorizing said corporations and persons to operate over the highways of this State as private carriers for hire by motor vehicle be, and the same hereby are, dismissed.

This order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

SEAL

Secretary

Dated at Denver, Colorado, this  
28th day of July, 1950

*Ralph C. Holman*  
*John R. Barry*  
*Joseph M. Hickey*  
(Commissioners)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. S. KLOBERDANZ, DOING BUSINESS AS )  
"ACME SAND AND GRAVEL COMPANY," )  
ROUTE 1, BOX 106, HENDERSON, COLO- )  
RADO, FOR AUTHORITY TO OPERATE AS A )  
CLASS "B" PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 10683-PP

-----  
July 26, 1950  
-----

Appearances: J. S. Klobberdanz, Henderson,  
Colorado, pro se.

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, dirt, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant, appearing in his own behalf, testified that his business was producing aggregate for road surfacing and other jobs, and he has been delivering the same to road projects under his Commercial Carrier Permit; that large contractors in outside territory have requested him to obtain the authority herein sought. His equipment consists of eleven dump trucks, and he gave his net worth as \$68,000.00.

No one appeared in opposition to the granting of the authority sought.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That J. S. Klobberdanz, doing business as "Acme Sand and Gravel Company," Henderson, 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, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction 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, and the required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
George L. W. Hering  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

EW



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DWAYNE E. WASSAM, PALMER LAKE, COLO- )  
RADO, FOR A CERTIFICATE OF PUBLIC ) APPLICATION NO. 10690  
CONVENIENCE AND NECESSITY. )  
-----

-----  
July 26, 1950  
-----

Appearances: Dwayne E. Wassam, Palmer Lake,  
Colorado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

By the instant application, applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of milk, cream, and dairy products, from points within a radius of fifteen miles of Monument, Colorado, to creameries at Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was taken under advisement.

Applicant testified that at present he is operating under temporary authority from this Commission, and has fourteen customers within the radius mentioned. No other carriers offer a similar service within said territory. His equipment consists of a 1947 one and one-half-ton Chevrolet Truck, with insulated van, and his net worth is \$4,000.00.

Werner Pittje, a farmer and dairyman residing three-fourths

of a mile north of Monument, Colorado, testified in support of the application. He stated he uses the service of applicant for the transportation of milk and cream to the Meadow Gold Creamery at Colorado Springs, and no other carrier offers a similar service. He stated that there was a definite need by him and his neighbors for the service now rendered and proposed by applicant.

No one appeared in opposition to the granting of the authority sought.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require, and will require, the conduct of a call and demand common carrier motor vehicle operation by applicant, as set forth in the Order following, and that certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require the motor vehicle common carrier operations of Dwayne E. Nassam, Palmer Lake, Colorado, for the transportation, on call and demand, of milk, cream, and dairy products, from points within a radius of fifteen miles of Monument, Colorado, to creameries at Colorado Springs, Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

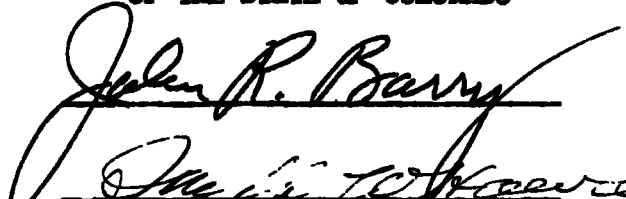

The applicant shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

DEW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN PERRY, 1395 BIRCH STREET, DEN- )  
VER, COLORADO, FOR A CLASS "B" PER- )  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 10682-PP

-----  
July 26, 1950  
-----

Appearances: John Perry, Denver, Colorado,  
pro se;  
Harold D. Torgan, Esq., Denver,  
Colorado, for Colorado Trans-  
fer and Warehousemen's Asso-  
ciation, Morgan Transfer and  
Storage Company;  
A. J. Fregeau, Denver, Colorado,  
for Welcker Transfer and  
Storage Company.

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 gas and electrical appliances from Denver, Colorado, to points within a radius of ten miles thereof, for two customers only, viz., Appliance Distributors, Inc., and Boyd Distributing Company, Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he was doing business as "M and M Transfer Company," and was engaged in general hauling under license from the City and County of Denver; that he is handling all deliveries for Appliance Distributors, Inc., Denver, Colorado, within the city, and doing most of the hauling for Boyd Distributing Company. Both

of these firms have a few customers outside the City Limits of Denver, and have requested applicant to apply for the permit herein sought. Applicant's equipment consists of one 1949 Chevrolet one and one-half-ton truck, one 1937 Chevrolet one and one-half-ton truck, and a 1946 Dodge Truck, one and one-half-ton, with stake body. His net worth is \$5,000.

E. J. Carpenter, Secretary-Treasurer of Appliance Distributors, Inc., appeared in support of the application, and testified that applicant was rendering good service, and that if he is not granted the authority sought, witness' company would be forced to put on its own trucks. Witness stated that applicant is delivering all appliances distributed by his company to equipment dealers in Denver.

G. B. Boyd, Shipping Clerk of Boyd Distributing Company, testified that his company owns its own truck, but it is not sufficiently large to make deliveries outside the City Limits of Denver; that his company has customers in Littleton, Lakewood, and Englewood. He stated his company has never used the common carrier services in Denver, but has used Weicker for heavy deliveries to outside points. The rate offered by applicant is \$2.50 per hour, with \$1.25 for each man in addition to the driver, and these rates compare favorably with rates of common carriers.

No one testified in opposition to the granting of the authority sought.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service -- adequate or otherwise -- operating in the territory which applicant seeks to serve.

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

#### F I N D I N G S

##### THE COMMISSION FINDS:

That applicant is fit, willing, and able properly to perform the service sought to be performed, and to conform to the requirements of the Private Carrier Act, and our rules and regulations thereunder; that the proposed operation will not impair the efficiency of any



adequate common carrier service with which applicant will compete; that authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That John Perry, doing business as "M and M Transfer Company," Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of gas and electrical appliances from Denver, Colorado, to points within a radius of ten miles thereof, for two customers, viz., Appliance Distributors, Inc., and Boyd Distributing Company, both of Denver, Colorado, without the right to add to the number of customers served without first having obtained permission from this Commission so to do.

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

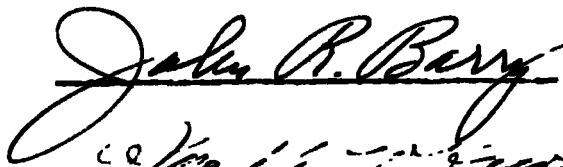

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

CHAIRMAN HORTON NOT PARTICIPATING.

  
  
Commissioners

Dated at Denver, Colorado,  
this 26th day of July, 1950.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
CARL W. BUSSINGER, 5410 NIAGARA )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 10684-PP.  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----)

-----  
July 26, 1950  
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Appearances: Carl W. Bussinger, Denver,  
Colorado, ~~pro se~~;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company.

S T A T E M E N T

By the Commission:

By the instant application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of timber from forests within a radius of thirty miles of Granby, Colorado, to sawmills within said thirty-mile radius; forest and sawmill products from said area to Denver, Colorado, and to points and places in the State of Colorado; sand, gravel, and other road surfacing materials from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points.

Said application was duly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M.

At the hearing, applicant testified that he is employed by Broderick Wood Products Company, which has a plant just outside of Denver; that he uses his own 1947 GMC two-ton truck with pole trailer, and has an additional truck he can use in emergencies; that he has been hauling poles from an area of twenty-five miles of Granby, Colorado, to the plant of said

company near Denver, and has been requested to obtain this authority so that he might transport the poles when treated at said plant to other points in the State of Colorado.

It appeared from his testimony that the authority sought by the instant application is not covered by said application, and applicant requested at the hearing that said hearing be vacated, and that he be permitted to file an amended application to show his proposed transportation of forest products from the Broderick Wood Products Company to other points in the State of Colorado.

No objections were made to said procedure.

### F I N D I N G S

#### THE COMMISSION FINDS:

That hearing on said application should be vacated, to be reset at a later date.

That applicant should be allowed to file amended application.

### O R D E R

#### THE COMMISSION ORDERS:

That hearing on the above-styled application set for July 24, 1950, should be, and the same hereby is, vacated.

That applicant should be, and he hereby is, allowed to file an amended application, said amended application to be set for hearing at some future date to be determined by the Commission.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Thomas H. Horton  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
BENNY PHELPS AND PAULINE PHELPS, CO-  
PARTNERS, 2830 WEST 14TH AVENUE,  
DENVER, COLORADO, FOR A CLASS "B"  
PERMIT TO OPERATE AS PRIVATE  
CARRIERS BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 10685-PP.

July 26, 1950

Appearances: Benny Phelps, Denver,  
Colorado, for applicants.

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, dirt, and other road surfacing materials, from pits and supply points within a radius of seventy-five miles of Denver, Colorado, to road and building construction jobs within said seventy-five-mile radius, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was taken under advisement.

At the hearing, Benny Phelps, appearing for applicants, testified that he and his mother, Pauline Phelps, had formed a partnership for the purpose of obtaining the permit herein sought; that at present he is employed by the Northwestern Engineering Company, which is engaged in the handling of sand and gravel; that said company has requested him to file the instant application. His equipment consists of a 1941 GMC one and one-half-ton truck, with Army bed, and the net worth of the partnership is \$300.00.

No one appeared in opposition to the granting of the authority sought.

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

It did not appear that the proposed operation will impair the efficiency of the service of any common carrier now serving said area.

### F I N D I N G S

#### THE COMMISSION FINDS:

That permit should issue.

### O R D E R

#### THE COMMISSION ORDERS:

That Benny Phelps and Pauline Phelps, co-partners, Denver, Colorado, should be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points within a radius of seventy-five miles of Denver, Colorado, to road and building construction jobs within said seventy-five-mile radius, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

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

That 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.

That 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.



That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
James T. Hawley  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
MANUEL BLEA, 2914 CHAMPA 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. 10686-PP.  
}

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July 26, 1950  
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Appearances: Abel Blea, Denver,  
Colorado, for applicant.

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 road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction 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.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was taken under advisement.

At the hearing, Abel Blea, brother of applicant, testified that applicant owns five trucks which he is using under a Commercial Carrier Permit, to-wit, a 1948 Chevrolet one and one-half-ton dump truck, a 1944 Chevrolet one and one-half-ton stake body truck, a 1942 Chevrolet one and one-half-ton stake body truck, a 1943 International K-5 stake body truck, a 1944 Chevrolet Dump-body truck, and applicant's net worth is \$3,000.00. In behalf of applicant, Abel Blea requested that application be amended by eliminating request to transport coal.

No one appeared in opposition to granting of the authority sought.

It did not appear that the proposed operation of applicant will impair the efficiency of the service of any common carrier now serving the area sought to be served by applicant.

### F I N D I N G S

#### THE COMMISSION FINDS:

That authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

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

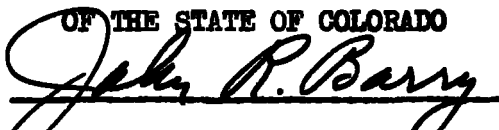

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF INCREASED )  
RAILWAY FREIGHT RATES AND )  
CHARGES WITHIN COLORADO, )  
1948. )  
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Application No. 9739

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July 26, 1950  
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Appearances: Otis J. Gibson, Esq., 1531 Stout St., Denver  
2, Colo., for the petitioning railroads;  
Albert L. Vogl, Esq., Patterson Bldg., Denver  
2, Colo., for Northern Colorado Coals, Inc.;  
Lowe P. Siddons, Esq., Golden Cycle Bldg.,  
Colorado Springs, Colo., for Holly Sugar  
Corporation, American Crystal Sugar Co.,  
Great Western Sugar Co., and National Sugar  
Refinery Co.  
T. C. Taylor, Denver National Bldg., Denver  
2, Colo., for Ideal Cement Co.,  
Wm. De Boer, Continental Oil Bldg., Denver 2,  
Colo., for Colorado Fuel and Iron Corporation;  
D. I. McCarl, Cooper Bldg., Denver 2, Colo., for  
Colorado Potato Growers Exchange;  
O. F. Bridwell, Boston Bldg., Denver 2, Colo.,  
for Colorado and New Mexico Coal Operators  
Association;  
J. R. Espy, 2229 - 15th St., Denver 2, Colo.,  
for Espy Ice Co.

S T A T E M E N T

By the Commission:

On December 31, 1948, the steam railroads operating in Colorado,  
viz: The Atchison, Topeka and Santa Fe Railway Co.; Chicago, Burlington and  
Quincy Railroad Co.; The Colorado and Southern Railway Co.; The Chicago,  
Rock Island and Pacific Railroad Co.; Missouri Pacific Railroad Co. (Guy A.  
Thompson, Trustee); Union Pacific Railroad Co.; The Denver and Rio Grande  
Western Railroad Co.; The Rio Grande Southern Railroad Co. (Pierpont Fuller,  
Jr., Receiver); San Luis Central Railroad; San Luis Valley Southern Rail-  
way Co.; The Great Western Railway; Denver and Intermountain Railroad; The  
Colorado and Wyoming Railway Co.; Colorado Railroad, Inc.; (hereinafter re-  
ferred to as petitioners), filed a petition with this Commission seeking author-  
ity to increase intrastate rail rates by 13 per cent, with certain lesser in-

creases on various specified commodities. This petition is similar to petitions filed with the Interstate Commerce Commission, (hereinafter referred to as the I.C.C.), on October 1 and 12, 1948. In addition to the two petitions filed with the I.C.C., referred to above, the Class I railroads of the United States filed a motion with the I.C.C. requesting that Commission to authorize an interim increase of 8 per cent in all freight rates with certain lesser increases on specified commodities. The request for the 8 per cent interim increase was for immediate relief and was to continue in force and effect until hearings on the petition for the 13 per cent increase could be held and a decision be rendered by the I.C.C.

The petitions before the I.C.C. were docketed as Ex Parte No. 168. On December 29, 1948, the I.C.C. issued a report in said case, wherein it authorized, among other things, an interim increase of 4 per cent in western territory (which includes Colorado), with a maximum increase of 6 cents per 100 pounds on citrus fruits, fresh fruits, fresh vegetables and melons, (not cold pack or frozen), and 4 cents per 100 pounds on sugar, lumber and articles taking lumber rates. The interim interstate increases were made effective January 11, 1949.

The petition filed with this Commission requests authority to put into force and effect on intrastate traffic in Colorado, the same percentage increases as may be authorized by the I.C.C. on interstate traffic.

The question of the 4 per cent interim increase on Colorado intrastate traffic was assigned to be heard on January 28, 1949, and later reassigned for February 18, 1949, in the hearing room of the Commission in Denver, Colorado, at which time and place the hearing began.

On August 2, 1949, the I.C.C. issued its further report in Docket Ex Parte No. 168, wherein it found that an increase of eight (8) per cent, in lieu of the interim increase of 4 per cent, with maximum amounts on certain named commodities, would be just and reasonable within western territory.

No decision had been rendered by this Commission on February 18, 1949 hearing, when the August 2, 1949 report of the I.C.C. was released. The petitioners and the shippers who entered appearances in the February 18, 1949 hearing before this Commission, expressed a willingness for this Commission to render its opinion on the question of the eight (8) per cent increase, on the record made in February 18, 1949 hearing.



The record shows that the petition for the interim increase was precipitated by a wage increase of ten (10) cents an hour to employees represented by the Order of Railway Conductors and the Brotherhood of Railroad Trainmen effective October 16, 1948, and the still unsettled demands of non-operating employees. The demands of the non-operating employees were not met by negotiation with the carriers, nor could they be resolved by a National Mediation Board, and eventually become the subject of an investigation by a Fact Finding Board appointed by President Truman. Late in December of 1948, the Fact Finding Board issued its recommendations to the effect that the non-operating employees should be granted a seven (7) cents per hour increase retroactive to October 1, 1948, and in addition, be granted a forty (40) hour week without a reduction in pay to be effective as of September 1, 1949. The carriers advised President Truman that they would accept the recommendations of the Fact Finding Board. At the time of the hearing, before this Commission, the Brotherhoods representing the non-operating employees had not accepted the recommendations of the said Board.

The testimony of the carriers and the protestants will be discussed under their respective headings.

#### CARRIERS' TESTIMONY

Witness Kroll, Assistant Manager of the Statistical Bureau of the Western Lines, Chicago, Illinois, introduced seven exhibits, viz:

- Exh. No. 1 - Statement of system property investment used in transportation service, less recorded depreciation and amortization charges, and system operating income account for Class 1 roads serving the State of Colorado for the years 1929, 1939, 1941, 1943, 1945, 1946 and 1947.
- Exh. No. 2 - Statement showing net income from railway operations only, and net income expressed in cents per dollar of total operating revenues in current dollars and in 1929 dollars for Class 1 roads serving the State of Colorado for the years 1929 and 1948.
- Exh. No. 3 - Statement showing the operating trends for the years 1929, 1939, 1941, 1943, 1945, 1946, 1947 and 8 months of 1948.
- Exh. No. 4 - Statement of system number of employees and their compensation in the Western District for the years 1939 through 1947 with index numbers based on the year 1940.
- Exh. No. 5 - Statement of index of average unit prices of railway materials and supplies used by Class 1 roads in the Western District in transportation service - average of year 1940 - 100.

Exh. No. 6 - Statement showing revenue per ton and per passenger mile and index numbers of wholesale and retail prices - United States. Also graphs showing index numbers, revenue per ton mile compared with wholesale prices - United States.

Exh. No. 7 - Statement showing estimated revenue increase which will accrue on an annual basis to the Class 1 carriers serving Colorado if the same measure of increases is authorized by this Commission on intrastate traffic as has been allowed on interstate traffic by the Interstate Commerce Commission in its Ex Parte 168 interim report dated December 29, 1948. (Based on 1947 volume of Colorado intrastate freight traffic.)

The property investment shown in exhibit No. 1 represents the carriers' investment in Road and Equipment used in Transportation Service plus Cash, Material and Supplies as shown by their books as of the end of each year for the Class 1 carriers serving Colorado. The rate of return on the depreciated investment, percentagewise is shown as follows:

1929	1939	1941	1943	1945	1946	1947	1948	1949
							(Preliminary)	(Estimated)
5.64	1.81	3.59	5.86	3.98	3.76	4.57	5.36	3.45

In arriving at the rate of return for the years 1948 and 1949, the 1947 property investment (book value) less recorded depreciation and amortization has been used as that figure represents the latest detail available to the Bureau making the compilation.

A comparison of selected items, in percentages, and using 1929 as 100 per cent, shows the following:

	<u>1929</u>	<u>1939</u>	<u>1941</u>	<u>1943</u>	<u>1945</u>	<u>1946</u>	<u>1947</u>
Total Operating Revenues -	100.00	62.06	81.81	167.30	177.94	137.87	155.48
Total Operating Expenses -	100.00	68.37	84.15	140.76	189.48	153.87	164.57
Railway Tax Accruals -	100.00	81.83	110.45	633.21	408.47	206.80	299.40
Net Railway Operating Income-	100.00	31.78	64.80	108.36	70.88	67.18	82.37

The total operating revenues for 1948 are shown as \$1,709,080,224, which is \$163,813,131 greater than for the year 1947. The total operating expenses are shown as \$1,247,759,117, which is \$106,422,982 greater than 1947. The net railway operating income for 1948 is shown as \$205,533,656, which is

\$30,423,319 greater than 1947. In other words, the total operating revenues in 1948 exceeded those in 1947 by \$163,813,000. However, the net railway operating income in 1948 exceeded that in 1947 by only \$30,423,319.

The 1949 estimates are as follows: Total operating revenue \$1,624,245,536; Total operating expenses \$1,277,755,231; Net railway operating income, \$131,996,830. The anticipated revenues of \$1,624,245,000 is without the benefit of the Ex Parte 168 increases on interstate traffic, and the operating expenses include 10 cents an hour to all employees. The reasons for the inclusion of the ten cents an hour are that the operating groups have already received 10 cents an hour increase, and in the early days of the negotiations with the non-operating groups the carriers offered 10 cents an hour. They therefore feel that such a figure should be used in their estimates as approaching what will eventually have to be paid. On the basis of a flat 4 per cent interim increase on the freight revenue as authorized by the I.C.C. on interstate traffic and to some extent at least for the carriers in this proceeding on intrastate traffic, it is estimated there would be something in excess of \$54,300,000 additional revenue. The additional federal income tax would reduce this amount to approximately \$34,667,000. There would also be increased state taxes because of the increased revenues, so, the net railway operating income increase would be around \$34,000,000, or a total net railway operating income of approximately \$165,997,000. On the basis of the 1947 net investment figures, the rate of return would be 4.33 per cent. In exhibit No. 2 there is shown a comparison of 1929 with 1948 on various statistics. The 1948 railway operating revenues are shown as 171.96 per cent of those in 1929. The net railway operating revenues for 1948 are 96.68 per cent of 1929. The 1948 federal income tax is 666.18 per cent of 1929. The 1948 fixed and contingent charges are 46.85 per cent of those for 1929. The 1948 net income in cents per dollar of total operating revenues is shown as 10.28 and in 1929, as 12.26. The 1948 net income in cents per dollar of operating revenues in 1929 dollars is shown as 5.96. The 1948 net income in 1929 dollars is shown as 83.66 per cent. In exhibit No. 3 the operating trends are shown which tend to show an increase in the efficiency and economic use of the rail plant. A few items will suffice to show the nature of the exhibit. The average



capacity per freight car (tons) ranged from a low of 43.1 in 1929 to a high of 48.9 for the first 8 months in 1948. The net tons per loaded car ranged from 24.3 to 30.3, for the same period. The net ton miles per serviceable freight car day ranged from 575 to 1122. The freight train load (tons) ranged from 702 to 1073. The gross ton miles (trailing load) per freight train hour ranged from 23,610 to 42,291.

In exhibit No. 4, the average number of employees straight time hours worked, the straight time compensation, and the total compensation are shown.

The average number of employees in 1939 were 385,572, and in 1947, 524,852. The straight time hours worked in 1939 were 904,624,470, and in 1947, 1,211,372,691. The straight time compensation in 1939 was \$648,346,096, and in 1947, \$1,399,700,049. The total compensation in 1939 was \$729,564,791, and in 1947, \$1,697,878,961. The average straight time hourly rate in 1939 was 71.7 cents, and in 1947, \$1.155.

Using the year 1940 (the last real pre-war year) as index 100, the straight time hourly rate for 1947 is shown as 160.64. The estimated increased cost of wages and payroll taxes at 10 cents an hour to all employees is as follows:

	United States		Colorado	
	Increased Wages	Increased Payroll Taxes	Increased Wages (1.26% of U.S.)	Increased Payroll Taxes
Non-Operating Employees	\$274,330,000	\$10,483,000	\$3,456,558	\$132,041
Operating Employees	95,830,000	527,000	1,207,458	6,641
Total	\$370,160,000	\$10,010,000	\$4,664,016	\$138,682

If the award to be granted the non-operating employees is 7 cents per hour instead of 10 cents, the approximate  $3\frac{1}{2}$  million dollars figure for Colorado would drop to about \$2,420,000, and the \$132,000 payroll tax would be approximately \$99,000. However, if the 7 cents per hour basis is used, consideration must also be given to the proposed 40 hour week which would have the effect of increasing the straight time wages of the non-operating employees by 20 per cent.

In exhibit No. 5 the average unit prices of railway materials and supplies used by Class 1 roads for six month periods beginning with December 1939 through December 1948 are set forth. The increase in the prices of materials and supplies were supposed to have been taken care of by the Ex Parte 166 increase in rates and charges. Therefore a more proper comparison would be of December 1948 with December 1947. Such a comparison shows that on materials and supplies, excluding fuel, there has been an increase of 15.67 per cent and on coal and oil, 7.8 per cent, with a weighted average of the two of 12.90 per cent.

In exhibit No. 6 a comparison of the average revenue per ton mile and revenue per passenger mile with wholesale and retail prices of the United States for the years 1929, 1939 through 1947 and monthly for the year 1947 and 8 months of 1948, is shown. The reason for using the United States is because that is the only way in which the government offices publish the index numbers of wholesale and retail prices. The average revenue per ton mile for 1929 and 1947 is shown as 1.076 cents, with substantially less than that amount in all the other years. Using the 1926 index as 100, the wholesale prices in 1929 were 95.3 and 77.1 in 1939 with an increase each year to 151.8 in 1947. Using the 1929 index as 100, the 1939 index was 81 with an increase each year to 159 in 1947.

In exhibit No. 7 the amount of additional revenue that would accrue to the carriers on Colorado intrastate freight traffic (not including accessorial services or to switching), based on the 1947 volume of Colorado intrastate traffic if the same increase was authorized by the Colorado commission as was authorized by the I.C.C. in its interim order in Docket Ex Parte 168 is shown. The total amount is estimated as \$530,100, divided as follows: Products of agriculture, \$105,500; Animals and Products, \$28,500; Products of Mines, \$207,900; Products of Forests, \$24,900; Manufactures and Miscellaneous, \$115,900; Less Carload Traffic, \$47,400.

Witness Carey, General Freight Traffic Manager, The Denver and Rio Grande Western Railroad Company, testified as to the increased costs of materials and supplies purchased by the carriers and the urgent need of additional revenues



for the purpose of rehabilitation and modernization of their plant. Numerous specific examples were given showing what percentage the 1948 prices were of the 1939 prices. The range is from a low of 156 on bar iron and steel to a high of 474 on car framing, coal being shown as 246.

Witness Perlman, General Manager, The Denver and Rio Grande Western Railroad Company introduced nine (9) exhibits designated as numbers 8 to 16 inclusive, and testified orally.

Exhibit No. 8 is a statement showing the gross capital expenditures for improvements compared with net earnings on the D. & R.G.W. R.R. for the year 1948 and estimated for 1949.

The total gross capital expenditures in 1948 for road, equipment and general was \$12,535,011. The accrued depreciation and amortization was \$3,259,187, leaving a balance of \$9,275,824. The earnings available for corporate purposes was \$7,011,859.

The estimated gross capital expenditures for 1949 on equipment is \$15,336,600, and on roadway and structures \$3,967,250, making a total of \$19,303,850. The estimated depreciation and amortization as submitted for budget purposes is \$3,629,800, leaving a balance of \$15,674,050. The estimated earnings available for corporate purposes based on 6.5 per cent decrease in freight traffic volume is \$5,665,088.

Exhibit No. 9 is a statement showing the average annual percentage rates of net income after taxes to net worth of leading manufacturing corporations for the years 1936 to 1947, inclusive. The rate of return of the D. & R.G.W. in 1947 was 4.66 per cent compared with 17 per cent for total manufacturing.

Exhibit No. 10 is similar to exhibit No. 9 broken down into different categories. For the year 1947, the rate of return for the total mining and quarrying industry is shown as 15.1 per cent, total trade industry, 18.3 per cent, total transportation industry, 3.7, total public utilities industry, 8.0 per cent, total service and construction 15.8 per cent, total finance, 6.8 per cent.

Exhibit No. 11 is a statement and graph showing the trend of operating revenues and operating expenses on the D. & R.G.W. R.R. for the years 1900 to 1948 inclusive. The total operating revenues in 1929 were \$34,828,669, the

operating expenses including taxes, joint facility rents and hire of equipment was \$26,299,993, with a net railway operating income of \$3,528,676. In 1948 the revenues were \$68,501,024, expenses, \$56,344,740, with a net of \$12,156,284.

Exhibit No. 12 is a statement and graph showing the indices of revenue per ton mile of D. & R.G.W. R.R., total compensation paid D. & R.G.W. R.R. employees per hour worked (not including wage increases of 10¢ per hour granted Operating employees, effective October 16, 1948, or the 7¢ per hour increase recommended by Emergency Board for non-operating employees to be made retroactive to October 1, 1948). (Includes former D. & S.L. Ry. for period January 1, 1947 to April 11, 1947); and Fuel and Material Costs of Western District Railroads. The year 1933 represents 100 per cent. In 1938 the index of fuel and material costs of western district railroads was 130.0; in 1948 it was 271.2. The index of total compensation paid D. & R.G.W. employees per hour worked in 1938 was 116.2; in 1948 (first 10 months), 216.3. The index of D. & R.G.W. revenue per ton mile in 1938 was 99.2; in 1948 (first 11 months), 114.6.

Exhibit No. 13 is a statement and graph showing indices of revenue per ton mile of D. & R.G.W., compensation paid to D. & R.G.W. employees per hour worked, and U.S. Cost of living for the years 1930 to 1947 and the first nine months of 1948. The 1948 figures includes former D. & S.L. Ry. for the period January 1, 1947 to April 11, 1947. The 1948 compensation figures do not include wage increases of 10¢ per hour for operating employees, or the recommended 7¢ per hour increase for non-operating employees. The period 1935 - 1939 equals 100. In 1930 the revenue per ton mile was 116.9; in 1941, 85.9, and in 1948, 116.7. In 1930 the compensation paid employees per hour worked was 95.2; in 1941, 114.8, and in 1948, 198.2. In 1930 the U.S. cost of living was 119.4; in 1941, 105.2, and in 1948, 171.2.

Exhibit No. 14 is a statement showing wage compensation, railroad retirement and unemployment insurance, and total payroll expense of the D.&R. G.W. R.R. for the years 1948 and 1949. The following is a reproduction of same.

WAGE COMPENSATION				
	1948 (A)	1949 (B)	Amount of Increase 1949 vs. 1948	% Increase 1949 vs. 1948
Colorado Compensation	\$23,288,057	\$25,983,275	\$2,695,218	11.6
Utah "	10,126,575	11,298,563	1,171,988	11.6
Other States "	647,175	722,074	74,899	11.6
TOTAL "	34,061,807	38,003,912	3,942,105	11.6

RAILROAD RETIREMENT AND UNEMPLOYMENT INSURANCE				
Colorado Wage Portion	\$ 1,267,084	\$ 1,463,260	\$ 196,176	15.5
Utah Wage Portion	550,979	636,284	85,305	15.5
Other States Wage Portion	35,212	40,664	5,452	15.5
TOTAL WAGE PORTION	\$ 1,853,275	\$ 2,140,208	\$ 286,933	15.5

TOTAL PAYROLL EXPENSE				
Colorado	\$24,555,141	\$27,446,535	\$2,891,394	11.8
Utah	10,677,554	11,934,847	1,256,446	11.8
Other States	682,387	762,738	80,531	11.8
TOTAL	35,915,082	40,144,120	4,229,038	11.8

(A) - 1948 compensation does not include adjustments made in 1948 applicable to prior years.

(B) - For comparative purposes wage compensation for 1949 is based on 1948 payroll level (assumes no reduction in man hours worked).

Exhibit No. 15 is a statement showing the relationship between D. & R.G.W. wage payments and the total operating expenses for the years 1935 to 1948 inclusive, and an estimate for the year 1949. The wage compensation and payroll taxes figures includes that portion of such items chargeable to operating expenses.

In 1935 labor's share of total operating expenses was 58.4 per cent; in 1940, 67.1 per cent; in 1948, 69.6 per cent; and in 1949 it is estimated at 77.8 per cent.

Exhibit No. 16 is a statement showing operating revenues, operating expenses, tax accruals, and other items relating to incomes and expenses for the years 1948 and 1949 of the D. & R.G.W. R.R. The 1948 figures are actual and the 1949 figures are estimates from the D. & R.G.W. Budget Estimate of January 6, 1949. It is based on a reduction of 6.5% below 1948 in volume of freight handled, and allowing for full interim freight rate increases in both



intrastate and interstate traffic. The total revenue available for corporate purposes in 1948 was \$7,011,859, which represents 4.75 per cent rate of return on property investment before deducting depreciation and amortization, and 5.92 per cent rate of return after deducting depreciation and amortization. The estimated revenue available for corporate purposes in 1949 is shown as \$5,665,088, which represents 3.66 per cent rate of return on property investment before deducting depreciation and amortization, and 4.54 per cent after deducting depreciation and amortization. The "rate of return" is explained as being based upon ratio of "Net Railway Operating Income" to "Investment in Railway Property Used in Transportation Service" (latter includes value of property used other than Company owned).

Witness Glover, Assistant Freight Traffic Manager, The Colorado and Southern Railroad Company, Denver, Colorado, testified that it was the estimate of the Traffic Department of said railroad that the income from freight revenue in 1949 will be \$11,275,000, based on the interim increase granted by the I.C.C. in docket Ex Parte No. 168 applied to both state and interstate traffic; that, if the increase was applied to both state and interstate traffic for the entire year 1949, it would amount to \$433,000; that in the last quarter of 1947, there was \$3,206,304 in the freight revenue account and in 1948 it was reduced to \$2,992,859, a decrease of 6.66 per cent. In the last quarter of 1947 there was handled 45,375 carloads of traffic and in 1948, 38,259 carloads, a decrease of 15.68 per cent. For the month of January 1948, the freight revenue amounted to \$963,205 and in 1949, \$735,000, a decrease of 23.69 per cent. In January 1947 there was handled 11,253 carloads of traffic, and in 1949, 8,933 carloads, a decrease of 20.6 per cent. In 1947 there was handled 5,196 carloads of sugar beets on which the freight revenue was \$77,010. In 1948 there was handled 3,353 carloads, on which the freight revenue was \$49,651. In 1947 the average weight per carload was about 45 tons and the average revenue approximately \$15.00 per car. In 1948, the average revenue was \$14.80 per car. In 1947 the beet tonnage represented 4.52 per cent of the total tonnage and 72/100 of one per cent of the total revenue. A study of the handling of sugar beets at the Fort

Collins factory revealed that in October and November, 1948, there was 1104 cars of sugar beets handled in road-haul service at an estimated revenue of \$12,420. During the same period there was switched 2,314 cars at a charge of \$2.23 per car which produced \$5,160 in revenue, making a total of \$17,580. To handle this traffic three special (extra) beet runs were placed in operation for a period of 124 crew hours at an estimated cost of \$15,700. The territory surrounding Fort Collins from which the traffic originated was under 10 miles in distance from Fort Collins. The average number of cars handled per crew day was about 26 cars. In addition to the beet traffic, the extra crews may have been used to some extent in switching livestock traffic which is usually heavy at the same period of time when the beet harvest campaign is in full force.

Witness Given, Auditor, The Colorado and Southern Railway Company, introduced one exhibit consisting of four pages designated as No. 17. Page one of said exhibit shows the straight-time hours actually worked by C. & S. employees, straight-time wages actually paid, and the average cost per hour for the year 1939, and 11 months in 1948. The increase 1948 over 1939 was 65.58 cents per hour or 86.02 per cent. Page 2 shows a number of representative classes of non-operating employees, the wage rates in effect in 1939, the present rates of pay and the per cent increase since 1939. The increases range from a low of 71.7 per cent for Bridge and Building Foreman to a high of 168.6 per cent for Section Laborers. The date of the increases and the amounts are shown as 10 cents per hour, December 1, 1941; 9 to 11 cents per hour, December 27, 1943; 16 cents per hour, January 1, 1946; 2 $\frac{1}{2}$  cents per hour, May 22, 1946 and 15 $\frac{1}{2}$  cents per hour, September 21, 1947. The retirement and unemployment and sick benefits tax is shown as 6 $\frac{1}{2}$  per cent. Page 3 shows a comparison of rates of pay for enginemen and trainmen for the year 1939 with the rates in effect December 1948 and the per cent of increase. The percent of increase ranged from a low of 51.28 for local freight enginemen to a high of 93.83 per cent for outside hostler helpers. The rates of pay per day in 1939, ranged from a low of \$5.45 for passenger brakemen to a high of \$9.75 per day for local freight enginemen, and in 1948 from \$10.45 to \$14.75 for the same classes of employees. Page 4 shows a comparison of cost of fuel and materials for the year 1939 and the month of November 1948, with the per cent of increase. The percentage increase



on coal is shown as 95.57%; fuel oil, 265.31%. The materials increase ranged from a low of 29.03% on cement to a high of 199.28% on untreated lumber. Witness Given testified that the railway operating revenues on the C. & S. for the year 1947 were \$12,767,159; the net operating income was \$699,039, with a rate of return of 94/100 of one per cent. For the year 1948, the railway operating revenues were \$13,752,371; the net operating income was \$826,776; with a rate of return of 1.10 per cent. For the year 1949, the estimated railway operating revenues were \$12,784,450, and the net railway operating income a deficit of \$46,000. On an annual basis, the increase in expenses to the C. & S. due to the 7 cent per hour increase would amount to \$221,144. The forty hour week would amount to an additional \$655,576, and the payroll taxes \$51,200, making a total of \$927,920. The increase of 10 cents per hour to the two operating brotherhoods on an annual basis amounts to \$126,084, and the payroll taxes \$165, for a total of \$126,249, making a grand total of \$1,054,169.

#### SHIPPERS' TESTIMONY

The following shippers objected in whole or in part to the proposed increases, viz: American Crystal Sugar Company, The Great Western Sugar Company, Holly Sugar Corporation and National Sugar Manufacturing Company, on sugar beets, beet sugar final molasses and limerock of a variety particularly adapted to beet sugar manufacture and used in the process of manufacturing beet sugar.

Mr. J. R. Espy, Espy Ice Company, relative to the carload rate on ice from Rollinsville, Colorado, to Denver, Colorado.

Colorado and New Mexico Coal Operators Association, relative to the rates on coal.

Colorado Fuel and Iron Corporation, relative to coal, dolomite, ganister and limerock.

The Colorado Potato Growers Exchange was opposed to an increase any greater than what was, or might be granted by the I.C.C.

The Ideal Cement Company, relative to the rates on cement and plaster, and all materials used in the manufacture of cement or plaster and reshipped at the cement or plaster rates. The Northern Colorado Coals, Inc., relative to the rates on coal from points in Northern Colorado.

Witness Copeland, Assistant Traffic Manager, Holly Sugar Corporation, Colorado Springs, Colorado, and representing the American Crystal Sugar Company, The Great Western Sugar Company, and the National Sugar Manufacturing Company, in addition to the Holly Sugar Corporation, introduced one exhibit consisting of four pages designated as No. 18, and testified in support of the matters and things shown in said exhibit. Page 1 of Exhibit No. 18 shows the sugar beet acreage planted by states (per 1,000 acres) for the period 1933-42 and for the individual years 1943 to 1948, inclusive. For the 10 year period 1933-42, the average acreage planted in Colorado is shown as 171,000; in 1943, 139,000; in 1944, 136,000, in 1945, 162,000; 1946, 172,000; 1947, 176,000, and 1948, 125,000. The total for the United States for the 10 year period 1933-42, is shown as 926,000; in 1943, 616,000; 1944, 635,000; 1945, 776,000; 1946, 904,000; 1947, 968,000 and 1948, 816,000. Page 2 is a graph comparing the price of sugar with the cost of living index on a monthly basis for the years 1947 and the first eleven (11) months of 1948. The graph showing the price of sugar is extended through December 1948 and January 1949. The cost of living index is based on the period 1935-1939 as 100. Beginning with January 1947 the cost of living index and the price of sugar were approximately the same or about \$8.00. In November 1948, the price of sugar is shown as \$7.75 per 100 pounds and the cost of living index expressed in sugar dollars is shown as \$9.02. Pages 3 and 4 are statements showing the earnings of Class I Colorado Railroads for the years 1947 and 1948. The property investment is based on the formula used by the I.C.C. in Ex Parte 166 decision dated 10/6/47, 269 I.C.C. 33-47 and I.C.C. exhibits Nos. 20 and 108 introduced in Ex Parte 166 and exhibits Nos. 1 and 2 in Ex Parte 168 - "Elements of value of Property used in Common Carrier Service on 1/1/47 and 1/1/48". Depreciation obtained from A. of A. R. Bureau of Railway Economic Reports for Western District (years 1946-1947) on Property Investment for calendar years ending 12/31/46 and 12/31/47, issued 10/15/47 and 8/16/48 respectively. The earnings are per I.C.C. Statements M-125 and 150 Series and Carriers Reports to I.C.C. for December 1948. The rate of return (per cent) for 1948 is shown as follows: A.T. & S.F., 7.18; C. B. & Q., 5.38; C. R.I. & P., 4.59; Colo. & Sou., 2.43; Colo. & Wyo., 18.05; D. & R.G.W., 6.80; Mo. Pac., 5.79; Un. Pac., 5.81, with

an average of 5.98. The rate of return for 1947 is shown as follows: A.T. & S.F., 6.47; C. B. & Q., 5.37; C. R.I. & P., 4.44; Colo. & Sou., 2.05; Colo. & Wyo., 12.43; D. & R.G.W., 5.40; Mo. Pac., 4.81; Un. Pac., 5.32, with an average of 5.40.

J. R. ESPY - ESPY ICE COMPANY AND CITY ICE COMPANY

Witness Espy, Denver, Colorado, testified that he is the principal owner of the Espy Ice Company and of the City Ice Company. These companies have been shipping naturalized ice for the last thirty years from points on the Denver and Salt Lake, now the D. & R.G.W. to Denver. Due to so many increases in freight rates, they are just about out of business. Over thirty years ago there was in effect a freight rate of 60 cents a ton of 2000 pounds on ice from Rollinsville, Colo. to Denver, Colorado. The present rate is \$1.30 per ton of 2000 pounds, and when switched to their 31st Street icing dock, located on the C. B. & Q., the rate is \$1.56 per ton of 2000 pounds. The traffic moves in box cars and amounts to 400 to 500 cars per year. However, last year (1948), due to the increase in the rate and a decrease in the demand for ice, the movement was reduced by about 50 per cent.

COLORADO AND NEW MEXICO COAL OPERATORS ASSOCIATION

Witness O. F. Bridwell, Secretary, Colorado and New Mexico Coal Operators' Association, Denver, Colorado, testified that his Association has about forty-one members who are coal producers in western and southern Colorado, and in Colfax County, New Mexico. Approximately 4,000,000 tons of coal are produced annually by Association members, which constitutes about two-thirds of Colorado's coal production. In Ex Parte 162, the increase on coal was as follows: on rates \$1.00 per net ton and less, 15 cents per net ton; over \$1.00 up to and including \$2.25, 25 cents per net ton; over \$2.25, 30 cents per net ton. In Ex Parte 166, the increase was 20 per cent existing rates subject to a maximum increase of 40 cents per net ton. In Utah the Ex Parte 166 increases were 10 cents per net ton on rates \$1.15 per net ton and less; 15 cents per net ton on rates over \$1.15 and not exceeding \$2.50 and 20 cents per net ton on rates exceeding \$2.50. In Oklahoma and Missouri, the Ex Parte 166 increases were 20 cents per net ton. In Iowa the Ex Parte 162 increase was 15 cents per net ton, and under Ex Parte 166 it was 20 per cent, subject to a maximum increase of 30 cents. In Arizona, Idaho, Illinois, Texas, Kansas and North Dakota, increases have been authorized on a lower basis than on Colorado intrastate and interstate



traffic. Prior to Ex Parte 162, the rates on lump and slack coal from Oak Hills, Colorado, to Denver, Colorado, were \$2.00 and \$1.85 per net ton. The Ex Parte 162 and 166 increases produced rates of \$2.65 and \$2.50, respectively, or 65 cents per net ton for a distance of 138 miles. The increase on Utah intrastate traffic for a comparable distance was 40 cents on lump and 45 cents on slack. On Oklahoma intrastate traffic, the increases were 40 cents on lump coal and six cents on slack coal. The disturbance caused by percentage increases is giving the coal industry a great deal of concern.

#### COLORADO FUEL AND IRON CORPORATION

Witness De Boer, Traffic Manager, Colorado Fuel and Iron Corporation, Denver, Colorado, testified that his organization was not opposed to granting of increases to the carriers where necessary. However, it was the opinion of the witness that the carriers should not be allowed to prosper at the expense of Colorado industry. Unless the increases in the rates on intrastate traffic in other states are on the same relative basis, there is a discrimination against Colorado industry. Competition is returning rapidly in the steel business. It is very noticeable on wire products. A new wire rod mill costing in excess of five million dollars is practically completed without sufficient orders to sell the additional wire product production. No freight rate increase should be authorized which would reduce the ability to compete on these products. For the four months, September 1948 to December 1948, inclusive, the increases in rates on coal, dolomite, ganister and limerock into the Minnequa plant, produced additional revenue amounting to \$179,476.95. In Utah, based on the same tonnage and the same rates, the increases would have produced additional revenue amounting to \$146,802.46 or a difference of \$32,674.49. Due to the change in the method of selling steel, from the basing point price system to the factory price, comparable rates from Minnequa to those in effect to and from competitive mills must be in force and effect.

#### COLORADO POTATO GROWERS EXCHANGE

Witness McCarl, Traffic Manager, Colorado Potato Growers Exchange, Denver, Colorado, testified relative to the increase in trucking movements of potatoes and onions. The truck movement during the 1945-46 season amounted to 12 per cent of the total movement on potatoes and 7 per cent on onions. During

the 1946-1947 season, the truck movement on potatoes increased to 17 per cent and the onions to 16 per cent. For the 1947-1948 season, the potato movement increased to 22½ per cent and onions to 17 per cent. The onion movement from the Arkansas Valley up to January 1, 1949, amounted to 36 per cent of the total movement.

It was the opinion of this witness that any further increases in the rates on these commodities would not increase the carriers' revenue. However, the witness' conclusion was that the record shows that if any increase at all is granted, it should not exceed the increases authorized by the I.C.C.

#### IDEAL CEMENT COMPANY

Witness Taylor, General Traffic Manager, Ideal Cement Company, Denver, Colorado, testified that his company owns and operates a cement mill at Boettcher, Colorado, five miles east of Fort Collins, Colorado, on the Union Pacific and two cement mills and a plaster mill at Portland, Colorado, on the D. & R.G.W. and A.T. & S.F. These mills receive an enormous amount of inbound materials, principally, gypsum and pyrite cinders, fuel oil, coal, iron, steel, and articles of various types, finish machinery, grinding balls, bags, both cloth and paper, lime retarder, and various other materials in both carload and less carload quantities. All of these materials are used in the manufacture of cement or plaster and are reshipped at the cement or plaster rates. In the marketing of cement and plaster from the Colorado mills, competition is encountered from mills in Kansas, Nebraska, Oklahoma, Texas and Wyoming. The intrastate rates in Kansas, Oklahoma and Texas are on a lower basis than the rates from the Colorado mills. On westbound traffic out of Portland, Colorado, the rates are relatively speaking on a very high basis. On many of the inbound commodities, the rates produce much higher ton mile and car mile earnings than the average earnings; for example, on one car load consisting of 77 drums of grinding balls from Kansas City, Missouri, to Portland, Colorado, on May 4, 1948, weighing 143,982 pounds, the freight charges were \$1,394.00. For approximately 600 miles, the car mile earnings on this movement was more than \$2.00.

#### OUR COMMENTS

#### ANALYSIS OF RAILROAD INCOME AND EXPENSES



The property investment (book value) less recorded depreciation and amortization of the eight Class I carriers (A.T. & S.F., C.B. & Q., C. R.I. & P., Colo. & Sou., Colo. & Wyo., D. & R.G.W., Mo. Pac., and Un. Pac.), operating in part in Colorado for the years 1947, 1948 and 1949, is shown in exhibit No. 1, as \$3,831,150,292, and the net railway operating income for 1947 is shown as \$175,110,337; for 1948, \$205,533,636, and for 1949, \$131,996,830. The figures for the year 1948 are shown as "preliminary" and for the year 1949 as estimated. The rate of return on the depreciated investment is shown as 4.57 per cent for the year 1947; 5.36 per cent for 1948, and 3.45 per cent for 1949.

The property investment determined by the formula used by the I.C.C. in Ex Parte 166 and Ex Parte 168, for the eight Class I carriers serving Colorado, for the year 1948, is shown in exhibit 18, (Holly Sugar Corporation) as \$3,439,500,077, and the net railway operating income for the year 1948 is shown as \$205,533,636, which is the same as shown by the rail carriers. The average rate of return on the basis of the I.C.C. method of determining the valuation, for the year 1948, would be 5.98 per cent as against 5.36 per cent under the rail carriers method.

On the basis of the figures shown in exhibit No. 1 (Witness Knoll), the net railway operating income in 1947 was 11.33 per cent of the total operating revenues, 12.03 per cent in 1948, and 8.13 per cent under the estimate for 1949. The net railway operating income in 1947 was 85.20 per cent of the net income in 1948, and the estimated 1949 net income is 64.22 per cent of 1948.

The total operating revenues in 1947 was 90.42 per cent of the total operating revenues in 1948, and the estimated total operating revenues in 1949 are 95.04 per cent of those revenues in 1948. The total operating expenses in 1947 were 90.67 per cent of those expenses in 1948, and the estimated total operating expenses in 1949 (including wage increases of 10 cents per hour to all employees) are 102.40 per cent of said expenses in 1948. Showing it another way, the total operating revenues in 1947 were 9.58 per cent less than in 1948, and the estimate for 1949 is 4.96 per cent less than in 1948. The net railway operating revenues in 1947 were 14.80 per cent less than in 1948, and the estimate for 1949 is 35.78 per cent less than in 1948. The total operating expenses in 1947 were 9.33 per cent less than in 1948, and under the estimate for 1949, they

will be 2.40 per cent greater than 1948. In other words, on the basis of the estimates, the total gross operating revenues for 1949 will be 4.96 per cent less than in 1948, while the net operating revenues will be 35.78 per cent less than in 1948, and the total operating expenses in 1949 will be 2.40 per cent greater than in 1948. The loss in revenue, plus the increase in operating expenses, less a reduction in the tax accruals and net rents, results in a loss in revenue of approximately \$74,500,000, less in 1949 than in 1948.

There does not appear much doubt that the carriers are in need of additional revenues. However, there is a question whether the increase herein requested, will produce additional revenue, when consideration is given to the record on the commodities as to which the increase was protested.

#### SUMMARY AND ANALYSIS OF PROTESTANTS' EVIDENCE

##### "SUGAR BEETS"

The sugar people contend: (1) that the rates on sugar beets, beet sugar final molasses and limerock of a variety particularly adapted to beet sugar manufacture and used in the process of manufacturing beet sugar are reasonable; (2) that an increase in freight rates on sugar beets will result in a decreasing acreage planted to sugar beets by the farmer unless the processor can absorb the increase; (3) that the processor is not in a position to absorb said increase, nor can it be added to the selling price of sugar; (4) that the western carriers receive in freight revenue from \$35.00 to \$45.00 per acre for every acre of beets planted, and any increase in freight rates tends to increase the costs of operation of the processors which in turn affects the amount the processors can pay the farmer for his beets; (5) that the proposed increase on sugar beets would accrue about \$1.05 per acre in increased freight revenue as against losing \$40.00 per acre for beets not planted; (6) that the price of sugar is now controlled through the quota set by the Secretary of Agriculture under the Sugar Act of 1948.

##### "BEET SUGAR FINAL MOLASSES AND LIMEROCK"

In regard to the proposed increases on "beet sugar, final molasses" and limerock, the sugar people say that they have the alternative of shipping molasses to a Steffens process manufacturing plant for further refining into sugar. If the freight rates are too high along with other materials as to make

the cost of the Steffens process sugar production from molasses excessive, the processors can readily sell this commodity to manufacturers of yeast or ready mixed feeds. The railroads stand to gain much more in revenue if they haul the molasses to a Steffens factory and then haul the sugar outbound after processing than if the molasses is shipped to yeast or feed manufacturers where they receive only the single movement. The contention is also made that on limerock, it is often necessary to transport it a considerable distance from the source of supply to the sugar factory and any increase in freight rates on this crude commodity of volume just adds one more item to the cost of sugar production and thereby makes it more difficult for the processor to encourage the farmer to grow sugar beets.

#### "I C E"

As previously set forth herein, Mr. Espy stated that any further increase on his ice shipments from Rollinsville to Denver would just about eliminate him as a shipper.

#### "COAL"

The coal people contend that the rate increases previously authorized by this Commission in connection with the I.C.C. dockets Ex Parte 162-166 on Colorado intrastate traffic were greater than in other western and midwestern states comparable in one way or another to Colorado as to its coal resources, production and consumption of coal. They state that this situation tends to discourage new industry from coming to Colorado and cause some industries now located in Colorado to move elsewhere. The state of Colorado consumes approximately 3,000,000 tons of coal annually and that on the movement of 3,000,000 tons of coal in intrastate traffic it would cost Colorado consumers or producers or someone in Colorado about three quarters of a million dollars more in freight charges than a similar movement in the State of Utah, and roughly six hundred thousand dollars more than in the State of Oklahoma. Due to the percentage increases on coal, the differential relationship between the different coal fields in Colorado is causing concern in the coal industry, and that if the Commission in the future finds that the rail carriers should be authorized to increase the coal rates, such increase should be by a specific amount from all coal fields rather than a percentage increase based on the prevailing effective rates.



"CONTENTIONS OF THE COLORADO FUEL AND IRON CORPORATION"

The Colorado Fuel and Iron Corporation, as previously stated herein, is not opposed to the granting of increases to the carriers where necessary. However, they are not in favor of permitting the carriers to prosper at the expense of Colorado industry, nor do they think the carriers should be too prosperous on Colorado rates if such rates discriminate against Colorado industries by being higher than for other similar industries in other states. In the past, the Colorado Commission has been prompt and quite generous in granting the increases on Colorado intrastate traffic, which, in some cases, has had the effect of causing the Colorado industries not only to pay increased rates and charges prior to its competitors located in other states, but on some commodities, even a greater increase than those authorized by other states. Such action has been a definite detriment to Colorado industry. For example, four months, September 1948 to December 1948, inclusive, on coal, dolomite, ganister and limerock, the movement to Minnequa, Colorado, produced an increased revenue amounting to \$179,476.95. In Utah, based on the same tonnage and rates, the increases would have amounted to \$146,802.46, or a difference of \$32,674.49.

This company is especially interested in coal, dolomite, ganister and limerock.

"CONTENTIONS OF IDEAL CEMENT COMPANY"

The Ideal Cement Company's position is that it is opposed to any further increase, not only on its cement and plaster, but also on its inbound commodities. It contends that there is gradually being forced around it a sort of Chinese Wall on its shipping, for the reasons that in Kansas, scale 3 rates have been made statewide to bring their competitors cement rates to the Colorado-Kansas state line. The same situation prevails in Oklahoma and Texas. While on intrastate traffic to eastern Colorado points and to interstate points in Kansas, the Colorado shipper pays on the basis of the average of scales 3 and 4. Using scale 3 as index 100, the scale 3-4 is 110, and scale 4 is 120. On Colorado intrastate traffic to points west of Portland, Colorado, there are various and sundry special rates on cement, the prevailing cement rates being 125 per cent of scale 4, so that index would be 150.

Under the various Ex Parte increases, the scale 3 index today represents 144 per cent, and 125 per cent of scale 4 represents 216 per cent. The railroads average loading on all freight in carloads is approximately 30 tons per car, but Witness Taylor pointed out that the average loading on cement is over 90,000 pounds, or 45 tons per carload. On the basis of 1.3 cents revenue to the railroads, per ton mile, (this figure being used only for comparative purposes, but undisputed by any party), a 30 ton car would produce 39 cents revenue per car (which is the average revenue on all carload traffic transported by the railroads), but the car mile revenue on an average carload of cement (45 tons) would be 58.5 cents.

The company's witness argued that by the carriers' own statistics, they are making cement and plaster pay much more than a fair share of the general transportation burden.

#### CONCLUSIONS

That the rail carriers are faced with increased costs under the granted wage awards and the 40 hour work week is obvious. They have also had heavy increases in their costs of materials and supplies. However, industry has also been subject to similar increases in its purchases which have added to its costs of production. In the estimates of gross operating revenues for the year 1949, the carriers have predicted a drop of approximately 5 per cent under 1948; which, as stated by Witness Knoll, was a very modest estimate.

We believe the record supports the fact that the carriers are in need of additional revenues if they are to continue to maintain adequate facilities and services for the shipping and traveling public. However, we do not think that Colorado intrastate traffic should contribute any more than its fair share of such revenues. Nor do we think our Colorado shippers should be required to pay rates that are relatively higher than those of their competitors on analogous intrastate traffic in neighboring states.

In the states of Arizona, Idaho, Montana, Oklahoma, Texas and Utah, the Ex Parte 168 increases have not been authorized on state traffic. In the following states, the Ex Parte 168 increases have been authorized in part, with exceptions on various named commodities, viz: Kansas, no increase on



Cement, Agricultural Limestone and Sugar Beets; Nebraska, no increase on Cement, Agricultural Limerock and Sugar Beets; Oregon, no increase on Cement and Agricultural Limerock, and four (4) per cent on Sugar Beets and Fruits or Vegetables, fresh or cold pack, and Fruits and Vegetables, canned; South Dakota, no increase on Cement and Sugar Beets, and four (4) per cent on Lignite Coal with a maximum increase of eighteen (18) cents per net ton; Washington, no increase on Cement and Agricultural Limestone; Wyoming, no increase on Sugar Beets, Beet Sugar Final Molasses and Cement.

It is evident that any increase on sugar beets, beet sugar final molasses, limerock, dolomite, ganister and cement would heavily penalize Colorado shippers in comparison with shippers in neighboring states. In addition, it is extremely doubtful on this record, whether the railroads would receive any increase in revenue from these products, in view of the fact that the increased rates would divert or stifle a substantial part of those shipments. Witness Espy's ice shipments from Rollinsville to Denver, according to his statement, would not be continued very long if the increase were granted, since any extra cost would, as Mr. Espy put it, result in his being "about out of business". The protest on the increase on potatoes and onions were not directed so much to the effect on the shippers, as it was to the effect on the railroads, due to an anticipated diversion of this traffic to the trucks. This risk of loss of business is on the railroad, as our order will be permissive only, not mandatory.

The coal situation is complicated by two major factors. Examination of recent annual reports of the railroads discloses that 23.37% of all traffic on these roads originating in Colorado consists of coal shipments. To exempt coal from the requested increase would cancel that percentage of the expected benefit which the railroads anticipate from the requested increase. On the other hand, the testimony of Witness Bridwell, representing mine owners producing 2/3 of Colorado's coal, shows that in the past, due to certain differences in rate orders of this Commission and those of Commissions in neighboring states, the Colorado intrastate rates on coal are presently somewhat higher than in such neighboring states. However, in connection with the present applications to

various states on the I.C.C. docket, Ex Parte 168, only South Dakota has so far exempted coal from the full increase granted by the I.C.C., and there the increase granted was 50% of the interstate increase. We are reluctant to add an increase in freight rates to an already distressed coal industry which is presently fighting an apparently losing battle with natural gas and oil fuels.

The production of coal is one of the basic industries of Colorado. The industry has been staggered by the shock of frequent strikes and shutdowns, faced with stifling operating costs and challenged seriously by growing competition from producers of other fuels. The Oil and Gas Journal estimates that there are more than thirteen million natural gas customers, producing revenues of more than one billion dollars. Recent testimony before this Commission in other matters has shown that the Public Service Company of Colorado is adding one thousand new gas customers per month in Denver alone. Today more than one-half the country's fuel energy comes from oil and gas, less than one half from coal. Coal deposits are limitless, while there is a wide difference of opinion as to the potential supply of petroleum and natural gas. The coal industry must be nourished so that there may be a steady supply of coal for the present customers at a reasonable price and the industry kept alive for future emergencies.

This Commission has not heretofore exempted coal from the freight increases granted. As an example, as above stated, prior to Ex Parte 162, the rates on lump and slack coal from Oak Hills, Colorado to Denver, were \$2 and \$1.85 per net ton. The Ex Parte 162 and 166 increases produced rates of \$2.65 and \$2.50, respectively, or sixty-five cents per net ton for a distance of 188 miles. Other Commissions have given the industry more favorable consideration.

Witness Carey discussed increasing costs of materials and supplies, and testified that the price of coal had increased 246% in 1948 over 1939.

Three million tons of coal are consumed in Colorado and any increase in the freight rates on coal would naturally be passed on to the consumer. In the opinion of the Commission, the Carriers should not be allowed to prosper at the expense of these customers and of the ailing Colorado coal industry.

## FINDINGS

On the present record, and the report of Interstate Commerce Commission decided August 2, 1949, which was by reference made a part of the record in this proceeding, in Docket Ex Parte No. 168, this Commission finds that the applicants should be authorized to make the same relative increases in rates and charges on Colorado intrastate traffic as was authorized by the Interstate Commerce Commission in its report and order decided August 2, 1949 in Docket Ex Parte No. 168, (which, in this territory was eight (8) per cent, subject to certain stated maximum increases on certain stated commodities), except no increase should be authorized in connection with line-haul carload rates on coal, sugar beets, beet sugar final molasses, limerock, dolomite, ganister and cement, nor on line haul carload rates on ice from Rollinsville, Colorado to Denver, Colorado.

## ORDER

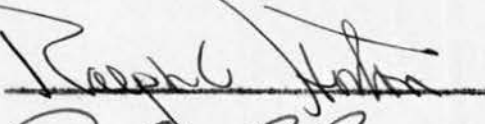
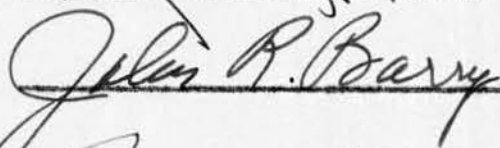
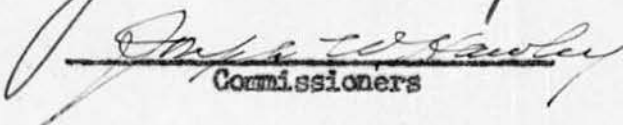
IT IS ORDERED:

That this order shall become effective forthwith; that the above statement and findings are made a part hereof; that all common carriers by railroad, parties to this petition, operating as such within the State of Colorado, accordingly as they participate in the transportation, be, and they are hereby, authorized, except as otherwise provided herein, to apply the 8% increases in rates and charges (with certain lesser increases on various commodities) as approved by the Interstate Commerce Commission in its report in Ex Parte No. 168, Increased Freight Rates, 1948, decided August 2, 1949, 276 I.C.C. 9-122, which report, to the extent that same is applicable on Colorado intrastate traffic, is hereby adopted and made a part hereof; that the said increases may be made effective on September 1, 1950, upon notice to this Commission and to the general public, by not less than thirty (30) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act; that no increase shall be made in connection with line-haul carload rates on coal, sugar beets, beet sugar final molasses, limerock, dolomite, ganister and cement, nor on line-haul carload rates on ice from Rollinsville, Colorado to Denver, Colorado; that all outstanding unexpired orders of this Commission authorizing or prescribing



rates, be, and they are hereby modified to the extent necessary to permit the increased rates and charges herein authorized to be applied, in all other respects said orders shall remain in full force and effect, unaffected by this order; that all tariffs or supplements changing rates or charges by authority of this order shall bear specific reference to this order; that jurisdiction be, and it hereby is retained by this Commission to determine, if need be, the lawfulness or reasonableness of any particular rate, rates or group of rates, resulting from this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 26th day of July, 1950.

hn

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WILLIAM J. CHELINE, 4795 SOUTH )  
CHEROKEE STREET, ENGLEWOOD, COLO- )  
RADO, FOR AUTHORITY TO EXTEND OP- )  
ERATIONS UNDER PERMIT NO. B-3999. )

APPLICATION NO. 10687-PP-Extension

-----  
July 26, 1950  
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Appearances: William J. Cheline, Englewood,  
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. 32410, of date April 25, 1949, applicant herein was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

plaster from plaster mill at Loveland, Colorado, to Englewood, Colorado; building materials from railroad cars located at railroad yards a mile west of Englewood proper, to Englewood, service to be limited to one customer, to-wit, Abbott Lumber Company, Englewood, Colorado,

said operating rights being designated "Permit No. B-3999."

By the instant application, said permit-holder seeks authority to extend operations under said Permit No. B-3999 to include the right to transport building materials from Abbott Lumber Company, at Englewood, Colorado, to points within a radius of twenty miles of said Lumber Company, for said Abbott Lumber Company, only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M., and at the conclusion of said hearing, the matter was



taken under advisement.

Applicant testified that he is now handling transportation of building materials for Abbott Lumber Company under his original permit, No. B-3999, but has been requested to obtain an extension of said operating rights so that he can make deliveries for said company to points within a radius of twenty miles of Englewood, Colorado.

His equipment consists of a 1947 two-ton Ford Tractor, a 1944 Ford Truck with semi-trailer and flat bed, and a 1941 Chevrolet one and one-half-ton truck with stake body. His net worth is \$7,000.00.

Applicant stated his proposed service is to be limited to the one customer mentioned.

Howard E. Abbott, Assistant Manager of Abbott Lumber Company, testified in support of the application. He stated his company has five trucks which it uses in delivery work, but they are not sufficient to take care of the business of the company, and company needs the additional service offered by applicant.

There were no objections interposed to the granting of said application.

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

It did not appear that the proposed extended service of applicant will impair the efficiency of the service of any common carrier now serving the territory sought to be served by applicant.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That said extended operation should be authorized.

#### O R D E R



##### THE COMMISSION ORDERS:

That William J. Cheline, Englewood, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-3999 to include the right to transport building materials from Abbott Lumber Company, at Englewood, Colorado, to points within a radius of twenty miles

of said Lumber Company, at Englewood, Colorado, for said Abbott Lumber Company, only, without the right to add to the number of customers served without permission of this Commission first had and obtained.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LIONEL SMITH, 6500 WEST 44TH AVENUE, )  
WHEATRIDGE, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 10688-PP

-----  
July 26, 1950  
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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, dirt, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction 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.

Said application was regularly set for hearing at 330 State Office Building, Denver, Colorado, on July 24, 1950, at ten o'clock A. M., due notice of the time and place of hearing being forwarded to parties in interest.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

The files were made a part of the record, and the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

## F I N D I N G S

### THE COMMISSION FINDS:

That authority sought should be granted.

## O R D E R

### THE COMMISSION ORDERS:

That Lionel Smith, Wheatridge, 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, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado, to road and building construction 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.

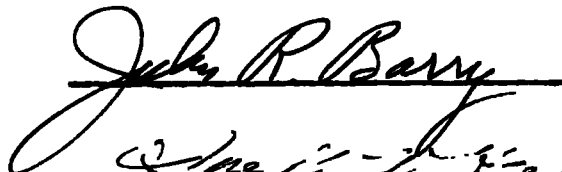

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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, and the required insurance, and has secured identification cards.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JERRY THOMPSON, 158 SOUTH GRANT )  
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. 10689-PP

-----  
July 26, 1950  
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Appearances: Jerry Thompson, Denver, Colo-  
rado, pro se.

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 road surfacing materials, from pits and supply points in the State of Colorado, to road jobs and building construction jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 24, 1950, at ten o'clock A. M., and at the conclusion of the hearing, the matter was taken under advisement.

Applicant testified that he is now employed by Acme Sand and Gravel Company, and in connection with his work for that company, has been requested to obtain the authority herein sought so that he can follow contractors and furnish them with the service requested. His equipment consists of a 1950 Chevrolet two-ton truck with dump body, and his net worth is \$1200.00.

No one appeared in opposition to the granting of the authority sought.



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

It did not appear that the proposed operation of applicant will tend to impair the efficiency of any common carrier service with which he will compete.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

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

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

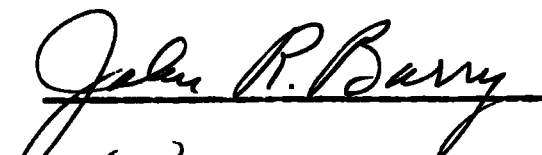

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, and the required insurance, and has secured identification cards.

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

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

CHAIRMAN HORTON NOT PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

Dated at Denver, Colorado,  
this 26th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FORREST DICE, DOING BUSINESS AS "THE )  
GUNNISON TRUCK LINES," GUNNISON, )  
COLORADO, TO TRANSFER CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY NO. )  
PUC-797 TO MORRIS KOSCIWE, CARL B. )  
RUNDLELL, AND JACK K. COLEMAN, DOING )  
BUSINESS AS "GUNNISON TRUCK LINES," )  
GUNNISON, COLORADO. )

APPLICATION NO. 10674-Transfer.

July 27, 1950

Appearances: Robert G. Porter, Esq.,  
Gunnison, Colorado, for  
Transferor and Transferees;  
G. E. Gress, Esq., Denver,  
Colorado, for Engine Supply  
Company;  
M. J. Verzuh, Gunnison, Colo-  
rado, pro se.

STATEMENT

By the Commission:

Transferor, Forrest Dice, doing business as "Gunnison Truck Line,"  
Gunnison, Colorado, is the owner of PUC-797, which authorizes the trans-  
portation, on call and demand, of:

Freight, except livestock, between points within  
a radius of fifty miles of Gunnison, Colorado,  
without the right to transport general merchandise  
of the nature handled by retail and wholesale stores  
over Colorado Highway No. 135, Gunnison to Crested  
Butte, U. S. 50, Gunnison to Montrose, U. S. 50  
Gunnison to Salida, subject to conditions expressed  
in said Decisions Nos. 6850 and 17044, and the trans-  
portation of livestock and farm products on call and  
demand, between points west of the Continental Divide  
within a radius of 25 miles of Sargents, Colorado, and  
from and to points in said area, to and from points in  
the State of Colorado (without the right to haul live-  
stock from and to points in said area to and from points  
in the San Luis Valley),

and to transport:

Freight, generally, except small shipments of  
package freight, from point to point within the  
territory located within a radius of fifty miles  
of the Town of Gunnison, and between points within  
said area and all other points within the State of  
Colorado, and from all points within the State of  
Colorado to all points within said territory, with  
the provisos that for the transportation of freight  
other than household goods between points in Gunnison  
County situated on the lines of The Denver and Rio  
Grande Western Railroad Company and other rail points  
in the State of Colorado, applicant shall charge rates

which shall be as much as twenty per cent in excess of those currently in effect and being charged for rail carriage between said points; provided, however, that where the rail mileage exceeds by twenty-five per cent the highway mileage between the points between which the freight moves, said requirement shall not obtain.

By the instant application, he seeks authority to transfer said PUC-797 to Morris Koscove, Carl B. Rundall and Jack K. Coleman, doing business as "Gunnison Truck Lines," Gunnison, Colorado.

The matter was set for hearing, and heard, July 19, 1950, at ten o'clock A. M., at 330 State Office Building, Denver, Colorado, and there taken under advisement.

Morris Koscove testified that the three transferees had formed a partnership for the purpose of acquiring the certificate referred to and continuing the transportation service authorized thereby. Rundall and Coleman have had previous experience in the transportation business, and the net worth of Rundall is \$30,000.00; of Coleman, \$5,000.00; and of the witness, \$50,000.00. He also testified that Coleman will be in active charge of the operation. A description of the equipment of transferor, to be purchased under the contract, is on file with the Commission.

The agreed purchase price for the certificate, including equipment, is \$18,000.00. The sum of \$3,000.00 has been deposited with M. J. Verzuh as a down payment, and the balance of \$15,000.00 is to be paid by transferees when and if the Commission authorizes the transfer. No indebtedness against the operation is to be assumed by transferees.

M. J. Verzuh, real estate and insurance man of Gunnison, testified that he had conducted all of the negotiations relative to the transfer. He sold a garage building of transferor for \$11,000.00, and, deducting the necessary expense and liens, amounting to \$10,552.14, had a balance in his hands as a result of the sale of \$437.86. Adding the purchase price of the certificate and equipment, will give him \$18,437.86, to be applied on the indebtedness of transferor. Witness offered in evidence Exhibit No. 1, a statement of the unsecured indebtedness against the operation, amounting to \$20,259.18. He had corresponded with all the unsecured creditors, and showed the Commission agreements signed by each to accept 85% of the amount of his

claim in full settlement of all demands against the operation. He will be able to pay this 85% from the money in his hands when the transfer is authorized.

Ton-mile tax deposit is to be transferred to the account of transferees.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest and should be authorized, subject to the provisions of the following Order.

### O R D E R

#### THE COMMISSION ORDERS:

That Forrest Dice, doing business as "Gunnison Truck Lines," Gunnison, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to FUC-797 to Morris Koscove, Carl B. Rundell and Jack K. Coleman, doing business as "Gunnison Truck Lines," Gunnison, Colorado, contingent upon the payment by transferees to M. J. Verzuh, Escrow Agent, of the balance of \$15,000.00 due upon the agreed purchase price of the certificate and equipment, and the payment by the said M. J. Verzuh, Escrow Agent, to the unsecured creditors listed in Exhibit No. 1 received in evidence, of at least 85% of the amount of their respective claims, as shown by said exhibit, and the filing with the Commission of proof of such payments.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferees.

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

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferees of all unpaid ton-mile tax.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Joseph L. Crowley  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING

Dated at Denver, Colorado,  
this 27th day of July, 1950.

eh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DARRELL W. BLAIR, 1085 WEST )  
HAMPDEN AVENUE, ENGLEWOOD, )  
COLORADO. )  
----- )

CASE NO. 52493-INS.  
(Permit No. C-20192)

RE MOTOR VEHICLE OPERATIONS OF )  
DARRELL W. BLAIR, 1085 WEST )  
HAMPDEN AVENUE, ENGLEWOOD, )  
COLORADO )  
----- )

CASE NO. 52493-INS.  
(Permit No. B-3778)

-----  
July 28, 1950  
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S T A T E M E N T

By the Commission:

On June 21, 1950, in Case No. 52493-Ins., the Commission entered an order revoking Permits Nos. C-20192 and B-3778, for failure to keep on file effective insurance.

It develops, however, that there was insurance in effect, but through neglect of the agent, it was not filed. Under the circumstances, order of revocation should be set aside.

F I N D I N G S

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 52493-Ins., should be cancelled and set aside, and said Permits Nos. C-20192 and B-3778 restored to their former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 52493-Ins., should be, and it hereby is, cancelled and set aside, and said Permits Nos. C-20192 and B-3778 restored to their former status as of June 21, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John R. Barry*

COMMISSIONER HORTON NOT PARTICIPATING

*William H. Hickey*  
Commissioners.

Dated at Denver, Colorado,  
this 28th day of July, 1950  
eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. L. THURMAN, DOING BUSINESS )  
AS "THURMAN BRIDGE SUPPLY," )  
ENID, OKLAHOMA. )  
----- )

CASE NO. 52982-INS.  
(Permit No. C-24295)

-----  
July 28, 1950  
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STATEMENT

By the Commission:

On July 19, 1950, in Case No. 52982-Ins., the commission entered an order revoking Permit No. C-24295, for failure to keep on file effective insurance.

The records show that this permit was in the process of being transferred and insurance adjustment was being made, therefore, permit should not have been revoked. Proper insurance has now been filed, and order of revocation should be set aside.

FINDINGS

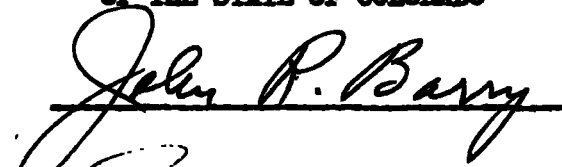
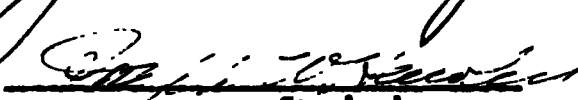
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 52982-Ins., should be cancelled and set aside, and said Permit No. C-24295 restored to its former status.

ORDER

THE COMMISSION ORDERS:

That Decision No. 52982-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-24295 restored to its former status as of July 19, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners,

COMMISSIONER HORTON NOT PARTICIPATING

Dated at Denver, Colorado,  
this 28th day of July, 1950

(Decision No. 35139)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PETITIONS OF THE MOTOR TRUCK  
COMMON CARRIERS' ASSOCIATION FOR  
ACCOUNT OF RIO GRANDE MOTOR WAY,  
INC., ET AL, FOR VARIOUS CHANGES  
IN RATES.

CASE NO. 1585

July 28, 1950

Appearances - R. E. Turano, for the Rio Grande Motor Way, Inc.,  
and Larson Transportation Company, 775 Wazee  
Street, Denver 4, Colorado;  
J. R. Smith, Steamboat Springs, Colorado;  
T. S. Wood, for Public Utilities Commission of  
the State of Colorado, Denver, Colorado.

S T A T E M E N T

By the Commission:

By Decision No. 34815, dated May 10, 1950, the Commission reopened Case No. 1585, and assigned same for further hearing on May 23, 1950, in the hearing room of the Commission, Denver, Colorado, at which time and place, the hearing was held.

The case was reopened on receipt of two petitions from the Motor Truck Common Carriers' Association, as agent, designated as Applications Nos. 172 and 173.

Application No. 172 was filed for and on behalf of the Rio Grande Motor Way, Inc., Larson Transportation Company, and R. H. Eshe and Lois Mae Eshe, doing business as South Park Motor Lines, requesting the following changes, viz:

FOR ACCOUNT - LARSON TRANSPORTATION COMPANY AND RIO GRANDE MOTOR WAY, INC.

To eliminate the specific commodity rates on motion picture film, as published in Item No. 2380, M.T.C.C.A. Tariff No. 12, Colo. P.U.C. No. 6, and in lieu thereof, establish the following ratings as an exception to the classification:

Moving picture film, exposed, N.O.I.B.N.

Released to value not exceeding \$1.00 per pound, in boxes - - - - -	1st Class
Released to value exceeding \$1.00 per pound, but not exceeding \$7.50 per pound, in boxes - - - - -	2 x 1st Class
If declared or released value exceeds \$7.50 per pound, or shipper declines to declare or release value - - - - -	Not taken

Note 1 - The value declared in writing by the shipper, or agreed upon in writing as the released value of the property, as the case may be, must be entered on shipping order and bill of lading.

Note 2 - Advertising matter, when moving with film shipments, will be charged on the same basis as the film.

At the time application No. 172 was filed with the Commission, the National Motor Freight Classification did not provide ratings on moving picture films exposed, and the Rio Grande Motor Way, Inc., did not have in effect any specific commodity rates covering said commodity as Item No. 2380 was applicable only in connection with the Larson Transportation Company. Therefore, the Commission, in Decision No. 34831, dated May 12, 1950, issued its order (without a hearing) authorizing the ratings, for account of the Rio Grande Motor Way, Inc., sought in said application.

The said Item No. 2380 provides the following rates, viz:

COMMODITY	:BETWEEN	:AND	:1ST	:# EACH ADDI-	:% TRAILER
Film, motion picture (See: Note). NOTE: Advertising matter when moving with film shipments will be charged on basis of one cent per pound, with a minimum charge of 5¢ per shipment.	:COLORADO	:Oak Creek	:38	:15	:15
# - Additional reel rates: named herein apply only on reels of 700 to 1000 feet. On reels exceeding 1000 feet up to 2000 feet, the rate will be two times the rate named herein.	:Steamboat	:Springs	:38	:15	:15
	:Mt. Harris	:Hayden	:38	:15	:15
	:Denver, Colo.	:Craig	:51	:23	:23
		:Artesia	:63	:22	:22
		:Blue Mountain	:63	:22	:22
		:Elk Springs	:63	:22	:22
		:Skull Creek	:63	:22	:22

% - Trailer reels mean reels containing films used in preview pictures of coming events, and do not exceed 300 feet in length.

Shipments under this item are not subject to Item No. 80 - Minimum charge per shipment.

FOR ACCOUNT -- R. H. ESHE AND LOIS MAE ESHE, DOING BUSINESS AS  
SOUTH PARK MOTOR LINES, JEFFERSON, COLORADO

To publish an exception to the classification and provide a rating of third class on fresh milk in bottles or cartons.

Application No. 175 was filed for and on behalf of G. Barnhill, doing business as Barnhill Truck Line, Ramah, Colorado, requesting authority to make the following adjustments, viz:

"Refer to Item No. 1780, M.T.C.C.A. Freight Tariff No. 12, Colo. P.U.C. No. 6, and change the commodity description to read: Cement, Lime, Plaster, and their products, as described in Items No. 3940 and 3950 of said tariff. Also publish the following specific commodity rates in cents per 100 pounds, on cement, lime, plaster, and their products as described in Items Nos. 3940 and 3950 of said tariff from the cement plant at Portland, the cement plant near La Porte and the plaster mill near Loveland, Colorado, to Arriba 23, Byers 22, Genoa 22, and Deertrail 22. Subject to a minimum weight of 30,000 pounds."

In regard to the proposed change in the rates on motion picture film, Witness Turano testified that inasmuch as the Rio Grande Motor Way, Inc., and the Larson Transportation Company are under the same management, it felt that both companies should have the same ratings on the same commodities as the operating conditions on both lines were very similar and uniformity was very much desired. Witness Turano introduced as exhibits, copies of bills of lading and freight bills covering two shipments of films. One of the bills covers a shipment of 2 cans of film (5 large reels) weighing 85 pounds from Denver to Craig, with a charge of \$2.35, which does not include the federal transportation tax. Under the proposed change, the charge on this shipment would be \$2.08. The other bill covers a shipment of 1 can of film (one small reel) weighing 10 pounds from Denver to Steamboat Springs, with a charge of 38 cents. Under the proposed change, this shipment would be subject to a minimum charge of \$1.90.

Witness Francis M. Fetz, who conducts a shipping and inspection bureau for the handling of motion picture films in Denver, testified in support of the proposed change, principally, for the reason that it is easier and more satisfactory for his firm to handle shipments on a weight basis than on a reel basis.



Witness J. R. Smith, who operates a moving picture theatre at Oak Creek, and another one at Steamboat Springs, opposed the proposed change and in support of his position, testified that the present basis for charges had been worked out between himself and Mr. Stanley Larson (the previous owner of the Larson Transportation Co.), some eleven years ago and that the arrangements had been most satisfactory; that the average run for a performance would weigh around 86 pounds, with three changes per week; that his average performance was a single feature run (requiring approximately 80 minutes) which would consist of four 2000 foot reels and one short reel of 750 to 1000 feet; that a double-bill program would consist of two features, one being perhaps 55 minutes and the other 60 to 70 minutes, which would require three 2000 foot reels for one and three 2000 foot reels and one single 2000 foot reel and one short reel of 750 to 1000 feet; that the weight of the 2000 foot reels is between 18 and 20 pounds and the 750 to 1000 foot reels is between  $8\frac{1}{2}$  and 10 pounds.

In regard to the proposed third class rating on fresh milk, for account of the South Park Motor Lines and the proposed rates and changes on cement for account of the Barnhill Truck Line, neither of these companies were represented at the hearing.

Their absence was probably due to the fact that the rate department of the Commission inadvertently failed to send copies of the notice of hearing to said parties, although it did send a copy to the Colorado Motor Carriers' Association, their representative in the preparation of their petitions.

The petitions requesting the changes for account of the South Park Motor Lines and the Barnhill Truck Line sets forth the following reasons in support thereof:

"The South Park Motor Lines has asked that it be permitted to publish a rating of third class to apply on shipments of fresh milk, in bottles or cartons, to points on its line because it feels that the presently effective classification rating of 1st class is too high to attract this traffic to motor common carriers. The operators of this line have advised that they can render adequate service and still make a profit at the third class rates."

"The Barnhill Truck Line has recently been granted an extension to its authority which gives it the right to transport shipments of cement, lime, plaster and their products from the cement plant near La Porte, the plaster mill near Loveland and the cement plant at Portland, to Arriba, Byers, Deer-trail and Genoa."

"For a number of years it has had specific commodity rates published on cement from Portland to Calhan, Matheson, Payton, Ramah, Simla and Limon, and it feels that it must establish the proposed rates so that those dealers being supplied from the new origins and those located in the new destinations will have a cost which permits them to compete with dealers in the towns now being supplied from Portland".

#### OUR COMMENTS

Regarding the proposed changes in the rates on the exposed moving picture films, the present rates for a single feature (4 - 2000 feet reels and 1 - 750 to 1000 feet reel) from Denver to Oak Creek or Steamboat Springs, would produce a charge of \$1.43 for the shipment. On the basis of 19 pounds as the average weight on the 2000 feet reels and 10 pounds on the short reel, the total weight would be 86 pounds. An 86 pound shipment classified as first class (under the proposed change) would be subject to a minimum charge of 100 pounds at the first class rate. The first class rate from Denver to Oak Creek is \$1.81 per 100 pounds and to Steamboat Springs \$1.90 per 100 pounds. Therefore, under the proposed changes, the charge on an 86 pound shipment of moving picture films from Denver to Oak Creek would be \$1.81, or 38 cents (26.5 per cent) more than under the present basis, and to Steamboat Springs the charge would be \$1.90, or 47 cents (32.8 per cent) more than under the present basis.

On a double feature (7 - 2000 feet reels and 1 - 750 to 1000 feet reel), under the present rates, the charge to Oak Creek or Steamboat Springs would be \$2.33. Under the proposed changes, the charges to Oak Creek would be \$2.59 (143 pounds at \$1.81 per 100 pounds) or 26 cents (11.16 per cent) more than the present charge, and to Steamboat Springs, the charge would be \$2.72 (143 pounds at \$1.90 per 100 pounds), or 39 cents (16.74 per cent) more than the present charge.

On the single shipment shown in exhibit No. 2 (10 pounds, Denver to Steamboat Springs), the charge would be increased from 38 cents to \$1.90, or \$1.52, an increase of 400 per cent.

On the single shipment shown in exhibit No. 3 (85 pounds, Denver to Craig), the charge would be reduced from \$2.35 to \$2.08, or 27 cents, a reduction of approximately 11.5 per cent.

What the result of an overall picture under the present rates and the proposed rates for an extended period of time cannot be determined on the present record.

On the testimony of Witness Smith, the proposed ratings in connection with the present class rates and the minimum charge rule would result in an increase on a single feature performance of 26.5 per cent to Oak Creek, and 32.8 per cent to Steamboat Springs, and on a double feature performance would result in an increase of 11.16 per cent to Oak Creek, and 16.74 per cent to Steamboat Springs.

The record is silent in regard to the low charges collected on the 10 pound shipment shown in exhibit No. 2. However, from our own general knowledge of the costs of pick-up service in Denver, a total charge of 38 cents, which includes a pick-up in Denver and a line-haul service to Steamboat Springs, certainly represents an out of pocket expense to the carrier and cannot be justified under any circumstance.

The mere fact that two carriers are under one management and that uniformity in ratings on the two lines is desired, is no justification for a carrier to increase its rates; nor, is the desire of a shipper to handle shipments on a weight basis rather than a reel basis a further justification for said increase.

The Public Utilities Act (Section 13) requires that all rates, etc., shall be just and reasonable, and (Section 23) requires, among other things that such rates, etc., shall be sufficient.

The petitioner has not justified the cancellation of the present rates. However, we believe there should be an established minimum charge to compensate the carrier for the services of picking up shipments in Denver and transporting

same to the different destinations involved in this proceeding, and that a just and reasonable minimum charge per shipment for such services would be \$1.20.

In regard to the establishment of a third class rating on shipments of fresh milk, in bottles or cartons, the Commission has in the past authorized different motor vehicle common carriers to establish a third class rating on this commodity and in view of the statement made in the petition, we feel similar action should be taken in this proceeding.

In regard to the cement rates for the Barnhill Truck Line, all of the scales of distance cement and plaster rates prescribed by the Commission are subject to either a minimum weight of 10,000 or 20,000 pounds. The proposed rates represent an average reduction of approximately 34 per cent under the prescribed 20,000 pounds rates from Portland, 25 per cent from La Porte and 22 per cent from the plaster plant near Loveland. The average distance from La Porte to the four destinations is 152 miles, from Portland 185 miles, and from the plaster plant near Loveland 139 miles. The average revenues per mile computed on a pay load of \$66.00 for 152, 185 and 139 miles would be 43.4, 35.7 and 47.5 cents, respectively.

The average cost per mile for this carrier for the year 1949, computed from its annual report to the Commission is 14.18 cents.

Assuming there may be some inaccuracies in the annual report, there still appears a sufficient margin of difference between the revenue and cost to produce a fair profit under the proposed rates.

#### FINDINGS

##### THE COMMISSION FINDS:

1. That, the present commodity rates on motion picture film between Denver, Colorado, on the one hand, and points in Colorado, located on the line of the Larson Transportation Company have not been shown as being insufficient, except as hereinafter set forth, or otherwise unlawful and the petition requesting the cancellation of same and the establishment of class rates in lieu thereof should be denied.

2. That, a minimum charge of \$1.20 per shipment in connection with said rates would be just and reasonable for the future.



3. That a third class rating on fresh milk in bottles or cartons between points on the line of the South Park Motor Lines would be just and reasonable for the future.

4. That the rates on cement, lime, plaster and their products (as described in Items Nos. 3940 and 3950, Motor Truck Common Carriers' Association Freight Tariff No. 12, Colo. P.U.C. No. 6), hereinbefore set forth in the statement, from Portland, the cement plant near La Porte, and the plaster mill near Loveland to Arriba, Byers, Deertrail and Genoa, all in Colorado, would be just and reasonable for the future, and should be established; and that the commodity description covering the present rates on cement from Portland, Colorado, to points on the line of the Barnhill Truck Line should be changed to conform to the description hereinbefore referred to in these findings.

#### ORDER

##### THE COMMISSION ORDERS:

1. That, the statement and findings be made a part hereof.
2. That, this order shall become effective forthwith.
3. That, except as otherwise provided for herein, the petition covering the changes in the rates on motion picture film from Denver, Colorado, to points of destination on the line of the Larson Transportation Company in Colorado, be and the same is hereby denied.
4. That a minimum charge of \$1.20 per shipment on motion picture film between Denver, Colorado, and points of destination on the line of the Larson Transportation Company in Colorado shall be established.
5. That a third class rating on fresh milk in bottles or cartons between points on the line of R. H. Eshe, and Lois Mae Eshe, doing business as South Park Motor Lines, shall be established.
6. That a rate of 22 cents per 100 pounds on cement, lime, and plaster, as described in Sections 5 and 6, Appendix M-1, Case 1585, in straight or mixed shipments, minimum weight 30,000 pounds, to Byers, Deertrail and Genoa, and 23 cents per 100 pounds to Arriba, Colorado, from Portland, Boettcher and Wilds, Colorado, shall be established, and the commodity description covering the present rates on cement from Portland, Colorado, to points on the line of G. Barnhill, doing business as Barnhill Truck Line, shall be changed to conform to the above referred to description.



7. That the rates, ratings, minimum charge and changes hereinbefore set forth shall be published by all motor vehicle common carriers to the extent they are affected and by all private carriers by motor vehicle to the extent they are affected, to become effective August 7, 1950, 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 and Section 10, Chapter 120, Session Laws of 1931, as amended.

8. That, on and after August 7, 1950, all motor vehicle common carriers, to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be greater or less than those herein prescribed.


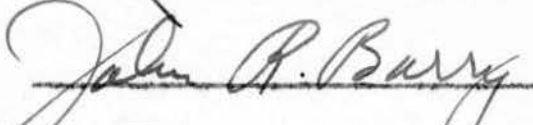
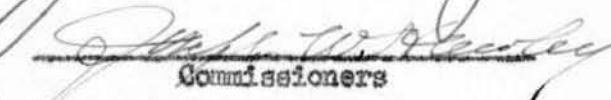
9. That on and after August 7, 1950, all private carriers by motor vehicle, to the extent they are affected, shall cease and desist from demanding, charging, and collecting rates and charges which shall be less than those herein prescribed.

10. 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.

11. That the order entered in Case No. 1535 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission.

12. That jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 28th day of July, 1950.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
KANSAS-COLORADO UTILITIES, INC., OF  
LAMAR, COLORADO, FOR A CERTIFICATE  
RELATING TO A PROPOSED ISSUE OF 400  
SHARES OF ITS 5% PREFERRED CAPITAL  
STOCK.

APPLICATION NO. 10672-Securities.

July 26, 1950

Appearances: Harold Bolton, Esq., Abilene,  
Kansas, for applicant;  
W. Geo. Denny, Jr., Denver,  
Colorado, for the staff of  
the Commission.

S T A T E M E N T

By the Commission:

The above-styled application of Kansas-Colorado Utilities, Inc., a Kansas corporation (hereinafter called "Corporation"), seeks an order from this Commission, pursuant to sub-section (c) Section 3, Chapter 137, 1935 Colorado Statutes Annotated, authorizing it to issue and sell 400 shares of its 5% Preferred Capital Stock, with a par value of \$100.00 per share, to The United Trust Company, of Abilene, Kansas, at a price of \$97.50 per share, or a total consideration of \$39,000.00, together with any dividends accrued thereon from the last preceding dividend paying date to date of delivery of such stock.

A public hearing was held at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, on July 25, 1950, and the matter was then taken under advisement.

It appeared that applicant is a corporation existing under the laws of the State of Kansas, engaged principally in the production, purchase, transmission, distribution and sale of natural gas in the States of Kansas and Colorado. It has been authorized to do business in the State of Colorado, its principal office and place of business being maintained at

Lamar, Colorado. It serves the towns of Big Bend, Bristol, Granada, Hartman, Holly, Korman, Lamar, McClave, Springfield, Vilas, Walsh and Wiley in southeastern Colorado; that it has been heretofore authorized to issue 4,000 shares of 5% Preferred Stock, only 1,850 of such shares having been issued and sold up to the present date.

For the twelve-month period ended May 31, 1950, the net utility income was \$130,279.74; other income being \$4,535.03, or a gross income of \$134,814.77. Income deductions amounted to \$42,726.24, leaving a net income of \$92,088.53 (Exhibit No. 5).

The balance sheet as of May 31, 1950 (Exhibit No. 3), shows an earned surplus of \$272,568.91.

Corporation has issued and outstanding, \$300,000.00 in Common Stock, and \$185,000.00 in Preferred Stock (Exhibit No. 3). If the present application is granted, the Preferred Stock will be increased by the sum of \$40,000.00.

The financing for which authorization is here sought is to secure funds for the construction of additional lines and facilities in order to insure a constant supply of natural gas to applicant's customers in the State of Colorado. The filing of the petition was authorized at a regular meeting of the Board of Directors of said corporation on June 24, 1950 (Exhibit No. 1), and a similar application has been filed with, and approved by, the State Corporation Commission of the State of Kansas (Exhibit No. 7).

Corporation has made a negotiated deal with The United Trust Company, a corporation of Abilene, Kansas, to take all of the stock to be issued, to-wit: 400 shares of 5% Capital Stock of a par value of \$100.00 per share at a price of \$97.50 per share, or a total purchase price of \$39,000.00, together with any dividends accrued thereon from the last preceding dividend paying date to date of delivery of such stock, payment to be made on the date such stock is delivered to the purchaser. The sale of said stock at retail will be confined to residents of the State of Kansas, or will be made in such a manner as to avoid the necessity of qualification of the issue by the Securities and Exchange Commission. A copy of the firm

contract was admitted in evidence as Exhibit No. 2. It is the opinion of the Commission that competitive bidding would serve no advantage in this particular issue.

The Commission's staff has examined the application and the exhibits submitted at the hearing, as well as the reports of the Corporation on file with the Commission, and being of the opinion that the proposed transaction is compatible with the public interest, has recommended that the authority sought be granted.

The following statement of ratios as of May 31, 1950 (Exhibit No. 6), indicates the financial stability of applicant:

As per books 5-31-50

Ratio Long-Term Debt to Gross Plant	34.09
Ratio Long-Term Debt to Net Plant	50.53

Pro-Forma 5-31-50

Ratio Long-Term Debt to Gross Plant	33.46
Ratio Long-Term Debt to Net Plant	49.17

As per books 5-31-50

Ratio Equity Capital to Total Capital Structure	51.56
Ratio Long-Term Debt to Total Capital Structure	48.44

Pro-Forma 5-31-50

Ratio Equity Capital to Total Capital Structure	52.81
Ratio Long-Term Debt to Total Capital Structure	47.19

## FINDINGS

### THE COMMISSION FINDS:

That the applicant, Kansas-Colorado Utilities, Inc., is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated.

That this Commission has jurisdiction of said applicant and the subject-matter of the petition herein.

That the Commission is fully advised in the premises.

That the issuance by Corporation of the securities proposed to be issued, as hereinabove set forth, is reasonably required and necessary for its proper corporate financing of the extension and service program referred to.

That said utility is able to service the additional debt; that the proposed securities transaction is not inconsistent with the public



interest and the purpose or purposes thereof are permitted by, and are consistent with, the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended by Session Laws of 1947, and that the order sought should issue and should be made effective forthwith.

That the issue should be sold to The United Trust Company of Abilene, Kansas, under the terms of the contract above referred to, and for the purpose of easy identification thereof, the stock certificate or certificates so issued shall bear a serial number on the face thereof.

#### ORDER

##### THE COMMISSION ORDERS:

That Kansas-Colorado Utilities, Inc., a Kansas corporation, be, and it hereby is, authorized and empowered to issue and sell 400 shares of its 5% Preferred Capital Stock, with a par value of \$100.00 per share.

That the public interest does not require that said stock be sold at competitive bidding, and competitive bidding should be, and hereby is, waived for the purpose of this proceeding.

That said stock shall be sold to The United Trust Company of Abilene, Kansas, at the price of \$97.50 per share, or a total consideration of \$39,000.00, together with any dividends accrued thereon from the last preceding dividend paying date to date of delivery of said stock, to be paid when said stock is delivered to the purchaser, and shall bear on the face thereof a serial number or numbers for proper and easy identification thereof.

That within 60 days from the issuance and delivery thereof, Kansas-Colorado Utilities, Inc., shall make verified report to the Commission of such serial number placed on such stock certificate or certificates so issued.

That Kansas-Colorado Utilities, Inc., be, and it hereby is, authorized to use the proceeds received from such sale, together with the cash from the General Fund of Corporation, for the construction, completion, extension and improvement of its facilities, and the improvement and maintenance of its service generally.



That Corporation shall make a certified report to the Commission not later than three months after the sale of the stock heretofore authorized to be sold, stating the moneys received therefrom and the detailed expenses incident to such sale, with copies of the entries recorded on the books of Corporation as a result of the consummation of the financing, as hereinbefore provided.

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said stock so authorized to be issued on the part of the State of Colorado.

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Charles C. Hawley  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 26th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
AMERICAN MODERNIZERS, INC. )  
1528 WEST 11th, )  
HUTCHINSON, KANSAS ) PERMIT NO. C-24751  
 )  
 )  
 )  
 )  
-----

-----  
July 28, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
American Modernizers, Inc.-----  
requesting that Permit No. C-24751-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-24751-----, heretofore issued to American-----  
Modernizers, Inc.-----be,  
and the same is hereby, declared cancelled effective July 20, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
Ralph C. Norton  
-----  
John R. Barry  
-----  
Joseph W. Hawley  
-----  
Commissioners

Dated at Denver, Colorado,

this 28 day of July, 1950

EH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
JOY L. CROWELL )  
SCHUYLER, NEBRASKA )  
 )  
 ) PERMIT NO. C-18207  
 )  
 )  
 )  
-----

-----  
August 3, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Joy L. Crowell, Schuyler, Nebraska.....  
requesting that Permit No. C-18207.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18207....., heretofore issued to.....  
Joy L. Crowell, Schuyler, Nebraska.....be,  
and the same is hereby, declared cancelled effective July 1, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph C. Hartman  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VIVAN SACKRIDER )  
402 WALNUT ST. )  
WAMEGO, KANSAS ) PERMIT NO. C-18598  
 )  
 )  
 )  
----- )

-----  
-- August 3, 1950 --

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Vivan Sackrider, 402 Walnut Street, Wamego, Kansas.....  
requesting that Permit No. C-18598..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18598....., heretofore issued to.....  
Vivan Sackrider, 402 Walnut Street, Wamego, Kansas..... be,  
and the same is hereby, declared cancelled effective June 30, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph C. Norton  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD L. NIELSON, BOX 7, )  
DOLORES, COLORADO )

PERMIT NO. C-22168

August 3, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harold L. Nielson  
Box 7, Dolores, Colorado  
requesting that Permit No. C-22168 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22168, heretofore issued to Harold L. Nielson  
Box 7, Dolores, Colorado be,  
and the same is hereby, declared cancelled effective July 21, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
John H. Barry  
James W. Hurley  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of August, 1950  
eh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEON G. KIMBER & ROBERT D. )  
MONTROSE, DOING BUSINESS AS )  
AMERICAN BAG COMPANY, 1470 ) PERMIT NO. C-25063  
STEELE STREET, DENVER, )  
COLORADO. )  
-----

-----  
August 3, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Leon G. Kimber & Robert D. Montrose doing business as the American Bag Company  
requesting that Permit No. C-25063 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-25063, heretofore issued to Leon G. Kimber & Robert D. Montrose doing business as the American Bag Company be,  
and the same is hereby, declared cancelled effective July 24, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*

*John R. Barry*

*Joseph W. Hawley*

Commissioners

Dated at Denver, Colorado,

this 3rd day of August, 1950

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EDGAR LINGAR )  
AGUILAR, COLORADO )  
 ) PERMIT NO. C-23544  
 )  
 )  
 )  
-----

-----  
-- August 3, 1950 --

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Edgar Lingar, Aguilar, Colorado  
-----  
requesting that Permit No. C-23544 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-23544, heretofore issued to-----  
Edgar Lingar, Aguilar, Colorado be,  
and the same is hereby, declared cancelled effective June 24, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of August, 1950  
eh

(Decision No. 35147)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
BERNAL C. FLESHER AND ROBERT G. RAE,  
CO-PARTNERS, DOING BUSINESS AS "STAR  
MILK LINES," 727 SIMPSON STREET, FORT  
MORGAN, COLORADO, FOR APPROVAL OF  
MORTGAGE AGAINST PERMITS B-3094 AND  
A-2131.

} APPLICATION NO. 10701-PP-  
Mortgage.

-----  
July 27, 1950  
-----

Appearance: Clarence L. Bartholic, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 35114, of date July 21, 1950, the Commission authorized the transfer of Permit B-3094, as extended, and Permit A-2131 to Bernal C. Flesher and Robert G. Rae, doing business as "Star Milk Lines," with the right of transferees to give a mortgage to Reconstruction Finance Corporation in the amount of \$7,000.00 covering certain motor vehicle equipment, together with the permits.

Pursuant to the authority to do, Bernal C. Flesher and Robert G. Rae, doing business as "Star Milk Lines," executed a Chattel Mortgage on July 26, 1950, to secure payment of a note bearing like date, in the amount of \$7,000.00 to the Reconstruction Finance Corporation. By its terms, said parties have mortgaged all operating rights acquired through the transfer to them of Permits A-2131 and B-3094, as extended, more particularly described in Decision No. 35114 of this Commission, together with certain equipment and other personal property owned, or which may thereafter be acquired, by them. The promissory

note provides for payments of \$194.45 monthly, commencing one month from the date thereof; interest at four per cent payable monthly, commencing one month from the date thereof.

Applicants have requested formal approval of said mortgage, and there appears to be no reason why said mortgage should not be approved.

### FINDINGS

#### THE COMMISSION FINDS:

That the Chattel Mortgage executed by Bernal C. Flesher and Robert G. Rae, doing business as "Star Milk Lines," Fort Morgan, Colorado, of date July 26, 1950, by and between them and the Reconstruction Finance Corporation, should be approved.

### ORDER

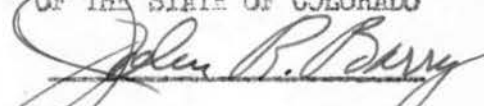
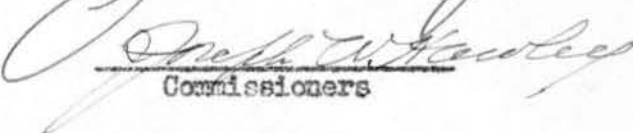
#### THE COMMISSION ORDERS:

That the Chattel Mortgage of date July 26, 1950, against all right, title and interest in and to Permits B-3094, as extended, and A-2131, given by Bernal C. Flesher and Robert G. Rae, doing business as "Star Milk Lines," Fort Morgan, Colorado, to the Reconstruction Finance Corporation, Denver, Colorado, to secure payment of indebtedness in the amount of \$7,000.00 and interest, in accordance with the terms and conditions therein set forth, should be, and hereby is, approved.

That the Chattel Mortgage of date July 26, 1950, attached to the application herein, is by reference made a part hereof.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

Commissioner Horton not  
participating

Dated at Denver, Colorado,  
this 27th day of July, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE }  
OF VARIOUS PERSONS TO COMPLETE }  
APPLICATIONS FOR PERMITS TO }  
OPERATE AS PRIVATE CARRIERS FOR }  
HIRE BY MOTOR VEHICLE OVER THE }  
HIGHWAYS OF THE STATE OF COLO- }  
RADO. }

July 26, 1950

It appears from the records of the Commission that the persons listed in the order part of this decision have paid to this Commission a filing fee for a private carrier permit to operate as a private carrier for hire over the highways of the State of Colorado, and that the Commission has held hearings and granted said permits subject to the completion of the application and the filing of the required insurance, tariffs and other documents specified by law and in the Commission's rules.

All of the persons listed in the order part of this decision have been duly notified by this Commission of their failure to file a tariff, and that all of said applications would be dismissed unless completed within twenty days. It appearing that more than twenty days have expired since such notices were given, and it further appearing that the applications of the persons herein named have not been completed in the respects mentioned, the Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That, each of the application proceedings heretofore commenced by:


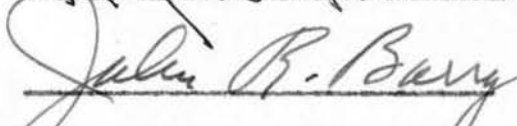
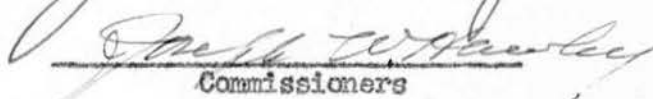
<u>NAME</u>	<u>ADDRESS</u>	<u>DEC. NO.</u>	<u>DATE</u>
Walter E. Fedler	Rt. 2, Delta, Colorado	39375	8/31/49
E. W. Henry, Jr. & J. R. Henry, d/b/a			
Henry Brothers	Cortez, Colorado	25195	11/28/45
Robert Williams	Basalt, Colorado	34012	1/5/50
Jack Pacheco	Center, Colorado	34565	4/13/50



to obtain a permit authorizing said persons to operate over the highways of this state as private carriers for hire by motor vehicle, be and the same hereby are dismissed.

That this order shall become effective on the 7th day of August, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 26th day of July, 1950.

hn

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY & GEORGE NICHOLS )  
FLORISSANT, COLORADO )  
 ) PERMIT NO. C-13633  
 )  
 )  
 )  
-----

-----  
-- August 5, 1950 --

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from -----  
Henry & George Nichols, Florissant, Colorado -----  
requesting that Permit No. C-13633 ----- be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13633 -----, heretofore issued to -----  
Henry & George Nichols, Florissant, Colorado ----- be,  
and the same is hereby, declared cancelled effective June 22, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
Ralph C. Norton  
\_\_\_\_\_  
Charles B. Berg  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT T. HELBERT )  
521 OAK STREET )  
STERLING, COLORADO ) PERMIT NO. C-20328  
 )  
 )  
 )  
 )  
----- )

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Robert T. Halbert, 521 Oak Street, Sterling, Colorado  
-----  
requesting that Permit No. C-20328 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20328, heretofore issued to-----  
Robert T. Halbert----- be,  
and the same is hereby, declared cancelled effective June 16, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
-----  
John R. Barry  
-----  
Joseph W. Hawley  
-----  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FISH BRAKE & CLUTCH SUPPLY )  
6th and NORTH AVENUE )  
GRAND JUNCTION, COLORADO ) PERMIT NO. C-11504  
 )  
 )  
 )  
 )  
-----

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Fish Brake & Clutch Supply  
-----  
requesting that Permit No. C-11504 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-11504, heretofore issued to-----  
Fish Brake & Clutch Supply be,  
and the same is hereby, declared cancelled effective July 8, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Ralph C. Norton  
-----  
Colin J. Davis  
-----  
Joseph W. Hawley  
-----  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950  
eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WESTERN BUILDERS )  
901 SOUTH WINDEMERE, )  
LITTLETON, COLORADO ) PERMIT NO. C-22144  
 )  
 )  
----- )

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from -----  
-----  
Western Builders  
-----  
requesting that Permit No. C-22144 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-22144, heretofore issued to -----  
-----  
Western Builders ----- be,  
and the same is hereby, declared cancelled effective June 14, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
Ralph C. Norton  
\_\_\_\_\_  
John C. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950  
eh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY V. WATERS )  
PALISADE, )  
COLORADO )

PERMIT NO. C-17382

August 5, 1950

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Harry V. Waters

requesting that Permit No. C-17382 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17382, heretofore issued to

Harry V. Waters

be,

and the same is hereby, declared cancelled effective June 27, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John C. B. y.*  
*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,

this 5th day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FRANK L. UPP )  
5304 VANCE )  
ARVADA, COLORADO ) PERMIT NO. C-5072  
 )  
 )  
 )  
 )  
----- )

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from -----  
Frank L. Upp -----  
requesting that Permit No. C-5072 ----- be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5072 -----, heretofore issued to -----  
Frank L. Upp ----- be,  
and the same is hereby, declared cancelled effective July 10, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph C. Norton  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950  
eh

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

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
LELAND B. SALE )  
NORWOOD, COLORADO )  
 )  
 )  
 )

**PERMIT NO. C-6278**

**August 5, 1950**

**S T A T E M E N T**

**By the Commission:**

The Commission is in receipt of a communication from.....  
Leland B. Sale.....  
requesting that Permit No. C-6278.....be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. C-6278, heretofore issued to \_\_\_\_\_  
Ieland B. Sale \_\_\_\_\_ be,  
and the same is hereby, declared cancelled effective June 13, 1950

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

Ralph C. Norton  
John R. Barry.  
Joseph W. Hawley.  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950

**and**

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. B. & H. W. STEBBINS )  
STEB'S SERVICE )  
5440 W. 29th AVENUE ) PERMIT NO. C-8744  
DENVER 14, COLORADO )  
----- )

-----  
-- August 5, 1950 --

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from -----  
H. B. & H. W. Stebbins -----  
requesting that Permit No. C-8744 ----- be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-8744 -----, heretofore issued to -----  
H. B. & H. W. Stebbins ----- be,  
and the same is hereby, declared cancelled effective July 20, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN A. GREVE )  
EAGLE, COLORADO ) PERMIT NO. C-12946  
 )  
 )  
 )  
 )  
----- )

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----John A. Greve-----  
requesting that Permit No. C-12946-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12946-----, heretofore issued to-----  
-----John A. Greve-----be,  
and the same is hereby, declared cancelled effective July 20, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph C. Norton  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950  
eh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NICKIE ROCCHIO )  
BOX 265 )  
FLORENCE, COLORADO ) PERMIT NO. C-12992  
 )  
 )  
 )  
----- )

-----  
-- August 5, 1950 --

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Nickie Rocchio  
requesting that Permit No. C-12992 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C- 12992, heretofore issued to  
Nickie Rocchio be,  
and the same is hereby, declared cancelled effective June 14, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Ralph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. R. LAGREE )  
804 PHAY AVENUE )  
CANON CITY, COLORADO )  
----- )

PERMIT NO. C-14196

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

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

C. R. LaGree-----

requesting that Permit No. C-14196 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14196-----, heretofore issued to-----

C. R. LaGree-----

be,

and the same is hereby, declared cancelled effective July 20, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*John R. Barry*  
*Joseph W. Hawley*  
-----  
Commissioners

Dated at Denver, Colorado,

this 5th day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ZARLENGO TIMBER CO. )  
4580 KING STREET, )  
DENVER, COLORADO ) PERMIT NO. C-14598  
----- )

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Zarlengo Timber Co.-----  
requesting that Permit No. C-14598 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14598, heretofore issued to-----  
Zarlengo Timber Co.-----be,  
and the same is hereby, declared cancelled effective June 21, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
\_\_\_\_\_  
Ralph C. Norton  
\_\_\_\_\_  
John R. Barry  
\_\_\_\_\_  
Joseph W. Hawley  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950  
eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BESETT AUTO PARTS )  
RT. 2, BOX 649C )  
PUEBLO, COLORADO ) PERMIT NO. C-18938  
 )  
 )  
----- )

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from  
Besett Auto Parts  
-----  
requesting that Permit No. C-18938 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-18938, heretofore issued to  
Besett Auto Parts be,  
and the same is hereby, declared cancelled effective July 1, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
Ralph C. Norton  
\_\_\_\_\_  
J. P. Berry  
\_\_\_\_\_  
Joseph W. Hall  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
EARL BEDELL )  
CRAIG, COLORADO )  
PERMIT NO. C-20025 )  
----- )

-----  
August 5, 1950  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Earl Bedell  
-----  
requesting that Permit No. C-20025 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-20025, heretofore issued to-----  
Earl Bedell-----be,  
and the same is hereby, declared cancelled effective July 8, 1950

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Ralph C. Horton  
John R. Barry  
Joseph W. Hawley  
Commissioners

Dated at Denver, Colorado,  
this 5th day of August, 1950



original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
THE MOUNTAIN UTILITIES CORPORATION }  
FOR RATIFICATION AND APPROVAL OF }  
PREVIOUSLY ISSUED BONDS AND AUTH- }  
ORIZATION FOR THE ISSUANCE OF }  
ADDITIONAL BONDS IN THE AMOUNT OF }  
\$126,000.00. }  
----- }

APPLICATION NO. 10676-Securities.

-----  
July 28, 1950  
-----

Appearances: Holme, Roberts, More, Owen &  
Keegan, Esqs., and  
Robert E. More, Denver, Colo-  
rado, for applicant;  
Paul M. Hupp, Esq., Denver,  
Colorado, for the staff of  
the Commission.

STATEMENT

By the Commission:

By the above-captioned application, filed on June 30, 1950,  
The Mountain Utilities Corporation (hereinafter called the "Company"),  
a corporation, organized, existing and doing business under the laws of  
the State of Colorado, seeks an Order from the Commission, pursuant to  
Colorado Statutes Annotated, 1935, Vol. IV, Chap. 137, Section 3, herein-  
after called the "1947 Amendment," ratifying and approving the issuance  
of its First Mortgage, 4%, Sinking Fund Bonds, Series due March 1, 1972,  
in the aggregate principal amount of \$206,000.00, together with all  
coupons originally attached thereto and the Indenture securing the same,  
and authorizing the issuance by The Mountain Utilities Corporation of  
additional bonds in the aggregate principal amount of \$126,000.00, and  
the Second Supplemental Indenture securing the same, and authorizing the  
application of the proceeds to be derived from the sale thereof for the  
purposes specified in said Application, and that the Commission provide for  
a serial number or other device to be placed on the face of such securities  
for the proper and easy identification thereof.

A public hearing was held at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, after appropriate notice, on July 17, 1950, at ten o'clock A. M.

Applicant corporation is engaged in the business of generating and distributing electricity in the Town of Aspen, Pitkin County, Colorado, and adjacent areas, and the business of serving water in Aspen and purchasing and distributing electricity to a number of communities and adjacent areas located in Grand County, Colorado, pursuant to Certificate of Convenience and Necessity heretofore issued by this Commission. All of the properties and business of the Company are located in the State of Colorado. Applicant's principal office is in Denver, Colorado. Applicant is a public utility subject to the jurisdiction of this Commission.

The 1947 Amendment became effective March 22, 1947. Prior to said date, the Company issued and sold First Mortgage, 4%, Sinking Fund Bonds, Series due March 1, 1972, in the aggregate principal amount of \$170,000.00, said bonds being issued under and secured by an Indenture of Mortgage and Deed of Trust from the Company to The United States National Bank of Denver, as Trustee, dated as of March 1, 1947. The Company was advised by counsel that no application need be made to this Commission for authorization of said bond issue because the sale thereof antedated the effective date of the 1947 Amendment and no application was in fact made because of said legal opinion. Said Indenture authorized the issuance of additional bonds thereunder by additional bonds in the aggregate principal amount of \$36,000.00 secured by said original Indenture as amended and supplemented by Supplemental Indenture dated as of April 29, 1948, were issued by the Company and sold. No application for authorization of said Supplementary Bonds was made to this Commission because the Company was advised by counsel that such authorization was unnecessary inasmuch as said bonds were authorized by said Original Indenture which antedated the effective date of the 1947 Amendment. Said First Mortgage, 4%, Sinking Fund Bonds, Series due March 1, 1972, are hereinafter referred to as the "Out-standing Bonds" and said Indenture of Mortgage dated as of March 1, 1947, as

supplemented by said Supplemental Indenture, dated as of April 29, 1948, are hereinafter referred to as the "Indenture."

The Company is indebted to the Durango Gas Company on a demand note in the principal amount of \$103,000.00, and on demand notes to B. E. Jack in the principal amount of \$9,000.00 and to Gerald E. Schlessman in the principal amount of \$6,000.00. The proceeds of the loans evidenced by said notes were used in the construction of additions, extensions and improvements of and to the facilities and properties of the Company. The Company now desires to improve its service and to pay and discharge the said notes, and for that purpose now proposes to create, issue and sell a new issue of bonds in the principal amount of \$126,000.00, the proceeds of which will be used for the discharge or lawful refunding of said obligations and for the improvement of its facilities and service. Said new bonds will be known as First Mortgage, 4%, Sinking Fund Bonds, Series due May 1, 1975 (said bonds being hereinafter referred to as the "Series 1975 Bonds") and will be issued under and will be secured by the Indenture as amended and supplemented by a Second Supplemental Indenture to be entered into between the Company and The United States National Bank of Denver, as Trustee, to be dated as of May 1, 1950.

There is shown below a statement indicating the capital structure before financing and after financing.

CAPITAL STRUCTURE	Before Financing		After Financing		
	Am't.	\$ to Total Cap. Structure.	Adjustment	Amount	\$ to Total Cap. Structure.
Long Term Debt	206,000.00	53.13%	126,000.00	332,000.00	64.63%
Capital Stock & Surplus					
Common Stock	55,000.00	14.19%		55,000.00	10.71%
Surplus					
Capital Surplus	6,675.91			6,675.91	
Earned Surplus	120,037.10			120,037.10	
Total Surplus	126,713.01	32.68%		126,713.01	24.66%
Total Cap. Stock & Surplus	181,713.01	46.87%		181,713.01	35.37%
TOTAL CAPITAL STRUCTURE	387,713.01	100.00%		513,713.01	100.00%

From the testimony adduced at the hearing, it appears that the Company is capably and efficiently managed, that the territory it serves is developing rapidly and that it is to be expected that the Company's net earnings will steadily increase. This Commission recently ordered applicant to conduct a revaluation of its assets upon a cost basis and the testimony presented at the hearing indicates that as a result of such revaluation the net worth of the Company will be substantially increased.

The proposed new issue will be sold to Modern Woodmen of America and will not be offered to the general public.

### F I N D I N G S

#### THE COMMISSION FINDS:

That petitioner, The Mountain Utilities Corporation, is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated;

That this Commission has jurisdiction over said applicant and the subject matter of the petition herein;

That the Commission is fully advised in the premises;

That the issuance by the Company of the securities heretofore issued and now proposed to be issued, as hereinabove set forth, was and is, reasonably required and necessary for its proper corporate financing and the construction program aforesaid;

That the utility is able to service the additional debt;

That the proposed securities transaction is consistent with the public interest and the purpose or purposes thereof are permitted by, and are consistent with, the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended;

That the outstanding bonds were issued in full compliance with the terms of the Indenture securing the same, and were issued in full compliance with the substantive provisions of said Section 3, Chapter 137, Colorado Statutes Annotated, 1935, and should now be ratified and approved, and the Indenture, as amended and supplemented, that was executed to secure said outstanding bonds should in law be ratified and approved;



That the order sought should issue and should be made effective forthwith;

That the bonds are to be issued and sold to Modern Woodmen of America of Rock Island, Illinois, and for the proper and easy identification thereof should be entitled "The Mountain Utilities Corporation First Mortgage, 4%, Sinking Fund Bond, Series due March 1, 1972," and bear a serial number on the face thereof, as set forth in page 16 of the Second Supplemental Indenture as follows: "R 1."

O R D E R

THE COMMISSION ORDERS:

That the issuance by The Mountain Utilities Corporation, a Colorado corporation, of its First Mortgage, 4%, Sinking Fund Bonds, Series due March 1, 1972, bearing serial numbers on the face, M-1 to M-206, inclusive, in the principal amount of \$206,000.00, together with all coupons originally attached thereto, and the Indenture securing the same, dated as of March 1, 1947, as amended and supplemented by the Supplemental Indenture dated as of April 29, 1948, be, and they hereby are, ratified and approved;

That The Mountain Utilities Corporation be, and it is hereby, authorized and empowered to issue and sell to Modern Woodmen of America of Rock Island, Illinois, \$126,000.00 principal amount of its First Mortgage, 4%, Sinking Fund Bonds, Series due May 1, 1975; said bonds to be issued under and to be secured by said Company's Indenture of Mortgage and Deed of Trust, as aforesaid, to The United States National Bank of Denver, as Trustee, dated as of March 1, 1947, and amended and supplemented by Supplemental Indenture of Mortgage and Deed of Trust dated as of April 29, 1948, and by the Second Supplemental Indenture dated as of May 1, 1950, a copy of which is attached to the Application herein and by reference made a part hereof, at a price of 100% of the principal amount thereof, plus accrued interest from May 1, 1950, to date of sale; that The Mountain Utilities Corporation is empowered and authorized to execute and deliver



said Second Supplemental Indenture dated as of May 1, 1950, and that the Indenture of Mortgage and Deed of Trust dated as of March 1, 1947, as amended and supplemented by said Supplemental Indenture of Mortgage and Deed of Trust dated as of April 29, 1948, and by said Second Supplemental Indenture dated as of May 1, 1950, establish a lien on substantially all of the properties of said company;

That the bonds to be issued hereunder shall, for the easy and proper identification thereof, be entitled "The Mountain Utilities Corporation First Mortgage, 4%, Sinking Fund Bonds, Series due May 1, 1975," and shall bear a serial number on the face thereof, as set forth on page 16 of the Second Supplemental Indenture as follows: "RI."

That Mountain Utilities Corporation be, and it hereby is, authorized to use the proceeds received from the sale of said bonds for the discharge or lawful refunding of those certain demand notes payable to the Durango Gas Company in the principal amount of \$103,000.00, to E. E. Jack in the principal amount of \$9,000.00, and to Gerald E. Schlessman in the principal amount of \$6,000.00, together with all interest due on said notes, and to use the balance for the improvements of its facilities and service;

That The Mountain Utilities Corporation shall make a certified report to this Commission not later than three months after the sale of the bonds heretofore authorized, stating the moneys received therefrom, and in detail the expenses incident to such sale, accompanying the same with copies of the entries recorded on the books of the Company as a result of the consummation of the financing above provided;

That nothing herein shall be construed to imply any recommendations or guaranty of, or any obligation with respect to any of said bonds or the interest thereon on the part of the State of Colorado;

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

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Joseph W. Kealey  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 28th day of July, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE A. SHIRKEY AND C. E. HUFF- )  
MAN, DOING BUSINESS AS "OUT WEST )  
AUTO LIVERY," 1514 SEVENTEENTH )  
STREET, DENVER, COLORADO, FOR AN )  
EXTENSION OF PUC NO. 192. )  
----- )

APPLICATION NO. 10060- Extension

-----  
August 2, 1950  
-----

Appearances: Henry S. Sherman, Esq.,  
Denver, Colorado, for  
applicants;  
J. G. Hodges, Esq., Den-  
ver, Colorado, for  
Rocky Mountain Motor  
Company.

S T A T E M E N T

By the Commission:

By Decision No. 35053, of date July 7, 1950, the Commission denied application of George A. Shirkey and C. E. Huffman, co-partners, doing business as "Out West Auto Livery," for authority to extend operations under PUC No. 192.

On July 26, 1950, Motion for Rehearing was filed in behalf of applicant, by Henry S. Sherman, Attorney.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Motion for Rehearing filed herein, and each and every allegation thereof, and is of the opinion that said Motion should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of its said Decision No. 35053; that no useful purpose would be served by granting rehearing herein, and that said application for rehearing should be denied.

ORDER

THE COMMISSION ORDERS:

That Motion for Rehearing filed by applicant in the above-styled matter 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

John R. Barry  
Joseph W. Barclay  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING

Dated at Denver, Colorado,  
this 2nd day of August, 1950.

eh





## F I N D I N G S

### THE COMMISSION FINDS:

That the authority sought should be granted, with the restrictions set forth in the Order following.

## O R D E R

### THE COMMISSION ORDERS:

That John D. Green, 1126 North Arcadia, Colorado Springs, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of Perlite ore from points within a radius of five miles of Rosita, Colorado, to Alexander Film Company, Dolorado Springs, Colorado, only; that his operation shall be confined to the use of one truck, and the authority herein granted shall not be transferable.

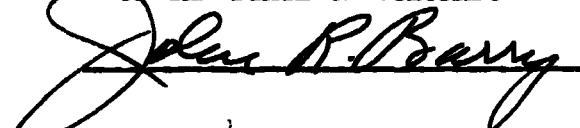
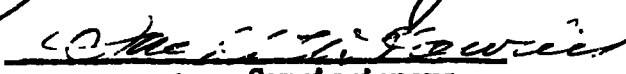
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 2nd day of August, 1950.

ea

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS )  
CORPORATIONS AND PERSONS TO COMPLETE )  
APPLICATIONS FOR AUTHORITY TO OPERATE )  
AS COMMON CARRIERS FOR HIRE IN INTER- )  
STATE COMMERCE BY MOTOR VEHICLE OVER THE )  
HIGHWAYS OF THE STATE OF COLORADO )

August 5th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for Common Carrier authority to operate as a common carrier for hire, Interstate, over the highways of the State of Colorado, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Common Carriers for hire by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain, keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Paul Alley  
Arndt Truck Co  
Abe Barela  
Farrel Bates  
H M Battenfield  
C W Bennett  
K J Bleumer  
A Bruggeman  
Harold L Carlson  
Chicago Trailer Transport, Inc

4043 Bandini Blvd., Los Angeles, Calif  
Sweet Springs Mo  
Box 801, Clovis, N Mex  
Beaver City, Nebr  
Rt 2, Clovis, N Mex  
328 W Mississippi, Floydada, Tex  
Flatiron Hotel, Omaha, Nebr  
Hoskins, Nebr  
Box 278 Bridgeport, Nebr  
1622 W Grand Ave., Chicago, Ill

Clarence Cole  
 Dalhart Transfer  
 Otis Day  
 Eager Bus Lines  
 Edwards Motor Trans Co  
 William V Elmore  
 Findlay Fremont Bus Line  
 Flago Transfer " Storage  
 Lloyd Gambrel  
 Geo B Garrett  
 Hebert Ivan Gatlin  
 E J Smith dba Great Western  
 R L Harber  
 J M Hardwick  
 Vernon Harlan  
 Floyd W Harris  
 R D Harris  
 J E Havison  
 J M Hickman  
 Bill Holladay  
 Bill Honeycutt  
 Howe Trans  
 Norman Jenks  
 Edna F & Chas F Johansen  
 Lewis Reynolds dba K & B Tatr & Stge  
 Kansas-Arizona Motor Express  
 R C Keeling  
 F W Kindrick  
 H W Kreyer  
 A H LeBeau  
 Earl N Leger  
 Frank T Lopez  
 J Macy  
 M H Marney  
 Ray H Mayer  
 D J Mayward  
 J W McNally  
 Miller & Roy

Brady, Tex  
 Dalhart, Tex  
 Spearman, Tex  
 Louisville, Nebr  
 Williamsport, Pa  
 Box 301, Friona, Tex  
 120 E Tiffin St., Fostoria, Ohio  
 McPherson, Kans  
 Box 225, Roy, N Mex  
 Maxwell, N Mex  
 Clayton N Mex  
 1418 W 9th St., Kansas City, Mo  
 Rt 4, Floydada, Tex  
 Carrollton, Mo  
 Clayton, N Mex  
 312 Edgerton, Chillicothe, Mo  
 1801 - 20th, Lubbock, Tex  
 Brady, Tex  
 Aspermont, Tex  
 616 W Mississippi, Floydada, Tex  
 868 Route 1, Albuquerque, N Mex  
 St Paul, Minn  
 Buffalo, Wyo  
 Hay Springs, Nebr  
 Pueblo, Colo  
 Dodge City, Kans  
 Bx 645, Plainview, Tex  
 Jacksboro, Tex  
 1743 Boyd St., Ashland, Nebr  
 McFadden, Wyo  
 Dalton, Nebr  
 Box 150, Monte Vista, Colo  
 Lyman, Wyo  
 Aztec, N Mex  
 Brewster, Kans  
 Canyon, Tex  
 Ainsworth, Nebr  
 Lenox, Iowa

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as Common Carriers for hire, Interstate, by motor vehicle, be, and the same hereby are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(S E A L)

Secretary

Dated at Denver, Colorado, this  
 5th day of August, 1950.

*Joseph C. Norton*  
*John R. Barry*  
*Joseph W. Hawley*  
 (Commissioners)

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS  
CORPORATIONS AND PERSONS TO COMPLETE  
APPLICATIONS FOR AUTHORITY TO OPERATE  
AS COMMON CARRIERS FOR HIRE IN INTER-  
STATE COMMERCE BY MOTOR VEHICLE OVER THE  
HIGHWAYS OF THE STATE OF COLORADO

August 5th, 1950

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission a filing fee for Common Carrier authority to operate as a common carrier for hire, Interstate, over the highways of the State of Colorado, pursuant to Chapter 120, Sessions Laws of 1931, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by law and Rule 4 of the Rules and Regulations of this Commission Governing Common Carriers for hire by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 27 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain, keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of the said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

R J Moherly  
Moody Trans  
Navajo Trail, Inc.  
Geo H Nichols  
Harvey Nickelson  
North Platte City Bus Line  
Notstine & Rogers  
R E Olson  
Jack Osborne  
Ostabo Motorway  
Overnite Express, Inc.  
Peacock Trucking Co  
L H Prell & Son  
J E & Maurine Redriquez  
Raymond Rice  
D P Riggs  
G E Rodgers  
Elmer C Rowe

Albany, Tex  
Ainsworth, Nebr  
Ex 1199, Durango, Colo  
Amherst, Tex  
Oakley, Kans  
West 7th St., North Platte, Nebr  
N Main & Santa Fe, Scott City, Kans  
Minden, Nebr  
Perryton, Tex  
Windom, Minn  
1205 N 6th St., Beatrice, Nebr  
Casper, Wyoming  
Anselmo, Nebr  
Albany, Tex  
Clayton, N Mex  
Dunning, Nebr  
Lockney, Tex  
Granada, Colo

Jesse Sanders  
 Oscar Sapp  
 Scenic Stage Lines, Inc.  
 Robert H Scott Jr  
 Allen Seale  
 Shaver Transfer  
 Sioux City Furniture Co  
 H G Smith Produce Co  
 John Statzman  
 Gerald Stone  
 E C Stoner  
 Tekamah Transfer Co  
 L A Timothy  
 United Moving Co  
 Ed Vannier dba Vannier Transfer  
 Pete Waddill  
 Wagner Truck Service  
 L E Wallberg  
 Harold Weber  
 Frank Willers Heavy Hauling  
 Ray Wilson  
 Witthum Truck Line  
 Woodhouse Feed & Transfer Co  
 William F Wills

W R Browning  
 Blake H Camp  
 C L Hutchings  
 Jack Stratton

Dexter, N Mex  
 Hapler, Kans  
 Box 125, Hanover, Ill  
 Springer, N Mex  
 801 Dallas, Amarillo, Tex  
 1825 Manderson, Omaha, Nebr  
 1107 - 4th St., Sioux City, Iowa  
 311 E Lafayette, Tallahassee, Fla  
 Eemer, Nebr  
 3421 Moore Dr., Texarkana, Tex  
 Ex 1093, Riverton, Wyo  
 Tekamah, Nebr  
 Vernal, Utah  
 131 E Spring, Columbus, Ohio  
 Hildreth, Nebr  
 Melvin, Tex  
 Canton, Mo  
 3671 S 2nd St., Salt Lake City, Utah  
 Cozad, Nebr  
 1109 E 3rd St., Sioux Falls, S Dak  
 St Lawrence, S Dak  
 Bazins, Kans  
 113 - 5th St., Rawlins, Wyo  
 Rocky Ford, Colo

Wichita Falls, Tex  
 Bender, Ga  
 Rt 5 Box 88, Wichita Falls, Tex  
 Arriba, Colo

before this Commission, to obtain a permit authorizing said corporations and persons to operate over the highways of this State as Common Carriers for hire, Interstate, by motor vehicle, be, and the same hereby, are, dismissed.

That this order shall become effective ten days from this date.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

(SEAL)

Secretary

Dated at Denver, Colorado, this  
 5th day of August, 1950

*Ralph C. Hutton*

*John R. Barry*

*Joseph W. Hurdley*  
 (Commissioners)



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
A CORPORATION ORGANIZED AND EXISTING )  
UNDER THE LAWS OF THE STATE OF COLO- )  
RADO, FOR AUTHORITY TO ISSUE 100,000 )  
SHARES OF ITS CUMULATIVE PREFERRED )  
STOCK (PAR VALUE \$100 EACH) AND )  
\$7,000,000 PRINCIPAL AMOUNT OF DEBEN- )  
TURES, CONVERTIBLE INTO COMMON )  
SHARES (PAR VALUE \$10 EACH), INCLUD- )  
ING AUTHORITY TO ISSUE SUCH COMMON )  
SHARES UPON CONVERSION OF SUCH CON- )  
VERTIBLE DEBENTURES. )  
-----

APPLICATION NO. 10658  
(AMENDMENT NO. 2)

-----  
August 2, 1950  
-----

S T A T E M E N T

By the Commission:

Upon consideration of the application filed August 2, 1950,  
by Public Service Company of Colorado in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on August 11, 1950,  
at ten o'clock A. M., 330 State Office Building, Denver, Colorado,  
respecting the matters involved and the issues presented in this pro-  
ceeding. Any interested municipality or any representative of  
interested consumers or security holders of applicant corporation,  
and any other person whose participation herein is in the public  
interest, may intervene in said proceedings. Intervention petitions  
should be filed with the Commission on or before August 11, 1950, and  
should set forth the grounds of the proposed intervention, and the  
position and interest of the petitioners in the proceeding, and must  
be subscribed by interveners.

CHAIRMAN HORTON NOT PARTICIPATING.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 2nd day of August, 1950.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )	
FLOYD MONTGOMERY, 730 DODGE )	CASE NO. 52826-INS.
STREET, DELTA, COLORADO )	(Permit No. C-19349)
-----	

-----  
August 4, 1950  
-----

S T A T E M E N T

By the Commission:

On July 11, 1950, in Case No. 52826-Ins., the Commission entered and order revoking Permit No. C-19349, for failure to keep effective insurance on file.

Insurance was in effect, however, through neglect of the agent, was not filed in time to stop the revocation of the permit. Proper filing has now been made and the insurance is in order without lapse.

F I N D I N G S

After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 52826-Ins., should be cancelled and set aside, and said Permit No. C-19349 restored to its former status.

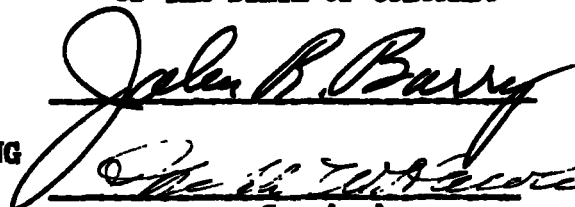
O R D E R

THE COMMISSION ORDERS:

That Decision No. 52826-Ins., should be, and it hereby is, cancelled and set aside, and said Permit No. C-19349 restored to its former status as of July 11, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

CHAIRMAN HORTON NOT PARTICIPATING

  
Commissioners.

Date at Denver, Colorado,  
this 4th day of August, 1950  
eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MRS. ESTHER HOPE, DOING BUSINESS AS )  
"SIMLA TELEPHONE EXCHANGE," SIMLA, )  
COLORADO, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
TO OPERATE A TELEPHONE SYSTEM IN )  
SIMLA. )  
----- )

APPLICATION NO. 10648.

-----  
August 4, 1950  
-----

Appearances: L. L. Hope, Simla,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application seeking a certificate of public convenience and necessity, authorizing Mrs. Esther Hope, doing business as "Simla Telephone Exchange," of Simla, Elbert County, Colorado to furnish telephone utility service within said town of Simla.

The application was set for hearing at the Council Chambers, City Hall, Colorado Springs, Colorado, on July 27, 1950, at ten o'clock A. M., where, after due notice to all parties in interest, it was heard and then taken under advisement.

The evidence disclosed that applicant and her predecessors in interest now are, and for many years last past have been, rendering telephone service to the general public within the limits of said Town of Simla, Colorado. On May 1, 1950, an ordinance was passed by the Board of Trustees of the Town of Simla, granting to Simla Telephone Exchange, applicant herein, the right to construct, operate and maintain lines of telephone, upon, along, over and under the streets and highways of the Town of Simla, and the right to maintain all necessary offices and equipment for a period of twenty years from and after the passage of said ordinance. Applicant has accepted the terms of said ordinance.

It was further disclosed that applicant purchased said telephone system approximately eighteen years ago, and has since added equipment and its present value is approximately \$5,000. The company now has 182 customers and expects to metallize its lines in the near future. It owns no lines outside the Town of Simla, but serves farmer-owned lines from the town limits. The value of \$5,000 is adopted solely for the purpose of determining fee for the issuance of certificate herein, and shall not preclude the Commission from adopting a different value, should the question of valuation arise in a rate hearing, or any subsequent proceeding where valuation may be an issue.

No other company is now serving in the area in question, and no one appeared to protest the granting of the authority sought.

#### FINDINGS

After careful consideration of the record, the Commission is of the opinion, and finds, that the present and future public convenience and necessity require the exercise by applicant of the franchise rights granted by the Town of Simla, on May 1, 1950, by ordinance, a copy of which is on file with the application.

#### ORDER

##### THE COMMISSION ORDERS:

That the present and future public convenience and necessity require the exercise by Mrs. Esther Hope, doing business as "Simla Telephone Exchange," Simla, Colorado, of the franchise rights granted to her on May 1, 1950, by ordinance adopted by the Board of Trustees of said Town of Simla, Colorado, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor;

That applicant shall file her rate schedule, rules and regulations and set up her books and accounts in agreement with the Uniform Classification of Accounts, and in all respects bring her practices into compliance with the Commission's requirements within thirty days from date;

Failure of applicant to comply, as ordered, within said specified period, shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further

action or modification the Commission may order in the premises.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Joseph W. Hawley  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado, this  
4th day of August, 1950.  
eh



Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

INVESTIGATION AND SUSPENSION OF  
PROPOSED REDUCED FARES OF THE  
ATCHISON, TOPEKA AND SANTA FE  
RAILWAY COMPANY, ET AL.  
-----

Investigation and Suspension  
Docket No. 314

-----  
August 3, 1950.  
-----

S T A T E M E N T

By the Commission:

It appearing that there has been filed with the Public Utilities Commission of the State of Colorado by The Atchison, Topeka and Santa Fe Railway Company, The Colorado and Southern Railway Company and The Denver and Rio Grande Western Railroad Company, tariffs containing schedules stating new and individual fares and basis of fares, to become effective on the 25th day of August, 1950, designated as follows:

The Atchison, Topeka and Santa Fe Railway Company, Colorado P.U.C. No. 1370, The Colorado and Southern Railway Company, Colorado P.U.C. No. 2030, and The Denver and Rio Grande Western Railroad Company, Colorado P.U.C. No. 2024.

It further appearing that the said schedules make certain changes in the week-end fares for the transportation of passengers between certain points in the State of Colorado; that, whereby the rights and interests of the public may be injuriously affected; and, it being the opinion of the Commission that the effective date of said schedules contained in said tariffs should be postponed pending said hearing and decision thereon.

These three carriers put into effect on July 28, 1950 temporary schedules covering reduced week-end fares on three days' posting and notice under the provisions of this Commission's Administrative Ruling No. 4. At the same time, they filed on statutory notice new schedules covering the same reduced fares and basis of fares to become effective on August 25, 1950.

The Commission received a petition for and on behalf of the Denver-Colorado Springs Motor Way, Inc., Continental Bus System, Inc., and Denver-Salt Lake and Pacific Stages, requesting that the proposed reduced fares and basis of fares by The Denver and Rio Grande Western Railroad Company be suspended, no mention being made of schedules of the other two carriers.

The Commission decided to permit the temporary schedules to become effective and to suspend the schedules which are advertized to become effective on August 25, 1950. However, in so doing, the fares contained in the schedules of The Atchison, Topeka and Santa Fe Railway Company and The Colorado and Southern Railway Company should be placed in issue.

### FINDINGS

#### THE COMMISSION FINDS:

That, the above enumerated tariffs of the three named carriers advertized to become effective August 25, 1950, should be suspended and that a public hearing should be held relative to the reasonableness and justness of the proposed fares.

### ORDER

#### IT IS ORDERED:

That, the operation of said schedules contained in the aforesaid tariffs be suspended and that said fares, charges, regulations and practices therein stated should be deferred 120 days or until December 22, 1950, unless otherwise ordered by the Commission, and that no change shall be made in such fares, charges, regulations and practices during the period of suspension; that said fares, charges, regulations or practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired; that a copy of this order shall be filed with such schedules in the office of the Commission and that copies be forthwith served on George F. Sherman, Passenger Traffic Manager of The Atchison, Topeka and Santa Fe Railway Company, Topeka, Kansas, Clark J. Ely, General Passenger Agent, The Colorado and Southern Railway Company, Denver, Colorado, H. F. Eno, Passenger Traffic Manager of The Denver and

Rio Grande Western Railroad Company, Denver, Colorado, Truman A. Stockton, Jr., Attorney, 1650 Grant Street Building, Denver 5, Colorado, and Charles Deisher, Continental Trailways, 501 17th Street, Denver 1, Colorado; that this proceeding be and the same is hereby assigned for hearing on the 15th day of August, 1950 at 10 o'clock A.M., Mountain Standard Time, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John P. Barry  
Joseph C. Coffey  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado  
this 3d day of August, 1950.

hn

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE DISCONTINUANCE )  
OF THE AGENCY STATION OF THE DENVER )  
AND RIO GRANDE WESTERN RAILROAD )  
COMPANY, AT FOUNTAIN, COLORADO. )  
----- )

INVESTIGATION AND SUSPENSION  
DOCKET NO. 309.

-----  
August 3, 1950  
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Appearances: T. A. White, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

By the instant application, The Denver and Rio Grande Western Railroad Company, pursuant to General Order No. 34 of this Commission, seeks authority from the Commission to close, as an agency station, its present station at Fountain, El Paso County, Colorado, and to discontinue any agency and the maintenance of customary station and agency services at that point, effective June 19, 1950, business to and from Fountain to be handled thereafter on the basis of a prepay station.

The effective date of the proposed discontinuance was suspended by Decision No. 34936, of date June 12, 1950, and said application was set for hearing at the Council Chambers, City Hall, Colorado Springs, Colorado, for July 27, 1950, where, after due notice to all parties in interest, the matter was heard and taken under advisement.

G. B. Aydelott, of Pueblo, Colorado, Division Superintendent of applicant railroad, identified the following exhibits which were admitted in evidence, to-wit:

1. Statement of company Revenue and Expenses at Fountain, for the Years 1948 and 1949 and the first two months of 1950; revenue on business to and from Fountain, with segregation of carload and l. c. l. traffic for the same period; revenue from passenger traffic, from milk and cream, from telegrams and express, all for the same period; Statement of Revenue at other prepay stations of applicant company in Colorado and Utah; Income Account and Profit and Loss Statement of applicant company from January 1, 1945 to February 28, 1950.



C. C. Case, Superintendent of Railway Express Agency at Denver, to the effect that said company is in agreement with applicant that the agency station should be closed.

It appears from the record that the station at Fountain has been operated at a substantial loss for the past twenty-six months, and there is no indication that the situation will improve. The exhibits and testimony show that the deficiency in revenue to meet the total out-of-pocket expense for said period amounts to approximately \$4,469.06, and since the installation of the automatic block system, the service of an agent is not required for the operation or safety of train movements. All the needs of the public can be met by the rail, bus and truck service now available, and in the opinion of the Commission the abandonment of the station at Fountain, Colorado, as an agency station would not materially inconvenience the traveling and the shipping public.

#### F I N D I N G S

After careful consideration of the record and the exhibits submitted, and for the reasons given in the foregoing Statement, which by reference is made a part hereof, the Commission is of the opinion, and finds, that authority should be granted applicant to discontinue its agency station at Fountain, Colorado.

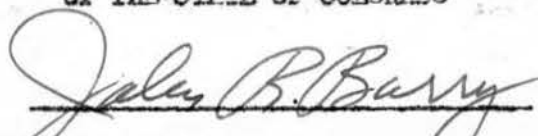
#### O R D E R

##### THE COMMISSION ORDERS:

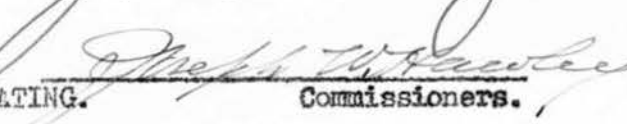
That Applicant, The Denver and Rio Grande Western Railroad Company, be, and it is hereby, authorized to close, as an agency station, its present station at Fountain, El Paso County, Colorado, and to discontinue any agency and the maintenance of customary station and agency service at that point, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



CHAIRMAN HORTON NOT PARTICIPATING.

  
Commissioners.

Dated at Denver, Colorado,  
this 3rd day of August, 1950



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE DISCONTINUANCE  
OF THE AGENCY STATION OF THE ATCHISON,  
TOPEKA AND SANTA FE RAILWAY COMPANY  
AT FOUNTAIN, EL PASO COUNTY, COLORADO.  
-----

)  
) INVESTIGATION AND SUSPENSION  
) DOCKET NO. 311.  
)

-----  
August 3, 1950  
-----

Appearances: Grant, Shafroth and Toll, Esqs.,  
Denver, Colorado, by  
Douglas McHendrie, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

By the instant application, The Atchison, Topeka and Santa Fe Railway Company, pursuant to General Order No. 34 of this Commission, seeks authority from the Commission to close as an agency station its present station at Fountain, El Paso County, Colorado, and to discontinue any agency and the maintenance of customary station and agency services at that point, effective July 10, 1950, business to and from Fountain to be handled thereafter on the basis of a prepay station.

The effective date of the proposed discontinuance was suspended by Decision No. 35055, of date July 7, 1950, and said application was set for hearing at the Council Chambers, City Hall, Colorado Springs, Colorado, for July 27, 1950, where, after due notice to all parties in interest, the matter was heard and taken under advisement.

J. E. Lester, of Pueblo, Colorado, Division Superintendent of the Colorado Division of applicant railroad, in which division Fountain is located, identified the following exhibits which were admitted in evidence, to-wit:

1. Map of stations and business district at Fountain, Colorado;
2. Statement of Revenue and Expenses of Fountain station,  
January 1, 1945 to February 28, 1950;

2-A. Statement of Revenue and Expenses of Fountain Station,  
January to June, 1950, inclusive;

3. Express revenue, Fountain station, January 1, 1945 to  
February 28, 1950;

4. Western Union revenue, Fountain station, January 1, 1945  
to February 28, 1950;

5. Express and Western Union revenue, Fountain station,  
January to June, 1950, inclusive;

6. Statement of business to and from Fountain station, January 1,  
1945 to February 28, 1950;

7. Statement of revenue attributable to carload shipments of  
sugar beets from Fountain station, 1945 to 1949, inclusive.

From the exhibits and testimony of Mr. Lester, the following  
facts were developed:

The freight and passenger revenue and expenses for the period  
covered, was as follows:

	<u>Revenue</u>	<u>Expenses</u>
1945	\$8,220.00	\$5,698.87
1946	9,521.00	7,003.49
1947	12,001.00	6,848.22
1948	10,140.00	4,027.22
1949	7,025.00	3,776.86
1950 (6 months)	2,543.00	2,001.31

The passenger revenue for the same period was as follows:

1945	\$307.00
1946	179.00
1947	123.00
1948	167.00
1949	71.00
1950 (6 months)	54.00
	<u>\$891.00,</u>

or an average of \$13.50 per month.

From 1945 to 1949, inclusive, 608 carload shipments were for-  
warded from Fountain, of which 562 carloads, or over 92%, consisted of  
carload lots of sugar beets, accounting for \$17,199.00 of the freight  
revenue. These shipments were consigned to the Holly Sugar Corporation  
at Swink, Colorado, and said company has advised witness that it has no  
objection to the granting of the application. The remaining carload

shipments were of cattle (29), alfalfa (3), wheat (5), emigrant outfits (2), sheep (6), and hay (1). During the period but 150 carload shipments were received at the station. Future carload shipments will be handled as hereinafter outlined.

No l. c. l. freight was handled at the station in 1945 or 1946; in 1947, 2,964 pounds forwarded or received; in 1948, 11,715 pounds; and 1949, 10,914 pounds.

The express revenue was as follows: 1945, \$255.87; 1946, \$1,058.06; 1947, \$270.04; 1948, \$640.18; 1949, \$382.65; and 1950 (6 months), \$153.79.

The express revenue of all the stations in a fixed zone, consisting of from 3 to 6 states, is prorated to the railroads based on the miles of trackage of each carrier in the zone, so it is impossible to determine the percentage of the above revenue allocable to the Fountain station.

Western Union revenue was as follows:

1945	\$99.68
1946	81.71
1947	115.87
1948	22.37
1949	9.97
1950 (6 months)	8.91

Of this revenue but 10% is allocable to the Fountain station.

Mr. Lester testified that the Fountain station is located between Pueblo and Colorado Springs, 12.6 highway miles south of Colorado Springs, and 31 highway miles north of Pueblo, on U. S. Highways 85-87. The estimated population of Fountain, and an area within a one-mile radius thereof, is 600. Train movements are handled by joint agreement between the railroads, the applicant, The Denver and Rio Grande Western Railroad Company and The Colorado and Southern Railway Company, using one track for northbound traffic and the other track for southbound traffic. The automatic block system was installed in April, 1947, resulting in the release of one employee, and since that date but one man has been employed at Fountain, his hours being from 8:00 A. M. to 5:00 P. M., with one hour off for lunch, the station being open five days each week and closed on Saturdays and Sundays. There

is a distinct shortage in the supply of station agents, and the agent at Fountain will have no difficulty in obtaining a position at a higher salary.

There is adequate motor bus service at Fountain, the Denver-Colorado Springs-Pueblo Motorway, Inc., operating 12 schedules each way daily, with a Fountain stop on 8 schedules. No change in the passenger service of applicant is anticipated, Fountain being at present a flag stop for applicant's passenger trains. There are Star Mail Routes from Colorado Springs, including the Fountain area. As to truck service, the Santa Fe Trail Transportation Company operates one truck each way daily between La Junta and Denver, with stop at Fountain, and one truck each way between Albuquerque and Denver, with no scheduled stop. Weicker Transportation Company operates two northbound schedules through Fountain, with 15 schedules out of Denver southbound between 6:00 P. M. and midnight daily.

Applicant proposes to continue the Fountain station as a prepay station with no agent. Freight on incoming carload and l. c. l. shipments is to be prepaid unless the consignee shall first establish a credit rating with the railroad. Outgoing carload freight is to be handled through the agent at Colorado Springs. Orders for cars can be placed with him and when the cars are spotted at Fountain and loaded, they will move to Colorado Springs or Pueblo, the nearest agency stations, on Conductor's Way Bill, and thence by regular billing. L. C. L. freight will move as at present in trucks of Santa Fe Trail Transportation Company, the incoming freight to be left on the platform to be called for by consignee, the outgoing shipments to be picked up by truck, upon notice to the agent at Colorado Springs or Pueblo. Outgoing telegrams can be handled by telephone to Colorado Springs, while incoming telegrams can be telephoned or mailed from Colorado Springs or Pueblo. Express service will be discontinued and handled through Colorado Springs or Pueblo. Passengers would obtain information as to passenger train operations by telephone and could arrange for a stop at Fountain through the agent at Colorado Springs or Pueblo. They would pay their fare to the conductor instead of buying tickets at the station. Cattle pens would be maintained at the station for the convenience of cattle shippers.



Notice of the proposed closing of the Fountain station was duly posted in the station, and this Commission gave the utmost publicity possible of the filing of the application and the date set for hearing thereon. However, no one appeared at the hearing to protest the abandonment sought.

There has been filed with the Commission a letter of date June 23, 1950, from J. F. Anderson, General Chairman of the Order of Railroad Telegraphers, at Topeka, Kansas, advising that that organization would not file protest to the granting of the application; also, letter from C. C. Case, Superintendent of Railway Express Agency, Inc., of Denver, Colorado, advising that his company is in accord with application that the agency at Fountain should be discontinued.

It appears from the record that Fountain is situate in a farming and livestock country, with no industries which will furnish business for a railroad. Revenue from the station at Fountain has been constantly decreasing for the past few years, and there is no indication that the situation will improve. The exhibits as to expenses are based on out-of-pocket expense only, with no deduction for maintenance, depreciation or other general expense. Under the automatic block system, the service of an agent is not required for the operation or safety of train movements. All the needs of the public can be met by the rail, bus and truck service now available, and in the opinion of the Commission, the abandonment of the station at Fountain, Colorado, as an agency station, would not materially inconvenience the traveling and the shipping public.

#### F I N D I N G S

After careful consideration of the record and the evidence submitted, and for the reasons given in the foregoing Statement, which by reference is made a part hereof, the Commission is of the opinion, and finds, that authority should be granted applicant to discontinue its agency station at Fountain, Colorado.

#### O R D E R

##### THE COMMISSION ORDERS:

That Applicant, The Atchison, Topeka and Santa Fe Railway Company, be, and it is hereby, authorized to close as an agency station its present



station at Fountain, El Paso County, Colorado, and to discontinue any agency and the maintenance of customary station agency service at that point, 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 days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
Spencer S. Hawley  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 3rd day of August, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
COMET MOTOR EXPRESS COMPANY, CRAIG, )  
COLORADO, FOR ISSUANCE OF A SUPPLEMENTAL )  
ORDER PERMITTING SAID COMPANY TO RE- )  
POSSESS FREIGHT OPERATING RIGHTS UNDER )  
PUC NO. 717, 717-I, (FOR DEFAULT IN TERMS )  
OF CONTRACT,) WHICH WERE TRANSFERRED BY )  
DECISION NO. 31147 TO J. W. HAYDEN AND )  
WESLEY E. HAYDEN, dba UINTAH STAGE LINE, )  
GRAND JUNCTION, COLO., )

APPLICATION NO. 9541

PASSENGER OPERATING RIGHTS AC- )  
QUIRED BY UINTAH STAGE LINE UNDER SAID )  
DECISION TO BE RETAINED BY UINTAH STAGE )  
LINE. )

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IN THE MATTER OF THE APPLICATION OF )  
COMET MOTOR EXPRESS COMPANY, a Corpora- )  
tion, Craig, COLORADO, FOR AUTHORITY TO )  
TRANSFER REPOSSESSED PORTION OF PUC NO. )  
717, 717-I AUTHORIZING TRANSPORTATION OF )  
FREIGHT, TO RINGSBY TRUCK LINES, INC., )  
3262 BLAKE ST., DENVER, COLORADO. )  
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APPLICATION NO. 9987-Transfer

-----  
August 7, 1950  
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Appearances: A. J. Tait, Denver, Colorado  
for Ringsby Truck Lines Inc.,  
R. M. Reed, Salt Lake City,  
Utah, for Comet Motor Express  
Company.  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transportation  
Company.  
T. A. White, Esq., Denver, Colo.,  
for Rio Grande Motorway and  
Larson Transportation Company.  
Marion F. Jones Esq., Denver,  
Colorado, for Uintah Stage Line.

S T A T E M E N T

By the Commission:

By Decision No. 5863, of date August 20, 1934, Comet Motor  
Express Co., a Colorado corporation, Craig, Colorado, was granted a cer-  
tificate of public convenience and necessity to operate as a common carrier  
by motor vehicle for hire for:

transportation, in both intrastate and inter-  
state commerce, over all of the following  
routes: Between Grand Junction and the  
Colorado-Wyoming Boundary Line at point

where State Highway No. 13 crosses the same, between Grand Junction and a point on the Colorado-Utah Boundary Line where U. S. Highway No. 40 crosses the same, and between Craig and Meeker and between all points on all of said routes, except that all freight, passengers, and express originating at Grand Junction and points between it and Meeker shall be carried to points north, east, or west of Meeker, and all freight, passengers, and express carried to Grand Junction and points between it and Meeker shall originate at points north, east, or west of Meeker,

said operating rights being designated "FUG No. 717" and "FUG No. 717-I"

By Decision No. 6410, of date April 4, 1935, said authority was extended to include:

transportation of freight and express in interstate commerce only between Denver and the Colorado-Utah State Line, including intermediate points, over U. S. Highway No. 40 with detour by way of Gore Pass, and between Denver and the Colorado-Wyoming State Line and intermediate points, in interstate commerce only, over U. S. Highway No. 40 Denver to Craig, with detour by way of Gore Pass, and over Highway No. 13 from Craig to State Boundary Line,

said operating rights, by Decision No. 7203, of date February 17, 1936,

being further extended to include:

transportation in both intrastate and interstate commerce, in irregular service, for the transportation of persons and property within a radius of fifty miles of Greystone, Sunbeam, Maybell, Massadoma, Caisson, Fortification, Great Divide, Hamilton and Axial, Colorado, over county and state roads excepting any service on Highway No. 13 south of Meeker, and Highway No. 40 east of Craig to the junction of Highway No. 40 and State Highway No. 14; also in intrastate service between Craig and points between the junction of Highway No. 40 and State Highway No. 14 and the Wyoming-Colorado Line north of Walden, Colorado, on State Highways Nos. 125 and 127, and in interstate traffic from Craig, via U. S. Highway No. 40, Colorado State Highways Nos. 14, 125, and 127 to the Wyoming-Colorado State Line, and in interstate traffic from Craig, over county road via Great Divide to the Wyoming State Line at Powder Wash, and in interstate traffic from Craig, via Highway U. S. 40 to Sunbeam and county road, Sunbeam to Bridgeport, Utah, on the Utah-Colorado State Line in Brown's Park, and via the same route to the Wyoming-Colorado State Line in the Hiawatha Oil Field north of Sparks; no movement of freight or passengers will be conducted along the line of The Denver and Salt Lake Railway; subject to the right of Harp Brothers and Larson Transportation Company.

By Decision No. 12853, of date January 10, 1939, it was ordered:

that in order to meet the public demand for a reasonably prompt through service between Grand Junction and Meeker, without unreasonable delay in transit or at Rifle, suitable connection at Meeker should be made to insure expedited service from Grand Junction to points on its line in the Craig Area.

By Decision No. 16301, of date December 13, 1940, PUC No. 717 was further extended to include:

transportation of passengers and baggage on schedule along its authorized route between Craig and Grand Junction from any point north of Rifle to any point west of Rifle, and from any point west of Rifle to any point north of Rifle, excluding, however, any local service between Meeker and Rifle and Rifle and Grand Junction, Colorado.

By Decision No. 24879, of date August 23, 1945, said operating rights were again extended to include:

service between all points it is presently authorized to serve, on the one hand, and points on Colorado Highway No. 64, between, but not including, Meeker, Colorado, and the point where Colorado State Highway No. 64 intersects U. S. Highway No. 40, near Wiley's Resort, on the other, without the right to transport commodities on schedule, in competition with any authorized line-haul service of Harp Brothers.

By Decision No. 31147, of date September 15, 1948, said Comet Motor Express Company, was authorized to transfer all its operating rights under said PUC. No. 717 and 717-I to J. W. Hayden and Wesley E. Hayden co-partners doing business as "Uintah Stage Line," Grand Junction, Colorado.

By Application No. 9541, Comet Motor Express Company, Craig, Colorado, requests an order permitting said company to repossess the freight-operating rights under said PUC. Nos. 717 and 717-I, because of failure by Uintah Stage Lines to comply with the terms of contract for sale, set forth in said Decision No. 31147, the passenger operating rights to be retained by said Uintah Stage Line. And by Application No. 9987, said Comet Motor Express Company seeks authority to transfer the repossessed portion of said PUC 717 and 717-I, authorizing transportation of freight, to Ringsby Truck Lines Inc., Denver, Colorado.

Applications No. 9541 and 9987, were set for hearing before the Commission at 330 State Office Building, Denver, Colorado, May 31, 1949,



and after due notice to all parties in interest, were there heard on a consolidated record and taken under advisement.

At the hearing T. A. White, Esq., Attorney for Rio Grande Motorway and Larson Transportation Company, submitted evidence to the effect that Uintah Stage Line is indebted to said companies in the sums of \$231.89 and \$299.61 respectively in respect to G. O. D. shipments for which said companies were liable as originating carriers. Decision was deferred to permit of the adjustments of these claims, and by letter of date September 7, 1949, Mr. White advised that the claims had been adjusted and withdrew any objection to the entry of the order requested.

A further reason for the delay in disposing of the instant applications is the fact that certain documentary evidence was required of applicant and has been but recently filed with the Commission.

R. M. Reed, President of Comet, and Terminal Manager at Salt Lake City, Utah, for Ringsby, testified in support of the applications. From his testimony it appears that the consideration for transfer of the passenger and freight operating rights from Comet to Uintah, authorized under our Decision No. 31147, was \$21,500, of which Uintah paid the sum of \$4,000 upon execution of the contract, leaving a balance of \$17,500 still due. Uintah was unable to make the payments provided under the contract and the parties later agreed that the passenger operating rights under said PUC. Nos. 717 and 717-I should be retained by Uintah; that an arbitrary value of \$6500 should be placed upon the freight operating rights; that Uintah should retain the passenger operating rights and be given credit for \$6500 on the contract, leaving the agreed purchase price of the passenger operating rights to be retained by Uintah as \$15,000; and that after crediting Uintah with the \$4,000 down payment and \$350 thereafter paid there would be a balance due from Uintah to Comet for the passenger operating rights only, of \$10,650. In other words Uintah was to retain the passenger operating rights under said PUC. Nos. 717 and 717-I transferred to Uintah by authority of our Decision No. 31147 and relinquish all interest in the freight operating rights to Comet.

Marion F. Jones, Esq., Attorney for Uintah, agreed that the above is a true statement of fact and requested that application No. 9541 be



granted.

J. W. Ringsby, President of Ringsby Truck Lines Inc., testified as to the equipment and financial standing of his company. He stated that Uintah discontinued its freight operation under the certificate referred to on March 2, 1949, and since that date Ringsby has operated the same under temporary authority from this Commission. He has agreed with Comet to pay for the freight operating rights, repossessed from Uintah, the sum of \$6500, payable at the rate of \$75 a month commencing on the date of the approval of the transfer of this Commission.

Ton-mile tax deposit is to be transferred to the account of Ringsby.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the repossession of operating rights proposed in Application No. 9541 and the transfer of said operating rights proposed in Application No. 9987 are compatible with the public interest and should be approved and confirmed by proper order of this Commission.

### O R D E R

#### THE COMMISSION ORDERS:

That the repossession by Comet Motor Express Company from J. W. Hayden and Wesley E. Hayden, doing business as Uintah Stage Line, of the freight operating rights under PUC Nos. 717 and 717-I, as same are defined in Decision No. 31147 of this Commission, of date September 15, 1948, be, and same is hereby, approved and that said Comet Motor Express Company be, and is hereby declared to be, the owner of said freight operating rights as of the date of such repossession, to-wit March 2, 1949.

That Comet Motor Express Company be, and hereby is, authorized to transfer all its right, title and interest in and to the freight operating rights under PUC Nos. 717 and 717-I, so repossessed as aforesaid, to Ringsby Truck Lines Inc., Denver, Colorado, subject however, to outstanding indebtedness if any there be, whether secured or unsecured.

That ton-mile tax deposit be transferred to the account of Ringsby Truck Lines Inc., as such transferee.

The tariff of rates, rules and regulations of transferor shall become and remain those of 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 the prior filing by transferor of delinquent reports, if any, covering its operations under said certificate, and the payment by transferee of all unpaid ton-mile tax.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John R. Barry  
James W. [unclear]  
Commissioners

Dated at Denver, Colorado,  
this 7th day of August, 1950.

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ROY L. GEORGE, DECEASED, AND ROBERT  
E. GEORGE, DOING BUSINESS AS "ROY L.  
GEORGE & SON," VONA, COLORADO, FOR  
AUTHORITY TO TRANSFER PERMIT NO.  
B-1317 TO ROBERT E. GEORGE, VONA,  
COLORADO.

APPLICATION NO. 10702-PP-Transfer.

August 8, 1950

STATEMENT

By the Commission:

On February 25, 1936, by Decision No. 7257, William Barber, Vona, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

farm supplies, farm equipment, farm products, feed and coal, from point to point in the area described as follows: beginning at the Town of Seibert; thence north along State Highway No. 59 a distance of 22 miles; thence east 11 miles; thence south 22 miles to U. S. Highway No. 40-North, thence west along Highway 40-North a distance of 11 miles to the place of beginning, it being understood that applicant shall have the right to use Highway No. 57 in the conduct of his operation; the transportation of farm products from said area to Burlington and Stratton with back-haul of farm supplies, and the transportation of livestock from point to point in said area and between said area and sales at Sterling, Colorado.

Subsequently, Roy L. George, pursuant to authority granted by Decision No. 9339, acquired said permit from William Barber.

Pursuant to authority contained in Decision No. 22862, of date November 14, 1944, Roy L. George was authorized to extend his operations under said operating rights (Permit No. B-1317), to include the right to transport:

"commodities he is now authorized to transport (Decision 7257), and household goods, between points within the area described as: beginning at Seibert, Colorado, on U. S. Highway No. 24; thence south along State Highway No. 59, to the Kit Carson-Cheyenne County Line,

thence east 11 miles along said county line to a point, thence north 18 miles more or less to U. S. Highway No. 24; thence west to the point of beginning, said Highway U. S. 24 formerly being known as 'U. S. Highway No. 40-North,' (the north line of the territory herein described being the south line of the territory he was authorized to serve under Decision 7257); livestock from points in original territory authorized to be served (Decision No. 7257), as well as from points in the territory herein authorized to be served, to Denver, Colorado."

Subsequently, Permit No. B-1317 was transferred to Roy L.

George and Son, by Decision No. 26912.

Pursuant to authority contained in Decision No. 29870, of date February 9, 1948, said Roy L. George and Robert E. George, doing business as "Roy L. George and Son," were authorized to extend their base territory, or area, in their private carrier operations under Permit No. B-1317, by including:

a strip five miles wide, extending north to south, along the east side of their presently authorized territory, with the right to serve points to and from this area, the same as if it had been originally incorporated in their base area.

Thereafter, Roy L. George departed this life, and by the instant application, Robert E. George, in behalf of himself and Gertrude George, widow of decedent, and Ornetta Pierce, daughter of decedent, seeks authority to transfer said operating rights to Robert E. George.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that ton-mile tax deposit is to be transferred to account of transferee; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

## FINDINGS

### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

## ORDER

### THE COMMISSION ORDERS:

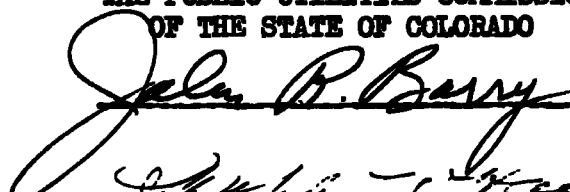
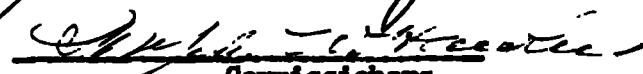
That Robert E. George, for and in behalf of Roy L. George and said Robert E. George, co-partners, doing business as "Roy L. George and Son," Vona, Colorado, (said Roy L. George having departed this life), should be, and he hereby is, authorized to transfer all right, title, and interest of said Roy L. George and Robert E. George in and to Permit No. B-1317, to Robert E. George, Vona, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured, and provided that transferee shall assume and pay ton-mile tax due and owing from transferors to the Commission on account of operations under 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 the Commission, and the prior filing by transferor or delinquent reports, if any, covering his operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit under Permit No. B-1317 should be transferred and credited to account of transferee.

This order is made a part of the permit authorized to be transferred, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of August, 1950.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
W. H. HEDLEY, 4300 XAVIER STREET,  
DENVER, COLORADO, FOR AUTHORITY TO  
OPERATE AS A CLASS "B" PRIVATE  
CARRIER BY MOTOR VEHICLE FOR HIRE.  
-----

} APPLICATION NO. 10703-PP.  
}

-----  
August 8, 1950  
-----

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, dirt, and other road surfacing materials, from pits and supply points in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

FINDINGS

THE COMMISSION FINDS:

That authority sought should be granted.

ORDER

THE COMMISSION ORDERS:

That W. H. Hedley, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points

in the State of Colorado, to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

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

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

That this order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John R. Barry*  
*Commissioners.*

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 8th day of August, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PUEBLO BUS COMPANY, PUEBLO, )  
COLORADO. )  
-----)

PUC NO. 1698

-----  
August 10, 1950  
-----

Appearances: T. A. White, Esq., Denver,  
Colorado, for applicant.

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from T. A. White, Esq., in behalf of Pueblo Bus Company, as follows:

"this letter is to request the Commission to enter an order authorizing Pueblo Bus Company to temporarily suspend its passenger service under the above-numbered certificate for a six month period from and after April 15, 1950, for the reason that such service is not at the present time required between the points heretofore served by said Company, but may in the near future be required by reason of developments in the Korean War."

F I N D I N G S

THE COMMISSION FINDS:

That said suspension of operations should be authorized, as requested.

O R D E R

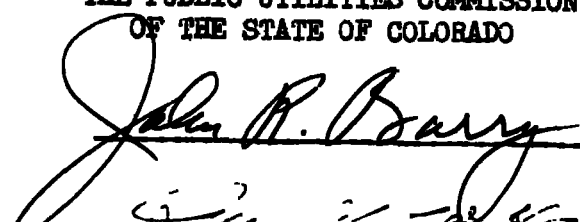

THE COMMISSION ORDERS:

That Pueblo Bus Company should be, and it hereby is, allowed to suspend passenger service under PUC No. 1698 for a period of six months from April 15, 1950.

That unless said certificate-holder shall, prior to expiration of said suspension period, reinstate said certificate by filing insurance and otherwise complying with all rules and regulations of the Commission

applicable to common carrier certificates, said certificate, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING

Dated at Denver, Colorado,  
this 10th day of August 1950.

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOE A. ULIBARRI, 2535 GLENARM )  
PLACE, DENVER 5, COLORADO. )  
-----)

PERMIT NO. B-3621

-----  
August 9, 1950  
-----

S T A T E M E N T

By the Commission:

On April 12, 1950, the Commission authorized Joe A. Ulibarri to suspend operations under his Permit No. B-3621 until August 9, 1950.

The Commission is now in receipt of a communication from the above-named permittee, requesting that his permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. 3621 should be, and the same hereby is, reinstated as of August 9, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Norton  
John R. Barry  
Joseph W. Hawley  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of August, 1950.

eh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LEAMON RESLER, DOING BUSINESS AS )  
"RESLER TRUCK LINE," 1420 38TH )  
STREET, DENVER, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PUC NO. 460 TO )  
PLATTE VALLEY TRUCK CO., A CORPORA- )  
TION, 1420 38TH STREET, DENVER, COLO- )  
RADO. )  
-----

APPLICATION NO. 10693-Transfer

IN THE MATTER OF THE APPLICATION OF )  
DEAN RESLER, DOING BUSINESS AS )  
"PLATTE VALLEY TRUCK COMPANY," 1420 )  
38TH STREET, DENVER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NOS. 407 )  
AND 407-1 TO PLATTE VALLEY TRUCK )  
CO., A CORPORATION, 1420 38TH STREET, )  
DENVER, COLORADO. )  
-----

APPLICATION NO. 10694-Transfer

IN THE MATTER OF THE APPLICATION OF )  
DEAN RESLER, DOING BUSINESS AS )  
"PLATTE VALLEY TRUCK COMPANY," 1420 )  
38 TH STREET, DENVER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 2077-1 )  
TO PLATTE VALLEY TRUCK CO., A COR- )  
PORATION, 1420 38TH STREET, DENVER, )  
COLORADO. )  
-----

APPLICATION NO. 10695-Transfer

IN THE MATTER OF THE APPLICATION OF )  
DEAN RESLER, DOING BUSINESS AS )  
"PLATTE VALLEY TRUCK COMPANY," 1420 )  
38TH STREET, DENVER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
A-843 TO PLATTE VALLEY TRUCK CO., A )  
CORPORATION, 1420 38TH STREET, )  
DENVER, COLORADO. )  
-----

APPLICATION NO. 10696-PP-Transfer

IN THE MATTER OF THE APPLICATION OF )  
DEAN RESLER, DOING BUSINESS AS )  
"PLATTE VALLEY TRUCK COMPANY," 1420 )  
38TH STREET, DENVER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
A-505 TO PLATTE VALLEY TRUCK CO., A )  
CORPORATION, 1420 38TH STREET, DEN- )  
VER, COLORADO. )  
-----

APPLICATION NO. 10697-PP-Transfer

-----  
August 9, 1950  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for transferors  
and transferee;  
A. J. Fregeau, Denver, Colorado,  
for Welcker Transfer and Stor-  
age Company;  
E. B. Evans, Esq., Denver, Colo-  
rado, for Don I. Biggs, Trustee.

## S T A T E M E N T

By the Commission:

Leamon Resler, doing business as "Resler Truck Line," Denver, Colorado, is the owner of PUC No. 460, with authority described in the files of the Commission.

By Application No. 10693 he seeks authority to transfer his operating rights under said certificate to Platte Valley Truck Co., a corporation.

Dean Resler, doing business as "Platte Valley Truck Company," is the owner of PUC Nos. 407 and 407-I and 460-I, and by Application No. 10694, he seeks authority to transfer his operating rights under these certificates to Platte Valley Truck Co., a corporation.

Dean Resler, doing business as "Platte Valley Truck Company," is also the owner of PUC No. 2077-I, and by Application No. 10695 he seeks authority to transfer his operating rights under said certificate to Platte Valley Truck Co., a corporation.

Dean Resler, doing business as "Platte Valley Truck Company," also is the owner of Permit No. A-843, and by Application No. 10696 he seeks authority to transfer his operating rights under said permit to Platte Valley Truck Co., a corporation.

Dean Resler, doing business as "Platte Valley Truck Company," is also the owner of Permit No. A-505, and by Application No. 10697 he seeks authority to transfer his operating rights under said permit to Platte Valley Truck Co., a corporation.

The five applications were set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, July 28, 1950, heard on a consolidated record by agreement by all parties in

interest, and taken under advisement.

It appears from the evidence that Platte Valley Truck Co. was incorporated under the laws of the State of Colorado, on March 16, 1949, by Leamon Resler, Dean Resler, and Vera Resler Lilly, with an authorized capitalization of one thousand shares of capital stock, par value of \$100.00 per share. On the same day its incorporators voted to issue a total of 500 shares of stock, 255 (51%) to Dean Resler, 244 (48.9%) to Leamon Resler, and 1 (1/10%) to Vera Resler Lilly. Dean Resler was elected President, Leamon Resler Vice-President, and Vera Resler Lilly Secretary-Treasurer.

Under a tripartite agreement, of March 16, 1949, among Dean Resler, Leamon Resler, and the corporation, the corporation would acquire from Dean Resler all his interstate and intrastate operating rights, including those authorized under PUC Nos. 407 and 407-I, 460-I, 2077-I, and Permit No. A-505; all his revenue, equipment, excepting four tractors, having a net depreciated book value as of June 3, 1949 of \$29,310; his office and garage equipment, having depreciated book value of \$4,258., as of the same date; and all his current assets, aggregating \$17,858., as of the same date. In payment, the corporation would issue to him 255 shares of its capital stock, and assume all his current liabilities, except accrued real estate taxes, which aggregate \$51,090., as of the same date. Under the same agreement, the corporation would acquire from Leamon Resler, in return for 244 shares of its stock, his interstate and intrastate operating rights, including those authorized under PUC No. 460 and Permit No. A-843 (since transferred to Dean Resler. See Application No. 10696); a Wyoming intrastate certificate, one semi-trailer having a net depreciated book value of \$660., as of June 30, 1949, and \$3,000. in cash.

Application was made to the Interstate Commerce Commission by the corporation under MC-F-3705, and MC-F-3739, for the approval of the transfers and the purchase by the corporation of additional operating rights of one Clay Ervin, doing business as "Ervin Transfer Co.," and under date of March 24, 1950, the I.C.C. entered its order approving pur-



chase by the corporation of the operating rights of Clay Ervin, doing business as "Ervin Transfer Co.," of Sterling, Colorado, of the operating rights and property of Dean Resler, doing business as "Platte Valley Truck Co.," and the operating rights (with exceptions not here involved), and property of Leamon Resler, doing business as "Resler Truck Line," and the acquisition by Dean Resler and Leamon Resler of control of Platte Valley Truck Co., a corporation.

In the report of the Interstate Commerce Commission, upon which the order was based, it is stated:

"Unification of the rights of the father (Leamon Resler), son (Dean Resler), and Ervin, into a single carrier, Valley (the corporation), would result in a more economical operation than was possible while under separate ownership. It would achieve savings by the elimination of partially duplicating routes and terminal facilities \*\*\* and by utilizing fewer vehicles to transport the same volume of traffic."

On June 3, 1949, one Don I. Biggs took over the operation as Receiver, and on July 18, 1950, he was appointed by the Referee in Bankruptcy as Trustee of the Estate of Dean Resler, doing business as "Platte Valley Truck Company," and Platte Valley Truck Co., Inc.

Mr. Biggs testified at the hearing that it is very essential that all the operating rights here involved be transferred to the corporation, in order that all such operating rights may be placed under one ownership. He identified Exhibit No. 2, which is the proposal or "arrangement" presented to the Trustee by the corporation, under which the corporation proposes to continue to operate the business, to collect all accounts receivable, to collect all rents, income, transportation charges, and profits of the business, and to pay the same immediately upon collection to the Trustee, to be distributed by the Trustee under proper Court Order. This plan was presented to the creditors and approved on July 18, 1950. Mr. Biggs testified that the indebtedness of the bankrupt estate, after the transfers were effected, would amount to approximately \$62,000., and in his opinion under the plan proposed, he will be able to pay this indebtedness within the period of one year..

At the hearing, Application No. 10694, was amended by the inclusion of FUC No. 460-I, which has heretofore been transferred from Leamon Resler to Dean Resler.

No one appeared in opposition to granting of the instant applications.

## FINDINGS

### THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest, and should be authorized, subject to outstanding indebtedness.

## ORDER

### THE COMMISSION ORDERS:

1. That Leamon Resler, doing business as "Resler Truck Line," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to FUC No. 460 to Platte Valley Truck Co., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operation.

The tariff of rates, rules and regulations of transferor shall become and remain those of 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 the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate, and payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferee.

2. That Dean Resler, doing business as "Platte Valley Truck Company," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to FUC Nos. 460-I, 407, and 407-I, to Platte Valley Truck Co., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operation.

That transfer of interstate operating rights shall be subject to the provisions of the Federal Motor Carrier Act of 1935..



The tariff of rates, rules and regulations of transferor shall become and remain those of 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 the prior filing by transferor of delinquent reports, if any, covering operations under said certificates, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposits of transferor shall be transferred and credited to account of transferee.

3. That Dean Resler, doing business as "Platte Valley Truck Company," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2077-I to Platte Valley Truck Co., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, and subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferor shall be transferred to account of transferee.

4. That Dean Resler, doing business as "Platte Valley Truck Company," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-843 to Platte Valley Truck Co., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operation.

The right of transferee to operate under this order shall depend upon compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

That ton-mile tax deposit of transferor shall be transferred to account of transferee.

5. That Dean Resler, doing business as "Platte Valley Truck

Company," Denver, Colorado, should be, and he hereby is, authorized to transfer Permit No. A-505 to Platte Valley Truck Co., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operation.

The right of transferee to operate under this order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit, and the payment by him or transferee of all unpaid ton-mile tax.

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

That ton-mile tax deposit of transferor shall be transferred to account of transferee.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*John R. Barry*  
*Joseph W. Hawley*  
Commissioners

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 9th day of August, 1950.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
SOUTHLAND NAVAL STORES COMPANY, )  
1012-1100 NORTH MORAN, GAINES- )  
VILLE, TEXAS. )  
----- )

CASE NO. 52600-R  
(Permit No. C-24365)

-----  
August 10, 1950  
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S T A T E M E N T

By the Commission:

On the 1st day of June, 1950, in Case No. 52600-R, the Commission entered an order revoking Permit No. C-2465, for failure to file monthly road tax reports for the period from August 12th through November 30, 1949.

The delinquent reports have now been filed and permit should be reinstated.

F I N D I N G S

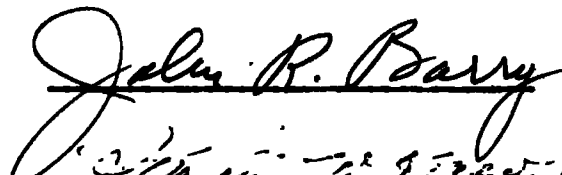
After careful consideration of the record and the files, the Commission is of the opinion, and finds, that our Decision No. 52600-R should be cancelled and set aside, and said Permit No. C-24365 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 52600-R should be, and it hereby is, cancelled and set aside, and said Permit No. C-24365 restored to its former status as of June 1, 1950.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of August, 1950.  
eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
OLIVER F. CLYNCKE, ROUTE 1, BOULDER,  
COLORADO, FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY.

APPLICATION NO. 10692.

RE MOTOR VEHICLE OPERATIONS OF  
OLIVER F. CLYNCKE, ROUTE 1, BOULDER,  
COLORADO.

PERMIT NO. B-1569.

August 9, 1950

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant;  
Ralph Yockey, Boulder, Colo-  
rado, for Yockey Truck Company.

S T A T E M E N T

By the Commission:

By Decision No. 8011, of date July 17, 1936, Oliver F.  
Clyncke, Boulder, Colorado, was authorized to operate as a Class  
"B" private carrier by motor vehicle for hire for the transportation of:

hay and grain from farms within a radius of  
eight miles of his farm (located about eighteen  
miles southwest of Longmont), to Longmont,  
Lafayette, Louisville, and Boulder, Colorado;  
livestock from said farms to sales yard at  
Longmont, and to Denver, Colorado.

Permit No. B-1569 was assigned to the operation.

By Application No. 10692, filed March 21, 1950, he seeks a  
certificate of public convenience and necessity to operate as a common  
carrier by motor vehicle for hire for the transportation, on call and  
demand, of hay, grain, and livestock, over irregular routes, between  
points in the State of Colorado.

Said application was set for hearing, and heard, at the  
Hearing Room of the Commission, 330 State Office Building, Denver,  
Colorado, August 2, 1950, and at the conclusion of the evidence, the  
matter was taken under advisement.



Counsel for applicant requested that if the application should be granted, the certificate issue to "Oliver F. Glyncke and Oliver J. Glyncke, doing business as 'Oliver Glyncke,' as joint tenants with right of survivorship."

The description of the base area to be served by applicant was amended at his request, as set forth in the Order following.

Oliver F. Glyncke testified that the base area he seeks to serve as a common carrier covers the greater part of the area he has been serving for many years under Permit No. B-1569, and requested that said permit be cancelled, provided the instant application is granted.

Applicant's equipment consists of a 1949 International Truck. There are no debts against his operation under his permit, and he is financially able to purchase more equipment, if needed. He testified that he has had many calls to perform service in the transportation of the commodities named to points outside the area he is presently authorized to serve under the permit, between points in the area he wishes to serve, and to and from points outside said area. He has been unable to properly serve his customers under the limitations of his permit. There are no other common carriers with equipment based in the area applied for, the nearest being stationed at Longmont.

John Taussig, residing two miles north of Boulder, testified that he handles registered cattle, and ships breeding stock by truck -- one to ten head at a time -- to breeders in all parts of Colorado. He also buys cattle and ships them to his ranch. His bulls are valued at from \$450.00 to \$500.00 per head, and require careful handling. At present, he sells from fifty to sixty head of registered stock per year, and his business is growing. He also ships cattle to various livestock shows at Longmont, Colorado Springs, Pueblo, and other points, and if same are not sold, he ships them back to the ranch. He also buys his hay and grain at various points in Colorado and ships same to his ranch by truck. He has used the services of applicant in area he can serve under his permit. Applicant has always given excellent service, and is very careful in handling livestock. Witness and his neighbors have need of his service in the area applied for, and will use his service if the application is granted.



Timothy Shannahan, residing three miles south of Boulder, a farmer and rancher, ships livestock to Longmont and Denver, and is now starting in the dairy business and expects to buy Holstein cows at sales anywhere within a day's drive of his ranch. He has used applicant's service under his permit, and it has been satisfactory. He can seldom obtain the service needed from other certificated carriers, needs applicant's service in the area applied for, and will use the same if it becomes available.

Ed J. Hogan, of Eldorado Springs, Colorado, has a ranch in Jefferson County and two ranches in south Boulder County, where he raises horses and cattle. Applicant's service under his permit has been good, but there is a definite need for his service as a common carrier in the area applied for. Witness will use the service to haul hay and grain from one ranch to another, and to haul cattle and horses to market. The service of other certificated carriers has not been satisfactory, and he and his neighbors ship only a few head of livestock at a time, and the larger operators are not interested in such business.

Henry Eberhardt, in the cattle business six miles east of Boulder, Colorado, ships registered cattle all over the state and needs the proposed service of applicant.

Paul R. Teets resides four miles east and one and one-half times north of Boulder, and buys and sells registered cattle all over the state. He has patronized applicant, and his service under the permit has been excellent. He stated that the application should be granted, as there is a definite need for applicant's service as a common carrier in the area applied for, and witness would use the service of applicant, if available.

Paul C. Hudson resides eight miles east of Boulder, and has a pasture in the mountains. He hauls cattle to and from this pasture, has used applicant's service, and found it good. He sells cattle for delivery to other points in the state, and buys and sells at the sales rings. He also has need of the proposed service.

All witnesses agreed that no other common carriers with authority in the area have equipment based in southern Boulder County, or render adequate service therein.

No testimony was given by anyone opposing favorable action on the application.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the proposed operation of applicant, and that certificate of public convenience and necessity should issue therefor; that Permit No. B-1569 should be cancelled.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require the operation by Oliver F. Clyncke and Oliver J. Clyncke, doing business as "Oliver Clyncke," as joint tenants, with right of survivorship, of a motor vehicle common carrier service, on call and demand, for the transportation of hay, grain, and livestock over irregular routes between points in the following-described area:

that part of Boulder County lying south of the line commencing at a point on the east Boulder County Line which is intersected by the Union Pacific Railroad tracks; thence west to the Davidson School road; thence north two miles; thence west to the oil refinery road; thence north to Left Hand Creek; thence west along the Left Hand Creek to Left Hand Canyon; thence following Left Hand Canyon to the West Boulder County Line, and including a strip one-half mile in width south of and adjacent to the south Boulder County Line in Jefferson County,

and from and to points in said area, to and from points in the State of Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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

That 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.

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

That Permit No. B-1569 is hereby cancelled and revoked.

That ton-mile tax deposit covering operations under Permit No. B-1569 shall be transferred to account of applicant herein under his common carrier motor vehicle operations herein authorized.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

John B. Barry  
Joseph A. Hawley  
Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 9th day of August, 1950.

ea



(Decision No. 35182)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
NATIONAL BUS TRAFFIC ASSOCIATION, INC.,  
FOR AND ON BEHALF OF INTERSTATE TRANSIT  
LINES AND OTHERS, TO REOPEN DECISION  
NO. 31450, APPLICATION 1606 ET AL,  
FOR THE PURPOSE OF AMENDING THE RATES  
AND FARES THEREIN PRESCRIBED.

APPLICATION  
NO. 1606 ET AL

August 9, 1950.

STATEMENT

By the Commission:

The Commission is in receipt of the attached petition requesting that the above enumerated application be reopened for further hearing relative to the matters and things contained in said petition.

FINDINGS

THE COMMISSION FINDS:

That, application number 1606, et al, should be reopened for further hearing in connection with the matters and things set forth in said petition.

ORDER

IT IS ORDERED:

That, application number 1606, et al, be and the same is hereby reopened for further hearing relative to the matters and things set forth in the petition, a copy of which is attached hereto, and by reference is made a part hereof. That, the further hearing shall be held in the Hearing Room of the Commission, Room 330 State Office Building on August 29, 1950, at 10:00 o'clock A. M.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Joseph C. Nolan*  
*John R. Barry*  
*James E. Kennedy*  
Commissioners

Dated at Denver, Colorado  
this 9th day of August, 1950.

hm

Original

(Decision No. 35183)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF }  
FORREST DICE, DOING BUSINESS AS "THE }  
GUNNISON TRUCK LINES," GUNNISON, }  
COLORADO, TO TRANSFER CERTIFICATE OF }  
PUBLIC CONVENIENCE AND NECESSITY NO. }  
PUC-797 TO MORRIS KOSCOVE, CARL B. }  
RUNDLELL, AND JACK K. COLEMAN, DOING }  
BUSINESS AS "GUNNISON TRUCK LINES," }  
GUNNISON, COLORADO. }

APPLICATION NO. 10674-Transfer.

-----  
August 10, 1950  
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Appearances: Robert G. Porter, Esq.,  
Gunnison, Colorado, for  
Transferor and Transferees;  
G. E. Cress, Esq., Denver,  
Colorado, for Engine Supply  
Company;  
M. J. Verzuh, Gunnison, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 35136 of date July 27, 1950, Forrest Dice, doing business as "Gunnison Truck Lines," Gunnison, Colorado, was authorized to transfer all his right, title, and interest in and to PUC No. 797 to Morris Koscove, Carl B. Rundell, and Jack K. Coleman, doing business as "Gunnison Truck Lines," Gunnison, Colorado, contingent upon payment by transferees to M. J. Verzuh, Escrow Agent, of the balance of \$15,000 due upon the agreed purchase price of said certificate and certain equipment, and the payment by said M. J. Verzuh, Escrow Agent, to the unsecured creditors listed in Exhibit No. 1 received in evidence, of at least 85% of their respective claim, as shown by said exhibit and the filing with the Commission of proof of such payments.

The Commission is in receipt of a report of said M. J. Verzuh, Escrow Agent, showing receipt by him of the balance of \$15,000 due under the purchase contract referred to, and the disbursement of all amounts received by said Escrow Agent in the payment of the secured creditors and accounts in full, and the payment to the general creditors of 85% of their accounts.



Said report is in proper form and in compliance with the previous requirements of this Commission.

### FINDINGS

#### THE COMMISSION FINDS:




That the transfer authorized in Decision No. 35136, should be made final.

### ORDER

#### IT IS ORDERED BY THE COMMISSION:

That the transfer of operating rights under PUC. No. 797, authorized by Decision No. 35136, of July 27, 1950 be, and the same is hereby declared to be, final.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 10th day of August, 1950.

eh

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
HOWARD EVANS AND GALE TALKINGTON,  
CO-PARTNERS, DOING BUSINESS AS  
"CARPENTER TRUCK LINE," CARPENTER,  
WYOMING, FOR AUTHORITY TO TRANSFER  
INTERSTATE OPERATING RIGHTS TO  
GEORGE B. PLAMBECK, DOING BUSINESS  
AS "CARPENTER TRUCK LINE," BURNS,  
WYOMING.

PUC NO. 653-I.

August 10, 1950

Appearances: Marion F. Jones, Esq.,  
Denver, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

Heretofore, Howard Evans and Gale Talkington, co-partners, doing business as "Carpenter Truck Line," Carpenter, Wyoming, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle for hire in interstate commerce, and PUC No. 653-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to George B. Flambeck, doing business as "Carpenter Truck Line," Burns, Wyoming.

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

F I N D I N G S

THE COMMISSION FINDS:

That transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Howard Evans and Gale Talkington, co-partners, doing business as "Carpenter Truck Line," Carpenter, Wyoming, should be, and they hereby are, authorized to transfer all their right, title, and

interest in and to PUC No. 653-I to George B. Flambeck, doing business as "Carpenter Truck Line," Burns, Wyoming, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Holm

John B. Barry

Joseph W. Hawley  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of August, 1950.

ea



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
VIOLET J. PRATT, ADMINISTRATRIX OF  
THE ESTATE OF H. W. PRATT, DECEASED,  
546 GAY STREET, LONGMONT, COLORADO,  
FOR AUTHORITY TO TRANSFER PERMIT NO.  
B-1068 TO M. J. BRADLEY, DOING BUSI-  
NESS AS "PRATT FUEL CO.," 334 KIM-  
BARK STREET, LONGMONT, COLORADO.  
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} APPLICATION NO. 10714-PP-Transfer.

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August 10, 1950  
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STATEMENT

By the Commission:

On November 4, 1935, Decision No. 6785, H. W. Pratt, doing business as "Pratt Fuel Company," Longmont, Colorado, was granted a Class "B" permit to operate as a private carrier by motor vehicle for hire, being designated as "Permit No. B-1068," which authorized:

transportation of farm products, except livestock and dairy products, from farms within a radius of 25 miles of Longmont, Colorado, to market points, chiefly mills and elevators, in Longmont, and occasionally loads of barley from points in said area to Denver and Golden, with back-haul of farm supplies, including seed, from Longmont to farms in said area, without the right to back-haul freight of any description from Denver or Golden or intermediate points, to Longmont, Colorado

Pursuant to authority contained in Decision No. 18362, of date February 11, 1942, said permit-holder was authorized to extend operations under Permit No. B-1068 to include the right to transport:

coal from the northern Colorado coal fields to Longmont, and to points within a twelve-mile radius thereof.

Said H. W. Pratt having departed this life, Violet R. Pratt, widow of said H. W. Pratt, as Administratrix of the Estate of H. W. Pratt, by the instant application, seeks authority to transfer said operating rights to M. J. Bradley, doing business as "Pratt Fuel Co.," Longmont, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That Violet J. Pratt, Administratrix of the Estate of H. W. Pratt, Deceased, Longmont, Colorado, should be, and she hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-1068 — being the operating rights granted by Decision No. 6785, as extended by Decision No. 18362 — to M. J. Bradley, doing business as "Pratt Fuel Co.," Longmont, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering the operations under said permit up to the time of transfer of said permit, and the payment by transferor or transferee of all unpaid ton-mile tax.


That ton-mile tax deposit of transferor shall be transferred and credited to account of transferee.

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



and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners.

Dated at Denver, Colorado,  
this 12th day of August, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
HENRY NICHOLS AND GEORGE NICHOLS,  
CO-PARTNERS, FLORISSANT, COLORADO,  
FOR AUTHORITY TO TRANSFER PERMIT  
NO. B-3786 TO BURTIS L. CLARK, BOX  
435, DIVIDE, COLORADO.  
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}  
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}  
} APPLICATION NO. 10715-PP-Transfer.

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August 10, 1950  
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S T A T E M E N T

By the Commission:

By Decision No. 29479, of date December 12, 1947, Henry Nichols and George Nichols, co-partners, Florissant, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

general merchandise between Colorado Springs, on the one hand, and on the other, points on U. S. Highway No. 24 between, and including, Divide and Hartsel, Colorado, and household goods between Colorado Springs, Colorado, on the one hand, and on the other, points and places along and within ten miles of U. S. Highway No. 24 between, and including, Divide and Hartsel, Colorado,

said operating rights being designated "Permit No. B-3786."

By Decision No. 30375, of date April 28, 1948, said permit-holders were authorized to extend operations under said Permit No. B-3786 to include the right to transport:

general merchandise from Colorado Springs to Alma, Colorado, via U. S. Highways Nos. 24 and 9, or U. S. Highways Nos. 285 and 9, with the right to serve intermediate points, Hartsel to Alma, Colorado.

By Decision No. 35113, of date July 25, 1950, Henry Nichols and George Nichols were authorized to suspend operations under Permit No. B-3786 until December 22, 1950.

Said permit-holders now ask that said permit be reinstated, and that they be authorized to transfer said operating rights to Burtis L. Clark, Divide, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said permit, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

That Permit No. B-3786 should be reinstated; that the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### ORDER

##### THE COMMISSION ORDERS:

That Permit No. B-3786 is hereby reinstated.

That Henry Nichols and George Nichols, Florissant, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-3786 — being the operating rights granted by Decision No. 29479, as extended by Decision No. 30375 — to Burtis L. Clark, Divide, Colorado, subject to the payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

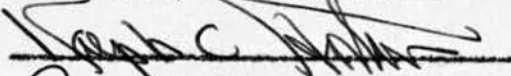
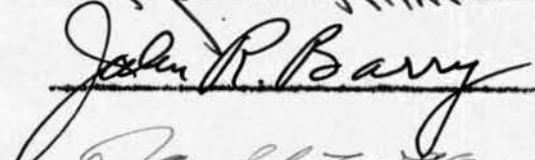
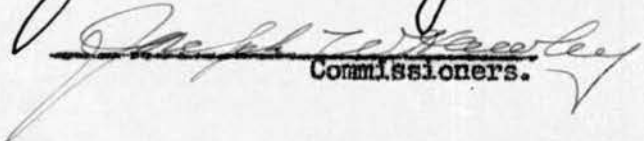
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferors of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit, and payment by them or transferee of unpaid ton-mile tax.



That ton-mile tax deposit of transferors shall be transferred and credited to account of transferee.

This order is made a part of the permit authorized to be transferred, and shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of August, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ALEX LAUBHAN, JR., DOING BUSINESS ")  
AS "EASTLAKE MILK LINE," 5008 SHER- )  
MAN STREET, DENVER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 467 )  
TO ALEX LAUBHAN, JR., AND FRED )  
LAUBHAN, CO-PARTNERS, DOING BUSI- )  
NESS AS "EASTLAKE MILK LINE," 5008 )  
SHERMAN STREET, DENVER, COLORADO. )  
----- }

APPLICATION NO. 10713-Transfer

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August 11, 1950  
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S T A T E M E N T

By the Commission:

By Decision No. 2831, of date April 19, 1930, Alex Laubhan, Jr., Denver, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation:

(1) to Denver of milk and cream from farms situated upon and within a half mile of the following-described route; One-half mile on both sides of the following line, to-wit: Beginning at the northeast corner of Section 2, Township 2-South, Range 68-West, Adams County; thence one mile north through Eastlake, to the southeast corner of Section 26, Township 1-South, Range 68-West; thence one mile west to the southwest corner of Section 26, Township 1-South, Range 68-West; thence eight miles north to the southeast corner of Section 15, Township 1-North, Range 68-West; thence one mile west to the southwest corner of said Section 15; thence south nine miles to the southwest corner of Section 34, Township 1-South, Range 68-West, Adams County; thence one mile east to the southeast corner of said Section 34; thence nine miles south more or less on the Washington Street Road, to Denver;

(2) from Denver to the farmers residing within a half mile of said route of farm supplies of all kinds, and

(3) of freight generally between Eastlake and Denver, Colorado,

said operating rights being known as "PUC No. 467."



By the instant application, said certificate-holder seeks authority to transfer PUC No. 467 to Alex Laubhan, Jr., and Fred Laubhan, co-partners, doing business as "Eastlake Milk Line," Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees, that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise, are qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

#### ORDER

##### THE COMMISSION ORDERS:

That Alex Laubhan, Jr., doing business as "Eastlake Milk Line," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, an interest in and to PUC No. 467—being the operating rights granted by Decision No. 2831—to Alex Laubhan, Jr., and Fred Laubhan, co-partners, doing business as "Eastlake Milk Line," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

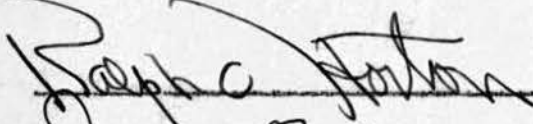
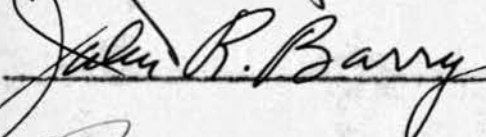

The right of transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferees of all unpaid ton-mile tax.

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

That ton-mile tax deposit of transferor shall be transferred and credited to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 11th day of August, 1950.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
CLIFFORD REAM AND ROBERT R. DAVIS,  
CO-PARTNERS, DOING BUSINESS AS "H &  
H TRANSIT," CANONE, COLORADO, FOR  
AUTHORITY TO TRANSFER PUC NO. 1592  
TO ALBERT S. JACKSON, DOVE CREEK,  
COLORADO.

APPLICATION NO. 10716-Transfer.

August 10, 1950

Appearances: James B. Garrison, Esq.,  
Cortez, Colorado, for  
applicants.

S T A T E M E N T

By the Commission:

By Decision No. 22418, as amended by Decision No. 22662,  
R. A. Hollen and F. H. Higgins, co-partners, doing business as "H &  
H Transit," were authorized to operate as common carriers by motor  
vehicle for hire, on call and demand, for the transportation of:

- (a) farm products, including livestock farm supplies, machinery, and equipment, and emigrant moveables, between points within a radius of forty miles of Pleasant View; (b) emigrant moveables and farm products, including livestock, and excepting seed, from points in said area to points as far south as the New Mexico-Colorado State Line, and to points on U. S. Highway No. 160 as far east as Pagosa Springs, and to points in the State of Colorado east of Pagosa Springs (said service to points east of Pagosa Springs to be limited to not more than two trips in any calendar month), and emigrant moveables from points in the area to points north of Pleasant View as far as Grand Junction; (c) farm machinery, equipment and supplies from Durango and other points on U. S. Highway No. 160 between Durango and Pagosa Springs, to farms within a radius of forty miles of Pleasant View, without the right to haul lumber from points east of Durango on U. S. Highway No. 160 to farms in said area, said applicants, in performing service under the authority here granted, to be limited to the use of trucks of two-tons or less factory-rated capacity,

said operating rights being designated "PUC No. 1592."



Pursuant to authority contained in Decision No. 31309, of date September 24, 1948, said certificate-holders transferred PUC No. 1592 to Clifford Ream and Robert Davis, co-partners, Cahone, Colorado, who, by the instant application, seek authority to transfer said PUC No. 1592 to Albert S. Jackson, Dove Creek, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ten-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Clifford Ream and Robert R. Davis, co-partners, doing business as "H & H Transit," Cahone, Colorado, should be, and they hereby are, authorized to transfer all their right, title and interest in and to PUC No. 1592 -- being the operating rights granted by Decision No. 22418, as amended by Decision No. 22662 -- to Albert S. Jackson, Dove Creek, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


The tariff of rates, rules and regulations of transferors shall become and remain those of 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 the prior filing by transferors of delinquent reports, if any, covering their operations under said certificate up to the time of the transfer of said certificate, and the payment by them or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferors shall be transferred and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*[Signature]*  
*[Signature]*  
*[Signature]*  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of August, 1950.

ea



Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ERNEST BOWEN, BOX 356, FARMINGTON, )  
NEW MEXICO, FOR AUTHORITY TO TRANS- )  
FER INTERSTATE OPERATING RIGHTS TO )  
L. C. GABEHART, 1008 NORTH AUBURN, )  
FARMINGTON, NEW MEXICO. )  
----- )

PERMIT NO. B-3540-I

-----  
August 12, 1950  
-----

Appearances: Charles M. Tansey, Jr., Esq.,  
Farmington, New Mexico, for  
applicants.

S T A T E M E N T

By the Commission:

Heretofore, Ernest Bowen, Farmington, New Mexico, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a private carrier by motor vehicles for hire in interstate commerce, and Permit No. B-3540-I issued to him.

Said permit-holder now seeks authority to transfer said operating rights to L.C. Gabehart, Farmington, New Mexico.

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

F I N D I N G S

THE COMMISSION FINDS:

That said transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Ernest Bowen, Farmington, New Mexico, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3540-I to L. C. Gabehart, Farmington, New Mexico, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferor shall be transferred  
and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Ralph C. Hutton

Julius R. Barry

Joseph W. Hooten  
Commissioners

Dated at Denver, Colorado,  
this 12th, day of August, 1950.

eh

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT PETERS, MC CRACKEN, KANSAS, )  
FOR AUTHORITY TO TRANSFER INTERSTATE )  
OPERATING RIGHTS TO E. L. MURRAY )  
AND KEITH L. HARKNESS, CO-PARTNERS, )  
RANSOM, KANSAS. )  
----- )

PUC NO. 2065-I

-----  
August 12, 1950  
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S T A T E M E N T

By the Commission:

Heretofore, Robert Peters, Mc Cracken, Kansas, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire in interstate commerce, and PUC No. 2065-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to E. L. Murray and Keith L. Harkness, co-partners, Ransom, Kansas.

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

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R


THE COMMISSION ORDERS:

That Robert Peters, Mc Cracken, Kansas, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2065-I to E. L. Murray, co-partners, Ransom, Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to the payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That ton-mile tax deposit shall be transferred to account  
of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Robert C. Holman  
John R. Barry  
Joseph C. Cole  
Commissioners

Dated at Denver, Colorado,  
this 12th day of August, 1950.

eh



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE PETITION OF MOTOR TRUCK  
COMMON CARRIERS' ASSOCIATION,  
AS AGENT, FOR AND ON BEHALF  
OF THE MOTOR VEHICLE COMMON  
CARRIERS, PARTIES TO ITS  
FREIGHT TARIFF, COLO. P.U.C.  
NO. 6 FOR VARIOUS CHANGES IN  
FREIGHT RATES.

CASE NO. 1585

-----  
August 12, 1950  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of two applications from the Motor Truck Common Carriers' Association, as agent, for and on behalf of motor vehicle common carriers, who are parties to its freight tariff Colo. P.U.C. No. 6, requesting authority to the following tariff changes.

Application No. 177.

"Charges to be applied on special trips, viz: (Will not apply via C. A. Foster, d/b/a Foster Truck Line).

- (1) Any shipment which, because of its size, cannot be loaded into a closed van type trailer 28 feet long, 7 feet 6 inches high and 7 feet 6 inches wide.
- (2) Any shipment or article which because of its size or weight moves under a special permit from the Colorado State Highway Department, and which must be moved during daylight hours.
- (3) When shipper requests service on any commodity faster than carriers' regularly scheduled trips, except on shipments of personal effects or household goods, uncrated and weighing 2000 pounds or over.

2000 pounds or over. Distance - Miles.	Rates in cents per round-trip truck mile.
<hr/>	
100 miles and under:	
2 ton truck - - - - -	25
3½ ton truck - - - - -	30
Tractor & semi-trailer - - - -	40
Over 100 miles:	
2 ton truck - - - - -	20
3½ ton truck - - - - -	25
Tractor & semi-trailer - - - -	35



One hour free time will be allowed for loading and one hour free time will be allowed for unloading. All loading and unloading time in excess of the free time allowed will be charged for at \$4.00 per hour or fraction thereof.

Extra help, other than the driver, will be charged for at a rate of \$1.75 per hour per man.

Any other charges for handling in loading or unloading will be paid by shipper or consignee.

These rates will alternate with the rates published in Section No. 1 (class rates) of tariff Colo. P.U.C. No. 6, and whichever produces the highest charge will be the applicable rate".

Application No. 179.

The proposed changes are set forth in the petition, copy of which is attached hereto and by reference made a part hereof. In addition to the carriers named in Application No. 179, the Commission is in receipt of a request from the Clear Creek Transportation Company, Evergreen Transportation Company, and the Bob Stage Transportation Company, that they be made parties to the said application.

FINDINGS

THE COMMISSION FINDS:

That, Case No. 1585 should be reopened for further hearing relative to the matters and things hereinbefore set forth.

ORDER

IT IS ORDERED:

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 31st day of August, 1950, in the hearing room of the Commission, 330 State Office Building, Denver, Colorado, for the taking of evidence relative to the matters and things hereinbefore set forth in the statement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

ATTEST: A true copy.

J. J. MAHONEY  
J. J. Mahoney, Secretary

Dated at Denver, Colorado  
this 12th day of August, 1950.

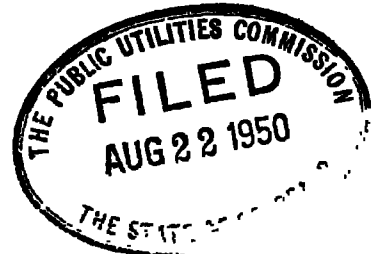
hu

RALPH C. HORTON  
*Ralph C. Horton*  
JOHN A. BARRY  
*John A. Barry*  
JOSEPH W. HAWLEY  
*Joseph W. Hawley*  
Commissioners

407 Denham Building  
Denver 2, Colorado

June 13, 1950

To the Public Utilities Commission,  
State Office Building,  
Denver 2, Colorado



APPLICATION NO. 179

The Motor Truck Common Carriers' Association, as agent, for and on behalf of carriers parties to its tariff, does hereby petition the Public Utilities Commission of the State of Colorado that it be permitted to publish the following tariff changes to become effective one day after the filing thereof with the Public Utilities Commission:

1. For account of Denver-Limon-Burlington Transfer Company, Airline Express, Inc., Cecil A. Foster, d/b/a Foster Truck Line, Fred Rein, Jr., d/b/a Rein Milk Transport, Richard H. Eshe and Lois Mae Eshe, d/b/a South Park Motor Lines and The Weiaker Transfer & Storage Company:

EXCEPTION TO THE CLASSIFICATION VOLUME RATINGS:

1. Except as otherwise provided in paragraphs A, B, and C, the volume minimum weight on which charges shall be assessed on all articles provided with volume ratings in the National Motor Freight Classification shall be one-half of the volume minimum weight specified in the National Motor Freight Classification but in no event in excess of 26,000 pounds.

- A. For articles with volume ratings of second class or higher, a volume minimum weight shall be not less than 12,000 pounds. (See 3 below)
- B. For articles provided with volume ratings lower than second class, but higher than fifth class, the volume minimum weight shall be not less than 18,000 pounds.
- C. For articles provided with volume ratings of fifth class or lower the volume minimum shall be 26,000 pounds.

2. Except as otherwise specifically provided, articles rated lower than class 37 $\frac{1}{2}$  in the National Motor Freight Classification will be subject to a minimum rating of class 37 $\frac{1}{2}$ .

3. Except as otherwise specifically provided, all articles which are provided in the governing classification with L.T.L. ratings of higher than first class, are subject to only the L.T.L. ratings provided in the governing classification or to the ratings provided in this tariff in the "Exceptions to the Classification Ratings".

4. When articles are provided in the governing classification with ratings which are subject to minimum weight factors referred to in Rule 34 of the governing classification, or as amended, the ratings shall be subject to the minimum weights specified in Table A of Section 3 to Rule 34 of the governing classification, except that the truckload minimum weight shall not be less than 12,000 pounds nor more than 26,000 pounds.

(It is proposed by the above rule that all 5,000 pound minimum and 10,000 pound minimum class rates published for account of the above-named carriers be cancelled and that the tariff be made subject to the volume ratings of the governing classification only to the extent provided in the above suggested item.)

2. Refer to Item No. 50 (C.O.D. rule) and cancel in full.
3. Refer to Item No. 90 (Automobile Parts exception) page 55 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via the Airline Express, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, d/b/a Denver-Loveland Transportation, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

4. Refer to Item No. 150 (Brick exception) page 55 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company, and The Weicker Transfer & Storage Company."

5. Refer to Item No. 300 (Drug exception) page 58 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via the Airline Express, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, d/b/a Denver-Loveland Transportation, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

6. Refer to Item No. 340 (Fertilizer exception) page 59 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

7. Refer to Item No. 370 (Furniture exception) page 60 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport and The Weicker Transfer & Storage Company."

8. Refer to Item No. 380 and Item No. 390 (Compressed gases) page 60 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

9. Refer to Item No. 400 (Grocery exception) page 61 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, d/b/a Denver-Loveland Transportation, Cecil A. Foster, d/b/a Foster Truck Lines, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Richard Eshe and Lois Mae Eshe, d/b/a South Park Motor Lines, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

10. Refer to Item No. 440 (Iron & Steel Articles exception) page 62 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

11. Refer to Item No. 450 (Mattress exception) page 62 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport and The Weicker Transfer & Storage Company."

12. Refer to Item No. 500 (Paper Articles exception) page 64 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, d/b/a Denver-Loveland Transportation, Cecil A. Foster, d/b/a Foster Truck Lines, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Richard H. Eshe and Lois Mae Eshe, d/b/a South Park Motor Lines, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

13. Refer to Item No. 530 (Pipe or Culverts exception) page 64 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

14. Refer to Item No. 600 (Tractor exception) page 66 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via the Airline Express, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, d/b/a Denver-Loveland Transportation, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company, and The Weicker Transfer & Storage Company."

15. Refer to Item No. 630 (Wine exception) page 66 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport and The Weicker Transfer & Storage Company."

16. Refer to Item No. 770, page 71 of Colo. P.U.C. No. 6 and amend to read as follows:

- (1) ARTICLES SEVEN FEET IN HEIGHT OR TWENTY-FOUR FEET IN LENGTH, ALSO HEAVY PIECES:

Freight charges on articles seven feet or more in height or twenty-four feet or more in length, also any single piece of freight weighing 1,000 pounds or more, will take the first class rate if that rate is higher than the applicable rate under the rating provided in the classification; otherwise, at the rating provided in the classification and the rate provided herein.

- (2) BULKY ARTICLES IN A SINGLE PIECE WITH ANY DIMENSION EXCEEDING SEVEN FEET:

(a) Any article with a density of less than 6 pounds per cubic foot will be rated at double first class if that rating be higher than the rating provided in the classification.

(b) Any article with a density exceeding 6 pounds per cubic foot but not exceeding 12 pounds per cubic foot will be rated at one and one-half times first class if that rating be higher than the rating provided in the classification.



(c) Any article with a density exceeding 12 pounds per cubic foot but not exceeding 15 pounds per cubic foot will be rated at first class if that rating be higher than the rating provided in the classification.

The provisions of this rule will apply to all rates published in Sections No. 1 and 2 hereof.

17. Refer to Item No. 890, page 76 of Colo. P.U.C. No. 6 and amend to read as follows:

Extra Labor:

Where or whenever necessary to furnish extra help (other than the driver) to load or unload articles, on account of their weight or size, such service will be charged for at a rate of (A)\$1.75 per hour for each extra man required.

18. For account of The Weicker Transfer & Storage Company:

Refer to Item No. 1520, page 166 of Colo. P.U.C. No. 6, and Item No. 2660, page 195 of Colo. P.U.C. No. 6, and cancel the items in full.

19. For account of the Denver-Limon-Burlington Transfer Company:

Refer to Item No. 2560, page 193 of Colo. P.U.C. No. 6 and remove all reference to the Denver-Limon-Burlington Transfer Company.

20. Refer to Item No. 3900, page 230 of Colo. P.U.C. No. 6 and add the following:

"The provisions of this item will not apply via the scheduled line haul operations of Airline Express, Inc., Denver-Limon-Burlington Transfer Company, McKie Transfer Company, North Eastern Motor Freight, Inc., Fred Rein, Jr., d/b/a Rein Milk Transport, Southwestern Transportation Company and The Weicker Transfer & Storage Company."

21. Refer to page 260 of Colo. P.U.C. No. 6 and add the following:

"The rates and charges provided in this section will not apply via Airline Express, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, d/b/a Denver-Loveland Transportation, Cecil A. Foster, d/b/a Foster Truck Lines, McKie Transfer Company, North Eastern Motor Freight, Inc., Southwestern Transportation Company, and The Weicker Transfer & Storage Company."

Your petitioner represents that the proposed tariff changes will be published in The Motor Truck Common Carriers' Association's Local and Joint Freight Tariff No. 12, Colo. P.U.C. No. 6.

Your petitioner is not fully advised as to the special circumstances and conditions relied upon as justifying the requests herein made, but he is informed that carriers parties to the above-described tariff will appear at time of hearing, and submit testimony and exhibits in support of these requests.

Wherefore, your petitioner prays that this Commission set the above matters for public hearing at the earliest possible date.

Respectfully submitted,

J. R. Smith, Chief of Tariff Bureau  
THE MOTOR TRUCK COMMON CARRIERS' ASS'N.

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PAUL J. SMITH, HAROLD HARRIS, AND  
O. J. PLUMMER, JR., CO-PARTNERS,  
DOING BUSINESS AS "REPUBLIC VAN &  
STORAGE COMPANY," 214 NORTH ALAMEDA  
STREET, LOS ANGELES, CALIFORNIA,  
FOR AUTHORITY TO TRANSFER INTER-  
STATE OPERATING RIGHTS TO REPUBLIC  
VAN & STORAGE CO., INC., A CORPORA-  
TION, 214 NORTH ALAMEDA STREET, LOS  
ANGELES, CALIFORNIA.

PUC NO. 1630-I

-----  
August 12, 1950  
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S T A T E M E N T

By the Commission:

Heretofore, Paul J. Smith, Harold Harris, and O. J. Plummer, Jr., co-partners, doing business as "Republic Van & Storage Company," Los Angeles, California, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle for hire, and PUC No. 1630-I issued to them.

By the instant application, said certificate-holders seek authority to transfer said operating rights to Republic Van & Storage Co., Inc., Los Angeles, California.

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

F I N D I N G S

THE COMMISSION FINDS:

That transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Paul J. Smith, Harold Harris, and O. J. Plummer, Jr., co-partners, doing business as "Republic Van & Storage Company," Los Angeles, California, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1630-I to Republic Van & Storage Co., Inc., a corporation, Los Angeles, California, subject to the provisions of the Federal Motor Carrier Act of 1935, and

subject to payment of outstanding indebtedness against said operation,  
if any there be, whether secured or unsecured.

That ton-mile tax deposit of transferors shall be transferred  
and credited to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Robert C. Hobbs*

*John R. Barry*

*Joseph C. McCauley*  
Commissioners

Dated at Denver, Colorado,  
this 12th day of August, 1950.

eh



Original

(Decision No. 35193)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PUBLIC SERVICE COMPANY OF COLORADO,  
DENVER, COLORADO, A CORPORATION,  
ORGANIZED AND EXISTING UNDER THE  
LAWS OF THE STATE OF COLORADO, FOR  
AUTHORITY TO ISSUE 100,000 SHARES  
OF ITS CUMULATIVE PREFERRED STOCK  
(PAR VALUE \$100 EACH) AND \$7,000,000  
PRINCIPAL AMOUNT OF DEBENTURES,  
CONVERTIBLE INTO COMMON SHARES (PAR  
VALUE \$10 EACH), INCLUDING AUTHORITY  
TO ISSUE SUCH COMMON SHARES UPON CON-  
VERSION OF SUCH CONVERTIBLE DEBENTURES.

APPLICATION NO. 10658  
AMENDED ORDER

August 11, 1950

Appearances: Lee, Bryans, Kelly and Stansfield, Esqs.,  
Denver, Colorado, for Public  
Service Company of Colorado;  
Kenneth L. Smith, Utilities Director,  
Denver, Colorado, for the City  
and County of Denver;  
W. George Denny, Jr., Denver, Colo-  
rado, for The Public Utilities  
Commission of the State of Colorado.

S T A T E M E N T

By the Commission:

Pursuant to Subsection (c) of Section 3, Chapter 137,  
1935 Colorado Statutes Annotated, as amended, Public Service Company  
of Colorado, a Colorado corporation, hereinafter called "Applicant,"  
filed with this Commission, on June 22, 1950, its application, as  
amended by its filing on June 29, 1950, of its Amendment No. 1 thereto,  
for an order of this Commission authorizing it to issue and sell:

1. A new series of its authorized but unissued Cumulative  
Preferred Stock, consisting of 100,000 shares of a par value of  
\$100 each, the designation of which new series, the dividend rate to  
be paid thereon, the price upon voluntary liquidation, the redemption  
price thereof, and other qualifications and restrictions with respect  
thereto to be fixed by the Board of Directors of Applicant, all in  
accordance with the provisions of Applicant's Certificate of Incorporation,



as amended. The price which Applicant would receive for said new series (not less than par value), was to be determined by existing market conditions at the time of the issuance thereof.

2. \$7,000,000 principal amount of Convertible Debentures to be dated July 1, 1950, to mature July 1, 1960, to bear interest at a rate not in excess of 3% per annum, to be convertible into Common Stock of Applicant at any time prior to maturity at a basis conversion price (exclusive of adjustments) of \$30-10/33 per share, being equivalent to 33 shares of Common Stock for each \$1,000 principal amount of Debentures, and to be issued under a proposed Indenture to be dated July 1, 1950. The price which Applicant would receive therefor (not less than the principal amount thereof) and the redemption premium was to be determined by existing market conditions at the time of issuance of such proposed Debentures.

3. 231,000 shares of its authorized but unissued Common Stock, into which the proposed \$7,000,000 principal amount of Convertible Debentures may be converted; such shares of Common Stock to be issued from time to time upon conversion of said Convertible Debentures in accordance with the terms thereof and the terms of the proposed Indenture to be dated July 1, 1950.

By Decision No. 35003, dated June 22, 1950, this Commission ordered a public hearing upon the original application, as amended by Amendment No. 1, to be held July 3, 1950, at ten o'clock A. M., at 330 State Office Building, Denver, Colorado. Interested parties, municipalities, and representatives of interested consumers or security holders of the Company, or other persons were invited to intervene in the proceedings. Petitions of intervention were to be filed with this Commission on or before July 3, 1950.

The hearing on the aforesaid original application as so amended was set over from July 3, 1950, until July 5, 1950, at ten o'clock A. M., after due notice to all interested parties, at which time and place the matter was heard and taken under advisement.

No petitions of intervention were filed with the Commission. However, the City and County of Denver, through its Utilities Director, appeared at the hearing, and with Commission approval was permitted to intervene as said City and County's interest might appear.

Pursuant to said Application, as amended, this Commission, by Order dated July 7, 1950 (Decision No. 35082), conditionally authorized Applicant to sell at competitive bidding 100,000 shares of its Cumulative Preferred Stock, \$7,000,000 principal amount of Convertible Debentures, and 231,000 shares of its Common Stock from time to time upon conversion of the aforesaid Convertible Debentures into shares of common stock, all under terms and conditions more particularly described in said Decision No. 35082.

On August 2, 1950, Applicant duly filed herein its Amendment No. 2 to said Application No. 10658, changing the name and style of the Application to read as follows:

"IN THE MATTER OF THE APPLICATION  
OF  
PUBLIC SERVICE COMPANY OF COLORADO,  
A CORPORATION ORGANIZED AND EXISTING  
UNDER THE LAWS OF THE STATE OF COLORADO,  
FOR AUTHORITY TO ISSUE 100,000 SHARES  
OF ITS CUMULATIVE PREFERRED STOCK (PAR  
VALUE \$100 EACH)"

and stating that in view of the present unsettled condition of the securities market Applicant concluded that it would not be in the best interests of the Applicant and its customers to offer said securities for sale at competitive bidding as conditionally authorized in said Order of the Commission, and respectfully prayed that the Commission's Order of July 7, 1950, Decision No. 35082, be amended by appropriate Order to authorize Applicant to issue and sell at private sale only 100,000 shares of its Cumulative Preferred Stock \$100 par value, at the par value thereof plus accrued dividends thereon to the date of delivery.

By Decision No. 35168, dated August 2, 1950, this Commission ordered a public hearing upon said Application No. 10658, as amended by Amendment No. 2, to be held August 11, 1950, at ten o'clock A. M., at 330 State Office Building, Denver, Colorado. Interested parties, municipalities and representatives, interested consumers or security holders of the Company or other persons were invited to intervene in the proceeding. Petitions of intervention were to be filed with this Commission on or before August 11, 1950. The hearing on the aforesaid application, as so amended by Amendment No. 2, was held at the specific time, date and place and taken under advisement.

No petitions of intervention were filed with the Commission on or before August 11, 1950. However, the City and County of Denver, through its Utilities Director, appeared at the hearings, and with Commission approval was permitted to intervene as said City and County's interest might appear.

Applicant is a corporation, organized and existing under the laws of the State of Colorado, and is a public utility operating company engaged principally in the generation, purchase, transmission, distribution and sale of electricity, and in the purchase, distribution, and sale of natural gas. Applicant's operations are wholly within the State of Colorado, the principal center of distribution and sale of electricity and gas being in the City and County of Denver, Colorado, and its environs. It is also engaged, but to a minor extent only, in rendering steam heating service, bus transportation service, and manufactured gas service.

Applicant is the owner of all the outstanding capital stock of Colorado-Wyoming Gas Company, a Delaware corporation, and the Green and Clear Lakes Company, a New York corporation. It is also the owner of all the outstanding capital stock (other than directors' qualifying shares) of the Cheyenne Light, Fuel and Power Company, a Wyoming corporation, and of The Pueblo Gas and Fuel Company, a Colorado corporation. The Applicant also holds a controlling interest in three other relatively small companies.



For the calendar year ended December 31, 1949, Applicant reported consolidated operating revenues of \$37,740,512, and consolidated net income, that is, the amount available for dividends and surpluses, of \$6,273,202. During the year 1949, the amount of \$970,270 was appropriated for preferred stock dividends, and the amount of \$2,629,692 for common stock dividends. Earnings in prior years have been satisfactory.

As of December 31, 1949, Applicant reported its assets and liabilities, as follows:

#### ASSETS

Property, Plant, Equipment, Investments, etc.	\$126,251,705
Current Assets	17,328,345
Deferred Charges	<u>4,114,158</u>
	\$147,694,208

#### LIABILITIES

Capital Stock	\$44,914,980
Funded Debt	53,130,000
Current Liabilities	12,248,787
Other Liabilities	1,593,736
Reserves	22,883,591
Premium on Capital Stock	3,556,118
Earned Surplus	<u>9,366,996</u>
	\$147,694,208

The Certificate of Incorporation of Applicant, as amended, provides for an authorized capital stock of \$75,000,000 divided into 375,000 shares of Cumulative Preferred Stock of a par value of \$100 each and 3,750,000 shares of Common Stock of a par value of \$10 each. Applicant's Cumulative Preferred Stock pursuant to the powers contained in its Certificate of Incorporation, as amended, is issuable in one or more series.

The Company has issued and outstanding as of May 31, 1950:

- (a) \$40,000,000 principal amount of First Mortgage Bonds, 2-7/8% Series due 1977, issued under and secured by Applicant's Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of December 1, 1939, and indentures supplemental thereto, including Supplemental Indenture with respect to such bonds dated as of June 1, 1947;

- (b) \$10,000,000 principal amount of First Mortgage Bonds, 3-1/8% Series due 1978, issued under and secured by Applicant's Indenture of Mortgage to Guaranty Trust Company of New York, as Trustee, dated as of December 1, 1939, and indentures supplemental thereto, including the Supplemental Indenture with respect to such bonds dated as of October 1, 1948;
- (c) 175,000 shares of Cumulative Preferred Stock designated as the initial series and known as "4 1/4% Cumulative Preferred Stock" of the par value of \$100 each; and 2,491,168 shares of Common Stock of the par value of \$10 each.

By the proposed issuance and sale of the new series of Cumulative Preferred Stock consisting of 100,000 shares, of a par value of \$100 each, Applicant proposes to raise approximately \$10,000,000, which will be used toward plant additions, extensions and improvements to assist in its construction program substantially as set forth in its Revised Exhibit "H" attached to Amendment No. 1 to the Application herein.

The estimated aggregate amount to be spent by Applicant in its construction program during the three years 1950-1952 as set forth in said Revised Exhibit "H" is \$53,100,000. Of this amount, according to the testimony of J. E. Loiseau, President of Applicant, given at the hearing, approximately \$5,800,000 had been spent prior to April 30, 1950, upon which last mentioned date Applicant had approximately \$5,000,000 available for construction purposes. Applicant anticipates that approximately \$13,000,000 additional can be supplied from its general funds to further assist in such program, and that the balance required to complete said construction program will be raised by the issuance and sale of additional securities when the need for such action occurs.

After giving effect to the proposed issuance and sale of the new securities for which authorization is herein sought, the pro forma capital structure of the Company as of May 31, 1950, will be as follows, with



percentages of each item to total capitalization being shown in the right-hand column:

First Mortgage Bonds	\$50,000,000	42.04%
Preferred Stock	27,500,000	23.12
Common Stock	24,911,680	20.95
Premium on Capital Stock	6,047,120	5.08
Earned Surplus	<u>10,474,694</u>	<u>8.81</u>
Total Capitalization --	\$118,933,494	100.00%

It is further represented that the shares of Cumulative Preferred Stock of said series shall have a dividend rate of 4.20% per annum; that the premium payable to holders of the shares of such series in the event of any voluntary liquidation, dissolution or winding up of the Applicant shall be 3% of the par value thereof if such event shall occur prior to September 1, 1955, 2% of the par value thereof if such event shall occur on or subsequent to September 1, 1955 but prior to September 1, 1960, or 1% of the par value thereof if such event shall occur on or subsequent to September 1, 1960; and that the redemption prices payable to the holders of the shares of such series upon the redemption of all or any part of the shares of such series shall be \$103 per share plus an amount equal to accrued dividends to the date fixed for redemption if such date is prior to September 1, 1955, \$102 per share plus an amount equal to accrued dividends to the date fixed for redemption if such date is on or subsequent to September 1, 1955 but prior to September 1, 1960, or \$101 per share plus an amount equal to accrued dividends to the date fixed for redemption if such date is on or subsequent to September 1, 1960.

## FINDINGS

### THE COMMISSION FINDS:

That the Applicant, Public Service Company of Colorado, a Colorado corporation, is a public utility, as defined by Section 3, Chapter 137, 1935 Colorado Statutes Annotated, as amended.

That this Commission has jurisdiction of said Applicant, and the subject matter of the application, as amended, herein.

That this Commission is fully advised in the premises.

That due to the present unsettled condition of the securities market the Company and its customers will best be served by amending the Order of this Commission dated July 7, 1950, Decision No. 35082, as prayed for in Amendment No. 2.

That the proposed issuance and sale by Applicant of a new series of its Cumulative Preferred Stock consisting of 100,000 shares of a par value of \$100 each at private sale to investors, as hereinafter set forth, is reasonably required and necessary for its proper corporate financing.

That the proposed securities transaction is not inconsistent with the public interest, that the purpose or purposes thereof are permitted by, and are consistent with, the provisions of Chapter 137, 1935 Colorado Statutes Annotated, as amended by the Session Laws of 1947, and that the order sought should issue and should be made effective forthwith.

#### O R D E R

##### THE COMMISSION ORDERS:

That Public Service Company of Colorado be, and it hereby is, authorized and empowered to issue and sell at private sale to investors a new series of Cumulative Preferred Stock consisting of 100,000 shares of a par value of \$100 each at a price to Applicant of the par value thereof plus accrued dividends thereon to the date of delivery; the shares of said series to have a dividend rate of 4.20% per annum; the premium payable to holders of the shares of such series in the event of any voluntary liquidation, dissolution or winding up of the Applicant to be 3% of the par value thereof if such event shall occur prior to September 1, 1955, 2% of the par value thereof if such event shall occur on or subsequent to September 1, 1955 but prior to September 1, 1960, or 1% of the par value thereof if such event shall occur on or subsequent to September 1, 1960; the redemption prices payable to the holders of the shares of such series upon the redemption of all or any part of the shares of such series to be \$103 per share plus an amount equal to accrued dividends to the date fixed for

redemption if such date is prior to September 1, 1955, \$102 per share plus an amount equal to accrued dividends to the date fixed for redemption if such date is on or subsequent to September 1, 1955 but prior to September 1, 1960, or \$101 per share plus an amount equal to accrued dividends to the date fixed for redemption if such date is on or subsequent to September 1, 1960; and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized to use the proceeds derived from the issuance and sale of the proposed 4.20% Cumulative Preferred Stock for plant additions, extensions, and improvements to assist in its construction program substantially as set forth in Revised Exhibit "H" filed with Applicant's application herein, as amended; and it is further

ORDERED, That within thirty (30) days from the filing in the office of the Secretary of State the Certificate of the corporation, setting forth the resolution of the Board of Directors creating a series of cumulative preferred stock designated as "4.20% Cumulative Preferred Stock," the Applicant shall file with the Commission a certified copy of said Certificate; and it is further

ORDERED, That the securities authorized to be sold hereunder shall bear on the face thereof a serial number for proper and easy identification; that within sixty (60) days from the issuance and delivery of said securities, Applicant shall make a verified report to this Commission of such serial numbers placed on such securities as are initially issued; and it is further

ORDERED, That Public Service Company of Colorado be, and it hereby is, authorized, in reflecting in its accounts the consummation of the financing outlined above, to make and record the various accounting entries in accordance with the Uniform System of Accounts for Electric and Gas Utilities prescribed by the National Association of Railroad and Utilities Commissioners, and adopted by this Commission on October 19, 1938; and it is further

ORDERED, That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said new



series of 4.20% Cumulative Preferred Stock to be issued by Applicant hereunder, or the dividends thereon, on the part of the State of Colorado; and it is further

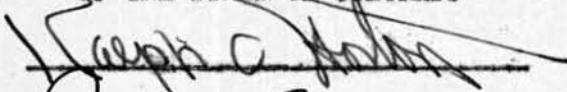
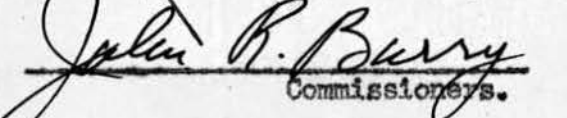
ORDERED, That within ninety (90) days from the date of the sale of the new 4.20% Cumulative Preferred Stock authorized to be sold hereunder, Applicant shall make, pursuant to the terms and conditions of this order, a verified report to this Commission of the issue and disposition of said stock, the consideration for which such stock was sold, and the dividend rate established therefor, the fees, commission, and expenses incident to such sale, accompanying such report with a new balance sheet reflecting the issuance and sale of said stock and supporting journal entries which shall reflect the exercise of the authority herein granted, together with copies of the accompanying entries recorded on Applicant's books as a result of the consummation of such financing; and it is further

ORDERED, That the right shall be reserved to Applicant to reopen the proceedings herein upon good cause shown after hearing upon notice to all interested parties; and it is further

ORDERED, That the Commission retains jurisdiction of these proceedings to the end that it may make such further orders in the premises as to it may seem to be proper and desirable; and it is further

ORDERED, That the authority herein granted shall be exercised from and after this date, this order being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

COMMISSIONER HAWLEY NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 11th day of August, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RICHARD SMOCK, GROVER, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
408 TO GLENN COWLEY, GROVER, COLO- )  
RADO. )  
----- )

APPLICATION NO. 10723-Transfer

-----  
August 14, 1950  
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S T A T E M E N T

By the Commission:

By Decision No. 2518, as amended by Decision No. 2565, of date September 28, 1929, Aris Maris, Grover, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire for the transportation of:

- (1) grain from the farms situated in Weld County, north of the line separating Townships 9 and 10-North, to Grover and other railroad points situated within said area;
- (2) livestock in less than carload lots from points in said territory to Denver;
- (3) machinery and machinery repair parts from Denver Direct to the farms in said territory, and (4) freight, generally, from Grover to farms in said territory,

said operating rights being designated "PUC No. 408."

Pursuant to authority contained in Decision No. 34754, of date May 1, 1950, said certificate-holder transferred PUC No. 408 to Richard Smock, Grover, Colorado, who, by the instant application, seeks authority to transfer PUC No. 408 to Glenn Cowley, Grover, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit of transferor is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate,



The Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness, if any.

### O R D E R

#### THE COMMISSION ORDERS:

That Richard Smock, Grover, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 408—being the operating rights granted by Decision No. 2518, as amended by Decision No. 2565—to Glenn Cowley, Grover, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

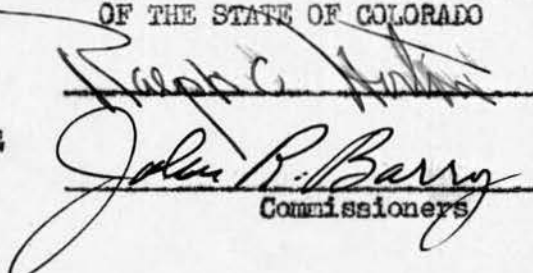
The right of transferee to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferee of all unpaid ton-mile tax.

That ton-mile tax deposit of transferor shall be transferred to account of transferee.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

COMMISSIONER HAWLEY NOT PARTICIPATING

  
Commissioners

Dated at Denver, Colorado,  
this 14th day of August, 1950.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
NORMAN R. ASHLOCK, DOING BUSINESS )  
AS "ASHLOCK TRUCK LINE," DILLON, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 1195 TO NORMAN R. ASHLOCK, )  
MRS. NORMAN R. ASHLOCK, AND RALPH )  
B. GRABILL, CO-PARTNERS, DOING )  
BUSINESS AS "ASHLOCK TRUCK LINE," )  
1420 MARKET STREET, DENVER, COLORADO. )  
----- )

APPLICATION NO. 10724-Transfer

-----  
August 14, 1950  
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S T A T E M E N T

By the Commission:

James J. Schaeffer, doing business as "Schaeffer Truck Line," Denver, Colorado, pursuant to authority contained in Decision No. 34887, of date June 2, 1950, transferred PUC No. 1195 to Norman R. Ashlock, doing business as "Ashlock Truck Line," Dillon, Colorado, said PUC No. 1195 being the right to operate as a common carrier by motor vehicle for hire (as clarified by Decision No. 27956, as amended by Decision No. 31692), for the transportation of:

general commodities, (a) between Denver, on the one hand, and on the other, Climax and Kokomo, and points within a radius of four miles of Kokomo, without the right to serve intermediate points, over U. S. Highways Nos. 285 and 204, and State Highway No. 91 (via Buena Vista and Leadville), or over U. S. Highway No. 285 and State Highways Nos. 9 or 91 (via Fairplay and Dillon); or over U. S. Highway No. 40 and State Highway No. 91 (via Empire and Dillon); and (b) between Leadville, on the one hand, and on the other, Climax and Kokomo, and points within a radius of four miles of Kokomo, without the right to serve intermediate points; (c) between Leadville and the Arkansas Valley Smelter, near Leadville, on the one hand, and on the other, Kokomo, and points within a radius of four miles of Kokomo, Colorado.

By the instant application, said certificate-holder seeks authority to transfer said operating rights to Norman R. Ashlock, Mrs. Norman R. Ashlock, and Ralph B. Grabill, co-partners, doing business as "Ashlock Truck Line," Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that ton-mile tax deposit of transferor is to be transferred to account of transferee; that road tax has been paid; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise, are able, willing, and qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said application for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to transfer of said operating rights, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said operation, if any.

### ORDER

#### THE COMMISSION ORDERS:

That Norman R. Ashlock, doing business as "Ashlock Truck Line," Dillon, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1195—said operating rights being set forth in Decision No. 27956, as amended by Decision No. 31692—to Norman R. Ashlock, Mrs. Norman R. Ashlock, and Ralph B. Grabill, co-partners, doing business as "Ashlock Truck Line," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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


The right of Transferees to operate under this order shall depend upon the prior filing by transferor of delinquent reports, if any, covering his operations under said certificate, and the payment by him or transferees of all unpaid ton-mile tax.



That ton-mile tax deposit of transferor shall be transferred  
and credited to account of transferees.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



*Ralph C. Hawley*  
*John R. Barry*  
Commissioners

COMMISSIONER HAWLEY NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 14th day of August, 1950.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
CITIZENS UTILITIES COMPANY FOR AN  
ORDER AUTHORIZING THE ISSUANCE AND  
SALE OF \$2,500,000 PRINCIPAL AMOUNT  
OF FIRST MORTGAGE AND COLLATERAL  
TRUST 3-1/2 PER CENT BONDS, SERIES  
OF 1980.

APPLICATION NO. 10680-Securities.

August 11, 1950

Appearances: Milton S. Gould, Esq.,  
New York, New York, and  
John L. Rice, Esq., Denver,  
Colorado, for applicant;  
Paul M. Hupp, Esq., Denver,  
Colorado, for the Staff of  
the Commission.

S T A T E M E N T

By the Commission:

The above-styled application was filed by Citizens Utilities Company, a corporation, on July 12, 1950, for authority under subsection (c) of Section 3, Chapter 137, 1935 Colorado Statutes Annotated, to issue and sell \$2,500,000.00 principal amount of First Mortgage and Collateral 3½% Bonds, Series of 1980.

At the hearing, it developed that Company had not forwarded to us its Supplemental Trust Indenture for our examination, and that other information which the staff of the Commission desired was also unavailable.

The Commission, at the conclusion of the hearing, which was held at Denver, Colorado, on July 28, 1950, gave leave to applicant to file the Supplemental Indenture and other data as late-filed exhibits.

To date, said Supplemental Indenture and other data have not been filed.

Inasmuch as Paragraph 3 (e) of Section 3 of Chapter 137, 1935 Colorado Statutes Annotated provided that whenever an application for



issuance of securities filed pursuant to said Act:

\*\*\*is continued beyond thirty (30) days after the time it is filed, the Commission shall enter an order making such continuance and stating fully the facts necessitating same,";

and it appears that the immediate filing of said Supplemental Indenture and other data is to be delayed,

### FINDINGS

The Commission, on account thereof, is of the opinion, and finds, that said matter should be continued for a period of thirty days from the date hereof, to allow applicant time within which to file the exhibits in question, it however being contemplated that in the event said exhibits are sooner filed, said application may be disposed of by the Commission prior to the expiration of said thirty-day continuance.

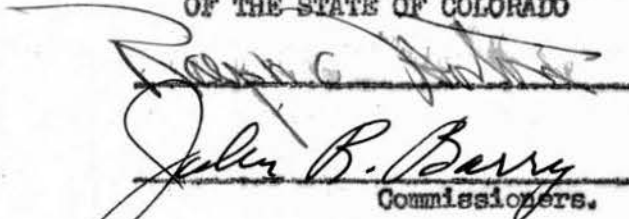
### ORDER

#### THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, continued for a period of thirty days from the date hereof, to allow applicant time within which to file late-filed exhibits covering Supplemental Indenture and other data, and provided that in the event said exhibits are sooner filed, said application may be disposed of by the Commission prior to the expiration of said thirty-day continuance.

This order shall become effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

COMMISSIONER HAWLEY NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 11th day of August, 1950.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
SOUTHERN COLORADO POWER COMPANY FOR  
A CERTIFICATE OF PUBLIC CONVENIENCE  
AND NECESSITY TO EXERCISE RIGHTS  
UNDER A FRANCHISE FOR WHICH AN  
APPLICATION IS NOW PENDING BEFORE  
THE BOARD OF TRUSTEES OF THE TOWN  
OF SOUTH CANON, IN FREMONT COUNTY,  
COLORADO.  
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APPLICATION NO. 10306.

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August 16, 1950  
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Appearances: W. J. Preston, Esq.,  
Pueblo, Colorado,  
for applicant;  
J. M. McMulty, Denver,  
Colorado, and  
C. L. Flower, Denver,  
Colorado, for the staff  
of the Commission.

STATEMENT

By the Commission:

Applicant is a Colorado corporation duly qualified to operate under the laws of this state, and is a public utility within the meaning of the Public Utilities Act of the State of Colorado, engaged in the business of generating electrical energy by steam power plants located at Pueblo, in Pueblo County, Colorado, and at Canon City, in Fremont County, Colorado, and by a water power plant located at Skagway, in Teller County, Colorado, and in transmitting and distributing such electrical energy by means of transmission and distribution lines in the Counties of Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller and Custer, in the State of Colorado, which electrical energy applicant sells for light, heat, power and all other purposes, either directly to consumers or wholesales the same to other public utilities for distribution and sale to consumers.

By this application, applicant seeks a certificate of public convenience and necessity to exercise certain franchise rights granted to it by the Town of South Canon, Fremont County, Colorado, in and by

Ordinance No. 3, Series 1949, as well as the right to furnish electrical energy for light, power, heat, and other purposes if, and as, practicable, to the rural and suburban population and the enterprises along the route of its transmission lines and the vicinity thereof, in the territory surrounding said Town of South Canon, and to extend applicant's facilities, lines, plant or system in the territory surrounding said Town of South Canon contiguous to said facilities, lines, plant or system.

Public hearing on said application was held at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, on April 7, 1950, after appropriate notice, and the matter was then taken under advisement.

At the hearing, applicant introduced the following exhibits:

1. A certified copy of applicant's Articles of Incorporation;
2. Notice of application for franchise;
3. A map of the territory served by the Southern Colorado Power Company;
4. A map of the distribution system of the Town of South Canon;
5. A certified copy of Ordinance No. 3, Series 1949;
6. A copy of a letter from H. Clay Pauls, Mayor of the Town of South Canon, acquiescing to the issuance of the certificate herein sought;
7. A letter from the Board of County Commissioners of Fremont County, acquiescing in the granting of the certificate herein sought;
8. A certified copy of the acceptance by Southern Colorado Power Company of the terms and conditions contained in Ordinance No. 3, Series 1949.

It appears that Ordinance No. 3, Series 1949, was duly passed by the Board of Trustees of the Town of South Canon on December 5, 1949, and approved by the Mayor of said town; that the ordinance grants said franchise for a period of twenty-five years from and after the date of its passage and acceptance by Company, said ordinance taking effect thirty days after it has been passed, approved and published following final passage; that said ordinance grants franchise rights to Southern Colorado Power Company, a corporation, granting it, its successors and assigns, the right and franchise to furnish the Town of South Canon and its inhabitants, electricity for illuminating, heating, power and all other purposes to which the same may be applicable, and to erect and maintain

a plant and system therefor, and/or to construct, maintain and operate a transmission line or lines for the purpose of conducting into, from and/or through said town, electricity generated there or elsewhere, and granting a right of way over, under, along, and across the streets, alleys, bridges and public places of said town for the erection of poles and wires therefor.

The terms and conditions of said Ordinance No. 3, Series 1949, were accepted in writing by applicant within the legal limit for such acceptance.

There is no other public utility engaged in the generation and distribution of electrical energy in the Town of South Canon, Fremont County, Colorado, and its vicinity.

### FINDINGS

#### THE COMMISSION FINDS:

That the public convenience and necessity require the exercise of franchise rights granted by Ordinance No. 3, Series 1949, of the Town of South Canon, effective thirty days from and after passage, being December 5, 1949, for the supplying to the inhabitants of said town, electrical energy for light, power, heating, and other purposes, as stated in Ordinance No. 3, Series 1949, and more specifically set out in the Statement, supra.

Further, that the public convenience and necessity require applicant to furnish electrical service to the rural and suburban population and the enterprises along the route of its transmission lines and in the vicinity thereof in the territory surrounding the Town of South Canon, and to extend applicant's facilities, lines, plant or system in the territory surrounding said Town of South Canon contiguous to said facilities, lines, plant or system.

That Ordinance No. 3, Series 1949, which was Exhibit No. 5 in the instant proceeding, is by reference made a part hereof.

### ORDER

#### THE COMMISSION ORDERS:

That the future public convenience and necessity require, and will require, the exercise of franchise rights granted by the Board of



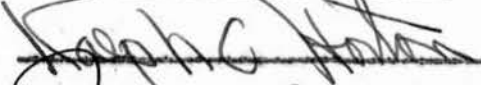
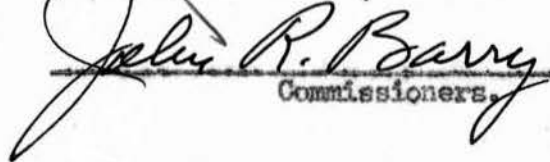
Trustees of the Town of South Canon, Fremont County, Colorado, under Ordinance No. 3, Series 1949, to the Southern Colorado Power Company, its successors and assigns, the right and franchise to furnish the Town of South Canon and its inhabitants, electricity for illuminating, heating, power and all other purposes to which the same may be applicable, and to erect and maintain a plant and system therefor; and/or to construct, maintain and operate a transmission line or lines for the purpose of conducting into, from, and/or through said town, electricity generated there or elsewhere, and granting a right of way over, upon, along, under and across the streets, alleys, bridges and public places of said town, for the erection of poles and wires therefor, and to furnish electrical energy for light, power, heating and other purposes, if and as practicable, to the rural and suburban population and the enterprises along the route of said transmission lines and in the vicinity thereof in the territory surrounding said Town of South Canon, and to extend applicant's said facilities, lines, plant or system in the territory surrounding said Town of South Canon contiguous to said facilities, lines, plant or system, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That applicant shall install, operate and maintain its electrical distribution system and supply service in the area heretofore designated in accordance with rate schedules, rules and regulations, and service connection and main extension policy as are now or hereafter in effect and on file with the Commission; its books and accounts shall be maintained in agreement with the Uniform Classification of Accounts; its practices as to testing, consumers' deposits and operations, records of meters and complaints, shall be in compliance with the Commission's requirements.



This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

COMMISSIONER HAWLEY NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 16th day of August, 1950.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO, )  
TO OPERATE AN ELECTRIC TRANSMISSION )  
LINE FROM LEADVILLE, COLORADO, TO )  
APPLICANT'S PONCHA JUNCTION SUB- )  
STATION NEAR SALIDA, COLORADO, FOR )  
THE PURPOSE OF INTERCONNECTING )  
APPLICANT'S CENTRAL SYSTEM WITH ITS )  
SALIDA AND SAN LUIS VALLEY SYSTEMS, )  
AND TO TRANSMIT ELECTRICITY TO AND )  
BETWEEN SAID SYSTEMS. )  
----- )

APPLICATION NO. 10569.

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August 16, 1950  
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Appearances: Lee, Bryans, Kelly and Stansfield, Esqs.,  
Denver, Colorado, for applicant;  
J. M. McNulty, Denver, Colorado, and  
C. L. Flower, Denver, Colorado, for  
the staff of the Commission.

STATEMENT

By the Commission:

This is an application for a certificate of public convenience and necessity to operate an electric transmission line from Leadville, Colorado, to applicant's Poncha Junction Substation near Salida, Colorado, for the purpose of interconnecting applicant's Central System with its Salida and San Luis Valley Systems, and to transmit electricity to and between said systems.

The instant application was filed April 25, 1950, set for hearing, and heard, May 11, 1950, at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and then taken under advisement.

The evidence disclosed that applicant is a Colorado corporation, and that it is authorized, and does, engage in the business of generating, transmitting and distributing electricity to various cities, towns and communities in divers counties of the state. The post office address of applicant is: Gas and Electric Building, Denver, Colorado. The specific territory which applicant seeks to serve is as follows:

Beginning at Applicant's Leadville Substation located in Section 25, Twp. 9 S., Rge. 80 W.; thence in a generally South by East direction thru Section 30, Twp. 9 S., Rge. 79 W.; Sections 36, 35 and 34, Twp. 9 S., Rge. 80 W.; Sections 3, 10, 15, 22, 27, 34 and 35, Twp. 10 S., Rge. 80 W.; Sections 3, 10,

11, 14, 23, 24, 25, 26 and 35, Twp. 11 S., Rge. 80 W.; Sections 2, 11, 12, and 13, Twp. 12 S., Rge. 80 W.; Sections 16, 17, 20, 21, 28, 27 and 34, Twp. 12 S., Rge. 79 W.; Sections 5, 2, 11, 14, 23, 26, 25 and 36, Twp. 13 S., Rge. 79 W.; Sections 1, 12, 13, and 24, Twp. 14 S., Rge. 79 W.; Sections 19, 30 and 31, Twp. 14 S., Rge. 78 W.; Sections 6, 5, 8, 17, 20, 29, 28 and 33, Twp. 15 S., Rge. 78 W.; Sections 8, 17, 20, 21, 28, 33 and 34, Twp. 51 No., Rge. 8 E.; Sections 3, 10, 9, 16, 21, 22, 27 and 34, Twp. 50 N., Rge. 8 E.; Sections 3, 4 and 9, Twp. 49 N., Rge. 8 E., to a terminus at the Applicant's Poncha Junction Substation located adjacent to the north line of said Section 9, Twp. 49 N., Rge. 8 E.

Mr. L. D. Bonham, Rate Engineer for Public Service Company, testified that at present applicant's Central System and its San Luis Valley System are not connected. He stated the building of this transmission line would connect the two systems and allow an interchange of electricity between them, in order that the peak demands of the San Luis Valley, created by irrigation, could easily be met, and that if there were other demands of the Central System, surplus power from the San Luis Valley System could be transmitted to the Central System. He stated that the transmission line would be 57 miles long and will cost approximately \$500,000.00; that part of it traverses the Public Domain, and part over private property; that all right of ways necessary have been obtained, and that construction is progressing.

Mr. Bonham further testified that the cost of constructing the line, and the new substation at Poncha Junction, would be approximately \$750,000.00.

Applicant does not propose to render ordinary distribution service along the route of the proposed transmission line, except to the extent that it is served by present distribution lines or normal extensions thereof, fed from present facilities.

#### FINDINGS

##### THE COMMISSION FINDS:

That the present and future public convenience and necessity require, and will require, the applicant to operate and maintain an electric transmission line from Leadville, Colorado, to applicant's Poncha Junction Substation near Salida, Colorado.

#### ORDER

##### THE COMMISSION ORDERS:

That the present and future public convenience and necessity



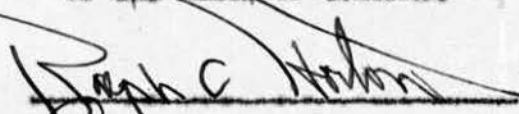
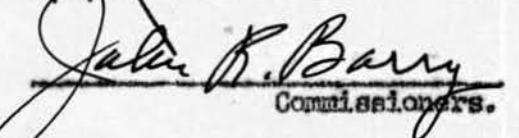
require, and will require, the applicant to operate an electric transmission line from Leadville, Colorado, to the applicant's Poncha Junction Substation near Salida, Colorado, as more particularly described as follows:

Beginning at Applicant's Leadville Substation located in Section 25, Twp. 9 S., Rge. 80 W.; thence in a generally South by East direction thru Section 30, Twp. 9 S., Rge. 79 W.; Sections 36, 35 and 34, Twp. 9 S., Rge. 80 W.; Sections 3, 10, 15, 22, 27, 34 and 35, Twp. 10 S., Rge. 80 W.; Sections 3, 10, 11, 14, 23, 24, 25, 26 and 35, Twp. 11 S., Rge. 80 W.; Sections 2, 11, 12 and 13, Twp. 12 S., Rge. 80 W.; Sections 18, 17, 20, 21, 28, 27 and 34, Twp. 12 S., Rge. 79 W.; Sections 3, 2, 11, 14, 23, 26, 25 and 36, Twp. 13 S., Rge. 79 W.; Sections 1, 12, 13, and 24, Twp. 14 S., Rge. 79 W.; Sections 19, 30 and 31, Twp. 14 S., Rge. 78 W.; Sections 6, 5, 8, 17, 20, 29, 28 and 33, Twp. 15 S., Rge. 78 W.; Sections 8, 17, 20, 21, 28, 33 and 34, Twp. 51 N., Rge. 8 E.; Sections 3, 10, 9, 16, 21, 22, 27 and 34, Twp. 50 N., Rge. 8 E.; Sections 3, 4 and 9, Twp. 49 N., Rge. 8 E., to a terminus at the Applicant's Poncha Junction Substation located adjacent to the north line of said Sections 9, Twp. 49 N., Rge. 8 E.,

as well as the construction of a new substation at Poncha Junction, said construction being for the purpose of transmitting electricity to and between its Central System and its Salida and San Luis Valley System, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

COMMISSIONER HAWLEY NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 16th day of August, 1950.

eh

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CANNON BALL, INC., A COLORADO COR- )  
PORATION, TO TRANSFER TO CONTINENTAL )  
BUS SYSTEM, INC., A TENNESSEE COR- )  
PORATION, A PORTION OF CERTIFICATES )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
NOS. PUC-59 and PUC-59-I. )  
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APPLICATION NO. 10662-Transfer.

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August 16, 1950  
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Appearances: Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for  
Transferor and Transferee.

S T A T E M E N T

By the Commission:

Continental Bus System, Inc., a Tennessee corporation, with its principal place of business at Dallas, Texas, seeks authority herein to have transferred to it from Cannon Ball, Inc., a Colorado corporation, operating under Colorado PUC-59 and ICC M-105327, the last named certificate being registered with the Public Utilities Commission of the State of Colorado, under PUC-59-I, the interstate and intrastate portion of these certificates covering that portion of the State of Colorado between the City of Cortez and the City of Durango, which certificates of public convenience and necessity were heretofore granted by this Commission in Applications Nos. 347, 522, 649, 1350-AB, 1392, 1818, 1819-A, and 9047, known as PUC-59, the interstate rights being known as PUC-59-I.

By Decision No. 17854, we defined this authority to include the right,

"to transport passengers, baggage of passengers light express, mail, and newspapers in scheduled operations and in both intrastate and interstate commerce, between the points of Durango, Colorado, and the Colorado-New Mexico state line and all intermediate points, and return, over U. S. Highway No. 550; from Durango to Mancos, Cortez, and Dolores, and all intermediate points, and return, over Highways U. S. No. 160 and Colorado Nos. 145 and 147; from Dolores and Cortez to the Colorado-New Mexico state line and all intermediate points, and return, including the off-route point of Towaoc, over Highways Colo. Nos. 143, 147 and U. S. Highways Nos. 160, 54, and 666."



At the hearing, at Denver, Colorado, on July 5, 1950, it appeared that Cannon Ball, Inc., is now operating this segment of the line and leasing its equipment from Continental Bus System, Inc., and has become indebted to Continental. In order to clear up some of its indebtedness, Cannon Ball is desirous of making this transfer.

Mr. Ralph Berndt, testified for Continental, and stated it would be very desirous for his company to own this authority outright, in order that through passengers could be routed from Utah to southern and eastern points over this route, and that the interlining tickets which Cannon Ball would become a party to, would, in his opinion, be of material aid to their presently shaky operating ratio. He further testified that cooperation would be given to Cannon Ball in this respect.

Mr. Goss, Assistant General Manager of Cannon Ball, also testified, and was of the opinion that many advantages would be forthcoming if the Commission permitted this transfer.

By Decision No. 32094, dated April 23, 1948, this Commission granted Cannon Ball authority to transport passengers and their baggage, express, and mail in the same vehicle, over State Highway No. 140 between the junction with U. S. Highway No. 160 and Colorado Highway No. 140 on the one hand, and on the other, a point where the New Mexico State Line intersects said State Highway 140. This authority was incorporated into, and is now a part of, PUC-59 and PUC-59-I. The Towns of Fort Lewis, Kline, Marvel, and Redness are on Colorado Highway No. 140. An examination of the ten-mile tax reports of Cannon Ball shows that last month some 80 passengers were transported on this run, and they all had their origin or destination in Durango, Colorado.

The application is not clear on what is to be done with that portion of PUC-59 which covers U. S. Highway No. 160 from Durango to its intersection with State Highway No. 140. Certainly, the people residing on Highway No. 140 should have access to Durango via Cannon Ball, nor is it clear what is to be done with that portion of authority No. 59 from Cortez, Colorado, on U. S. No. 160 to the intersection of State Highway No. 145, which is the route Cannon Ball has authority over to reach Dolores, Colorado.

The matter has been taken up with Continental and they have no objection to Cannon Ball continuing to serve this area from and to Durango over U. S. Highway No. 160.

Applicant Transferor further represents that all debts and obligations arising out of this motor carrier operation will be brought up to date on or before the date of transfer requested herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized as herein delineated, and subject to outstanding indebtedness, if any.

### O R D E R

#### THE COMMISSION ORDERS:

That Cannon Ball, Inc., of Durango, Colorado, should be, and hereby is, authorized to transfer all right, title, and interest in and to that portion of FUC-59, covering the area between Durango and Cortez, Colorado, being the intrastate operating rights granted in Applications Nos. 347, 522, 649, 1350-AB, 1392, 1818, 1819-A, and 9047, and FUC-59-I, being the interstate operating rights covering the same territory, the same portion of which is transferred hereby, to Continental Bus System, Inc., subject to the provisions of the Federal Motor Carrier Act of 1935.

It being understood, however, that Cannon Ball, Inc., can and may operate from the intersection of State Highway No. 140 and U. S. Highway No. 160 into Durango, Colorado, over U. S. 160, and from Durango over U. S. 160 to the intersection of Highway No. 140, for the purpose of giving service to those persons residing on Highway No. 140 south of U. S. 160, it being also understood that Cannon Ball, Inc., can and may operate from Cortez, Colorado, via U. S. Highway No. 160, to the intersection of State Highway No. 145, in order that they might serve Dolores, Colorado.


This transfer is made subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

The tariff of rates, rules and regulations of transferor shall become and remain those of 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 the prior filing by transferor of delinquent reports, if any, covering its operations under said certificate, and the payment by it or transferee of all unpaid ton-mile tax.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Robert C. Hottel  
John R. Berry  
Commissioners

COMMISSIONER HAWLEY NOT PARTICIPATING.

Dated at Denver, Colorado,  
this 16th day of August, 1950.

eh