

original

(Decision No. 44675)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
L. A. CLARK AND D. V. CLARK, CO-)	
PARTNERS, DOING BUSINESS AS "L. A.)	
CLARK & SON," MONTE VISTA, COLO-)	APPLICATION NO. 13495-PP-Extension
RADO, FOR AUTHORITY TO EXTEND)	
OPERATIONS UNDER PERMIT NO. B-4573.)	
-----)	

September 30, 1955

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for Applicants;
Ray Moses, Esq., Alamosa,
Colorado, for Ed Lujan;
T. A. White, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

On May 9, 1955, L. A. Clark and D. V. Clark, co-partners, doing business as "L. A. Clark & Son," Monte Vista, Colorado, filed their application with the Commission for authority to extend operations under their present permit, being Permit No. B-4573, to include the right to transport rough and planed lumber, and ore, from mines and mills to loading and shipping points within that portion of the Counties of Hinsdale, Mineral, Rio Grande, Saguache, Conejos, Alamosa, and Costilla, lying east of the Continental Divide.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

It appears that applicants are the owners of Permit No. B-4573, authorizing:

transportation of unprocessed agricultural products from farms and ranches within a radius of 25 miles of Monte Vista to packing sheds in Alamosa, Blanca, Center, Monte Vista, or any other town in the San Luis Valley, excluding, however, from said radius, all points lying beyond an imaginary line drawn three miles west of the Gunbarrel Road, and excluding the Town of Del Norte, Colorado,

this being the permit under which applicants desire to extend operations.

At the hearing, L. A. Clark, one of the co-partners, testified that the service they wish to render is transportation of rough lumber, from south of Creede, to Del Norte, for the Stone Brothers Lumber Company, of Monte Vista, Colorado. In other words, the service they desire to give is the transportation of rough lumber from forests to Stone Brothers Planing Mills, either at Monte Vista or Del Norte, Colorado.

Witness stated that they were willing to restrict their operations to serve Stone Brothers Lumber Company, only.

When interrogated about the movement of ore from mines and mills to loading and shipping points, witness stated that they were no longer interested in that haul.

Arthur Stone, of Del Norte, Colorado, one of the partners of Stone Brothers Lumber Company, stated that they needed, and would use, applicants' proposed extended service; that the nature of the service was not that which could be performed by common carriers, and that they would use applicants' full time during the seasons when they could operate in the timber.

Protestants did not put on any testimony, and it therefore appears that they had no objection to the granting of the authority, as limited by the evidence.

After careful consideration of the record, it does not appear that the granting of the application, as hereinafter limited, would impair common carrier service now serving in the area sought to be served by applicants.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application, as hereinafter limited, should be granted, for the reasons set forth in the preceding Statement, which by reference is made a part of these Findings.

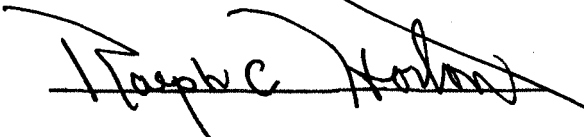
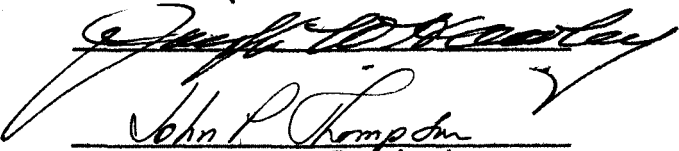

O R D E R

THE COMMISSION ORDERS:

That L. A. Clark and D. V. Clark, co-partners, doing business as "L. A. Clark & Son," Monte Vista, Colorado, should be, and they hereby are, authorized to extend operations under Permit No. B-4573 to include the right to transport rough and planed lumber, between points within that portion of the Counties of Hinsdale, Mineral, Rio Grande, Saguache, Conejos, Alamosa, and Costilla lying east of the Continental Divide, for Stone Brothers Lumber Company, only, without the right to add to the number of customers served, except upon permission from this Commission first had and obtained.

That this Order is made part of the permit granted to applicants, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 30th day of September, 1955.

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original

(Decision No. 44676)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BOULDER TRUCK SERVICE, INC., LONG-)
MONT, COLORADO, TO AMEND CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
PUC NO. 509 TO ELIMINATE PARAGRAPH)
"(c)" THEREFROM.)

APPLICATION NO. 13161

October 4, 1955

Appearances: E. B. Evans, Esq., Denver,
Colorado, for applicant;
Alice F. Blakley, Stockyards
Station, Denver, Colorado,
for Blakley Livestock
Trucking Company;
Harold D. Torgan, Esq., Den-
ver, Colorado, for Colo-
rado Transfer and Ware-
housemen's Association;
Marion F. Jones, Esq., Denver,
Colorado, for Collett Tank
Lines, Inc., R. B. "Dick"
Wilson, Inc., Ward Trans-
port, and Sorenson Truck
Service;
R. B. Danks, Esq., Denver,
Colorado, and
Howard D. Hicks, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
T. A. White, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., and Larson
Transportation Company;
Ralph E. Yockey, Denver, Colo-
rado, for Yockey Trucking
Company.

S T A T E M E N T

By the Commission:

By Decision No. 3115, of date October 27, 1930, William A.
Boze, doing business as "William A. Boze Truck Service," Longmont,
Colorado, was granted a certificate of public convenience and neces-
sity for:

The conduct of a transfer, moving and general cartage business in the City of Longmont, Colorado, and in the County of Boulder, and for occasional service throughout the State of Colorado, and each of the counties thereof, subject to the following conditions:

- (a) For the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, the applicant shall charge rates which in all cases shall be at least 20% in excess of those charged by the scheduled carriers;
- (b) The applicant shall not operate on schedule between any points;
- (c) The applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have any agent employed in any other town or city than Longmont, for the purpose of developing business; and
- (d) Jurisdiction of the application herein shall be and the same is hereby retained, to the end that if and as occasion may arise, appropriate orders may be made to prevent improper encroachment by the applicant upon the field of business occupied by the scheduled carriers, and at the same time to allow the applicant reasonable latitude in the carrying on of his business as it may develop in the future.

"PUC-509" was assigned to the operation.

By Decision No. 14961, of date February 29, 1940, said William A. Boze was authorized to transfer his operating rights under said certificate to Fred Weiss, doing business as "William A. Boze Truck Service," Longmont, Colorado.

By Decision No. 16116, of date November 4, 1940, said Fred Weiss was authorized to transfer his operating rights under said certificate to Blue Eagle Truck Lines, Inc., which decision was set aside and rescinded by Decision No. 18616, of date April 10, 1942.

By Decision No. 36043, of date January 29, 1951, said Fred Weiss was authorized to transfer his operating rights under said certificate to Kenneth W. Weng, doing business as "Longmont Truck Service," Longmont, Colorado.

By Decision No. 40176, of date March 17, 1953, said Kenneth

W. Weng was authorized to transfer his operating rights under said certificate to Wayne E. and Robert O. Shepherd, doing business as "Shepherd's Truck Service," Boulder, Colorado, who, by Decision No. 42604, of date May 6, 1954, were authorized to re-transfer said operating rights to Fred Weiss, Longmont, Colorado.

By Decision No. 43472, of date October 21, 1954, said Fred Weiss was authorized to transfer his operating rights under said certificate to Boulder Truck Service, Inc., Denver, Colorado.

On September 7, 1954, said Fred Weiss had filed the instant application for the amendment of said certificate so as to eliminate Paragraph (c) therefrom, and for authorization to establish an agency and branch office in Denver. Under date of November 4, 1954, his transferee, Boulder Truck Service, Inc., advised the Commission that it had established an office at 1518 Long's Peak Avenue, Longmont, Colorado, and had appointed a Traffic and Sales Manager at that point. After the transfer last above mentioned, Boulder Truck Service, Inc., was substituted as applicant in the instant application in place of Fred Weiss.

The application was regularly set for hearing, with appropriate notice to all interested parties, on November 22, 1954, at 330 State Office Building, Denver, Colorado, where the matter was heard and taken under advisement.

At the hearing, George F. Ringsby, President of applicant company, testified that his company is the owner and operator of I. C. C. certificate of public convenience and necessity MC-111235, authorizing the transportation of property in interstate commerce only, between points within a radius of 50 miles of Boulder, Colorado, and from and to points within said radius to and from points in the State of Colorado, and he has also registered PUC-509 with the I. C. C. The company has terminals at Denver, Craig and Longmont, Colorado. It had

hired one Almon Bates to take charge of the office at Longmont, but he had not yet done so. It employs one solicitor at Denver. Reference was made to the equipment list, authority, and financial statement on file with the Commission.

Witness testified as to the change in conditions between the time the certificate was obtained and the present time. In the earlier period there was much more business at Longmont than at present. The roads were narrow and rough and in such condition that long trips were not possible, nor was there any need for other than local trips, while at present there are good paved highways permitting of fast trips with heavier equipment. Then, there was but one main highway between Longmont and Denver, while now there are two. Then, a trip between the two points required two hours driving time, now but forty-five minutes. Then, more freight was handled by rail, which traffic is now being handled by truck. At the present time, the construction program in Boulder County runs into millions of dollars, and much additional transportation is required, such as pipe from Pueblo, lumber from the mountains, poles, brick, and other building materials from Denver. Offices of prospective shippers are scattered all over the state, but are mostly located in Denver. An office in Denver would be more convenient for applicant as at present the call of a shipper received in Denver must be referred to Longmont, and if no equipment is available in Longmont, it requires telephone calls to locate and provide the same. Tariffs should be kept in a Denver office as the Longmont office is not equipped to handle them, and a shipper would receive prompt attention to a call relative to tariffs if received at Denver. He has had calls for transportation of household goods, pipe, and various kinds of freight through his solicitor at Denver, which he cannot handle satisfactorily without a Denver office. There is a loss of time of from one to three hours in handling calls if same must be served at Longmont. He would expect to

maintain an office both at Longmont and at Denver, with a solicitor at each place. A garage at Denver to service and repair his trucks would be maintained and he would keep most of his equipment at Denver, with a truck or two at Longmont. The books would be kept at Denver, and there would be a material decrease in his overhead expense.

On cross-examination, Mr. Ringsby admitted that he had never hauled livestock or petroleum products, but would not agree to any limitation in the certificate. The office at Longmont consists of a trailer home occupied by Bates as local manager. Bates expects to haul livestock in applicant's equipment or by lease of his own equipment to applicant and will do most of the driving. No definite agreement has been reached with Bates to date. Bates formerly solicited livestock hauling for another carrier. He is experienced, and if the application is granted for a Denver office, Bates could contact shippers at the stock yards for occasional trips over the state. It is necessary to have an office at Denver because of applicant's interstate business, and it would be convenient in connection with operations under the certificate and would result in economies.

Witness admitted that his purpose in requesting authority to open an office in Denver is the development of new business throughout the state and would result in increased competition for the other carriers based at Denver. Under the provision of the certificate authorizing "occasional service," he expects to offer service ranch to ranch, range to ranch, to feed lots and packing houses and, generally, from point to point throughout the State of Colorado, assuming that a general cartage authority issued to Longmont and vicinity includes the transportation of livestock from point to point throughout the state. Under the "occasional service" proviso, 'he wants an office in Denver through which he can develop this business.

In support of the application, Almon Bates, of Longmont,

Colorado, testified he was negotiating with applicant for employment as manager of applicant's anticipated Longmont branch. He has had eighteen years experience in the transportation business as an employee of the firm Bates & Son (PUC-449) with general cartage authority in Adams, Boulder, Larimer, and Weld Counties, and occasional service throughout the state. Under this authority the greater part of his experience has been in the transportation of livestock under the "occasional service" proviso. As manager of the Longmont office, he expects to lease his trucks to applicant at the rate of 20 cents per mile, and solicit the business of transportation of general commodities, including livestock, principally in the Longmont area. However, he is in touch with former customers of Bates & Son at the various stockyards and feed lots in Denver, whom he expects to serve under applicant's authority. Most of these feeders have offices in Denver, and when they see him in Denver, they advise him of their transportation needs. In other words, he solicits their business in Denver, and they occasionally call him at Longmont. When he brings a load of livestock to Denver, he solicits a return haul, and it would be more convenient and time-saving to handle such business through a Denver office. The Denver packing houses have need for transportation service on short notice. The market opens Monday morning, and if he is not there to offer service, they will call on someone else. He has handled this business for Bates & Son, making shipments several times per week under the "occasional service" proviso of their certificate. With an office in Denver, he will be in a position to solicit business originating in Denver and destined to any point in the state. He has been very successful in soliciting such business from the packing companies and others for Bates & Son, but left that carrier about a week prior to the hearing and will take with him to applicant all of the hauling business he can divert. Bates & Son will be his chief competitor, but there are other livestock carriers -- such as Yockey and Blakley -- with whom he will directly compete.

Howard T. Page, Traffic Manager of applicant company, testified that he has been soliciting freight in Denver for several years, and there is an advantage in servicing calls for interstate and intrastate business from the same office. There is a time element involved, as well as the cost of toll calls to Longmont, and resultant confusion in quoting rates, etc. It would be unfair to the shipper to require a Longmont call, as the greater part of applicant's equipment is kept in Denver and dispatched from Denver more effectively than from Longmont.

Chris Sorenson, owner and operator of PUC-489 (with authority similar to that under PUC-509), testified he has been engaged in the transportation of livestock since 1916. Several times he sought from the Commission authority to establish an office in Denver for the purpose of developing business, but his applications were denied, and he finally purchased PUC-337 with no authority additional to that he already enjoyed except the right to have a Denver office, and since that time he has maintained an office at the Denver stockyards. The office at Denver has enabled him to improve his business. Should applicant be allowed to maintain an office in Denver, his business would be benefitted, and he would operate in competition with several other livestock haulers now based in Denver, such as Yockey and Blakley, and others. Witness also is operating under an "occasional service" proviso in his original certificate.

Protestants' Testimony

Marion F. Smith, Area Manager for Collett Tank Lines, PUC-1494 and PUC-1494-I, with state-wide authority to transport petroleum products in tank trucks, operates in competition with several common carriers with similar authority, based in Denver, with 400 units of equipment in use, and no complaints as to his service. There are no refineries in Boulder County, to which the cartage operation of applicant is limited in his certificate, and if applicant is permitted a Denver office, he could solicit business under his "occasional service"

proviso, which he cannot solicit now, which would add to the competition in Denver, and have the effect of hurting the presently-certificated carriers now based at Denver.

Howard D. Hicks, Traffic Manager of Weicker Transfer and Storage Company, with call and demand authority under PUC-341, testified that his company is limited to an office in Denver. There are 16 call and demand carriers now actively operating out of Denver. His company operates 262 pieces of equipment, with 25 available in Denver at all times. He is authorized to transport all classes of commodities, and efficiently handles the business that applicant would develop if the application is granted. The business of his company has been decreasing and the addition of another office in Denver for the purpose of developing business would have an adverse effect on his company's operations and income.

Ralph E. Turano, Traffic Manager for Rio Grande Motor Way, Inc., and Larson Transportation Company, described the call and demand authority of his company under PUC-149 and PUC-331. The principal office of his company is at Denver, with terminals at other points, and if the application is granted for a Denver office, it would place applicant in direct competition with other Denver-based companies, add more competition in the State generally, and cause more diversion of freight to the rails. His company has 2 solicitors in Denver and one on the Western Slope, and has been losing business because of present competition.

Ralph E. Yockey, owner and operator of PUC-622, with statewide authority for the transportation of livestock, testified that he was also denied by the Commission authority to open an office under his original authority, and was forced to purchase another certificate with such authority before he could open his Denver office. If another carrier is authorized to open such an office, it would seriously injure his business, which has been on the decline for the past two years.

Applicant has had previous experience in operating under a certificate with restrictions. By Decision No. 36048, of date January 29, 1951, while operating in Boulder, it acquired PUC-949, authorizing the transportation of farm products, supplies and equipment (including limited transportation of furniture), coal, ore, etc., in a limited area, the certificate being restricted against transportation service between points along the line of scheduled carriers, and the transportation of any freight (with exceptions) between Denver and Boulder. The certificate was extended to include the transportation of general commodities (with exceptions) between points within a 50-mile radius of Boulder (excepting Denver and other described territory), restricted as against the transportation of processed fruits, within, into, and out of Larimer County and any town-to-town movement where served by scheduled carriers. This decision contains the following statements:

"The evidence further discloses that the operation will be based in Boulder County, and transferee plans to carry on the same type of operation as that conducted by transferor."

This certificate was sold by authority of Decision No. 40150, of date May 11, 1953. At the instant hearing, applicant testified that it was sold at the suggestion of his brother who operates Ringsby Truck Lines, because of the restrictions, and applicant then began operating in Denver under his interstate authority, later purchasing the intrastate authority herein involved, with specific restrictions.

It has frequently been held by the Commission that the actual authority of the certificate owner can be determined only in the light of the language of the certificate, the original purpose of the application, and the practical construction placed on the language by those operating thereunder.

The language of this certificate is not capable of misconstruction, except, possibly, insofar as "occasional service throughout the State of Colorado" is concerned. The purpose of this provision is

obvious to anyone acquainted with the history of these general cartage authorities. They were granted for limited areas to take care of the local transportation needs of the residents of the area, such as movements from house to house, between local railheads or supply points, and stores and homes and, generally, transportation of goods from point to point within the area, a locally-based transportation agency to take care of local needs. On occasion, when a resident customer had reason to move to another location beyond the area or to transport goods to or from a location from or to the base area, the carrier was authorized to perform such a service for residents of his base area. It was never maintained that he should be authorized to transport goods between points outside the area, and, particularly, between points far distant from his base area. Any assumption that the original certificate owner had any thought of transporting livestock between Denver and Trinidad, for example, or between the stockyards at Denver and any point in Colorado, other than occasionally to the Longmont area for his customers in said area, is too fantastic to appeal to the Commission.

The intention of the original applicant, and the knowledge of his transferees or to the nature and extent of the authority is clear from the records and files of the Commission. In his Application No. 1600, William A. Boze, of Longmont, Colorado, sought to establish "grandfather rights," based upon the prior operations of himself and his father before him. For more than thirty-five years they had served the Longmont area, and asked authority to serve the area in the future, the same as he had theretofore. He stated that such operations consisted of the transportation:

"without fixed points, routes or schedules, of property in general * * * and a general miscellaneous hauling of property and freight * * * none of said hauling is in the nature of express hauled from city to city and the said service is not in the general nature of merchandise transported

from wholesaler to retailer, with the exception only that delivery for retail merchants are, upon demand, delivered direct from wholesaler's shipping point to consumer or buyer, or to other points of delivery, not that of retailer's place or places of business."

(The last clause may well be the basis for the authority for "occasional service" into and out of the Longmont area.)

The application further states:

"The truck service rendered by applicant is entirely distinct and different from that rendered by general freight and express trucking companies * * * there has always been maintained in the city of Longmont and its vicinity * * * a trucking or transfer service of this kind, in addition to the regularly scheduled and express services * * * the service of applicant is a permanent service that has been maintained for the past thirty-five years, and applicant desires to conduct the same."

In Decision No. 3115 granting the certificate, the Commission stated:

"The transportation business conducted by the applicant was begun by his father in 1876 and has been operating continuously to this date." (October 27, 1930)

Further, that the restrictions were imposed "so that such carriers whose service to the public is of more importance may be protected against injurious competition."

The restrictions, as we construe them, were fully recognized in the various orders authorizing the later transfers of the certificate. In each of these orders the restrictions are set forth in full so that the transferee might be advised of the extent of the authority transferred. Fred Weiss, the first transferee, continued to operate as the "Boze Truck Service," Longmont, Colorado. In Decision No. 16116, authorizing the transfer from Weiss to Blue Eagle Truck Lines, Inc., the Commission discussed the restrictions and stated it had been agreed that the principal place of business of transferee would be maintained

at Longmont, Colorado, and that no branch office for the conduct of an operation under this certificate was contemplated at any other places where the transferee might acquire other rights. The decisions authorizing the later transfers usually read "subject to conditions and restrictions contained in the order granting the certificate." It cannot well be said that the practical construction placed upon the language of the authority by all those operating thereunder (other than this applicant), was other than the construction placed upon this language by the original applicant.

The Commission was dissatisfied with its action in authorizing the transfer of the certificate from Weiss to Blue Eagle. Soon thereafter it considered three other applications for transfer to the same company. By Application No. 4654-A, G. E. Cowan, Salida, Colorado, sought authority to transfer PUC-1250; by Application No. 3259-A, L. M. Anderson & Sons, Limon, Colorado, sought authority to transfer PUC-898; and by Application No. 3243-AA, Richard Postel, Monte Vista, Colorado, sought authority to transfer PUC-801.

The applications were consolidated for hearing and are discussed in Decision No. 17368, of date July 12, 1941, denying the applications. The Commission discussed the transfer by Weiss to Blue Eagle authorized by Decision No. 16116, supra, using the following language:

"We are also faced with the fact that the so-called 'state-wide' authority which the Blue Eagle obtained from Fred Weiss provides that no branch office or agent shall be established or employed in any other town or city than Longmont, Colorado, for the purpose of developing business. Testimony in the instant case is to the effect that while the principal place of business of Blue Eagle Company would be maintained at Longmont, that in other points in the state where they may be obtaining operating rights, the local operator at such points would be the agent for the Blue Eagle company in developing business, although the advertising and soliciting of business at local points other than the Longmont area would be limited to such advertising and solicitation as might be necessary in connection with the local authority held at such point. It would appear that even though no branch office was established at other points, the fact would remain that

the local operator would, to all intents and purposes, be the agent of the Blue Eagle company for the purpose of developing business."

In Decision No. 18616, of date April 10, 1942, the Commission reconsidered the transfer from Weiss to Blue Eagle, theretofore authorized by Decision No. 16116, and citing Decision No. 17368, supra, as its declared policy in applications of this nature, set aside and rescinded said Decision No. 16116, and directed Blue Eagle to re-convey the certificate to Fred Weiss.

Fred Weiss then filed application to lease the certificate, with Option to Purchase, to F. D. McGlothlen, Salida, Colorado. In Decision No. 30237, dated April 12, 1948, in denying the application, the Commission pointed out that McGlothlen was operating under PUC-1250, with headquarters at Salida; that he expected to place a truck at Longmont to handle business in the Longmont area, could not do so permanently, but expected to interchange equipment between the two places. The Commission stated that it was obvious that

"possibly he was acquiring the operating right in order to get authority to perform service under the 'occasional service throughout the State of Colorado and each of the counties thereof' clause in the authority, not having such right under his own certificate."

And further,

"We think we would expect too much of him if we expected him not to accept business in the Salida office which might be tendered, which could be performed under the Longmont certificate, when it could not be furnished under the Salida certificate. We do not believe it would be possible for him not to violate the clause prohibiting the establishment of a branch office or retaining the service of an agent, in any town or city other than Longmont for the purpose of developing business."

"Applicant testified that 'I think I can use it (the Weiss certificate) as a back haul to Salida;'

that,

'When I come into Denver loaded I now go back empty; with this certificate I can go back loaded.'

"It here is obvious that he would get his orders for transportation service from Denver to Salida at Salida * * * that is, from his customers in the Salida territory who wanted commodities moved from Denver to Salida. The order would not be telephoned by the merchant from Salida to McGlothlen's agent at Longmont. The merchants would contact McGlothlen at Salida personally.

"The Commission has had experience with similar proposals and the history of such operations has not lead us to believe otherwise."

As above stated, every decision authorizing the transfer of this certificate set forth the restrictions verbatim. Further, in Decision No. 40176 (transfer of Weng to Shepherd's Truck Service), March 17, 1953, the Commission stated:

"In approving the above transfer the Commission feels that the restrictions in the authority should be definitely pointed out to the transferee herein, especially the following paragraphs (setting out (a), (b) and (c)), it being definitely understood that transferee accepts the certificate with the above-named restrictions."

From the above historical background, and the decisions cited relative to the certificate, knowledge of which decisions must be charged to the present certificate owner, it is clearly evident that the actual authority of the certificate owner as determined in the light of the language of the certificate, the original purpose of the application and the practical construction placed upon the language by those operating thereunder, is the conduct of a transfer and cartage business, locally based at Longmont and Boulder County, to meet the needs of the residents of said base area. To grant the instant application would be to distort and destroy the original authority.

As developed during the hearing, applications similar to the instant application have been considered by the Commission on several occasions. Some of these were applications to transfer authorities rather than applications to establish an office other than in the base area, but the same theory is involved.

By Decision No. 3987, of date January 4, 1932, in Application No. 1776, the Commission granted to Schofield Brothers, a co-partnership, PUC-616, authorizing the transportation of milk over certain routes in Boulder, Adams, and Weld Counties, and "the conduct of a transfer, moving and general cartage business from point to point within the State of Colorado," subject to the same terms, conditions and restrictions as set out in the instant authority except that restriction (c) provided that applicant should not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any other town or city than Lafayette for the purpose of developing business.

Decision No. 13498, of date May 12, 1939, in Application No. 1776-A, was based upon an application of Schofield Brothers to split this certificate and sell that portion authorizing the conduct of a cartage and transfer business to William F. Ackley, transferors to retain that portion of the certificate authorizing the transportation of milk. The Commission discussed the restrictions referred to and stated that the testimony had established the fact that Ackley's operations under other certificates were based at Snyder, Colorado, and he expected to maintain a branch office at Snyder for the development of business under this certificate; that his headquarters were at Snyder, where his equipment was maintained, and he was attempting to acquire this certificate so that he might be in position to serve a larger area in northern Colorado; that he proposed, under the Schofield certificate, to handle business which came to the Snyder office which he could not handle under his other authorities; that his proposed operation would amount to an extension of authority under his other certificates, and if the transfer were authorized, it must be upon the express condition that no business should be handled directly or indirectly out of the Snyder office on orders received there, unsolicited or otherwise, no equipment to be maintained at any other

point other than Lafayette. Believing that Ackley would not be interested in the certificate under such conditions, the Commission denied the application.

A similar application was then filed by Schofield Brothers, requesting authority to transfer to Kenneth Gahagen, doing business as "K. L. Gahagen," that portion of the certificate authorizing the conduct of a moving and general cartage business. At the hearing on this application, the facts developed were entirely different from those developed in the hearing on the Ackley application. Transferee lived at Derby, near Lafayette, and operated under PUC-1013. Much of the tonnage moving in the Lafayette area was being handled under Commercial Carrier Permits, or by unauthorized carriers. This was the business that transferee expected to develop if a transfer were authorized, looking after the needs and demands of the farmers and others in the Lafayette area, where a good general freight business could be developed.

By Decision No. 14002, of date September 16, 1939, authorizing the transfer, the Commission pointed out, with reference to its former Decision No. 13498, supra, (denying transfer to Ackley), that

"the transfer was denied for the reason that Ackley had in mind acquiring the certificate for the purpose of serving from Snyder, a distance of 100 miles from Lafayette, and the proposed transfer would amount to an extension of the authority granted by the original certificate."

and

"Under the showing made in the Ackley application, it was quite clear that instead of a transfer, moving and general cartage business being confined to the Lafayette territory, it would have resulted in another like business emanating from Snyder, Colorado, in direct violation of the terms and conditions provided in the original order granted to Schofield Brothers."

In granting the proposed transfer to Gahagen, the Commission found that by the transfer the operations under the certificate would be in no way changed. The office would be

maintained at Lafayette and the freight business to be developed would be in the Lafayette area. The authority so transferred was consolidated with Gahagen's PUC-1013, and operations thereunder continued in the area between Henderson and Lafayette.

In a later application (No. 11123), said Gahagen sought authority to transfer PUC-1013 (including that portion of PUC-616 transferred to him by Decision No. 14002,supra), to Melton Service, Inc., a corporation, or H. M. Melton individually.

Evidence at the hearing was to the effect that Melton was engaged in the transportation of petroleum products in eight states; in Colorado since 1936, that being his exclusive business since 1934. He expected to continue in and develop said business if the transfer were authorized. He would not agree to a provision restricting the certificate to the transportation of products theretofore transported by Gahagen, but did agree to retain an office at Lafayette. Gahagen had never engaged in the transportation of petroleum products in bulk, while Melton had never engaged in any other business. In Decision No. 37419, dated September 28, 1951, the Commission found that Melton would be a potent competitor if permitted to enter the field under the authority of PUC-616; that any such increased competition would result in a loss to the present operators, and was not needed by the public; that the proposed transfer, if authorized, would put into the field a new carrier of petroleum products in bulk by tank trucks without proof of public convenience and necessity therefor; that by no stretch of the imagination could Gahagen claim authority for the transportation of petroleum products in bulk under PUC-616 as these commodities in these volumes cannot possibly be contained in the designation of "general cartage." The Commission authorized the transfer to Melton with restrictions against the transportation of petroleum products in bulk in tank trucks, and the establishment of a branch office or employment of an agent in any town or city other than Lafayette for the purpose

of developing business. Melton refused to accept the transfer with these restrictions, and by Decision No. 38223, dated February 29, 1952, the Commission authorized the transfer of the certificate to Watson Bros. Van Lines and Heavy Hauling Company, Omaha, Nebraska, the transferees specifically accepting the restrictions that:

"without further authority from the Commission it will not establish a branch or have an agent employed in any other town or city than Lafayette, Colorado, for the purpose of developing business,"

and the operating rights transferred specifically excluded the right to transport petroleum products in bulk in tank trucks.

At the hearing, reference was made to a similar application by Witness Sorenson which was denied by the Commission.

The records show that Ethel E. Sorenson, mother of witness, owned PUC-489, authorizing:

"conduct of a transfer, moving and general cartage business in the City of Longmont and in the County of Boulder, and for occasional service throughout the State of Colorado and each of the counties thereof, with the proviso that applicant should not be permitted, without further authority from the Commission, to establish a branch office or have an agent employed in any town or city other than Longmont for the purpose of developing business."

By Application No. 1580-BB, the certificate-holder sought an extension of authority to permit the establishment of an office at the Union Stock Yards at Denver, Colorado, for the purpose of handling the transportation of livestock only between Denver on the one hand and various points north of Denver, including Longmont, on the other hand.

The application was heard and the evidence discussed in Decision No. 24544, of date May 28, 1945, denying the application. The testimony, generally, was to the effect that applicant made from one to six trips per day hauling cattle to and from Denver; that difficulties had been experienced by livestock feeders in the Longmont area, buying feeder cattle at the Denver Stock Yards, in contacting applicant at Denver, making it necessary to call

the office at Longmont to obtain the transportation. As a result, her trucks made deliveries to Denver, returning to Longmont empty, and were then compelled to return to Denver empty to handle the return load of livestock.

Several customer-witnesses appeared in support of the application which was opposed -- as in the instant case -- by Ralph E. Yockey (PUC-622), with offices in Denver and state-wide authority in the transportation of livestock, on the ground that if the authority were granted, it would decrease the business of present operators with offices in Denver who now have sufficient equipment and are adequately serving the area, and that the maintenance by applicant of an office in Denver, with an active business-soliciting force, would enable applicant to compete at a decided advantage over his present position, not only with Denver carriers but with carriers from all parts of the State, and that favorable action would be a bad precedent for if one carrier in the state with out-state office is allowed a Denver office, all carriers similarly located should be allowed the same privilege. In denying the application, the Commission said:

"As far as the record discloses, it would appear that at the time it may be convenient for some of the residents of the Longmont area for Sorenson to have a Denver office. Some slight inconvenience may be caused occasionally by requiring said customers at times to use the telephone. This, however, does not seem to be an unreasonable requirement if they want his service. The expense is not great for the individual, and the expense of calling his office every day by Sorenson from Denver before leaving for Longmont would be small compared with the expense of maintaining an office in Denver.* * * Frankly, such expense would not be justified to care for demands of shippers to the Longmont area during the short stocker season. It could only be justified if applicant could develop extensive business to and from other sections of the State."

As stated at the instant hearing, upon the denial of the above application, Sorenson purchased PUC-337 authorizing the right to maintain a Denver office, continuing, however, to maintain his headquarters at Longmont. It was probably to be expected

that he would appear in support of the instant application if favorable action would remove the competition of applicant in the Longmont area, the Sorenson headquarters, at least to an appreciable extent.

It is significant that reference to the Commission files shows that at the hearing on Application No. 12824, of Watson Bros. Van Lines and Heavy Hauling Company, involving a request for permission to remove its Lafayette office to Denver, which application is still pending before the Commission, Sorenson entered protest on the ground that any change in the competitive situation in the City of Denver would be not only to his detriment but to the transportation industry in general. The witness is consistent only to the extent that he was attempting to protect the business developed at his Longmont headquarters.

The only other witnesses appearing in support of the instant application at the hearing were two employees of applicant company.

The established policy of the Commission is to carry out, if possible, the original intention of an authority-holder. As late as July 13, 1955, by Decision No. 44410, this policy was again declared. By Application No. 13348, Dominick Franch, Durango, Colorado, sought authority to transfer unrestricted Private Carrier Permit No. B-861 to Dalby Transfer and Storage, Inc., Colorado Springs, Colorado. Protests at the hearing were based upon the contention that approval of the transfer was not in the public interest in that it would place a new competitor in the field, particularly in the Colorado Springs area, without proof of public convenience and necessity. The history of the permit disclosed that the original intent of the Commission was to give the owner of the permit a state-wide service for the transportation of freight for customers residing in the southwestern section of Colorado, in other words, to give such customers a locally-based private for-hire carrier service, and the permit had been used

principally to take care of such customers. The Commission was of the opinion that if the transfer was authorized, the purchaser should continue to offer the service originally intended, and should not be permitted to enter into established fields and disrupt service in other sections of the state. The transfer was authorized with the restriction that the transferee should not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any other town, city, or location than Durango, Colorado, for the purpose of developing business.

In Application No. 10906, David C. Roth, owner of unrestricted Private Carrier Permit No. B-472, sought authority to lease the same to H. M. Melton, with Option to Purchase. The evidence at the hearing was to the effect that the present owner of the permit had used the permit for general hauling for customers located in South Park, and transferee desired to move the operations under the permit to Denver and specialize in the transportation of petroleum products in bulk, and he assumed that he could open an office at any point in Colorado for the development of business.

The application was protested by petroleum oil carriers on the ground that the approval of the transfer would result in adding an experienced competitor in their field which would impair their present common carrier service. In Decision No. 35904, of date January 8, 1951, in denying the application, the Commission held that the permit was originally granted in 1933 to give the residents of South Park a complete private carrier service; that transferee planned on moving his office or headquarters to Denver for the solicitation of business and to enter into direct competition with the regularly authorized common carriers to all points in the State of Colorado; that it was apparent from the record that when the Commission granted the authority it was to provide a transportation service for South Park, and the permit had been used for transportation from points in South Park or the territory adjacent thereto to or from points in the State of

Colorado; that in the event of transfer, the authority would be transferred to Denver, where transferee would enter the field in competition with established motor vehicle common carriers, the result being a new carrier in the Denver field and a loss of a carrier at South Park. The Commission said:

"Transferee takes a permit authorizing transportation of general commodities in one of our sparsely settled areas of the state, transfers it to our largest city and enters a highly competitive field of specialized carriers. * * * Transferee proposes to abandon service in one area and to initiate a new service in another area without regard to the public need.

"It was clearly the intent of the Commission when Permit No. B-472 was issued to Gately Motor Company, of Alma, Colorado, on June 6, 1933, to give to its customers a general service, and we cannot see any intent on the part of the Commission at that time to give a permit to haul oil for the major oil companies located at Denver.

"If the theory of transferee is correct, this permit can be moved any time to any part of the state for the transportation of any commodity, at the option of the owner. This is not in accord with good regulatory practices."

Roth later incorporated "Roth Truck Lines, Inc." and by Decision No. 11192, dated September 27, 1951, authorizing the transfer of the permit to the corporation, the Commission clarified the permit by providing that the owner thereof should not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any other town, city or location than Jefferson, Colorado, for the purpose of developing business. The Commission said:

"The Commission is of the opinion that if said permit is transferred to a corporation, wherein the stock of the corporation can be sold without the ratification and consent of this Commission, the purchaser of said stock might attempt to use this permit beyond the scope originally intended by the Commission or the original owners of the permit, thereby placing a new carrier in the field. It therefore appears that a clarification of the authority under Permit No. B-472 is necessary, and the Commission feels that transferee herein should be restricted in the development of business under said permit. In other words, we do not believe that an interpretation should be placed

on this authority that would permit the transferee to abandon service in the South Park area and to initiate a new service in another area without regard to the public good."

As its authority for restricting or clarifying permits or certificates as was done in some of the cases cited, the Commission has followed a long-established policy, based largely on the following interpretation of the applicable law and a decision of our Supreme Court, as set out in Decision No. 15849, above referred to, in which the Commission said:

"Section 49 of the Public Utilities Act of the State of Colorado, and amendments thereto, Revised to June 1, 1937, published by the Commission, provides:

'The Commission may at any time, upon notice to the public utility affected, and after opportunity to be heard as provided in the case of complaints, rescind, alter or amend any orders or decision made by it. Any order rescinding, altering, or amending a prior order or decision shall, when served upon the public utility affected, have the same effect as is herein provided for original orders and decisions.'

"By Section 23, of Chapter 120, Session Laws of 1931, as amended, the above provision of the Public Utilities Act is made applicable to all private carriers by motor vehicle subject to the provisions of the Private Carrier Act."

"As was pointed out in said case, the Supreme Court in Public Utilities Commission, et al, v. Weicker Transportation Company, et al, 102 Colo. 211, at page 217, stated that it was clearly within the discretion of the Commission to consider the operations under a permit in arriving at a final recognition of its status."

"If the present permit was permitted to be transferred to operators who intended to conduct an entirely new and different operation in a different area thereunder, without restrictions as to the commodities to be transported or area to be served, it would, in our opinion, have a disrupting influence on common carrier service in Colorado. The present transferees could at any time become transferors and sell the permit again to some individual or individuals who desired to start a motor vehicle operation in some other part of Colorado -- possibly some point where the competition would be even more pronounced than in the Steamboat area. If such procedure is permitted, it would mean that heavy investments of common carriers in Colorado in the way of equipment and service facilities, would not be justified if they were faced at any time by the starting up of competition of which they had no knowledge and

could not possibly have been advised at the time they made their investments in the belief that they would be protected to the extent of reasonable regulation of the industry. Even though it might be held, which we do not concede, that no actual abandonment of any part or portion of Permit B-806 was intended by its owner, yet we believe that under the authority of the Commission as set forth in Section 49 of the Public Utilities Act, *supra*, the Commission has the power to restrict the operations under said permit to those which it has been disclosed were actually conducted by Mr. Kelly, and in the instant case we believe such operations should be restricted to the extent, at least, of limiting same to the transportation of those commodities which the transferor intended to transport when he secured the permit, as is clearly demonstrated by the record."

We will cite, briefly, other decisions of the Commission which appear to be applicable:

On December 12, 1936, Decision No. 9087, authority was granted to the then holders to transfer Permit No. B-852, a general freight authority. The evidence showed that the permit owner's operations had been confined to the transportation of petroleum products only and the transferee was limited to such transportation. In a later proceeding by transferee to clarify the permit (Decision No. 13932, August 29, 1939), the Commission held that the authority authorized the transportation of petroleum products only, being the only use to which the permit had been dedicated theretofore.

Application No. 4969 was filed by C. E. Mock, to clarify the authority under his Permit No. B-846. The evidence was to the same effect as that relative to B-852, supra, and Decision No. 13936, dated August 30, 1939, was to the same effect as Decision No. 13932, supra.

The evidence at the hearing on Application No. 5324, of C. W. Kelley to transfer Permit No. B-806 was fully discussed in Decision No. 15849, dated August 24, 1940, from which we have heretofore quoted at some length. The decision limited the permit to the transportation of only such commodities for which it was used by transferor.

In Case No. 4868 (Decision No. 18810, of May 9, 1942),
C. M. C. A. vs. Wilson, respondent's operations under Permit No.
A-626 were limited to service over various routes over which
his actual operations had been conducted. The Commission stated:

"As otherwise, when a new service is instituted by the owner thereof; it constitutes new competition with presently established common carrier service of which they had no knowledge, and tends to disrupt the established transportation system of the state. * * * If we authorize respondent to serve those points to which his operations have been confined, we believe that no injustice is being done respondent, and at the same time, we are protecting other common carrier service from what we believe would be unauthorized competition. * * * Respondent must always be guided by the original authority contained in the permit and the restrictions therein imposed."

As above stated, applicant had previous experience in operating under PUC-949, a certificate with restrictions similar to those in the instant certificate. He sold this certificate because of such restrictions. He then purchased the instant certificate and with full knowledge of the restrictions set forth in full in the order of transfer (Decision No. 43472), and constructive knowledge of the history of the permit, its language, the purpose of the original applicant, and the practical construction placed on the language by those theretofore operating thereunder. Had he objected to the restrictions, such objection should have been advanced at the hearing on the transfer application. Had objections been advanced, he knew full well that the transfer would have been denied. Taking advantage of his interstate authority authorizing operations within the fifty-mile radius of Boulder, he established an office in Denver which, according to the evidence, was used largely in developing business under this certificate. So far as the evidence discloses, his Denver solicitor was engaged largely in soliciting livestock transportation under the instant certificate from the Denver Stock Yards and feed lots to various points in the state under the

"occasional service" authorized by the certificate. In the opinion of the Commission, applicant violated the spirit as well as the letter of the certificate by this solicitation and the maintenance in Denver of all his equipment with the possible exception of one truck at times in Longmont. To paraphrase the statement in Decision No. 17368, supra, (transfer of Cowan et al to Blue Eagle), while the principal place of business is ostensibly maintained at Longmont, at Denver, where applicant has interstate operating rights and maintains an office, the local representative at Denver is the agent for applicant to all intents and purposes in developing business under PUC-509.

To paraphrase the Statement in Decision No. 30207, supra, (lease of Weiss to McGlothlen), we would expect too much of him if we expected him not to accept business tendered in the Denver office which could be performed under the Longmont certificate where it could not be furnished under the interstate authority. We do not believe it has been possible for him not to violate the restrictive clause relative to the establishment of a branch office or retain the services of an agent in any town or city other than Longmont, under the operations described at the hearing. It is obvious that he gets his orders for transportation service from Denver to Longmont, at Denver. The order is not telephoned by the customer from Denver to the agent at Longmont, but the customer contacts the Denver office. "The Commission has had experience with similar proposals and the history of such operations has not lead us to believe otherwise."

It may be that the Commission was remiss in not emphasizing the restrictions when Decision No. 43472 issued authorizing the transfer of the authority to applicant herein. Possibly, the transfer should have been authorized upon the express condition that no business under the certificate should be handled directly or indirectly out of the Denver office on orders received at such office, unsolicited or otherwise, no equipment to be maintained

at any other point than Longmont. Possibly, the transfer order should have specifically limited operations under the certificate for the transportation of such commodities as had been transported by former owners of the certificate and over the same routes. However, the Commission felt, no doubt, that it was not necessary to expressly state such conditions in view of applicant's former operations under a similarly restricted certificate, his operations in the same area, and the knowledge with which he was charged as to the authority under the certificate. However, it is now evident that he had in mind acquiring the certificate for the purpose of serving from Denver (a distance of 34 miles from Longmont), and the transfer was utilized as an extension of authority under his other certificates. It resulted in business emanating from Denver, in direct violation of the terms and conditions of the original certificate. Applicant testified that his purpose in filing the instant application was to obtain authority to operate from a Denver office for the development of new business throughout the state, and to offer service, generally, from point to point throughout the state, and admitted it would result in increased competition for other carriers based at Denver.

In the C. W. Kelley case above cited (Decision No. 15849), referring to any transfer or change of base of operation, the Commission said:

"It would mean that heavy investments of common carriers in Colorado in the way of equipment and service facilities would not be justified if they were faced at any time by the starting up of competition of which they had no knowledge and could not possibly be advised at the time they made their investments in the belief they would be protected to the extent of reasonable regulation of the industry."

The Commission has often said that the certificate owner must be guided by the original authority contained in the permit and the restrictions and conditions therein imposed. It will be noted that in issuing the certificate the Commission, by sub-division (d) retains jurisdiction of the application "to the end that if an occasion may arise appropriate orders may be made to prevent improper encroachment by the applicant upon the field

of business occupied by the scheduled carriers. * * *" By the order following, the Commission will protect the rights of, and the areas served by, the presently-certificated common carriers operating from Denver and state-wide, from unauthorized competition, thus carrying out the intent of the original certificate owner and the intent of the Commission in adding sub-division (d) in the original order.

F I N D I N G S

THE COMMISSION FINDS:

1. The above and foregoing Statement should be incorporated herein by reference.

2. That the authority under PUC-509, as determined in the light of its language, the original purpose of the applicant, and the practical construction placed upon the language by those operating thereunder prior to its acquisition by applicant herein, is as follows:

The transportation of commodities upon call and demand from point to point within the City of Longmont, and Boulder County, as a locally-based transportation agency, to take care of the local needs of the residents of said area, with occasional trips to or from said base area for such residents only, with a restriction shown by the record, said service being entirely distinct and distinguishable from the service rendered by scheduled common carriers, and no branch office, other than Longmont, being contemplated for the purpose of developing business.

3. That to grant the instant application would be to distort and destroy the original authority and disregard the intention of the original authority owner and the Commission in granting the authority.

4. That by employing and maintaining a solicitor at Denver, and maintaining his equipment there, with the exception of one truck part of the time in Longmont, applicant has violated both the spirit and the letter of the certificate herein involved.

5. That the granting of the instant application with the "occasional service" proviso, with an office in Denver, a new

competitor claiming statewide authority in direct competition with the established certificated common carriers, and operating from a Denver office without proof of public convenience and necessity therefor, including proof that the presently-certificated common carriers are not furnishing adequate service, would enable applicant to compete at a decided advantage over his present position with all certificated common carriers in the state, resulting in a decided change in the competitive situation, statewide, without proof of the necessity therefor.

6. That for the reasons above given and the reasons appearing from the testimony, as disclosed by the above and foregoing Statement, the instant application should be denied.

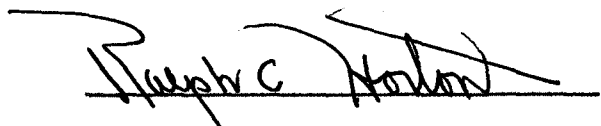
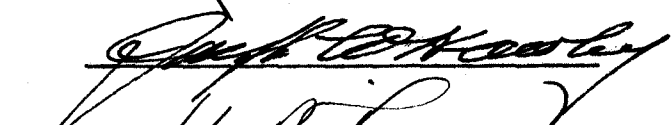
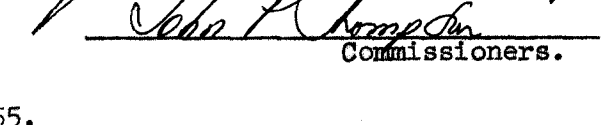
O R D E R

THE COMMISSION ORDERS:

That the instant application should be, and hereby is, denied.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN THE RATES)
ON CEMENT FROM PORTLAND, COLORADO,)
TO UNITED STATES AIR FORCE ACADEMY)
AND TO CASTLE ROCK, COLORADO, AS)
PUBLISHED IN MOTOR TRUCK COMMON)
CARRIERS' ASSOCIATION TARIFF NO.)
12, COLORADO P.U.C. NO. 6,)
J. R. SMITH, CHIEF OF TARIFF BUREAU)

CASE NO. 1585

September 28, 1955

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(c), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on one day's notice schedules stating new rates, rules, regulations and charges advertised to become effective October 3, 1955, designated as set forth in "Appendix A," attached hereto and made a part hereof.

Under the provisions of Rule 18, paragraph C-(1)-(c) of the said Rules of Procedure, an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received in the office of the Commission relative to the proposed changes.

The rate department's investigations of the proposed changes developed the following information:

There have been no rates published for the movement of Cement from Portland to the U.S.A.F.A. prior to this time, and the movement thereto should begin in the very near future. Due to the size of this proposed Academy and the condition of the construction roads and terrain, a flexible rate for the various reservation destinations is needed rather than a fixed rate to cover the whole vast reservation. The rates in "Appendix A" are lower than those now figured on the basis of mileage, yet are a few cents higher than the competitive rail rates.

There have been rates of twenty-five and twenty-nine cents per 100 pounds in effect from Portland, Colorado, to Castle Rock, Colorado, while the same carriers have published a rate of twenty cents per 100 pounds from Portland, Colorado, to Denver, Colorado, thirty-four miles beyond Castle Rock. The rate of eighteen cents per 100 pounds, Portland, Colorado, to Castle Rock, Colorado, is necessary to correct the present discrimination against the Castle Rock movement.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in "Appendix A," attached hereto and made a part hereof, should be authorized and an order should be entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement, findings and "Appendix A," be, and the same are hereby made a part hereof.
2. This order shall become effective forthwith.
3. The rates, rules, regulations and provisions set forth in "Appendix A" shall on October 3, 1955, be the prescribed rates, rules, regulations and provisions of the Commission.
4. All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.
5. On and after October 3, 1955, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in "Appendix A" shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

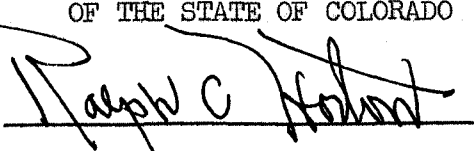
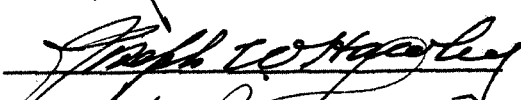
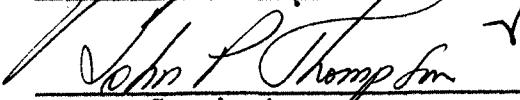
6. On and after October 3, 1955, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. 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 and liabilities applicable to a motor vehicle common carrier.

8. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

9. 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 September, 1955.

mem

"APPENDIX A"

COMMODITY	FROM	TO	RATE
Cement, in bulk in tank trucks, minimum weight 40,000 pounds. (Not subject to Item 970.)	Portland, Colo.	U. S. Air Force Academy	See Below
<p>To Breed, Colorado, 11¢ per 100 pounds, plus $\frac{1}{2}$¢ per 100 pounds per mile for each mile or fraction thereof beyond Breed to locations and installations on the site of the U. S. Air Force Academy;</p> <p>To Husted, Colorado, 12¢ per 100 pounds, plus $\frac{1}{2}$¢ per 100 pounds per mile for each mile or fraction thereof beyond Husted to locations and installations on the site of the U. S. Air Force Academy.</p>			
Cement, in bulk in tank trucks, minimum weight 35,000 pounds. (Not subject to Item 970.)	Portland, Colo.	Castle Rock, Colorado	18

original

(Decision No. 44678)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANCIS D. RICKARD, 604 ENDICOTT)
STREET, FORT COLLINS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13333-PP-Amended

October 5, 1955

Appearances: A. E. Small, Jr., Esq.,
Denver, Colorado, and
Albert Latham, Jr., Esq.,
Denver, Colorado, for
Applicant;
Marion F. Jones, Esq.,
Denver, Colorado, and
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R. B. "Dick" Wilson,
Inc., et al.

S T A T E M E N T

By the Commission:

By Application No. 13333-PP, as amended, Francis D. Rickard, of Fort Collins, Colorado, seeks a Class "B" private carrier permit authorizing the transportation of sand, gravel, asphalt, and other road-surfacing materials used in the construction of roads and highways, from point to point within a radius of 100 miles of Fort Collins, Colorado, excluding service in Denver, Boulder, Clear Creek and Gilpin Counties.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House in Greeley, Colorado, on September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant testified that he is engaged in the furniture business at Fort Collins, Colorado, and has applied for the authority

requested because of the fact that his son, James D. Richard, is only 19 years of age, but he expects his son to conduct the operation if authority is granted. He owns a 1941 Chevrolet dump truck, which is being used by his son in transporting trash and rubbish at Fort Collins and vicinity. Applicant's net worth is \$67,000.

It was stipulated between applicant and protestants that any authority issued should be restricted as against transportation of petroleum and petroleum products, in bulk, in tank trucks.

James D. Richard, son of applicant, testified that he has been conducting the business of transporting ashes and trash in Fort Collins and vicinity for his father since 1952. He has had several requests for service in transporting road-surfacing materials, and such service is needed in Fort Collins and Greeley. The contractors in the vicinity need year-around service which he will be glad to supply.

When the stipulation above referred to was approved, protestants withdrew any further protest, and it does not appear that applicant's proposed operations will impair the service of any common carriers with whom he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Francis D. Rickard, 604 Endicott Street, Fort Collins, 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, asphalt and other road-surfacing materials used in the construction of roads and highways, from point to point within a radius of 100 miles of Fort Collins, Colorado, excluding

service in Denver, Boulder, Clear Creek and Gilpin Counties, restricted against the transportation of petroleum and petroleum products, in bulk, in tank trucks.

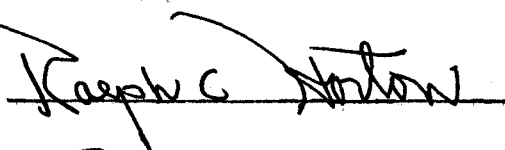
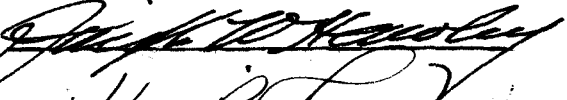

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of October, 1955.

mls

original

(Decision No. 44679)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
NATIONAL TRAILER CONVOY, INC., 1916
NORTH SHERIDAN ROAD, TULSA, OKLA-
HOMA, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY.

APPLICATION NO. 13276

October 5, 1955

Appearances: J. Nelson Truitt, 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 J. Nelson Truitt, Esq., in behalf of Applicant herein, stating Applicant does not desire to prosecute the above-styled application, and requesting dismissal thereof.

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, without prejudice, upon the request of Attorney for Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Raymond C. Horton
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 5th day of October, 1955.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
DALE G. CAMPBELL, DOING BUSINESS AS
"A AND A TRUCK LINE," 1823 WEST
PIKES PEAK AVENUE, COLORADO SPRINGS,
COLORADO, FOR AUTHORITY TO TRANSFER
PERMIT NO. A-22 TO EDWARD JAMES
GOODING, DOING BUSINESS AS "A AND A
TRUCK LINE," 332 EAST DEL NORTE
STREET, COLORADO SPRINGS, COLORADO.

APPLICATION NO. 13674-PP-Transfer

IN THE MATTER OF THE APPLICATION OF
DALE G. CAMPBELL, DOING BUSINESS AS
"A AND A TRUCK LINE," 1823 WEST
PIKES PEAK AVENUE, COLORADO SPRINGS,
COLORADO, FOR AUTHORITY TO TRANSFER
PERMIT NO. A-513 TO EDWARD JAMES
GOODING, DOING BUSINESS AS "A AND A
TRUCK LINE," 332 EAST DEL NORTE
STREET, COLORADO SPRINGS, COLORADO.

APPLICATION NO. 13675-PP-Transfer

October 5, 1955

Appearances: Cortland N. Cool, Esq., Colorado
Springs, Colorado, for Appli-
cants;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

Heretofore, Dale G. Campbell, doing business as "A and A
Truck Line," Colorado Springs, Colorado, was authorized to operate as
a Class "A" private carrier by motor vehicle for hire, for the trans-
portation of:

"freight, between Denver and Colorado Springs,
via U. S. Highway No. 85, and between Colo-
rado Springs and Burlington and Cheyenne Wells,
via U. S. Highways Nos. 24 and 40 and all inter-
mediate points,"

said operating rights being known as "Permit No. A-22."

Said Dale G. Campbell, doing business as "A and A truck Line," Colorado Springs, Colorado, was also heretofore granted a Class "A" permit to operate as a private carrier by motor vehicle for hire, for the transportation of:

"freight, from Colorado Springs to Denver and intermediate points; Colorado Springs to Burlington and Cheyenne Wells and intermediate points,"

said operating rights being designated as "Permit No. A-513."

Said permit-holder, by the above-styled applications, seeks authority to transfer Permits Nos. A-22 and A-513 to Edward James Gooding, doing business as "A and A Truck Line," Colorado Springs, Colorado.

Said applications, 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, October 3, 1955, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, it appeared that there is no outstanding unpaid indebtedness against said permits; that two pieces of equipment, viz., a 1953 two-ton Ford and a one and one-half-ton 1945 stake body Ford, are to be transferred with said operating rights; that the total consideration for transfer of said operating rights and equipment is the sum of Sixteen Thousand Dollars (\$16,000.00); \$500.00 of the purchase price has been paid, \$4,500 is to be paid at the time of closing of the transaction, and the balance of \$11,000.00 is to be paid on the basis of \$125.00 per month, said payment to include the interest charge; that the net worth of transferee is \$27,120.00.

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

No one appeared in opposition to the granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfers are compatible with the public interest, and should be authorized, subject to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

O R D E R

THE COMMISSION ORDERS:

That Dale G. Campbell, doing business as "A and A Truck Line," Colorado Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Private Carrier Permits Nos. A-22 and A-513 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Edward James Gooding, doing business as "A and A. Truck Line," Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said permit, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permits have been formally assigned and that said parties have accepted and in the future will comply with, the conditions and requirements of this order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

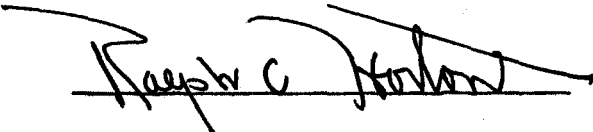
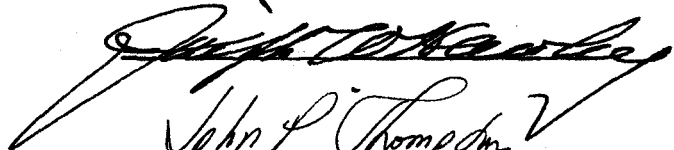
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor

of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

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

This order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 5th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. L. EASTWOOD AND D. P. GAVELL, CO-)
PARTNERS, DOING BUSINESS AS "EAST-)
WOOD & GAVELL," BOX 852, ESTES PARK,) APPLICATION NO. 13644-PP
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

October 5, 1955

Appearances: R. L. Eastwood and D. P.
Gavell, Estes Park,
Colorado, Applicants,
pro se;
Richard C. Hopkins, Esq.,
Boulder, Colorado, for
Pherson Trucking Company.

S T A T E M E N T

By the Commission:

By the instant application, R. L. Eastwood and D. P. Gavell, applicants herein, seek a Class "B" private carrier permit, authorizing the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties; also, transportation of uranium ore, from points within a radius of twenty-five miles of Estes Park, to various reducing plants in the State of Colorado, as designated by the Atomic Energy Commission, or to stock piles in the State of Colorado, as designated by said A. E. C.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Greeley, Colorado, on September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

D. P. Gavell, one of applicants, testified in support of the application. He requested that that part of the application requesting authority for the transportation of uranium ore be eliminated from the application, and his request was granted, whereupon protest was withdrawn. He testified that he has had experience for the past $1\frac{1}{2}$ years in the transportation business, and owns a 1948 five-ton White tractor with nine-yard semi-trailer dump body, a 1948 $1\frac{1}{2}$ -ton Dodge truck with dump body, a 1948 $1\frac{1}{2}$ -ton Dodge truck with straight body, a 1953 Dodge $2\frac{1}{2}$ -ton truck with dump body, and a 26-foot flat bed trailer. The net worth of the partnership is \$25,000. His experience has been in transporting sand and gravel under a Commercial permit and has recently been transporting these commodities for one C. M. Fulton, a contractor, and George F. Noyes, a contractor, both residing at Estes Park, but does not wish any authority issued to be limited to these two customers.

The application was supported by R. L. Eastwood, the other partner, who corroborated Mr. Gavell's testimony, and further stated that he had $5\frac{1}{2}$ years experience in the transportation field under a Commercial permit.

George F. Noyes, a contractor at Estes Park, also testified that he was engaged in road construction work; that the partners had worked for him and their service was satisfactory.

No evidence was given by protestants.

F I N D I N G S

THE COMMISSION FINDS:

That R. L. Eastwood and D. P. Gavell, co-partners, doing business as "Eastwood & Gavell," Box 852, Estes Park, Colorado, should be authorized to operate as a Class "B" private carrier by motor vehicle for hire.

O R D E R

THE COMMISSION ORDERS:

That R. L. Eastwood and D. P. Gavell, co-partners, doing business as "Eastwood & Gavell," Box 852, Estes Park, Colorado, should be, and hereby are, authorized to operate as a Class "B" private carrier

by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, excluding service in Boulder, Clear Creek, and Gilpin Counties.

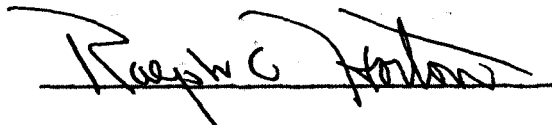
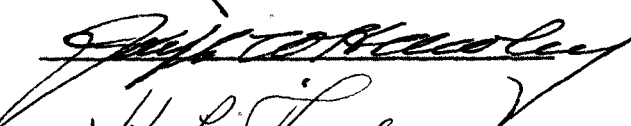
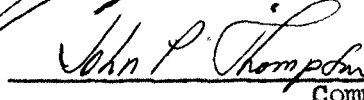
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANCIS D. RICKARD, 604 ENDICOTT)
STREET, FORT COLLINS, COLORADO,) APPLICATION NO. 13631
FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY.)
-----)

October 5, 1955

Appearances: A. E. Small, Jr., Esq.,
Denver, Colorado, and
Albert Latham, Jr., Esq.,
Denver, Colorado, for
applicant.

S T A T E M E N T

By the Commission:

By the instant application, Francis D. Rickard, Fort Collins, Colorado, seeks a certificate of public convenience and necessity, authorizing transportation of trash and rubbish within the City of Fort Collins, Colorado, and within the following area adjoining said city, to-wit:

An area extending 15 miles north, 10 miles south, 10 miles west of Fort Collins, Colorado, and east to the Larimer-Weld County line.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Greeley, Colorado, on September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant testified that with the aid of his son, James D. Rickard, he has been transporting trash and rubbish in the above-described area, since the Year 1952, and this application was filed for the purpose of establishing his "grandfather rights."

Applicant's net worth is \$67,000, and he has been using one 1941 Chevrolet dump truck in the operation, and is able to furnish any additional equipment required.

Applicant holds License No. 8 issued by the City Council of Fort Collins, Colorado, and wishes to conduct the same operation in the future that he has conducted in the past since the Year 1952.

W. P. Hurley, a registered pharmacist, and Laura Crain, operator of a filling station, both of Fort Collins, testified as to the need for the service and the adequacy of the service of applicant.

No one appeared in opposition to the granting of the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier call and demand motor vehicle service of Francis D. Rickard, 604 Endicott Street, Fort Collins, Colorado, for the transportation of trash and rubbish within the City of Fort Collins, Colorado, and within the following area adjoining said city:

An area extending 15 miles north, 10 miles south, 10 miles west of Fort Collins, Colorado, and east to the Larimer-Weld County line,

and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

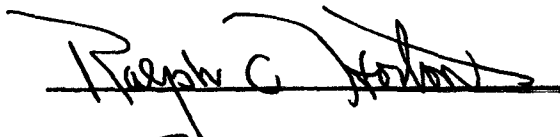

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission except when prevented by Act of God, the public enemy or extreme conditions.

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

this Commission.

This Order shall become effective twenty-one days from
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 5th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED GARCIA, 514 ELIZABETH STREET,)
PLATTEVILLE, COLORADO, FOR A CLASS) APPLICATION NO. 13635
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

October 5, 1955

Appearances: Alfred Garcia, Platteville,
Colorado, pro se;
Knowles & Shaw, Esqs.,
Denver, Colorado, for
Union Pacific Railroad
Company.

S T A T E M E N T

By the Commission:

By the instant application, applicant seeks a Class
"B" permit to operate as a private carrier by motor vehicle for
hire, for the transportation of farm produce, hay, coal, and
lumber, from point to point within a radius of fifty miles of
Platteville, Colorado.

Said application was regularly set for hearing, and
heard, at the Court House in Greeley, Colorado, on September 21,
1955, and at the conclusion of the evidence, the matter was
taken under advisement.

At the hearing, applicant testified that he formerly
transported farm produce, hay, coal and lumber between points
within a radius of twenty-five miles of Gilcrest, Colorado, but
found that it would be more lucrative for him to devote his
entire time to farming operations than to carry on trucking
operations, and therefore allowed his former authority, being
"Private Carrier Permit No. B-3801," to be revoked for failure
to file proper insurance coverage, on February 6, 1952.

Applicant has decided to re-enter the trucking business and has had several requests for the service that he now seeks to perform from many points within a radius of fifty miles of Platteville, Colorado. There is no other authority under any certificate or permit with which he would interfere in his proposed operation. He asked that his former number, to-wit: "B-3801" be assigned to the new operation.

Applicant's equipment consists of one 1946 Chevrolet truck, with flat bed. He has been operating since July 14, 1955, under temporary authority from this Commission and has given satisfactory service.

No one appeared to protest the granting of the instant application and it did not appear that the granting of said authority and operations by applicant thereunder, would impair the service of common carriers with whom he would compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Alfred Garcia, 514 Elizabeth Street, Platteville, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, hay, coal, and lumber, from point to point within a radius of fifty miles of Platteville, Colorado.

That said authority shall bear the number "B-3801" being a number formerly held by applicant.

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

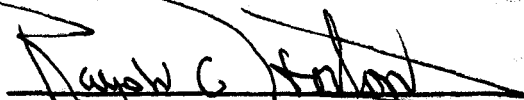
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of

their terms, the necessary tariffs, required insurance, and has secured identification cards.

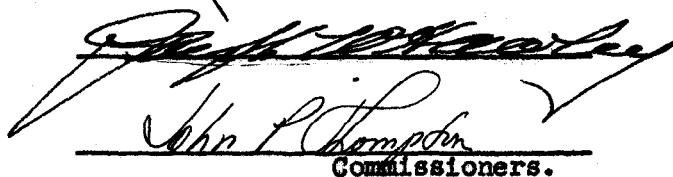
That the right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Ralph C. Holton



John P. Thompson

Commissioners.

Dated at Denver, Colorado,
this 5th day of October, 1955.

ea

original

(Decision No. 44684)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
H. J. IRVIN, 400 PARK STREET, FORT)	
COLLINS, COLORADO, FOR AUTHORITY)	
TO TRANSFER PERMIT NO. B-1960 TO)	APPLICATION NO. 13638-PP-Transfer
JACK J. REICHERT, DOING BUSINESS)	
AS "REICHERT TRANSFER," 612 PETERSON)	
STREET, FORT COLLINS, COLORADO.)	
- - - - -)	

- - - - -
October 5, 1955
- - - - -

Appearances: H. J. Irvin, Fort Collins,
Colorado, Transferor,
pro se;
Wilma Reichert, Fort Collins,
Colorado, for Transferee.

S T A T E M E N T

By the Commission:

H. J. Irvin is the owner of Private Carrier Permit No.
B-1960, authorizing the transportation of:

Merchandise for Montgomery Ward & Company
only from its store in Fort Collins to its
customers who reside within a radius of
twenty-five miles of Fort Collins, and the
transportation of trade-ins, "repossessed,"
"returned" merchandise from the residences
of said customers and merchandise from the
Colorado and Southern and Union Pacific
freight houses in Fort Collins to its store;
without authority to add to his customers.

By the instant application he seeks to transfer said
operating rights to Jack J. Reichert, doing business as "Reichert
Transfer," 612 Peterson Street, Fort Collins, Colorado.

Said application, pursuant to prior setting, after
appropriate notice to all interested parties, was duly heard
at the Court House in Greeley, Colorado, on September 21, 1955,
and at the conclusion of the evidence, the matter was taken
under advisement.

At the hearing, H. J. Irvin testified that the consideration for the proposed transfer is \$2,500.00 cash, which has been paid in full. Transferee is also purchasing two of transferor's trucks which are listed in the equipment list on file herein, for the sum of \$1,500.00. The reason for the transfer is that transferor has reached an age when it is impossible for him to further conduct trucking operations.

There is no outstanding indebtedness against the operation, and transferee's net worth is about \$14,500.00.

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 H. J. Irvin, 400 Park Street, Fort Collins, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-1960 -- being the operating rights as set forth in the preceding Statement, which, by reference, is made a part hereof -- to Jack J. Reichert, doing business as "Reichert Transfer," 612 Peterson Street, Fort Collins, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

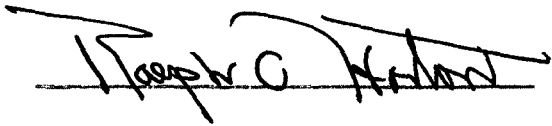
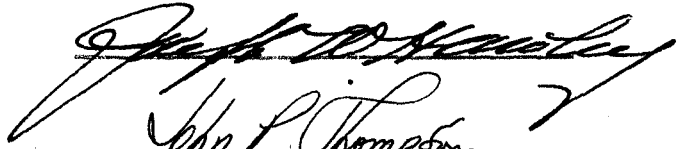

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall

automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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 time of transfer of said permit.

This Order is made a part of the permit authorized to be transferred, and shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of October, 1955.

ea

original

(Decision No. 44685)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION)
OF CERTAIN PROPOSED INTRASTATE)
RATES OF THE WESTERN UNION TELE-)
GRAPH COMPANY, 1917-17th STREET,)
DENVER 2, COLORADO)

INVESTIGATION
AND
SUSPENSION
DOCKET NO. 383

October 5, 1955

S T A T E M E N T

By the Commission:

On September 6, 1955, the Western Union Telegraph Company filed with this Commission certain changes in its Colorado Tariff P.U.C. No. 1, proposing to change certain of its intrastate tariffs by reducing certain charges in some instances and by increasing certain charges in others. The Company proposed to make this tariff effective on October 10, 1955.

The Company having duly notified its customers of the proposed changes, the Commission has received complaints from certain of the customers protesting the proposed increase in rates. Depending upon the type of service, certain of these rates would be increased from 50% to 98% according to the complaints received. In order to protect the interests of all concerned, and in view of the complaints, the Commission has decided to suspend only those tariffs filed that have to do with an increase in rates and during said period of suspension to hold an investigation into the matter.

F I N D I N G S

THE COMMISSION FINDS:

That certain proposed tariffs of the Western Union Telegraph Company filed with this Commission on September 6, 1955, to become effective October 10, 1955, proposing to increase certain rates to intrastate Colorado customers, should be suspended and an investigation made into the matter of the proposed increase.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed changes in the tariffs of the Western Union Telegraph Company in its Colorado Tariffs P.U.C. No. 1, filed with the Commission on September 6, 1955, to become effective October 10, 1955, as set out below, be, and they hereby are, suspended for a period of one hundred and twenty (120) days from October 10, 1955, or until February 7, 1956, unless otherwise ordered.

That the rates suspended herein and as set forth in Western Union Telegraph Company, Colorado Tariffs P.U.C. No. 1 are as follows:

Second Revised Page 102 cancels First Revised Page 102
Second Revised Page 103 cancels First Revised Page 103
Third Revised Page 104 cancels Second Revised Page 104
Sixth Revised Page 105 cancels Fifth Revised Page 105
Third Revised Page 105-A cancels Second Revised Page 105-A
Third Revised Page 106 cancels Second Revised Page 106
Third Revised Page 107 cancels Second Revised Page 107

That the rates, charges, and classifications contained in said tariff sheets set forth above be made a subject of investigation by the Commission within said period of suspension.

That a copy of this Order be filed with the tariff sheets enumerated above and copies hereof be forthwith served on Julius Ginsburg, Attorney for Mr. Bennie Goldstein, 817 Majestic Building, Denver 2, Colorado, a copy be served on A. D. Jones of A. D. Jones and Company, 1011 Pennsylvania Street, Denver 3, Colorado, a copy served on Robert S. Nolan for the Denver Equipment Company, P. O. Box 5268, Denver 17, Colorado, as complainants herein, and a copy served on the eleven (11) other intrastate customers affected by the proposed increase as shown on the list submitted by letter of September 22, 1955, by the Western Union Telegraph Company to this Commission.

That as to the remaining tariffs filed by Western Union Telegraph Company on September 6, 1955, no complaints being received thereon,

and no increases being proposed, they are not hereby suspended and are permitted to become effective on October 10, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Kohn

John P. Thompson

Commissioners

Dated at Denver, Colorado,
this 5th day of October, 1955.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK I. BLAKLEY, ROUTE 2, BOX 32,)
FORT COLLINS, COLORADO, FOR A CLASS) APPLICATION NO. 13632-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

October 6, 1955

Appearances: Frank I. Blakley, Fort
Collins, Colorado,
pro se.

S T A T E M E N T

By the Commission:

By the instant application, Frank I. Blakley, of Fort Collins, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber and sawmill products, from forests and sawmills within a radius of ten miles of Red Feather Lakes, to Fort Collins, Colorado.

After appropriate notice to all interested parties, said application was set for hearing, and heard, at the Court House in Greeley, Colorado, on September 21, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

It appears from the evidence that for the past four months applicant has been hauling lumber and sawmill products from the sawmill of one Forest Cromer near Red Feather Lakes to the East Side Lumber Company at Fort Collins, Colorado. He owns a 2-ton 1953 Dodge truck and a 2-ton 1953 Ford truck, and his net worth is approximately \$1,000. Applicant wishes to haul lumber and sawmill products from any customers whom he finds he can serve within the radius requested.

No one appeared to protest the granting of the application, and it does not appear that the proposed operation would impair the services of common carriers operating in the territory.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Frank I. Blakley, Route 2, Box 32, Fort Collins, 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 lumber and sawmill products, from forests and sawmills within a radius of ten miles of Red Feather Lakes, to Fort Collins, Colorado.

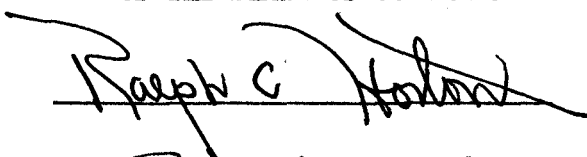
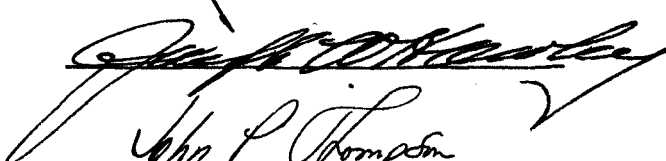
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LOYAL O. CASE, BOX 365, MILLIKEN,)	
COLORADO, FOR A CLASS "B" PERMIT TO)	APPLICATION NO. 13633-PP
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	

October 6, 1955

Appearances: Loyal O. Case, Milliken,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority, under a Class "B" permit, to operate as a private carrier by motor vehicle for hire, for the transportation of baled alfalfa hay from point to point within a radius of fifty miles of Milliken, Colorado.

His application was regularly set for hearing, after appropriate notice to all interested parties, and heard at the Court House in Greeley, Colorado, on September 21, 1955, and at the conclusion of the evidence was taken under advisement.

At the hearing, applicant testified that he is a farmer and is also employed as a ditch rider for an irrigation ditch company near Milliken, Colorado. He has been hauling lumber under a Commercial Carrier Permit, but now wishes to spend his spare time in hauling baled alfalfa hay from farm to market within a radius of fifty miles of Milliken, Colorado. One of his customers will be one Neil Halker, of Johnstown, Colorado, who is engaged in baling and selling hay under a Commercial permit and is also agent for International Harvester Company. As such agent, he has occasion to buy loose alfalfa hay for baling and will wish the same carried to railheads or other markets within the

radius referred to. Applicant does not wish his services limited to one customer, however. He has been operating under temporary authority from this Commission since July 22, 1955. He owns a 1947 Chevrolet 2-ton truck and a 1947 Reo 3-ton truck, and his net worth is approximately \$2,000.

No one appeared at the hearing to protest the instant application, and it does not appear that the granting of the authority and applicant's operations thereunder would impair the service of common carriers operating in the area.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Loyal O. Case, Box 365, Milliken, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of baled alfalfa hay from point to point within a radius of fifty miles of Milliken, Colorado.

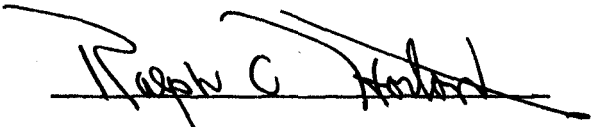
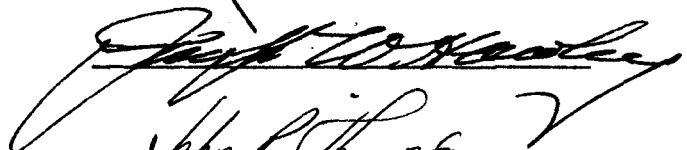
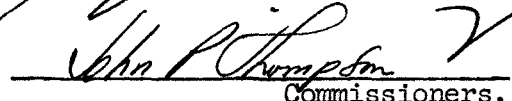
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until 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-one days from
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ARON COX, 400 NORTH PEARL STREET,)	
FORT COLLINS, COLORADO, FOR A CLASS)	APPLICATION NO. 13634-PP
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

October 6, 1955

Appearances: Aron Cox, Fort Collins,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, Aron Cox, Fort Collins, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber, props, and timber products, from Red Feather Lakes Area, to Fort Collins, Denver, and intermediate points.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Greeley, Colorado, on September 21, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant has been hauling lumber, props and timber products, principally from the sawmill of one George Spauling near Red Feather Lakes, and also for one Don Backman, who has a sawmill in the same area. Applicant wishes to haul for any sawmill operator who might need his service within a radius of 30 miles of Red Feather Lakes, the hauls being made to East Side Lumber Company at Fort Collins, Colorado, or to such points between Red Feather Lakes and Fort Collins as may produce a demand for such products.

Applicant owns a 3-ton 1948 International truck with two-wheel pole trailer, and his net worth is \$2,500.

No one appeared to protest the granting of the instant application. It does not appear that the granting of the authority, or applicant's operations thereunder would impair the operations of common carriers serving in the territory.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Aron Cox, 400 North Pearl Street, Fort Collins, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber, props, and timber products, from points within a radius of 30 miles of Red Feather Lake to Fort Collins, Denver, and intermediate points.

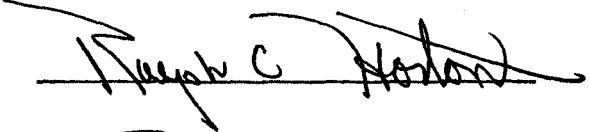
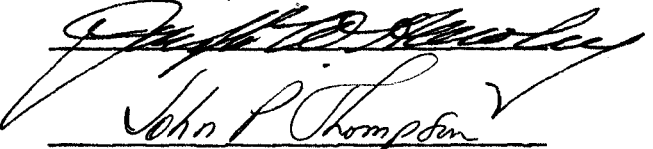
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORTHWEST WATER CORPORATION, A COR-)
PORATION, 2239 EAST COLFAX AVENUE,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO DISTRIBUTE AND SELL WATER FOR)
DOMESTIC USE IN ADAMS AND JEFFERSON)
COUNTIES, AND ALONG THE PIPELINE OR)
PIPELINES AND CONDUITS TO BE CON-)
STRUCTED BY THE APPLICANT.)

APPLICATION NO. 13240

October 4, 1955

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., Denver, Colorado, by
William Bryans, III, for Appli-
cant;
Kelly O'Neill, Jr., Esq., Denver,
Colorado, for the Baker Metro-
politan Water and Sanitation
District, and North Washington
Water and Sanitation District;
Leonard M. Campbell, Esq., Denver,
Colorado, for Western Hills
Utility Co.;
J. Fred Schneider, Esq., Denver,
Colorado, for the Pillar of
Fire and Parr Farms, Inc.;
Martin I. Steinberg, Esq., Denver,
Colorado, and
William Pehr, Esq., Westminster,
Colorado, for the City of West-
minster;
A. L. Mueller, Esq., Denver, Colo-
rado,
J. L. McNeill, Denver, Colorado,
and
J. M. McNulty, Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

By our Decision No. 44661, dated September 28, 1955, the
Commission found that the public convenience and necessity required
domestic water service in an area generally described as Shaw Heights
and more particularly described in the following Order; found that

the applicant was financially qualified, in so far as ability to raise capital was concerned, to render the service required, and that it had sufficient water suitable for the purpose to supply at least three hundred homes. We refused to issue a certificate, however, for the reason that we felt the financial structure of the applicant was unsound, unstable and contrary to the public interest. We denied the application as the matter then stood, but directed that the proceeding be held open for such further proceedings as might be appropriate.

On October 3, 1955, the applicant filed with the Commission a certified copy of an amendment to its Articles of Incorporation, whereby the capital structure of the applicant is shown to have been modified to effect a capitalization composed entirely of risk capital, thereby removing the objectionable features of the capital structure on the basis of which the application was denied by our Decision No. 44661.

However, the amended certificate expressly reserves to the applicant the right to reclassify the stock as it may from time to time see fit. This provision might conceivably permit the corporation to put back into effect the very provisions which we heretofore found to be objectionable and which caused the application heretofore to be denied. We would not now grant the certificate if we thought that the former condition, or any condition similar to it, might at some later time be put into effect. We will therefore require now that the present capitalization shall not be changed nor altered without express permission of the Commission after hearing duly had. If the applicant wishes to accept the certificate, then, and the responsibilities which go with it, it will accept it subject to this condition.

F I N D I N G S

THE COMMISSION FINDS:

The foregoing Statement is, by reference, incorporated here-

into, together with such portions of our Decision No. 44661, dated September 28, 1955, as are not in conflict herewith.

That the public convenience and necessity requires that an interim certificate of public convenience and necessity be issued for the service sought to be rendered, limited as set forth in the following Order. Each of the limitations in the Order is necessary and reasonably required in the protection of the public interest.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity requires that an interim certificate of public convenience be issued to Northwest Water Corporation for the construction, maintenance and operation of a domestic water system to supply domestic water to a maximum of three hundred residences in an area more particularly described as follows:

Starting at the Southeast corner of Lot 13, Block 21, Shaw Heights Third Filing, located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 2 S., R. 68 W., Adams County, Colorado; thence North 1240 feet; thence West 3700 feet; thence South a distance of 1110 feet; thence West a distance of 550 feet; thence South a distance of 150 feet; thence West a distance of 810 feet; thence South a distance of 1500 feet more or less, to the Centerline of the Allen Lateral Ditch; thence East along said Centerline to the SW corner of Block 16, Shaw Heights, Second Filing; thence in a Northerly direction along the Westerly boundary of Shaw Heights Second Filing to the Northwest corner of Lot 11, Block 14, Shaw Heights Second Filing; thence in an Easterly direction along the Northerly boundary of Shaw Heights, Second Filing to the Centerline of Lowell Boulevard; thence North along said Centerline to its intersection with the Centerline of W. 88th Avenue; thence East to the point of beginning,

and this Order shall be taken, deemed, and held to be such interim certificate of public convenience and necessity.

That Northwest Water Corporation shall construct, maintain and operate the said domestic water system in accordance with good and standard engineering practices and in conformity with the rules and

regulations of this Commission and of the Department of Public Health of the State of Colorado.

That before rendering any water service, Northwest Water Corporation shall obtain written approval for such service from the Department of Health of the State of Colorado and shall file a true copy thereof with this Commission.

That at least fifteen days before rendering any domestic water service, Northwest Water Corporation shall file with this Commission the rates, rules and regulations pursuant to which it proposes to render such service.

That Northwest Water Corporation shall at the completion of its construction program file separately with this Commission the "as constructed plans" of its domestic water system with the itemized cost of such system.

That Northwest Water Corporation shall continue its efforts heretofore commenced to obtain surface water and thereby to insure continuity of water supply into the indefinite future; and should it fail in such attempts shall obtain such surface water from other sources.

That Northwest Water Corporation shall maintain its accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That Northwest Water Corporation shall, beginning as of October 1, 1955, and therefore as of the first day of each third month thereafter until further notice by the Commission, report in writing to the Commission the status of construction of its domestic water system; the number of residences it serves with domestic water; the production in gallons per minute from each of its water wells, with corresponding draw-down, if known; the number of residences then completed within the service area and the number of residences expected to be completed within the area during the succeeding three months; the

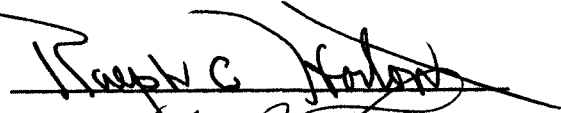

capacity of clear water storage available, together with the amount of water in storage; the total number of gallons of domestic water delivered month by month and the gallons of domestic water delivered on the peak day of each month. The foregoing quarterly report shall be filed with the Commission not later than twenty days after the date as of which the report is made.

That the proposed capitalization of the Company, consisting entirely of common and preferred stock and more particularly set forth in a Certificate of Amendment to Certificate of Incorporation, dated and filed with the Commission October 3, 1955, shall not be changed in any respect without prior express permission of the Commission.

That the Commission shall retain jurisdiction of this matter to issue such further Order or Orders as may become appropriate.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HAWLEY ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 4th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES A. LOFTIS, 120 LYONS STREET,)	
FORT COLLINS, COLORADO, FOR A CLASS)	APPLICATION NO. 13636-PP
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

October 6, 1955

Appearances: James A. Loftis, Fort
Collins, Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, James A. Loftis, of Fort Collins, Colorado, seeks authority to operate as a Class "B"/ private carrier by motor vehicle for hire, for the transportation of lumber and sawmill products, from points in the Red Feather Lakes Area, to Fort Collins and Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Greeley, Colorado, on September 21, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he would prefer to obtain authority to haul lumber and sawmill products to Fort Collins and Denver, Colorado, from points within a radius of 50 miles of Red Feather Lakes but would be content with a radius of 30 miles. He has been hauling for one Ray Lambert, operator of a sawmill seven miles from Red Feather Lakes, for the past two months.

Applicant owns a 1954 GMC 2-ton truck, and his net worth is approximately \$1,000.

No one appeared at the hearing to protest the granting of the instant application, and it does not appear that the granting of the authority, and applicant's operations thereunder would tend to impair the service of common carriers in the territory.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That James A. Loftis, 120 Lyons Street, Fort Collins, Colorado, should be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber and sawmill products, from point to point within a radius of 30 miles of Red Feather Lakes, and from said area to market at Fort Collins and Denver, Colorado.

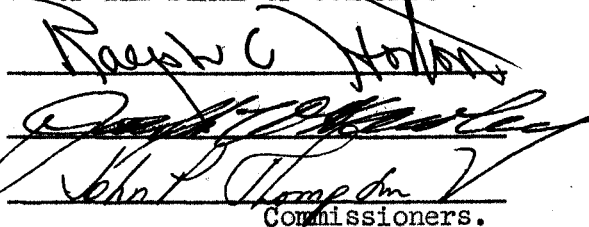
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
J. N. MATLOCK, GENERAL DELIVERY,)	
FORT COLLINS, COLORADO, FOR A CLASS	)	<u>APPLICATION NO. 13637-PP</u>
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

October 6, 1955

S T A T E M E N T

By the Commission:

Applicant herein, J. N. Matlock, of Fort Collins, Colorado, filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of lumber and sawmill products, from points within a radius of fifteen miles of Chambers Lake, to Denver and to Fort Collins, Colorado.

After appropriate notice to all interested parties, the application was set for hearing at the Court House in Greeley, Colorado, for September 21, 1955.

When the application was called up for hearing, applicant did not appear, either in person or by counsel, nor did any protestants appear.

The files were made a part of the record, and the matter was taken under advisement.

It appears from the records that applicant has been transporting lumber and sawmill products from point to point within a radius of fifteen miles of Chambers Lake, to Denver and Fort Collins, Colorado, and has been operating under temporary authority issued by this Commission, on September 8, 1955. His equipment list shows ownership of one 1954 Ford truck of 2-ton capacity, and one 1955 Ford truck with 2-ton capacity.

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 the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. N. Matlock, General Delivery, Fort Collins, 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 lumber and sawmill products, from points within a radius of fifteen miles of Chambers Lake, to Denver and to Fort Collins, Colorado.

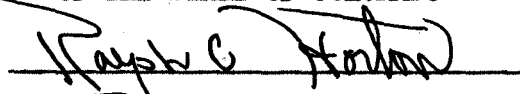

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARCOS SAIZ TORRES, BOX 76, GILCREST,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 13639-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

October 6, 1955

Appearances: Marcos Saiz Torres, Gilcrest,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of farm produce, hay, coal, and lumber, from point to point within a radius of fifty miles of Gilcrest, Colorado.

After appropriate notice to all interested parties, the application was set for hearing, and heard, at the Court House in Greeley, Colorado, on September 21, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he has been engaged in hauling potatoes for one Jake Bernhard, a farmer near Gilcrest, since he filed his application herein, upon which date he received temporary authority for this transportation from the Commission.

Applicant owns a 1948 Chevrolet 2-ton truck, and his net worth is \$1,500. He wishes to transport farm produce, hay, coal and lumber, not only for Jake Bernhard but for any customers who request his services.

No one appeared to protest the instant application, and it does not appear that the granting of said authority and applicant's operations thereunder will impair common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Marcos Saiz Torres, Box 76, Gilcrest, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, hay, coal, and lumber, from point to point within a radius of fifty miles of Gilcrest, Colorado.

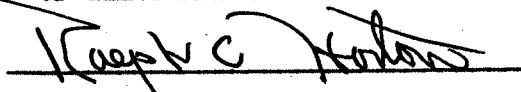
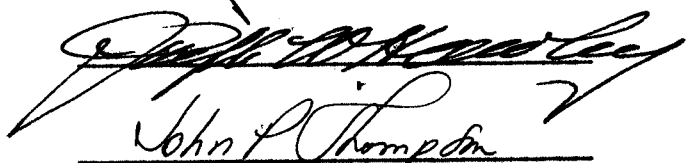
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

original

(Decision No. 44693)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
NYMAN BATEMAN, 1734 WEST MOUNTAIN)	
AVENUE, FORT COLLINS, COLORADO, FOR)	
A CLASS "B" PERMIT TO OPERATE AS A	)	APPLICATION NO. 13643-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

October 6, 1955

Appearances: Lynn C. Breidenbach, Fort
Collins, Colorado, for
applicant.

S T A T E M E N T

By the Commission:

By the instant application, Nyman Bateman, Fort Collins, Colorado, seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Greeley, Colorado, on September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

Lynn C. Breidenbach testified in support of the application. He has been driving applicant's truck since May, 1954, under the authority of a Class "B" permit of one Frank Jesser, and under a Commercial permit of the C. & M. Readymix Company. Applicant owns

a 1952 Ford 2-ton dump truck and his net worth is \$ 20,000.

He wishes to serve the C. & M. Readymix Company at Fort Collins, but does not wish his authority to be limited to the one customer.

No one appeared in protest to the granting of the instant application, and it does not appear that the granting of the authority and applicant's operations thereunder would impair the service of common carriers now operating in the territory.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That Nyman Bateman, 1734 West Mountain Avenue, Fort Collins, 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 road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, 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.

This Order shall become effective twenty-one days from
date.

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

ATTEST: J. W. H. H. H.

[Signature]
Secretary

[Signature]
[Signature]
[Signature]
Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FRED F. LEBSACK, WAYNE U. LEBSACK,)	
AND GLENN N. LEBSACK, CO-PARTNERS,)	
DOING BUSINESS AS "FRED F. LEBSACK)	
& SONS," 1420 GARFIELD STREET,	)	<u>APPLICATION NO. 13645-PP</u>
LOVELAND, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

October 6, 1955

Appearances: Fred F. Lebsack, Loveland,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By the instant application, applicants seek a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties; transportation of sand, gravel, and other road-surfacing materials, from pits and supply points in the State of Colorado, to mixer and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel from pits and supply points in the State of Colorado, to railroad loading points and to homes and small construction jobs within a radius of fifty miles of said pits and supply points, and transportation of insulation rock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Greeley, Colorado, on September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

Fred F. Lebsack testified that he was one of the partnership filing the application; that he has had 27 years experience in the transportation field, and that the partnership owns 3 - 1954 Chevrolet trucks and one 1947 Reo truck, all with dump bodies. He stated that the net worth of the partnership is \$35,000. They have been trucking for the Peter Kiewit Company and the Reed Construction Company.

Applicants are not interested in the transportation of insulation rock which is mentioned in the application, and were agreeable to an authority eliminating that commodity.

No one appeared in opposition to the granting of the instant application, and it does not appear that the granting of said permit and operation by applicants thereunder would impair the service of common carriers with whom they will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Fred F. Lebsack, Wayne U. Lebsack and Glenn N. Lebsack, co-partners, doing business as "Fred F. Lebsack & Sons," 1420 Garfield Street, Loveland, Colorado, should be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the

transportation of sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties; transportation of sand, gravel and other road-surfacing materials, from pits and supply points in the State of Colorado, to mixer and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel from pits and supply points in the State of Colorado, to railroad loading points and to homes and small construction jobs within a radius of fifty miles of said pits and supply points.

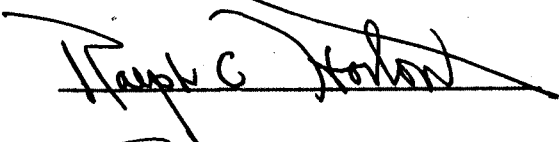
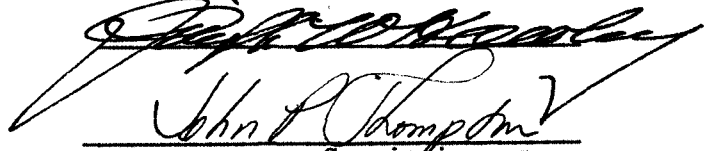
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES,)
AND REGULATIONS IN THE MOTOR TRUCK)
COMMON CARRIERS' ASSOCIATION, AGENT,)
FREIGHT TARIFF NO. 12, COLORADO)
P.U.C. NO. 6, ISSUED BY J. R. SMITH,)
CHIEF OF TARIFF BUREAU, 407 DENHAM)
BUILDING, DENVER 2, COLORADO.)

CASE NO. 1585

October 5, 1955

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective October 14, 1955, designated as set forth in "Appendix A," attached hereto and made a part hereof.

Under the provisions of Rule 18, Paragraph C-(1)-(A) of the said Rules of Procedure, following the protest deadline (ten days prior to the proposed effective date) an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received in the office of the Commission relative to the proposed changes.

The rate department's investigations of the proposed changes developed the following information:

Item No. 2647, a commodity rate, on Iron and Steel Articles via Weicker Transfer and Storage Company from Minnequa and Pueblo, Colorado, to Denver and Greeley, Colorado, being amended to include the following destination points: Denver and points and places within five miles of the Denver city limits which entail no change in the rates but an enlargement of area surrounding Denver; also, to include new destination points, namely: Colorado Springs, Ft. Carson and U. S. Air Academy,

Colorado, at rates of 22 cents per 100 pounds, subject to minimum weight of 30,000 pounds, 20 cents per 100 pounds, subject to minimum weight of 40,000 pounds, which is a reduction and a benefit to the shippers. The item is also amended to include the following items: pipe or tubing, iron or steel, wrought, not plate, not sheet, NOI; bases, structural; beams, NOI; and channels, NOI.

In the Rules and Regulations governing movements of livestock, Section 6, Item No. 4510, the publishing agent proposed for the carriers involved to amend the item to include, "From, to and between points within a 25-mile radius of LaVeta, Colorado."

This item contains the following: "In the event where any single shipper does not have sufficient tonnage to enable him to take advantage of the truckload rates, shipments may be combined in making up the required minimum weight on the following basis: Compute the distance from the farthest point of origin to the destination of the shipment at the applicable rate, plus one hundred (100) cents for each pick-up involved in making up the minimum weight."

By this addition to the rule, shipments from the area included in a 25-mile radius of LaVeta, Colorado, constitute a reduction in the rates and a benefit to the shippers. Similar provisions have been prescribed for other territories.

By the addition of a new Item No. 2, to the Exceptions in Section 6 (Livestock) for movements between LaVeta, Colorado, and Denver, LaJunta, Pueblo and Trinidad, Colorado, with minimum weight of 10,000 pounds and 18,000 pounds, will provide a reduction in favor of the shippers.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in "Appendix A," attached hereto, and made a part hereof, should be authorized and an order should be entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement, findings and "Appendix A," be, and the same are hereby made a part hereof.

2. This order shall become effective forthwith.

3. The rates, rules, regulations and provisions set forth in "Appendix A" shall on October 14, 1955, be the prescribed rates, rules, regulations and provisions of the Commission.

4. All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

5. On and after October 14, 1955, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in "Appendix A" shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

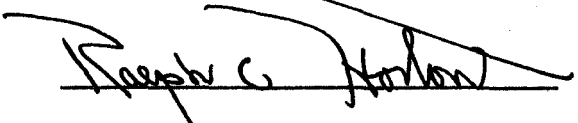
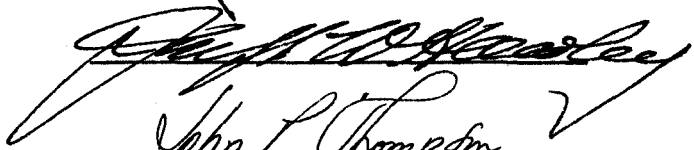

6. On and after October 14, 1955, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. 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 and liabilities applicable to a motor vehicle common carrier.

8. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

9. 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 5th day of October, 1955.

mem

"APPENDIX A"

7th Revised Page No. 194-A

For the Account of Weicker Transfer and Storage Company, Direct.

Item No.	Commodities in the same item may be shipped in straight or mixed truck loads, unless otherwise provided.	From	To	Rates	Route No.
2647	Iron and steel articles, viz.: pipe, conduit, wrought iron or steel; pipe, iron or steel, cast, NOI; nails or spikes, NOI, plain, galvanized, japanned or tinned, or coated with brass, bronze, cadmium, cement or copper, or with lead covered, or lead rimmed heads; staples, NOI, galvanized or plain; wire, acid coppered, galvanized, painted, plain or tinned, including barbed wire, or copper, brass, bronze or cadmium coated, NOI; fencing, wire, welded or woven, or poultry netting, galvanized or plain; blades, or cutting edges, grader or scraper, steel; fence or clothes posts, with or without equipment of insulators or fittings; fence post fixtures, wire fence, consisting of brace collars, brace plates, brace rods, face plates, spreaders, tops, caps, clamps, clips and extension arms, or wire fence stays; pipe fittings, NOI, iron or steel, with or without metal seats, not plates; angles, NOI; bolts or nuts, NOI, or lag bolts (lag screws), plain, galvanized, japanned, painted or tinned, or coated with brass, bronze, cadmium, copper, lead or zinc; plate or sheet, NOI, galvanized, painted or plain, corrugated or not corrugated; bands or rods, structural, NOI; bars, NOI; pipe or tubing, iron or steel, wrought, not plate nor sheet, NOI; bases, structural; beams, NOI; channels, NOI. Subject to packing specifications of current classification. ① - Minimum weight 15,000 pounds. ② - Minimum weight 30,000 pounds. ③ - Minimum weight 40,000 pounds. ④ - Minimum weight 26,000 pounds.	Minnequa, Colo. Pueblo, Colo.	Denver, Colo. and points and places within 5 miles of Denver City Limits	① 53 ② 46 ③ 41	47
			Greeley, Colo.	④ 55 ③ 52	
			Colo. Springs, Colorado.		
			Ft. Carson, Colo. U. S. Air Academy, Colorado	② 22 ③ 20	

Item No.	Rule
4510	<p>(Applies on movements from and to points in the San Luis Valley; between all points in plains territory located in Baca, Bent, Crowley, Kiowa, Las Animas, Otero, Prowers, Pueblo Counties and that part of Huerfano County on and East of U.S. Highway No. 85; From, to and between points within a 50-mile radius of Grand Junction; From, to and between points within a 75-mile radius of Montrose; From, to and between points within a 25-mile radius of LaVeta.)</p> <p>In the event any single shipper does not have sufficient tonnage to enable him to take advantage of the truckload rates, shipments may be combined in making up the required minimum weight on the following basis:</p> <p>Compute the distance from the farthest point of origin to the destination of the shipment at the applicable rate plus one hundred (100) cents for each pick-up involved in making up the minimum weight.</p> <p>Continued</p>

"APPENDIX A" - Continued

The same basis shall be used in distribution to more than one consignee or from more than one consignor at markets or sale lots.

In no case shall the aggregate charges on a combined load be more than if part of the load is computed on the less truckload rate without the pick-up charge and the balance of the load at the truckload rate plus the pick-up charge. (See Note.)

Note: Subject to the basis for less-than-truckload rates, provided in Exception No. 1 when the movement is from or to points in the San Luis Valley.

Item No.	Exception				
2	The following rates in cents per 100 pounds will apply on shipments of livestock between the named points:				
	Between And	LA VETA, COLORADO			
		MINIMUM WEIGHT			
		10,000 pounds		18,000 pounds	
		Livestock, other than Sheep or Goats	Sheep or Goats	Livestock, other than Sheep or Goats	Sheep or Goats
	Denver	54	56 $\frac{1}{2}$	45	47 $\frac{1}{2}$
	La Junta	34	36 $\frac{1}{2}$	28	30 $\frac{1}{2}$
	Pueblo	28	30 $\frac{1}{2}$	24	26 $\frac{1}{2}$
	Trinidad	26	28 $\frac{1}{2}$	21	23 $\frac{1}{2}$

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BEAL E. NEAL, BOX 584, EATON, COLO-)
RADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 13646-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

October 6, 1955

Appearances: Beal N. Neal, Eaton,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, Beal E. Neal, Eaton, Colorado, seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, excluding service in Boulder, Clear Creek and Gilpin Counties.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House, Greeley, Colorado, on September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant testified that he has been engaged in trucking for the Peter Kiewit Company, Northwestern Engineering Company and Asphalt Paving Company, and has been serving these customers under temporary authority granted by this Commission, but does not wish his authority limited to these customers.

Applicant further testified that he owns a 1955 Chevrolet 2-ton dump truck and his net worth is \$5,000.

No one appeared in opposition to the granting of the instant application, and it does not appear that the granting of said application and applicant's operations thereunder will impair the service of common carriers operating in the territory.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Beal E. Neal, Box 584, Eaton, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs within a radius of fifty miles of said pits and supply points, and for the transportation of sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs, 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.

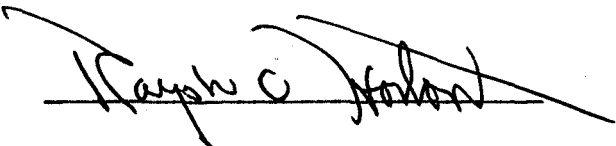
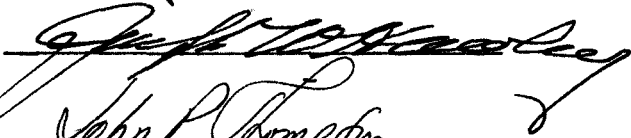
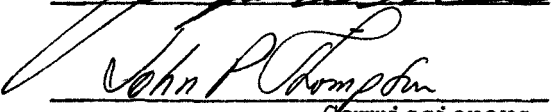
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GAY V. WALDROUP, DOING BUSINESS AS)
"WALDROUP MERCANTILE," BRANSON,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13655-PP

October 6, 1955

Appearances: Gay V. Waldroup, Branson,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On August 10, 1955, applicant herein filed his application for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of freight, on regular schedule, between Branson and Trinidad, Colorado, and intermediate points.

Said application was regularly set for hearing and heard, at the Court House, Walsenburg, Colorado, September 23, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Gay V. Waldroup, applicant herein, stated that there was no available service between Trinidad, Colorado; that he operates a mercantile establishment in Branson, and has to make trips to Trinidad for the purpose of getting supplies; that he has had numerous requests from a filling station located at Branson and from other customers located along his route, to haul small freight.

No one appeared protesting the granting of the application.

It appears that that territory which originally was a coal mining area has lost a large part of its population, and a scheduled common carrier service is not practical; that the only practical ser-

vice left is that proposed by applicant herein.

Applicant has made application for a Class "B" private carrier permit. However, it is the opinion of the Commission that a Class "A" permit will better serve the needs of this community.

We cannot find that any common carrier service would be impaired by the granting of the above-styled application, and that said application should therefore 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 Gay V. Waldroup, doing business as "Waldroup Mercantile," Branson, Colorado, should be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire, for the transportation of freight, on regular schedule, between Branson and Trinidad, Colorado, and intermediate points.

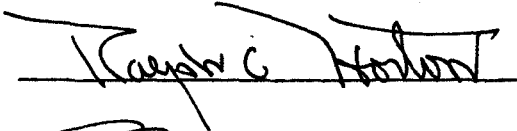
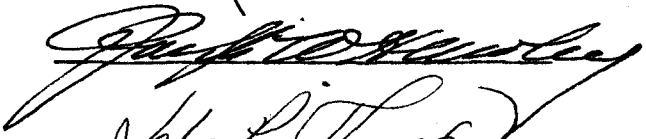

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HIGHWAY MOTOR FREIGHT, INC.,)
1022 DAVENPORT STREET, OMAHA,)
NEBRASKA.)

PUC NO. 2642
2642-I
(CASE NO. 74605-INS.)

October 6, 1955

S T A T E M E N T

By the Commission:

On August 17, 1955, in Case No. 74605-Ins., the Commission entered an order revoking PUC-2642 and PUC-2642-I for failure to keep on file the required certificate of insurance.

Insurance was in effect, but through neglect of the agent, was not filed in time to stop the revocation of the certificate. 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 revocation order entered in Case No. 74605-Ins. should be cancelled and set aside, and said PUC-2642 and PUC-2642-I restored to their former status.

O R D E R

THE COMMISSION ORDERS:

That revocation order entered on August 17, 1955, in Case No. 74605-Ins., should be, and it hereby is, cancelled and set aside, and said PUC-2642 and PUC-2642-I restored to their former status as of August 17, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Kohon
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1955.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
R. L. SCOTT, HAXTUN, COLORADO, FOR)	
AUTHORITY TO TRANSFER PERMIT NO.)	APPLICATION NO. 13250-PP-Transfer
A-587 TO HAXTUN TRUCK LINE, INC.,)	<u>SUPPLEMENTAL ORDER</u>
HAXTUN, COLORADO.)	

October 6, 1955

Appearances: Ownbey and Greinetz, Esqs.,
Denver, Colorado, by
Earl Greinetz, Esq., for
Transferor.

S T A T E M E N T

By the Commission:

By Decision No. 44637, dated September 20, 1955, R. L. Scott, Haxtun, Colorado, was denied authority to transfer Permit No. A-587 to Haxtun Truck Line, Inc., Haxtun, Colorado.

On September 30, 1955, Petition for Rehearing was filed in said matter by Bruce Ownbey, Esq., of Ownbey and Greinetz, Esqs., Denver, Colorado, for Transferee.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Petition for Rehearing filed herein and each and every allegation thereof, and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That said Petition should be denied.

O R D E R

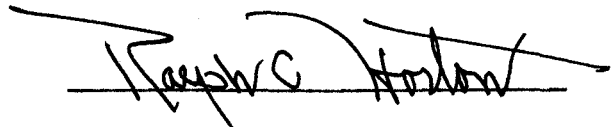
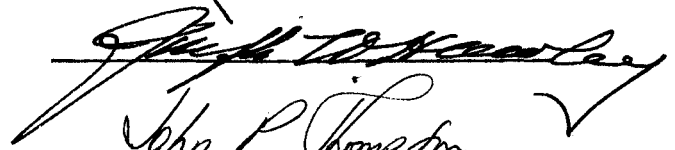
THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter, filed by Bruce Ownbey, Esq., of Ownbey and Greinetz, Esqs., Denver,

Colorado, on behalf of Transferee, should be, and the same hereby is,
denied.

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 6th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LINNIE J. BICE, 622 LOGAN) PUC NO. 3120-I
STREET, DENVER, COLORADO.)
-----)

October 13, 1955

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder, requesting that his PUC-3120-I 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 Linnie J. Bice, be, and he is hereby, authorized to suspend his operations under PUC-3120-I until April 5, 1956.

That unless said Linnie J. Bice shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton

John W. Harty

John P. Thompson

Dated at Denver, Colorado,
this 13th day of October, 1955.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
D. & J. PRODUCE CO., INC.,) PUC NO. 2595-I
MONTE VISTA, COLORADO.)
-----)

October 13, 1955

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 PUC-2595-I 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 D. & J. Produce Co. Inc., be, and hereby is, authorized to suspend operations under PUC No. 2595-I until March 8, 1956.

That unless said D. & J. Produce Co. Inc., shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall be revoked, without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Vinton
John P. Thompson
John P. Thompson

Dated at Denver, Colorado,
this 13th day of October, 1955.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN L. ANDERSON, ENCAMPMENT,) PERMIT NO. B-1042-I
WYOMING.)
-----)

October 13, 1955

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-1042-I 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 Edwin L. Anderson, be, and he is hereby, authorized to suspend his operations under Permit No. B-1042-I until April 4, 1956.

That unless said Edwin L. Anderson 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. Norton
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 13th day of October, 1955.

ea.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL AKES, 935 SOUTH TENNYSON,) PERMIT NO.B2344
DENVER, COLORADO.)

October 13, 1955

S T A T E M E N T

By the Commission:

On March 25, 1955, the Commission authorized Carl Akes, Denver, Colorado, to suspend operations under his Permit No.B2344 until September 18, 1955.

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-2344 should be, and the same hereby is, reinstated as of September 21, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John W. Hensley
John P. Thompson
Commissioners

Dated at Denver, Colorado,
this 13th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DON SHEETS, 2110 6TH AVENUE,)
CANYON, TEXAS.)
)
)
)
)
)

PERMIT NO. M-536

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Don Sheets

requesting that Permit No. M-536 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-536, heretofore issued to _____

Don Sheets _____ be,

and the same is hereby, declared cancelled effective October 5, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Jent

Robert W. Hawley

John P. Thompson

Dated at Denver, Colorado,

this 13th day of October, 1955.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LINNIE J. BICE, 622 LOGAN STREET,)
DENVER 3, Colorado.)

PERMIT NO. M-4998

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Linnie J. Bice,
requesting that Permit No. M-4998 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4998, heretofore issued to _____
Linnie J. Bice _____ be,
and the same is hereby, declared cancelled effective October 5, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Commissioners

Dated at Denver, Colorado,

this 13th day of October, 1955.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEONARD CONDA, 2003 GROVE STREET,)
BOULDER, COLORADO.)

PERMIT NO. M-3999

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Leonard Conda

requesting that Permit No. M-3999 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3999, heretofore issued to _____
Leonard Conda _____ be,

and the same is hereby, declared cancelled effective September 19, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John L. Thompson

Dated at Denver, Colorado,

this 13th day of October, 195 5.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD COMPANY, GRAND ISLAND,
NEBRASKA.

PERMIT NO. M-2652.

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Donald Company

requesting that Permit No. M-2652 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2652, heretofore issued to _____

Donald Company _____ be,

and the same is hereby, declared cancelled effective September 10, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Commissioners

Dated at Denver, Colorado,

this 13th day of October, 195 5.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. E. STENNETT, 1440 N. ST. CLAIR,)
WICHITA, KANSAS.)
)
)
-----)

PERMIT NO. M-4650

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

M. E. Stennett

requesting that Permit No. M-4650 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4650, heretofore issued to _____

M. E. Stennett

be,

and the same is hereby, declared cancelled effective September 22, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton

John W. Hawley

John P. Thompson

Commissioner

Dated at Denver, Colorado,

this 13th day of October, 195⁵.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEO V. HULEN, 820 5TH STREET,
GREELEY, COLORADO.

PERMIT NO. M-6564

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Leo V. Hulen

requesting that Permit No. M-6564 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6564, heretofore issued to _____

Leo V. Hulen _____ be,

and the same is hereby, declared cancelled effective September 14, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John W. Hensley
John C. Peterson

Dated at Denver, Colorado,

this 13th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRY P. SCHRIVER & FRANCIS P.)
CODY, DOING BUSINESS AS "CODY &)
SCHRIVER TRUCKING CO.," BOX 132,)
PINEDALE, WYOMING.)

PERMIT NO. M-6660

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Harry P. Schriver & Francis P. Cody, dba "Cody & Schriver Trucking Co."
requesting that Permit No. M-6660 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6660, heretofore issued to _____
Harry P. Schriver & Francis P. Cody, dba "Cody & Schriver Trucking Co." be,
and the same is hereby, declared cancelled effective September 19, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thomas
Commissioners

Dated at Denver, Colorado,

this 13th day of October, 195 5.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

MIKE TAFOYA, 711 E. GARFIELD)
STREET, COLORADO SPRINGS, COLORADO.)

PERMIT NO. M-6744

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Mike Tafoya

requesting that Permit No. M-6744 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6744, heretofore issued to _____

Mike Tafoya _____ be,

and the same is hereby, declared cancelled effective September 26, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
Charles W. Hawley
John P. Thompson
Commissioners

Dated at Denver, Colorado,

this 13th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
N. L. CHRISTENSON, 1659 BOULDER)
STREET, DENVER, COLORADO.) PERMIT NO. B-4275
-----)

October 6, 1955

S T A T E M E N T

By the Commission:

On April 15, 1955, the Commission entered its Decision No. 44158, authorizing the above-styled permit-holder to suspend operations under Permit No. B-4275 until October 13, 1955.

The Commission is now in receipt of a communication from said N. L. Christenson, requesting authority to further suspend operations under said permit for an additional period of six months.

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 N. L. Christenson, Denver, Colorado, should be, and he hereby is, authorized to further suspend operations under Permit No. B-4275 until April 13, 1956.

That unless said permit-holder 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 the rules and regulations of this Commission applicable to private carrier permits, said permit, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 6th day of October, 1955.


Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BERNICE I. ARNOLD, BOX 237,) PERMIT NO. B-4453
NUCLA, COLORADO.)
-----)

October 13, 1955

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 her Permit No. B-4453 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 Bernice I. Arnold be, and she is hereby, authorized to suspend her operations under Permit No. B-4453 until March 16, 1956.

That unless said Bernice I. Arnold 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

Ray C. Norton
John P. Tompkins
Commissioners

Dated at Denver, Colorado,
this 13th day of October, 1955.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
N. L. WHEELER, ROUTE 1, BOX 108 A,)
AVONDALE, COLORADO.)

PERMIT NO. B-2244

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
N. L. Wheeler

requesting that Permit No. B-2244 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-2244, heretofore issued to _____
N. L. Wheeler _____ be,

and the same is hereby, declared cancelled effective October 3, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Commissioners

Dated at Denver, Colorado,

this 13th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
J. E. KAY, ROSEBURG, COLORADO.) PUC NO. 2331-I
-----)

October 13, 1955

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
J. E. Kay, requesting that Certificate of Public Convenience and
Necessity No. 2331-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 Certificate No. 2331-I, heretofore issued to J. E.
Kay, be, and the same is hereby, declared cancelled, effective
September 10, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 13th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
C. L. GRANT, MINTURN, COLORADO.)
)
)
)
)
-----)

PERMIT NO. B-3017

October 13, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

C. L. Grant

requesting that Permit No. B-3017 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-3017, heretofore issued to _____

C. L. Grant be,

and the same is hereby, declared cancelled effective August 21, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
Ralph W. Hensley
Commissioner

Dated at Denver, Colorado,

this 13th day of October, 195 5.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
E. H. McDONALD, 2214 FIRST)
AVENUE, SCOTTSBLUFF, NEBRASKA.)

PUC NO. 2745-I

October 13, 1955

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. H. McDonald, Scottsbluff, Nebraska, requesting that Certificate of Public Convenience and Necessity No. 2745-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 Certificate No. 2745-I, heretofore issued to E. H. McDonald, Scottsbluff, Nebraska, be, and the same is hereby, declared cancelled effective September 9, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
Robert W. Hawley
John E. Thompson

Dated at Denver, Colorado,
this 13th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
OWEN T. RINEHART AND GLEN G. RINE-)
HART, DOING BUSINESS AS "RINEHART) APPLICATION NO. 13047-PP
& SON," BOX 442, DURANGO, COLO-)
RADO.)
-----)

October 13, 1955

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Owen T. Reinhart and Glen G. Rinehart, doing business as "Reinhart & Son," Durango, Colorado, requesting that their Class "B" permit, granted in Application No. 13047-PP, Decision No. 43448, under date of October 15, 1954, 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 Class "B" permit, granted Owen T. Rinehart and Glen G. Rinehart, doing business as "Rinehart & Son," in the above-numbered application, Decision No. 43448, under date of October 15, 1954, be, and the same hereby is, declared cancelled, effective October 5, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John P. Demaree
John P. Demaree
Committee on Public Utilities

Dated at Denver, Colorado,
this 13th day of October, 1955.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. P. FINNEY, DOING BUSINESS AS)
"FINNEY SIGHTSEEING SERVICE," 942)
SOUTH CONEJOS STREET, COLORADO) APPLICATION NO. 13186-Extension
SPRINGS, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND)
NECESSITY.)
-----)

IN THE MATTER OF THE APPLICATION OF)
THE COLORADO SPRINGS TRANSIT COMPANY,)
A COLORADO CORPORATION, 515 CASCADE)
AVENUE, COLORADO SPRINGS, COLORADO,) APPLICATION NO. 13178
FOR AUTHORITY TO RENDER BUS TRANS-)
PORTATION SERVICE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
DENVER-COLORADO SPRINGS-PUEBLO)
MOTOR WAY, INC., A COLORADO CORPORA-)
TION, 501 SEVENTEENTH STREET, DEN-) APPLICATION NO. 13027-Extension
VER, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PUC No. 48.)
-----)

October 11, 1955

Appearances: Marion F. Jones, Esq., Denver,
Colorado, and
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for
R. P. Finney;
Horn and Anderson, Esqs., Colo-
rado Springs, Colorado, for
Colorado Springs Transit Company;
Hodges, Silverstein, Hodges and
Harrington, Esqs., Denver,
Colorado, by J. G. Hodges, Esq.,
for Denver-Colorado Springs-
Pueblo Motor Way, Inc.;
John F. Bensberg, Colorado
Springs, Colorado, pro se;
Ben S. Wendelken, Colorado
Springs, Colorado, for The
Broadmoor Hotel Garage, Pikes
Peak Company, and Yellow Cab Company;
Frank Mobley, Esq., Colorado Springs,
Colorado, for James Donaldson.

S T A T E M E N T

By the Commission:

On June 29, 1954, J. A. and R. P. Finney, now R. P. Finney only, operator of a limousine service, filed application for authority to transport passengers and their hand baggage between Colorado Springs, Manitou, and the site of the U. S. Air Force Academy, upon call and demand.

On June 30, 1954, Colorado Springs Transit Company, a city bus company, filed application for authority to render bus transportation service between the City of Colorado Springs, and the Air Force Academy as then proposed, some fifteen miles to the north. The application alleged, inter alia, that public convenience and necessity will require a passenger transportation system between Colorado Springs and the Academy, and that it is able and wishes to render this service, if so authorized.

On July 23, 1954, Denver-Colorado Springs-Pueblo Motor Way, Inc., an over-the-highway bus company, filed application, in which it alleged in substance, inter alia, that it now operates busses past the proposed site of the Academy and serves nearby towns on a regular schedule; that there is no other carrier authorized to render this service; that service to the Academy site will be required during construction as well as after the Academy commences functioning; that by reason of its presently existing service, it is best qualified to serve; that it will acquire additional equipment, and add schedules, both local and through schedules, to meet the requirements of the public in the matter; that it wishes to "transport passengers, baggage, and express by motor vehicle bus from and to said Air Force Academy and its site over any and all access roads now existing or which may hereafter be constructed between the said Academy and Colorado Springs, Denver, and any other point now served by applicant on its scheduled bus service . . ."; and asks for a certificate of public convenience and necessity or extension of its present certificate "authorizing the service contemplated hereby."

As these three applications all involve transportation of passengers to and from the Academy grounds, and are the only applications filed, they were consolidated for hearing and decision, with consent of all the parties involved. After numerous continuances, attributable principally to the circumstance that actual construction work has only very recently been commenced, the applications were at last, upon due notice to interested parties, set for hearing, and heard, at the Court House in Colorado Springs, Colorado, commencing August 23, 1955. At the conclusion of the hearings, the applications were taken under advisement.

R. P. Finney, the applicant, appeared in support of the Finney limousine service application. He testified that he presently operates a limousine sightseeing service in the Pikes Peak region, and also a limousine service to and from that area from and to points throughout the State, pursuant to authority of PUC No. 123 and PUC No. 164. His entire supply of vehicles consists of twelve Cadillac limousines, involving an investment of approximately \$20,000. His present authorities limit to twelve the number of vehicles he may use; in tourist season, this equipment is fully occupied. He wants a new authority for call and demand service to and from the Academy, not limited as to number of vehicles. Further, he has no authority at present to have a terminal at the Academy; this application, if granted, would give him that authority. As the Academy has not yet been built, he does not know what its requirements for his extra-fare limousine service will be.

Mr. Finney is qualified by experience and financially to engage in the proposed operation. However, it is not possible to tell, at this stage of development of the Academy, how much deluxe service is going to be needed, or indeed if any such service at all will be needed or desired. Stated another way, the present state of development of the Academy is such that it is not possible to show, and the applicant did not show, that the public convenience

and necessity will require the proposed limousine service. The application must therefore be denied. Such denials do not, of course, amount to res adjudicata, and the applicant may thus return with a new application, if he wishes, at a time when greater information can be developed. At this time, however, there being no showing of present or future public convenience or necessity for the proposed service, the application must be denied.

We turn now to the application of Colorado Springs Transit Company. Colonel James Barnett, U. S. Air Force, Chief of Operations Division of the Academy Construction Agency, which is supervising the construction of the Academy, testified in support of the application, concerning the need for mass transportation facilities from Colorado Springs to the Academy site. A bare beginning has been made upon the ultimate construction, with roads now being built, contracts for construction of the water and sewage system to be let in a short time, and the construction of buildings to begin early in 1956. In the initial phase of the work, it is expected that possibly fifty workmen will be involved; at the peak employment, which will probably be during 1957, it is anticipated that 4,000 to 6,000 workmen will be employed. Although it is difficult to tell how many of these workmen will need public transportation, it is expected that there will be a gradually increasing need for transportation to the Academy grounds from Colorado Springs during the construction period. The Air Force is seeking some economical, flexible and dependable transportation to satisfy this need. Mass transportation will be required; taxi type service will only partially fill the need. The agency has discussed its needs with the Transit Company, but has not discussed them with Denver-Colorado Springs-Pueblo Motor Way, Inc. The access points to the grounds have not yet been finally established, but it is certain that it will be necessary to have access during the construction period, as the distances involved will require transportation to the construction sites.

Lt. Col. B. F. Cowart, U. S. A., Transportation Officer at Ft. Carson, testified that the Transit Company has been rendering service to Fort Carson from Colorado Springs and from Peterson Field east of Colorado Springs, operating a scheduled service supplemented as need be by extra equipment during peak demand periods. It has also participated in military troupe movements from Peterson Field to Fort Carson. The entire service has been excellent, and the Transit Company has helped solve many of the Fort's transportation problems. Denver-Colorado Springs-Pueblo Motorway, Inc., has also handled troupe movements from Peterson Field to Fort Carson rendering entirely satisfactory service, although there have been occasions when Colorado Springs Transit Company has provided equipment in connection with movements routed by Denver-Colorado Springs-Pueblo Motor Way, Inc., at times when Denver-Colorado Springs-Pueblo Motor Way, Inc. did not have sufficient equipment immediately available. He has no knowledge of the requirements of the proposed Air Force Academy during or after construction, and appeared as a witness only to testify that the Transit Company service to Fort Carson has been very satisfactory.

Mr. David Cowen, Schedule Analyst for the Transit Company, testified concerning the close relationship between the Company and Fort Carson officials in the matter of schedules and equipment, and also testified that he had made a survey and had laid a tentative plan for service to the Air Academy. The Transit Company proposes to charge fares in three zones, the distance to Husted, where the Transit Company proposes to have a station, being 13.3 miles from downtown Colorado Springs. He also testified to some six different occasions since February, 1955, when the Transit Company furnished busses to Denver-Colorado Springs-Pueblo Motor Way, Inc., to fill out the equipment required to move troupes from Peterson Field to Fort Carson, at all of which times Denver-Colorado Springs-Pueblo Motor Way, Inc., had insufficient equipment available to make the movements. At the

present time, the Transit Company operates on schedule only to the end of the proposed first zone, some three miles from downtown Colorado Springs, but goes farther north on chartered service. It is proposed to publish and advertise time tables for the service. The service will not be upon call and demand, it being the intention of the Company to render mass transportation only, and not taxi or limousine service. The Company does plan to pick up and discharge passengers throughout the proposed route, and during the construction period to deliver passengers on the Academy grounds. When the Academy is completed, however, the third zone would end at the access point established by Academy officials.

Mr. Leo Richardson, Superintendent of Transportation for the Transit Company, testified concerning the fifty-six busses now owned by the Transit Company, twenty-six of which are ordinarily held in reserve.

Mr. Robert Taylor, Transit Company Auditor, testified concerning the financial condition of the Company in sufficient detail to satisfy the Commission that the Company is financially able to conduct the proposed operation.

Denver-Colorado Springs-Pueblo Motor Way, Inc. took the position at the hearing, and in its brief, that notwithstanding its application, it now has all the authority it needs to render the service it proposes to render to the Academy, although it offered a considerable amount of evidence, which will be summarized below, to establish it has the financial ability, operating experience and equipment to render this service. Its purpose in submitting such evidence was to show that existing service is entirely adequate, and that additional competition should not be authorized. In view of the position taken by the Motor Way, we are in the following Order dismissing its application. The evidence is considered only for the purpose stated.

Mr. T. S. Reece, President of the Company and also General Manager of Continental Trailways, which is the parent company of the Denver-Colorado Springs-Pueblo Motor Way, Inc., testified that Denver-Colorado Springs-Pueblo Motor Way, Inc. is part of an integrated system operating substantially from coast to coast and border to border. The total system has a net worth of approximately \$34,000,000, and has 1800 pieces of active equipment. The local company, Denver-Colorado Springs-Pueblo Motor Way, Inc. has 38 pieces of equipment of its own, but also has access to the pooled equipment of the associated companies. In normal operation, 20 pieces of equipment are always available in addition to the regular 38. Denver-Colorado Springs-Pueblo Motor Way, Inc. is ready, willing and able to handle Academy traffic. Through an associated company, Continental Trailways, it now renders similar service from San Antonio, Texas, to Randolph Field. It had many similar operations during World War II. Although the company has ample equipment available now, it will buy extra busses as needed to render the additional service required by the Academy, using transit type busses with fare boxes as needed for the local service between Colorado Springs and the Academy.

Mr. Ralph Berndt, General Manager of Motor Way, testified concerning the service now rendered by Motor Way, and its equipment and financial condition. The equipment now used is the intercity parlor type coach with reclining seats; the company now operates directly past the Academy site and stops at Husted, which is the tentative access point. The company's financial ability to engage in the proposed operation is not seriously questioned. The Company now has a depot in downtown Colorado Springs with waiting rooms and the other conveniences ordinarily associated with such transportation systems. Through its affiliated company, it sells tickets good on any system to any point in the United States.

The company is ready to meet the needs of the Academy and has applied to the Academy officials for authority to render such service. It is not associated with the local Transit Company in any way, so that it would not be possible for people traveling between the Academy and Colorado Springs to transfer to or from the local bus company without paying an additional charge. The Company will operate a mass transportation system only, and does not propose to render taxi or limousine service.

Mr. Floyd Roberts, Motor Way Terminal Manager at Colorado Springs, testified that the Company is ready to serve; he explained that, at the time the Company obtained extra equipment from the Transit Company for movements from Peterson Field to Fort Carson, it could have handled these movements itself but would have had to bring busses in from Denver and Pueblo and could therefore handle the matter with equal efficiency and at lower cost by obtaining Transit Company cooperation.

Mr. Charles Deisher, Motor Way Traffic Manager, testified in detail concerning the points and places served by the Motor Way and its associated companies.

It must be said of the two bus systems that so far as the formal qualifications to serve are concerned, the Transit Company and Motor Way stand on about equal foot. Both are well qualified financially and otherwise to render the proposed service. Motor Way contends that it has prior right, as it is now rendering the service. On paper, this may be so, but in fact, it is not. The Academy is not in existence now. It has no service now. The future need here sought to be appropriated, is for local service only, between Colorado Springs and the Academy. The proposed service will require either Company to obtain additional equipment for the transportation to and from Colorado Springs and to devote special personnel to that transportation alone. In the case of each Company, the service is not merely an expansion of existing service now operating, but instead will require the

institution of a totally new service not heretofore rendered. Although Denver-Colorado Springs-Pueblo Motor Way, Inc. now operates past the site, it does so only in connection with its over-the-highway service between Denver and Pueblo. The Academy will require a strictly local service operating only between the Academy on the north and Colorado Springs on the south. Therefore, although it may be said that Denver-Colorado Springs-Pueblo Motor Way, Inc. now has authority to render the operation, it can not accurately be said that Denver-Colorado Springs-Pueblo Motor Way, Inc., in fact, conducts the operation at the present time. We therefore find that so far as the proposed service is concerned, it is not now being rendered by any mass transportation carrier, and that the two companies appear in the formal aspects of the matter equally qualified to render the service.

However, the requirements of the service are not such that it will economically support the operation of parallel service by two companies, and we must therefore determine which of the two companies shall be given the preference in this purely local operation. The Transit Company, although owned by non-resident interests, is managed and operated by persons living in the metropolitan area of Colorado Springs. It serves only this metropolitan area, and so far as the evidence would indicate, its service is of an unusually high caliber. It now serves all of the military installations in the Colorado Springs area, and is therefore well acquainted with the local requirements of the military.

The Motor Way, on the other hand, has only a local manager present in Colorado Springs for the operation of the Company, and would be required to bring in additional scheduling and operating personnel if it were to commence this new service. Its operation at the present time is as an over-the-highway carrier, not as a local transportation company and, although the proposed operation is one which the Motor Way is un-

questionably qualified to operate, it is a separate and entirely distinct operation from that presently conducted by Motor Way.

In summary, the fact that some mass transportation service will be required is not seriously disputed, nor could it be. It cannot be said that the Motor Way has any prior entitlement to render this service, inasmuch as the service is not now being rendered by anyone. There is little to choose between the two companies as to which should render the service, but we believe that what little there is to choose favors the local transit company, which is now engaged in the type of operation which will be required for service to the Academy. In view of this slight preponderance in favor of the local company and in view of the fact that we must select one and only one company, we will grant authority to the local company to render the service.

F I N D I N G S

THE COMMISSION FINDS:

The foregoing Statement is, by reference, incorporated hereinto.

That Application No. 13186 of R. P. Finney, doing business as "Finney Sightseeing Service," should be dismissed.

That Application No. 13027 of Denver-Colorado Springs-Pueblo Motor Way, Inc., should be dismissed.

That public convenience and necessity require the operation of a mass transportation system from Colorado Springs, Colorado, to the site of the U. S. Air Force Academy, near Husted, Colorado; Colorado Springs Transit Company is qualified financially and by experience to render the service, and should be authorized to do so.

O R D E R

THE COMMISSION ORDERS:

That Application No. 13186 of R. P. Finney, doing business as "Finney Sightseeing Service," Colorado Springs, Colorado,

should be, and the same hereby is, dismissed.

That Application No. 13027 of Denver-Colorado Springs-Pueblo Motor Way, Inc., Colorado Springs, Colorado, should be, and the same hereby is, dismissed.

That public convenience and necessity require the proposed common carrier motor vehicle scheduled service of Colorado Springs Transit Company, Colorado Springs, Colorado, for the operation of a mass transportation system from Colorado Springs, Colorado, to the site of the U. S. Air Force Academy near Husted, 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 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.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 11th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE APPLICATION OF AND THE)
REASONABLENESS OF THE RATES ON)
LIVESTOCK IN EAGLE AND PITKIN)
COUNTIES AND THAT PORTION OF)
A LINE DRAWN NORTH AND SOUTH)
THROUGH NEWCASTLE, COLORADO)

CASE NO. 1585

October 10, 1955

Appearances: J. R. Smith, 407 Denham Bldg., Denver 2,
Colorado, for Colorado Motor Carriers'
Association and Motor Truck Common
Carriers' Association;
David G. Rice, Jr., 4651 Lafayette St.,
Denver 16, Colorado, for Colorado
Cattlemen's Association;
A. L. Mueller, Esq., T. S. Wood, Samuel J.
Philippon, and Robert E. Payne, for
the Commission;
James Conto, Newcastle, Colorado
Orris Albertson, Burns, Colorado, for
Eagle County Stockgrowers' Association;
Leonard Horn, Wolcott, Colorado, Member
Board of Control of Colorado Cattlemen's
Association and Eagle County Stockgrowers'
Association;
Osire Blanc, Carbondale, Colorado, pro se;
James Stephens, Gypsum, Colorado, pro se;
Daryl Hinkle, Carbondale, Colorado, for
Hinkle Trucking;
Richard Estes, Rifle, Colorado
Ralph Earnest, Glenwood Springs, Colorado
Mr. & Mrs. James D. Hartman, Gypsum, Colorado

S T A T E M E N T

By the Commission:

Over a period of several years, there have been changes, amend-
ments and exceptions made to the tariffs applicable to the movement of
livestock to Denver from the area drained by the Eagle and Roaring Fork
Rivers, and in the Colorado River drainage from Bond to the canyon just
below Glenwood Springs. As a result of these changes, amendments and ex-
ceptions, it would appear to the uninstructed that there were several
methods of calculating the appropriate rate for such livestock movements,
each method resulting in a different rate, while in fact, the application
of the technical rules of tariff construction would result in the deter-
mination of a single legal rate. The nature of this traffic is such that

neither the shipper nor the carriers can properly be expected to be familiar with these technical rules, and we discovered upon investigation that in fact numerous different rates were being charged by the different carriers in that area for substantially similar shipments, as a result of this confusion as to what rate was the legal rate.

The Commission felt that this confusion was detrimental both to the shippers and the carriers. As a result, by our Decision No. 44476, dated August 4, 1955, the Commission ordered an investigation into the matter of livestock rates to Denver from Eagle and Pitkin Counties and that portion of Garfield County lying east of a line drawn north and south through New Castle, on the one hand, and Denver on the other hand, and set the matter for hearing commencing August 31, 1955, in the County Court House at Glenwood Springs, Colorado, upon due notice to the carriers serving the territory and to the Stockmens' Associations in the area.

In preparation for the hearing, the Commission's staff studied the then existing rate structure to determine what the existing legal rates were, and prepared a proposal by which certain homogeneous zones would be adopted, all livestock moving to Denver from any point within a given zone to move at uniform rates for like shipments. Thus, a rancher or carrier would need only to know the zone, the weight, and the type of livestock, to determine quickly and easily what the applicable rate would be. The description of these zones was drafted only after the staff had made on-the-ground investigations to determine what the appropriate boundaries of each zone should be. The staff then assigned to each zone the rate which it found to be the average of the legal rate from the point in the zone closest to Denver and the legal rate from one point in the zone farthest from Denver, for the various weights and types of livestock. Several days prior to the date set for the hearing of the matter, the staff met in Glenwood Springs with representatives of the carriers and stockmen in the area for informal discussions, and explanation of the proposal, and for the purpose of receiving suggestions for the improvement of the proposal prior to the hearing.

At the opening of the hearing, it was stated that the purpose of the proceeding was not primarily either to raise or lower existing rates, but only to set them forth in a manner conducive to greater uniformity. It was pointed out that the general method proposed had been tried in other similar areas within the State with outstanding success, and that the Commission had every reason to believe it would be equally successful in this area, but that hearing was being held in order that those affected would have an opportunity to make suggestions for its improvement.

Mr. Robert Payne, a Commission employee experienced in rate matters, thereupon testified concerning the background of the proposal and the fact that it was based upon actual field study of the territory and the books of the carriers, but was confined to movements of stock to Denver, as movements from point to point within that stockgrowing area appear to be adequately provided for by existing tariffs. He explained the experience of the Commission in the Gunnison area directly to the south, an area quite similar in terrain but differing from the present area in certain important respects, which have been taken into account in the staff's proposal. He also recommended that some provision be made to permit various ranchers to combine their shipments in order to obtain the lower rates applicable to larger shipments, and that a provision be made for an extra charge where livestock is moved from ranch areas remote from the highways and outside the proposed zones. This charge would be added to the charge for the zone nearest the area where the stock originated. He also felt that possibly some additional zones should be added to the original proposal. He explained that no detailed study had been made of the cost of operation of carriers in the area, although it was common knowledge that costs had increased as a result of increased ton-mile taxes, tire and fuel costs, and a general increase in the other costs of doing business. Instead, the staff had attempted merely to express existing legal rates in another manner, upon the assumption, until shown to the contrary, that the existing rates must be presumed reasonable.

Mr. Samuel J. Philipponne, a Commission cost analyst, offered certain cost data compiled from the annual reports and ton-mile tax reports of carriers involved, supplemented to some extent by a field survey of the books of affected carriers.

Mr. Thomas S. Wood, Commission Rate Expert, testified concerning his thirty years of experience in such matters, and stated that he participated in the preparation of the proposal and considered it a substantial improvement over the existing situation.

On behalf of the stockmen, Mr. Orris Albertson of Burns, Mr. Leonard Horn of Wolcott, Mr. James Conto of New Castle, and Mr. James Stephens of the Sweetwater area, testified. The substance of their testimony was that the proposal is about in line with what the stockmen have been actually paying; that the depressed market for livestock for the past several years makes it very difficult for the stockmen to absorb any increase in rates, and they are opposed to any increase for that reason; that they feel the proposal can be improved by the addition of four zones which have been numbered 129 through 132 in the attached Appendix "A"; that the territory, except the Roaring Fork drainage, is traversed by the Rio Grande Railroad, and the Railroad is reducing its rates during September to figures substantially below those proposed; that the proposal for additional charges, called "arbitrary charges," for shipments originating outside the proposed zones, and the proposal for combining shipments are desirable; and that in general the proposal, as so amended, seems fair and has the approval of the stockmen in the area. The consensus of their opinion and of the opinion of their neighbors was that they thought the proposal for zones would be a very great improvement and that the whole plan, as amended, was fair, both to the stockmen and the truckers. They felt, however, that any increase in the existing level of rates would result in loss of business to the truckers.

On behalf of the truckers, Mr. Daryl Hinkle of Carbondale, Mr. Richard Estes of Rifle, Mr. Ralph Earnest of Glenwood Springs, and Mr. and Mrs. James D. Hartman of Gypsum, then operators of the

Wayne Kutz Truck Line, appeared. The substance of their testimony was that in the Eagle river drainage, because of a fierce and unlawful competitive situation, the local trucker, Wayne Kutz, had found it necessary to reduce its rates to the point where its revenues were barely enough to meet its expenses without allowing any profit, except a very nominal amount. The staff's proposal as to rates in this area therefore expresses these non-compensatory rates. In the other areas, it appears that the truckers have in fact been charging for several years rates higher than those determined by the staff to be the legal rates. In view of the confusion which brought about this proceeding, we do not feel that the truckers should be condemned, as there is considerable doubt as to what was the proper level of rates. However, even with the higher rates which the carriers have actually been charging, it cannot be said that they were making any exorbitant profit from their operation. They felt that the adoption of the proposal would result in their actually losing money on their operation and urged the Commission to adopt a level of rates in general some seven cents higher in each zone than those proposed by the staff. They justified their request on the basis that their proposed level of rates is necessary to their continued operation and that the shipping public is in fact accustomed to paying those rates and will not object to their formal adoption.

We are thus in a situation where the adoption of the staff's proposal, that is, the legal level of rates heretofore, may cause the existing service to suffer or be eliminated entirely. This would leave the stockmen with inadequate truck service and would result in substantial injury not only to the truckers but also to the stockmen, who would then have either poor service or no local service available for movements within their own area. On the other hand, we are faced with the almost certain prospect that, if the level of rates proposed by the truckers is adopted, that is, the actual level of rates charged in many instances heretofore, particularly in the face of reductions in railroad rates, the truckers will lose business to the railroad and

thus not have sufficient gross revenue to support their operation. Thus, rates too low, or rates too high, will result in reductions of existing service, and perhaps its entire elimination. This would not benefit either the trucker or the stockman.

Our concern in the matter is to provide a level of rates which will allow a reasonable return to the truckers, and yet provide adequate service at reasonable price to the stockman. With the wide difference of opinion here as to what the existing level of rates is, it appears virtually certain that we cannot accomplish this objective to the satisfaction of all. It appears certain that if we adopt either proposal in full, it will result in detriment to the existing service which will be a handicap to all.

We have therefore determined that we should establish the level of rates for the present at two cents (2¢) per zone higher than that proposed by the staff, although we face the painful realization that this will be less satisfactory to both the stockmen and the truckers than anything either of them have proposed. We will maintain this level of rates until enough experience can be obtained to determine whether, on the one hand, this level of rates will be compensatory to the truckers and, on the other hand, whether it will result in serious injury to the stockmen. If either eventuality should occur, we will, of course, upon application of either stockmen or truckers, reopen the matter for further study. This method of proceeding will permit all of us to gain some firm experience with a uniform system of rates, as a foundation for adjustments in the future as the circumstances may require, and will thus result in a substantial advance over the position in which we found ourselves when the investigation was commenced.

An order will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

The foregoing Statement is, by reference, incorporated hereinto.

The zones, rates and the rules set forth for arbitrary charges and combining shipments in the attached Appendices "A" and "B", result in

a reasonable, ordinary and uniform scale of charges for the movement of livestock to Denver from the area described in those zones and Appendices "A" and "B" should be adopted forthwith as the effective tariff for the movement of livestock from those zones to Denver.

O R D E R

THE COMMISSION ORDERS:

1. That the rates, rules, regulations, and provisions set forth in Appendices "A" and "B" shall, effective October 10, 1955, be the prescribed rates, rules, regulations and provisions of the Commission.

2. That all private carriers by motor vehicle, to the extent they are affected by the changes involved herein, shall publish, or cause to be published, rates, rules, regulations and provisions which shall be not less than those herein prescribed for motor vehicle common carriers.

3. That on and after October 10, 1955, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in Appendices "A" and "B" shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

4. That on and after October 10, 1955, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this Order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

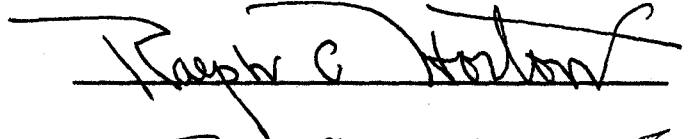
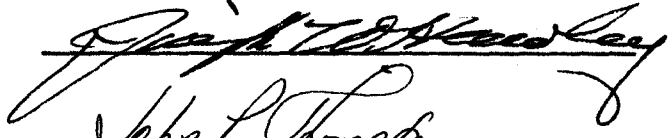

5. That this Order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

6. That the Order entered in Case No. 1585, on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

7. That jurisdiction is retained to make such further orders as may be necessary and proper.

8. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 10th day of October, 1955.

mem

APPENDIX "A"

<u>GROUP NO.</u>	<u>GROUP DESCRIPTIONS</u>
100	From Junction Group 103 and 104 East on U. S. Route #6 to Summit of Vail Pass.
101	North from Tennessee Pass Summit to and including Pando and 2 miles each side of said route.
102	North from Group 101 to but not including Gilman, on U.S. #24, and 2 miles each side of said route.
103	From, and including Gilman to Junction U.S. Routes #24 & #6 and 2 miles each side of said route.
104	From Junction U.S. Routes #24 and #6 to and including Edwards and 2 miles each side of said route.
105	From, but not including Edwards to and including Wolcott and 2 miles each side of said route.
106	From, but not including Wolcott to and including Eagle and 2 miles each side of said route.
107	From, but not including Eagle to and including Gypsum and 2 miles each side of said route.
108	From, but not including Gypsum to and including Dotsero and 2 miles each side of said route.
109	From Dotsero to Shoshone Dam and 2 miles each side of said route.
110	From Group 109 to and including Glenwood Springs and 2 miles each side of said route.
111	From Group 110 to and including Carbondale and 2 miles each side of said route.
112	From Group 111 to and including Basalt on State Route #82 and 2 miles each side of said route.
113	From Group 112 to and including Woody Creek and State Route #82 and 2 miles each side of said route.
114	From Group 113 to and including Aspen on State Route #82 and 2 miles each side of said route.
115	From Group 111 South 6 miles on State Route #133 and 1 mile each side of said route.
116	From Gypsum South 6 miles on Gypsum Creek Road and 1 mile each side of said route.
117	From Eagle South 8 miles on County Road and 1 mile each side of said route.
118	From Wolcott North to and including State Bridge and 1 mile each side of said route.
119	From Group 118 to and including McCoy and 1 mile each side of said route.

APPENDIX "A" - Continued

<u>GROUP NO.</u>	<u>GROUP DESCRIPTIONS</u>
120	From Group 111 at Basalt to and including Ruedi and 1/2 mile each side of said route.
121	From Group 120 to and including Chapman Dam and 1/2 mile each side of said route.
122	From Group 114 (Aspen) to Junction of Lincoln Creek and the Roaring Fork River and 1 mile each side of said route.
123	From Group 122 to the Summit of Independence Pass and 1 mile each side of said route.
124	From all points on the Maroon Creek Road and the Castle Creek Road within 5 miles of Junction with State Route #82 and 1 mile each side.
125	North from Group 108 at Dotsero to and including Sweetwater and 1 mile each side of said route.
126	From Group 125 North to and including Sylvan and 1 mile each side of said route.
127	From Group 126 North to and including Burns and 1 mile each side of said route.
128	From, but not including Glenwood Springs to and including Newcastle on U.S. Routes #6 & #24 and 2 miles each side of said route.
129	From Group 125 up Sweetwater Creek Road to Sweetwater Lake and 1/2 mile each side thereof.
130	From Group 115 to and including Redstone and 1/2 mile each side thereof.
131	From Group 130 to and including Placita and 1/2 mile each side thereof.
132	From Group 131 to and including Marble and 1/2 mile each side thereof.

APPENDIX "B"

PROPOSED RATES
IN CENTS PER 100 LBS.

GROUP NO.	BETWEEN	DENVER, COLORADO			
		Minimum Weight - Lbs.			
		18,000	15,000	10,000	LTL
100	-	43	45	50	68
101	PANDO	48	50	58	78
102	REDCLIFF	47	49	56	76
103	GILMAN-MINTURN	45	47	53	71
104	AVON-EDWARDS	45	47	53	71
105	WOLCOTT	47	49	56	76
106	EAGLE	49	51	60	79
107	GYP SUM	51	53	62	81
108	DOTSERO	53	57	65	86
109	SHOSHONE	55	60	66	89
110	GLENWOOD SPRINGS	58	64	68	93
111	CARBONDALE	60	67	71	96
112	BASALT	63	72	77	102
113	WOODY CREEK	66	76	81	106
114	ASPEN	68	80	84	109
115	-	66	76	81	106
116	-	53	57	65	86
117	-	52	55	64	83
118	STATE BRIDGE	50	52	61	80
119	BOND-McCOY	53	57	65	86
120	RUE DI	66	76	81	106
121	NORRIE	72	85	90	115
122	-	72	85	90	115
123	-	75	90	95	120
124	MAROON CREEK & CASTLE CREEK	70	82	87	112
125	SWEETWATER	55	60	66	89
126	SYLVAN	57	63	67	92
127	BURNS	60	67	71	96
128	NEWCASTLE	61	68	72	97
129	SWEETWATER CREEK	58	68	72	97
130	REDSTONE	70	82	87	112
131	PLACITA	73	86	91	116
132	MARBLE	76	88	100	131

APPENDIX "B" - Continued

ARBITRARY

When shipment to Denver originates outside of the above listed groups but within the Counties of Eagle, Pitkin or that portion of Garfield County lying east of a line drawn north and south through New Castle, Colorado, and that portion of Gunnison County accessible only from Pitkin County and the above described portion of Garfield County, the following arbitrary shall be added to the rate to the nearest accessible group for the actual distance traveled beyond said group:

Cents per 100 pounds per loaded truck mile

1 Mile	-	2 1/2 cents
2 "		4 "
3 "		5 "
4 "		5 1/2 "
5 "		6 "
10 "		8 "
15 "		10 "
20 "		12 "
25 "		14 "
30 "		16 "

Subject to a minimum charge of \$3.50 per loaded truck mile.

COMBINING SHIPMENTS

Shippers may combine shipments, and thus obtain the lower rates applicable to higher minimum weights, upon the following basis: From one origin to one destination: may be combined at the applicable minimum weight. From more than one origin and/or to more than one destination: the applicable minimum weight rate on total weight from farthest origin to the farthest destination plus 100 cents (1.00) per pickup. In no case shall the aggregate charge be more than the less-than-truckload charge without the pickup charge and the balance of the load at the truck load rate.

original

(Decision No. 44721)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
MARIE KUTZ, ADMINISTRATRIX OF THE
ESTATE OF WAYNE KUTZ, DECEASED,
GYPSUM, COLORADO, FOR AUTHORITY TO
TRANSFER PUC NO. 1442 AND PUC NO.
1442-I TO BILL R. DAVIS, HELEN M.
DAVIS, GEORGE RICHARD KELLY, AND
MURIEL B. KELLY, CO-PARTNERS, DOING
BUSINESS AS "DAVIS AND KELLY TRUCK-
LINE," GYPSUM, COLORADO.

APPLICATION NO. 13610-Transfer
SUPPLEMENTAL ORDER

October 11, 1955

Appearances: Charles E. Leierer, Esq.,
Eagle, Colorado, for
Transferor;
Frank Delaney, Esq., Glen-
wood Springs, Colorado,
for Transferees.

S T A T E M E N T

By the Commission:

By Decision No. 44605, dated September 15, 1955, the Commis-
sion authorized Marie Kutz, Administratrix of the Estate of Wayne Kutz,
Deceased, Gypsum, Colorado, to transfer all her right, title, and
interest in and to PUC No. 1442 and PUC No. 1442-I to Bill R. Davis,
Helen M. Davis, George Richard Kelly, and Muriel B. Kelly, co-partners,
doing business as "Davis and Kelly Truckline," Gypsum, Colorado, and by
the same decision number, cancelled Private Motor Carrier Permit No.
B-1432, heretofore issued to Bill R. Davis, Gypsum, Colorado.

On October 5, 1955, Petition for Rehearing was filed in said
matter by Messrs. Delaney and Marmaduke, Attorneys for Bill R. Davis,
Helen M. Davis, George Richard Kelly, and Muriel B. Kelly, co-partners,
doing business as "Davis and Kelly Truckline, Gypsum, Colorado.

The Commission has reviewed the evidence adduced at the hear-

ing on said application, and has carefully considered Petition for Rehearing filed herein and each and every allegation thereof, and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

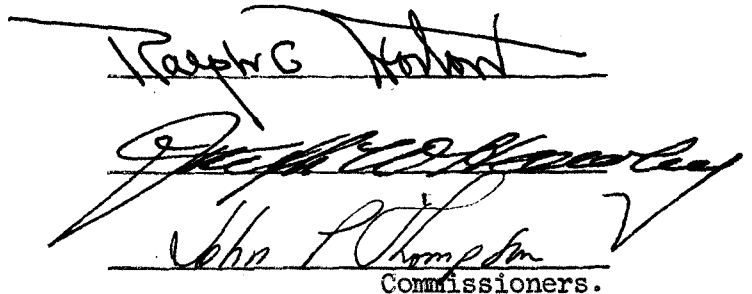
That said Petition should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter, filed by Delaney and Marmaduke, Attorneys for Bill R. Davis, Helen M. Davis, George Richard Kelly, and Muriel B. Kelly, co-partners, doing business as "Davis and Kelly Truckline," Gypsum, Colorado, should be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 11th day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
ALBERT E. FOURET AND JOSEPH P.
FOURET, CO-PARTNERS, DOING BUSINESS
AS "FOURET BROS. GARAGE," TRINIDAD,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 29 TO FOURET BROS. GARAGE &
TAXI SERVICE, INC., A CORPORATION,
TRINIDAD, COLORADO.

APPLICATION NO. 13654-Transfer

October 13, 1955

Appearances: Hall and Garlutz, Esqs.,
Trinidad, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

Heretofore, Albert E. Fouret and Joseph P. Fouret, co-part-
ners, doing business as "Fouret Bros. Garage," Trinidad, Colorado,
were granted a certificate of public convenience and necessity to
operate as a common carrier by motor vehicle for hire, authorizing:

taxicab service, both in the City of Trinidad,
and from said city to points both in and out
of the Counties of Huerfano and Las Animas,
State of Colorado; (Decision No. 1521)

transportation of passengers, between Trinidad
and the aviation and circus grounds, located
on East Main Street a short distance outside
the City Limits of Trinidad, at such times as
said grounds are being used for entertainment
purposes requiring public transportation (Deci-
sion No. 1907;

transportation, in pick-up and delivery service,
of passengers, express and mail between the City
of Trinidad, Colorado, and the Trinidad Airport,
located approximately twelve miles north and
east of said Trinidad, Colorado (Decision No.
34375),

said operating rights being designated "PUC No. 29."

By the above-styled application, said certificate-holders

seek authority to transfer said operating rights to Fouret Bros. Garage & Taxi Service, Inc., a corporation, Trinidad, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Walsenburg, Colorado, September 23, 1955, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, it appeared that transferee corporation is qualified, both by experience and financially, to carry on the operations under PUC No. 29; that transferee will assume and pay operating obligations of transferors under said operating rights.

No one appeared in protest to the granting of the authority sought.

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 against said operation, if any there be.

O R D E R

THE COMMISSION ORDERS:

That Albert E. Fouret and Joseph P. Fouret, co-partners, doing business as "Fouret Bros. Garage," Trinidad, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 29 -- being the operating rights granted by Decisions Nos: 1521, 1907, and 34375 -- to Fouret Bros. Garage & Taxi Service, Inc., a corporation, Trinidad, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with,

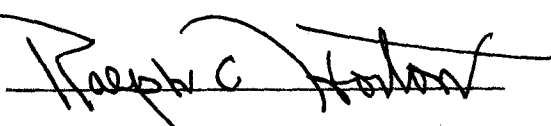
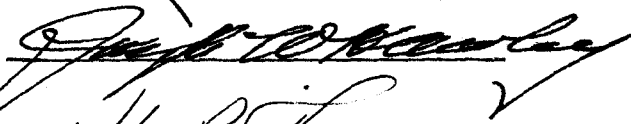

the conditions and requirements of this order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules, and regulations of transferors shall, upon proper adoption notice, 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 operations under said certificate up to the time of transfer of said certificate.

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 11th day of October, 1955.

mls

original

(Decision No. 44723)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE O. ABEYTA, NICKIE ABEYTA, AND)
AUGUSTINE ABEYTA, CO-PARTNERS, DO-)
ING BUSINESS AS "JOE O. ABEYTA &)
SONS," SAGUACHE, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 13493-PP

October 13, 1955

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for Applicants;
T. A. White, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Ray Moses, Esq., Alamosa,
Colorado, for Ed Lujan
and Sons.

S T A T E M E N T

By the Commission:

On May 31, 1955, Joe O. Abeyta, Nickie Abeyta, and Augustine Abeyta, co-partners, doing business as "Joe O. Abeyta & Sons," Saguache, Colorado, filed their application for a private carrier permit to operate as a Class "B" carrier by motor vehicle for hire, for the transportation of farm products (excluding livestock), wool and animal feeds, from point to point within a radius of fifteen miles of Saguache, Colorado, and from points in said area to railroad shipping points and cellars at Monte Vista, Colorado, to points and places in said area; also ore and concentrates between points within a radius of thirty-five miles of Saguache, Colorado, and from points in said radius, to mills and smelters, or delivery points, within said area, and within the State of Colorado.

The above matter was, after appropriate notice to all parties

in interest, regularly set for hearing, and heard, at the Court House, in Alamosa, Colorado, September 22, 1955, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant has a net worth of approximately \$5,000.00, and desires to haul farm produce for farmers within a radius of fifteen miles of Saguache, and from said points to loading points at Monte Vista and Center, and also from Monte Vista to his base area. He also wishes to haul ore and concentrates, and it appears that he has had numerous requests to haul both ore and concentrates and farm products. It further appears that applicant has ample equipment, and is well qualified, both by experience and financially, to carry on his proposed operation.

Witness appeared in support of the application. Fred Shack, who resides some ten miles south and east of Center, and who is connected with a smelting operation that is being built in Saguache, testified that his company had requested applicant to bring in ores from certain mines to their proposed smelting plant.

It also appears that certain farmers in the area desire applicant's service.

Rio Grande Motor Way, by its attorney, stated they had no objection to the granting of the permit, if applicants are restricted against town to town service. In other words, Rio Grande Motor Way stated that they are running a line-haul service between Center and Monte Vista and Saguache, and if applicants do not compete with them in their line-haul service between these towns, they have no objection. Applicant agreed to restrict authority so that it would not compete with Rio Grande Motor Way in their line-haul services.

In considering the evidence and the record made at the hearing, the Commission is of the opinion that the granting of the permit would be in the public interest, and would not impair common carrier service now authorized to operate in the area sought to be served by applicants.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Joe O. Abeyta, Nickie Abeyta, and Augustine Abeyta, co-partners, doing business as "Joe O. Abeyta & Sons," Saguache, Colorado, should be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm products (excluding livestock), wool and animal feeds, from point to point within a radius of fifteen miles of Saguache, Colorado, and from points in said area to railroad shipping points and cellars at Monte Vista, Colorado, and Center, Colorado, and from Monte Vista, Colorado, to points and places in said area; also, ore and concentrates between points within a radius of thirty-five miles of Saguache, Colorado, and from points in said radius to mills and smelters or delivery points within the State of Colorado, specifically excluding the right to perform town-to-town service under the operating rights herein granted.

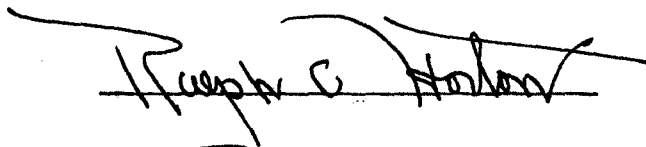
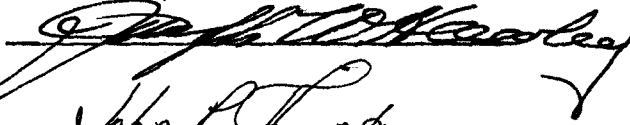

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 has 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-one days
from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 13th day of October, 1955.

mls

original

(Decision No. 44724)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH DEE, JOHNSTOWN, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT)
NO A-983 TO EDWIN C. MEYER, 614)
17TH STREET, GREELEY, COLORADO.)

APPLICATION NO. 13648-PP-Transfer

IN THE MATTER OF THE APPLICATION OF)
KENNETH DEE, JOHNSTOWN, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT)
NO. A-707 TO EDWIN C. MEYER, 614)
17TH STREET, GREELEY, COLORADO.)

APPLICATION NO. 13649-PP-Transfer

IN THE MATTER OF THE APPLICATION OF)
KENNETH DEE, JOHNSTOWN, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT)
NO. A-582 TO EDWIN C. MEYER, 614)
17TH STREET, GREELEY, COLORADO.)

APPLICATION NO. 13650-PP-Transfer

IN THE MATTER OF THE APPLICATION OF)
KENNETH DEE, JOHNSTOWN, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
612 TO EDWIN C. MEYER, 614 17TH)
STREET, GREELEY, COLORADO.)

APPLICATION NO 13651-Transfer

October 13, 1955

Appearances: Edwin C. Meyer, Greeley,
Colorado, for Trans-
feror and Transferee.

S T A T E M E N T

By the Commission:

Kenneth Dee, Johnstown, Colorado, is the owner of Private
Carrier Permit No. A-983, authorizing:

Transportation of milk for the Colorado Con-
densed Milk Company to its plant at Johnstown
from various producers residing along the
milk route described as: Starting at my home
approximately $\frac{1}{4}$ mile north (this point is 3
miles north of Johnstown), thence $4\frac{1}{2}$ miles
west, thence $\frac{1}{4}$ mile north, returning over the
same route $1\frac{1}{4}$ miles; thence south 1 mile;
thence east $1\frac{1}{2}$ miles; thence north $\frac{1}{2}$ mile;
thence south $\frac{1}{2}$ mile; thence east 1 mile;
thence south 3 miles to Johnstown.

That said transferee shall not directly or indirectly consolidate the same common carrier and private carrier operations; and shall not, at the same time, with the same vehicle, operate as a common carrier and as a private carrier.

Said Kenneth Dee is also the owner of Private Carrier Permit No. A-707, authorizing:

Transportation of milk, commencing at Loveland with Highway No. 87 as the eastern boundary; thence to a point 2 miles south of Ft. Collins; thence on Highway No. 86 via Stout to Masonville; thence southerly to Colorado Highway No. 16; thence via Highway No. 56 south to Highway No. 87; thence via Highway No. 87 to Loveland, and also to Johnstown, Colorado.

Transportation of milk to Johnstown for John Soderberg, George Graham and Ben Whitesell, who reside in or adjacent to the territory described as: Bounded by the highway extending from the southeast corner of Section 27; thence north to the northeast corner of Section 22; thence west to the northwest corner of Section 21; thence south along the west side of Section 21 about three-quarters of a mile; thence west and south along the highway to its intersection with Highway No. 186; all in Township 7-North, Range 69-West; with backhaul of empty cans.

Transportation of freight and express in the Town of Johnstown, Colorado, and to the Great Western Sugar Company, approximately one-quarter mile from Johnstown, Colorado.

Kenneth Dee is also the owner of Private Carrier Permit No. A-582, authorizing:

Milk route north and west of Johnstown to Loveland, described as: Beginning at Johnstown, west 1 mile, north 1 mile, west 3 miles, north 1 mile, east $3\frac{1}{2}$ miles, north 1 mile, west $\frac{1}{2}$ mile, north 1 mile, west 1 mile, south 1 mile, and return over the same route.

That said transferee shall not directly or indirectly consolidate the same common carrier and private carriers, and shall not, at the same time, with the same vehicle, operate as a common carrier and as a private carrier.

Said Kenneth Dee is also the owner of PUC-612, authorizing:

Transportation of milk and cream from the territory bounded by a line drawn north and south through the City of Loveland, Colorado, on the west, and, on the east, by a line drawn north and south through a point on the Loveland-Greeley Highway 8 miles east of Loveland, and on the north and south by lines running east and west 2 miles north and 2 miles south of said highway, respectively, to Loveland, Ft. Collins, Johnstown, Greeley, and Ft. Lupton; and the transportation of milk and cream between the cooling plant at Loveland and the condenseries at Johnstown, Greeley, and Ft. Lupton. Authority to transport milk under this authority and that of his Private Permit A-582 in the same equipment at the same time for the duration and 6 months thereafter.

That said transferee shall not directly or indirectly consolidate the same common carrier and private carrier operations, and shall not, at the same time, with the same vehicle, operate as a common carrier and as a private carrier.

By Application No. 13648-PP, said Kenneth Dee seeks authority to transfer Private Permit No. A-983; by Application No. 13649-PP, he seeks authority to transfer Private Carrier Permit No. A-707; by Application No. 13650-PP, he seeks authority to transfer Private Carrier Permit No. A-582; and by Application No. 13651, he seeks authority to transfer PUC-612, the transferee in each instance being Edwin C. Meyer, Greeley, Colorado.

The four applications were set for hearing, after appropriate notice to all interested parties, and heard at the Court House in Greeley, Colorado, on September 23, 1955, on a consolidated record, and at the conclusion of the evidence, were taken under advisement.

Transferee Edwin C. Meyer described the authority under each of the above permits and certificate. He is now operating a milk route under authority of Private Carrier Permit No. A-577, the territory now served not overlapping the authorities to be acquired, but being adjacent to the same. He owns and operates the following equipment: one 1951 Ford 2-ton truck and one 1948 Chevrolet 1-ton truck, and his net worth is \$22,500. He has had four years experience in the transporta-

tion field. The consideration for the transfer is \$2,000, which includes the purchase price of one truck, and this consideration has been paid in full.

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Kenneth Dee, Johnstown, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-983 (under Application No. 13648-PP) -- being the operating rights as set forth in the foregoing Statement, which, by reference, is made a part hereof -- to Edwin C. Meyer, Greeley, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That Kenneth Dee should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-707 (under Application No. 13649-PP) -- being the operating rights as set forth in the foregoing Statement, which, by reference, is made a part hereof -- to Edwin C. Meyer, Greeley, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said Kenneth Dee should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-582 (under Application No. 13650-PP) -- being the operating rights as set forth in the foregoing Statement, which, by reference, is made a part hereof -- to Edwin C. Meyer, Greeley, 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 permits up to the time of transfer of said permits.

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

That said Kenneth Dee should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC-612 (under Application No. 13651) -- being the operating rights as set forth in the foregoing Statement, which, by reference, is made a part hereof -- to Edwin C. Meyer, Greeley, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permits and certificate have been formally assigned and that said parties have accepted and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfers, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, 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.

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Harkin

Joseph W. Harkin

John P. Thompson

Commissioners.

Dated at Denver, Colorado,
this 13th day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JULIUS BUSSARD, DOING BUSINESS AS)	
"TRINIDAD CITY BUS SERVICE," 205)	
ESTRELLA STREET, TRINIDAD, COLORADO,)	APPLICATION NO. 13434
FOR AUTHORITY TO INCREASE TARIFFS)	
ON BUS SERVICE IN THE CITY OF)	
TRINIDAD, COLORADO.)	
-----)	

October 13, 1955

Appearances: Dazzo and Nigro, Esqs.,
Trinidad, Colorado,
for Applicant, Trinidad
City Bus Service.

S T A T E M E N T

By the Commission:

Applicant is engaged in the business of operating an inter-city bus system within the corporate limits of Trinidad, Colorado, and operates under a certificate of public convenience and necessity issued by this Commission and under franchise from the City of Trinidad, serving a major portion of said city.

The present schedule of tariffs filed by applicant provides for a rate of 5 cents for children under the age of twelve years, and 10 cents for adults for a complete circle of the route traversed by applicant's buses.

On May 25, 1955, applicant herein filed an application for an order of authorization to increase bus rates to 10 cents for children, or 2 tokens for 15 cents, and 15 cents for adults, or 2 tokens for 25 cents.

After notice of said application was served on the Mayor and City Council of Trinidad, the Chamber of Commerce, and Trinidad Chronicle-News, the matter was regularly set for hearing, and heard, at the Court House in Walsenburg, Colorado, on September 23, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the time of the hearing, no formal protest or objection was filed with the Commission. At the hearing, evidence disclosed by Exhibit "G" reveals, in part, the following:

PROFIT AND LOSS

JUNE 30, 1955

INCOME

7619.93

EXPENSES

Salaries	4424.00
Gas & Oil	1348.17
Repairs Bus #16	546.03
Repairs Bus #36	44.62
Bus Storage	160.00
Misc. Truck Expense	477.21
Tel. & Tel.	63.10
Office Expense	356.96
Soc. Sec. Expense	44.64

Misc. Expense

Bank Charges	8.00
Insurance	163.22
Traveling Exp.	24.77
Misc. Supplies	6.59
Legal Expense	72.00

274.58

7739.31

NET OPERATING LOSS 1-1-55 to 6-30-55 - - - - 119.38

Exhibits "C", "D", "E", and "F" are monthly statements covering revenue and disbursements for the months of September, October, November and December, 1954, and all exhibits show losses each and every month, ranging from \$63.15 per month to \$221.51 per month. The record and the exhibits clearly indicate that applicant has, for the past several months, been operating at a loss, and if he is to continue to operate he will have to have more revenue. He has filed proposed increased rates, that is, as more clearly heretofore set forth, and it appears to the Commission, after a careful consideration of the record, that these proposed rates will be fair, just, and equitable.

The Commission is at all times reluctant in increasing fares, however, the ultimate purpose of rate increases is to enable the utility to continue to render adequate service. It is a well recognized fact that no utility can exist long or serve well if starved. In the instant application, it appears, as we view the evidence, that the proposed rates are just and reasonable, and if not granted, applicant would have to make an application to abandon service.

F I N D I N G S

THE COMMISSION FINDS:

That public interest will be best served by granting the instant application for increased fares in the operations of Trinidad City Bus Service, for the reasons set forth in our Statement, which, by reference, is made a part of these Findings.

O R D E R

THE COMMISSION ORDERS:

That permission is given to Julius Bussard, doing business as "Trinidad City Bus Service," 205 Estrella Street, Trinidad, Colorado, to increase tariffs on bus service in the City of Trinidad, Colorado, permitting him to charge the following fares:

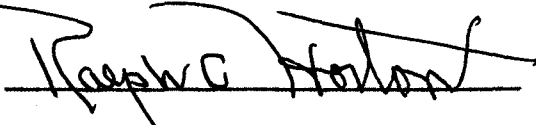
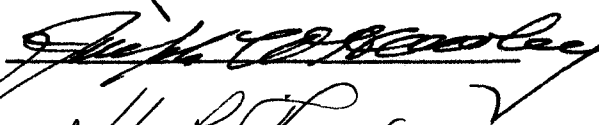

10 cents for children under twelve years
of age, or 2 tokens for 15 cents;

15 cents for adults, or 2 tokens for 25 cents,

and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 13th day of October, 1955.

original

(Decision No. 44726)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ED LUJAN, DOING BUSINESS AS "ED)	
LUJAN AND SONS," BOX 373, SAGUACHE,)	APPLICATION NO. 13498-PP-Extension
COLORADO, FOR AUTHORITY TO EXTEND)	
OPERATIONS UNDER PERMIT NO. B-4833.)	
-----)	

October 13, 1955

Appearances: Moses and DeSouchet, Esqs.,
Alamosa, Colorado, for
Applicants;
T. A. White, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

Ed Lujan, doing business as "Ed Lujan and Sons,"
Saguache, Colorado, is the owner and operator of Permit No.
B-4833, which authorizes transportation of:

livestock, potatoes, wool, hay (both baled
and loose), feeds, including prepared feeds,
fertilizer, both natural and artificial, and
rough unfinished lumber, from point to point
in that portion of Saguache County which lies
east of the Continental Divide, and between
said territory, Salida, Walsenburg, Pueblo,
McClave, Manzanola, and Denver, including a
five-mile zone around said points, and between
that portion of Saguache County which lies
east of the Continental Divide and points
in the San Luis Valley, excluding, however,
the right to haul from Alamosa to Saguache
County, or render service between any towns
in Colorado in competition with line-haul
common carrier service.

On May 31, 1955, applicant herein filed application
for authority to extend operations under Permit No. B-4833 to
include the right to transport ore from mines in that portion
of Saguache County lying east of the Continental Divide, to
stock piles in the Town of Saguache, Colorado, to railroad loading
points in Salida and mills in Leadville, Colorado; cement from

Ideal Portland Cement Company, Portland, Colorado, to Howard Lumber Company, Saguache, Colorado, and Center, Colorado, only.

Said application was regularly set for hearing, and heard, at the Court House, Alamosa, Colorado, September 22, 1955, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is presently operating under Private Carrier Permit No. B-4833, and desires to further haul ore and concentrates from that portion of Saguache County lying east of the Continental Divide, to other points in the State of Colorado. It appears that applicant's present customers have, on numerous occasions, solicited applicant to perform this service.

The record at the hearing indicates that there is no common carrier service based in this area for the hauling of ore and concentrates, and due to the new uranium strikes made in the area, there is a demand for this type of service. Several witnesses who are engaged in the mining business appeared, asking that applicant be given authority sought to haul ores and concentrates, as set forth in his application.

For the hauling of cement, applicant stated that the Howard Lumber Company, of Saguache, Colorado, who also has a yard at Center, Colorado, desires his services in the hauling of cement from Portland, Colorado, to Saguache and Center, Colorado. However, applicant had no customer witnesses appearing for the need of his service, and Rio Grande Motor Way very vigorously protested the granting of any authority for the hauling of cement, stating that they operate a line-haul service from Portland to Saguache and need the cement haul to carry on their line-haul service.

It appears to the Commission that applicant should be granted authority for the hauling of ore and concentrates. However, we cannot say that authority is needed to haul cement, and that part of the application should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application, as hereinafter limited, should be granted.

O R D E R

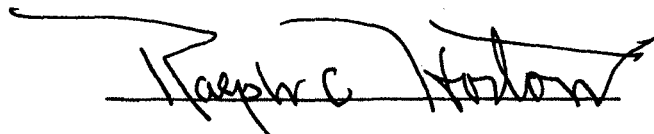
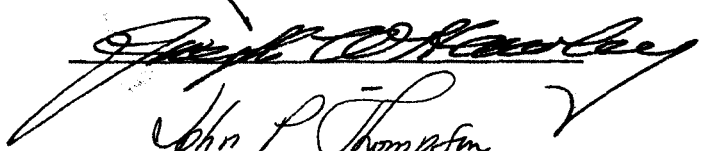
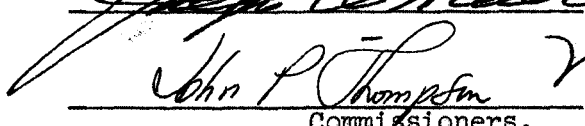
THE COMMISSION ORDERS:

That Ed Lujan, doing business as "Ed Lujan and Sons," Saguache, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-4833 to include the right to transport ore and concentrates, from mines in that portion of Saguache County lying east of the Continental Divide, to stock piles in the Town of Saguache, Colorado, to railroad loading points in Salida, and to mills and smelters in the State of Colorado.

That said application, in all other respects, should be, and the same hereby is, denied.

That this Order is made part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 13th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LYLE KINNISON, PIERCE, COLORADO,)	
FOR A CERTIFICATE OF PUBLIC CONVEN-	)	APPLICATION NO. 13641
IENCE AND NECESSITY.)	
-----)	

October 13, 1955

Appearances: Lyle Kinnison, Pierce,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, Lyle Kinnison, Pierce, Colorado, seeks a certificate of public convenience and necessity authorizing the transportation of milk to Fort Collins, Colorado, from the territory described as follows:

Starting at a point one mile east of Severance, Colorado, and running from this point east to a point two miles east of Galeton, Colorado; thence north to a point one mile north of the county road known as the Nunn-Wellington highway; thence west to a point three miles west of Nunn, Colorado; thence south to the point of beginning.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House, Greeley, Colorado, on September 22, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

It appears from the evidence given at the hearing that the only transportation of milk within the territory described has been done by Frink Creamery, said company having leased the equipment of applicant. The transportation has been accomplished by Frink for the past five or six years under a Commercial Permit, and the creamery has requested that applicant take over the territory as it wishes to relinquish its permit authorizing its present

service. Upon such relinquishment, the territory described will not have adequate service unless the instant application is granted.

Applicant owns a 1954 Chevrolet 2-ton truck, and his net worth is \$10,000. At present he has 30 customers in the area described, and transports their milk to the Frink Creamery at Fort Collins. There are other carriers who transport milk from the territory to Greeley and Cheyenne, but none to Fort Collins.

No one appeared in protest to the granting of the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle call and demand service of Lyle Kinnison, Pierce, Colorado, for the transportation of milk to Fort Collins, Colorado, from the territory described as follows:

Starting at a point one mile east of Severance, Colorado, and running from this point east to a point two miles east of Galeton, Colorado; thence north to a point one mile north of the county road known as the Nunn-Wellington highway; thence west to a point three miles west of Nunn, Colorado; thence south to the point of beginning,

and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

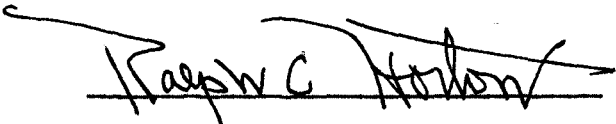
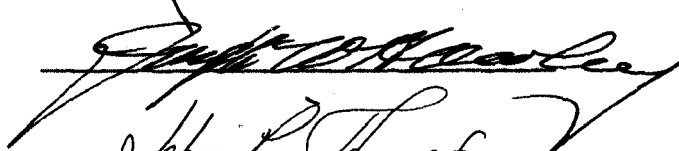
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 13th day of October, 1955.

ea

original

(Decision No. 44728)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BILL H. ROGERS, WOODLAND PARK, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PER-) APPLICATION NO. 13660-PP-Transfer
MIT NO. A-3658 TO RALPH E. HINES,)
DOING BUSINESS AS "UTE TRAIL EX-)
PRESS," WOODLAND PARK, COLORADO.)

October 14, 1955

Appearances: Bill H. Rogers, Woodland Park,
Colorado, pro se;
Ralph E. Hines, Woodland Park,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Decision No. 28538, of date June 30, 1947, Leoma E. Kelly,
Woodland Park, Colorado, was authorized to operate as a Class "A" pri-
vate carrier by motor vehicle for hire, for the transportation of:

milk from points within a radius of twenty-
five miles of Woodland Park, Colorado, to
Colorado Springs, Colorado,

said operating rights being designated "Permit No. A-3658."

By Decision No. 41154, of date September 8, 1953, said permit-
holder was authorized to transfer said operating rights to Ira D.
Hollingsworth, Woodland Park, Colorado.

Pursuant to authority contained in Decision No. 43051, of
date July 30, 1954, Ira D. Hollingsworth transferred said Permit No.
A-3658 to Bill H Rogers, Woodland Park, Colorado, who, by Decision No.
44086, of date March 17, 1955, was authorized to extend operations
under said permit to include the right to transport:

frozen foods, milk, dairy products, and
miscellaneous small orders, from point to
point within a radius of twenty-five miles
of Woodland Park, Colorado, excluding, how-
ever, point-to-point service within the
metropolitan areas of Colorado Springs and

Manitou Springs, Colorado; and provided that no back-haul load transported from the Colorado Springs area shall exceed one ton in the aggregate.

By the instant application, said Bill H. Rogers seeks authority to transfer Permit No. A-3658 to Ralph E. Hines, doing business as "Ute Trail Express," Woodland Park, Colorado.

Said application was regularly set for hearing, with appropriate notice to all parties in interest, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, October 7, 1955, at two o'clock P. M.

On October 7, 1955, and prior to the hour set for the hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, and submit to the Commission a written statement of his findings of fact and conclusion.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report thereof to the Commission.

At the hearing, Bill H. Rogers testified that he was the owner of Permit No. A-3658; that he was desirous of transferring said operating rights to Ralph E. Hines, for a consideration of Four Hundred Fifty Dollars (\$450.00); that there was no outstanding unpaid operating indebtedness against said permit.

Ralph E. Hines, transferee herein, testified that he wanted, subject to the approval of the Commission, to acquire Permit No. A-3658; that he was now engaged in the transportation of school children; that his net worth was in excess of \$50,000, including over \$11,000 in cash; that he would acquaint himself with all rules and regulations of the Commission applicable to his proposed operation, and would abide thereby.

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

No one appeared in opposition to the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement should be made a part of these Findings, by reference, and the report of the Examiner referred to therein should be approved.

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 there be, whether secured or unsecured.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings be, and the same is hereby, approved.

That Bill H Rogers, Woodland Park, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-3658 -- being the operating rights granted by Decisions Nos. 28538 and 44086 -- to Ralph E. Hines, doing business as "Ute Trail Express," Woodland Park, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon

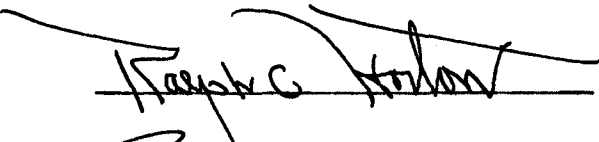
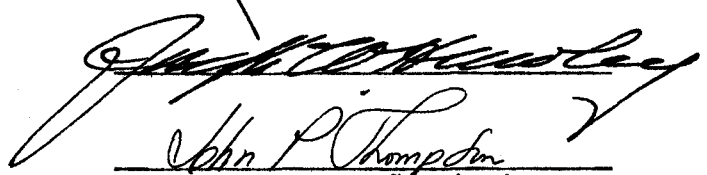

proper application.

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.

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

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 14th day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) HENRY A. ELGIN, DOING BUSINESS AS) "ELGIN COAL COMPANY," STEAMBOAT) SPRINGS, COLORADO, FOR AUTHORITY TO) TRANSFER PERMIT NO. B-1801 TO HUGH) B. BROWN, DOING BUSINESS AS "YAMPA) TRUCK LINE," STEAMBOAT SPRINGS,) COLORADO.)	<u>APPLICATION NO. 13662-PP-Transfer</u>

October 14, 1955

Appearances: Rosa J. Elgin, Steamboat
Springs, Colorado, for
Transferor;
Hugh B. Brown, Steamboat
Springs, Colorado, for
Transferee.

S T A T E M E N T

By the Commission:

Henry A. Elgin, doing business as "Elgin Coal Company," Steam-
boat Springs, Colorado, is the owner of Private Carrier Permit No.
B-1801, authorizing:

Transportation of farm products from farms
in what is known as "Twenty-Mile Park," and
from farms in the Yampa Valley between Hay-
den on the west and Steamboat Springs on
the east, to railroad loading points and
markets within said areas; including Hayden
and Steamboat Springs; transportation of
miners' and farmers' household goods between
farms and mining camps within said areas;
sand, gravel, and building materials from
supply points in said areas other than from
railroad cars and railroad depots, to con-
struction jobs within said areas; all of
which service shall be rendered for cus-
tomers residing in the areas; transportation
of coal from coal mines situated between Hay-
den and Steamboat Springs to rail heads at
both Hayden and Steamboat Springs.

By the instant application, he seeks authority to transfer
said permit to Hugh B. Brown, doing business as "Yampa Truck Line,"
Steamboat Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Steamboat Springs, Colorado, on October 4, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Rosa J. Elgin, wife of transferor, testified that the reason for the transfer was the fact that her husband is in ill health and has been advised to move to a lower altitude.

The consideration for the transfer is the sum of \$500.00, of which \$250.00 has been paid. This consideration includes a coal conveyor and coal shutes. There is no indebtedness against the operation.

Transferee corroborated the testimony of Mrs. Elgin, and stated that he was ready to pay the balance of the purchase price agreed upon when the transfer is authorized. He has, for many years, been engaged in the trucking business and is now operating under Private Carrier Permit Nos. A-545 and A-545-I. The reason he is purchasing the Elgin permit is the fact that under his present authority he cannot haul coal from the mines to the railheads. The principal business of Elgin has been handling coal, and transferee wishes to take over that business and is already operating the coal conveyor and coal shutes which he has purchased.

No one appeared to oppose the proposed transfer, and the operating experience and financial stability of transferee are shown to the satisfaction of the Commission.

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 Henry A. Elgin, doing business as "Elgin Coal Company," Steamboat Springs, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to Permit No. B-1801 -- being the operating rights as set forth in the preceding Statement, which, by reference, is made a part hereof -- to Hugh B. Brown, doing business as "Yampa Truck Line," Steamboat Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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.

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

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Commissioners.

Dated at Denver, Colorado,
this 14th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CARL HENDRIX, 1417 CANNON STREET,)	
LOUISVILLE, COLORADO, FOR A CLASS)	APPLICATION NO. 13397-PP
"B" PERMIT TO OPERATE AS A PRIVATE)	<u>SUPPLEMENTAL ORDER</u>
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

October 14, 1955

Appearances: Carl Hendrix, Louisville,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On May 27, 1955, the Commission entered its Decision No. 44287 in the above-styled application, granting to Carl Hendrix, Louisville, Colorado, a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of:

sand, gravel, dirt, stone, and rubbish, between points within a radius of ten miles of Louisville, Colorado; coal from mines in the northern Colorado coal fields to Louisville, Colorado, and fertilizer and peat moss between points within a radius of twenty-five miles of Louisville, Colorado.

The Commission is now in receipt of a communication from said Carl Hendrix, stating he desires only to transport coal under the authority granted, and requesting cancellation of all additional operating rights.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 44287, of date May 27, 1955, should be amended, as set forth in the Order following, upon request of applicant.

O R D E R

THE COMMISSION ORDERS:

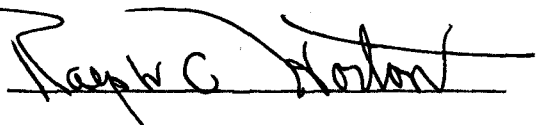
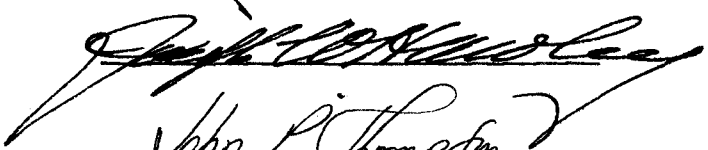

That Decision No. 44287, of date May 27, 1955, should be, and the same hereby is, amended, nunc pro tunc, as of said 27th day of May, 1955, by striking therefrom the first paragraph of the Order contained in said decision, appearing on Page 2 thereof, and inserting in lieu thereof, the following:

That Carl Hendrix, Louisville, 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 Louisville, Colorado,

said amendment and restriction of authority being made pursuant to applicant's request.

That said Decision No. 44287, in all other respects, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 14th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL AKES, 935 SO. TENNYSON,)
DENVER 19, COLORADO.)

PUC NO. 2859-I

October 18, 1955

S T A T E M E N T

By the Commission:

On March 25, 1955, the Commission authorized Carl Akes, Denver, Colorado, to suspend operations under his Certificate of Public Convenience and Necessity No. 2859-I until September 18, 1955.

The Commission is now in receipt of a communication from the above-named certificate-holder, requesting that his certificate 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 Certificate of Public Convenience and Necessity No. 2859-I should be, and the same hereby is, reinstated as of September 21, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton

John P. Thompson

Commissioners.

Dated at Denver, Colorado,
this 18th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ARTHUR E. HALE, ROUTE 2, BOX 463,)	
ARVADA, COLORADO, FOR AUTHORITY TO)	<u>APPLICATION NO. 13597-PP-Extension</u>
EXTEND OPERATIONS UNDER PERMIT NO.)	
B-2470.)	

October 17, 1955

Appearances: Jackson M. Seawell, Esq., Denver,
Colorado, for Applicant;
Clayton B. Knowles, Esq., Denver,
Colorado, for Union Pacific
Railroad Company, Colorado and
Southern Railway Company.

S T A T E M E N T

By the Commission:

By the above-styled application, Arthur E. Hale, Arvada, Colorado, seeks authority to extend operations under Permit No. B-2470 to include the right to transport sand, gravel, and other road-surfacing materials, from pits and supply points in the State of Colorado, to mixer and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; coal from mines in the northern Colorado coal fields, to Denver, to Valmont Plant of Public Service Company, near Boulder, to Great Western Sugar Company and Kurner-Empson Company Plants, located within a radius of fifty miles of Arvada, Colorado, to the Rocky Mountain Arsenal, located northeast of Denver, and to Golden and Arvada and points within a radius of five miles of

Golden and Arvada, Colorado.

Said matter was regularly set for hearing, with appropriate notice to all parties in interest, at the hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 2, 1955, at ten o'clock P. M.

On October 7, 1955, and prior to the hour set for the hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, and submit to the Commission a written statement of his findings of fact and conclusion.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report thereof to the Commission.

At the hearing, applicant stated that he is now conducting operations under Permit No. B-2470; that he has had requests to furnish transportation for coal from the Clayton Coal Mine to the Valmont Plant of Public Service Company, the several plants of the Great Western Sugar Company, the plants of Kurer-Empson Company, all of which plants are located within fifty miles of Arvada, and to local small users in the Arvada and Golden areas; that he has had requests to furnish transportation service for sand, gravel, and insulrock, as prayed for in his application; that he has sufficient finances and equipment to properly perform the services sought by his application.

Union Pacific Railroad Company protested the granting of the authority sought, insofar as it relates to the transportation of coal. C. T. Alford, Assistant Superintendent of Union Pacific Railroad Company, testified that transportation by the Union Pacific from and to the coal mines in the northern Colorado coal fields came under his supervision; that Union Pacific had trackage in all major coal mines in

northern Colorado, including the Clayton Coal Company, and was providing these mines with service to the delivery points of Valmont Plant of Public Service Company, the plants of Great Western Sugar Company, plant of Kuner-Empson Packing Company, and the Rocky Mountain Arsenal, either by direct service or by interline.

No one appeared in opposition to the granting to applicant of authority to transport sand, gravel, road-surfacing materials, and insulrock, as requested by applicant.

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

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to extend operations under Permit No. B-2470, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Arthur E. Hale, Arvada, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-2470 to include the right to transport sand, gravel, and other road-surfacing materials, from pits and supply points in the State of Colorado, to mixer and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

This Order is made a part of the permit granted to applicant.

That, in all other respects, the above-styled application should be, and the same hereby is, denied.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holton
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YULA M. GIADONE, DOING BUSINESS AS)
"GIADONE LUMBER COMPANY," 2830)
CEDAR STREET, PUEBLO, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 13653-PP
SUPPLEMENTAL ORDER

October 17, 1955

Appearances: Yula M. Giadone, Pueblo, Colo-
rado, pro se;
T. A. White, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Conour and Conour, Esqs., Del
Norte, Colorado, for Gibson
Truck Line.

S T A T E M E N T

By the Commission:

By Decision No. 44672, of date September 29, 1955, the above-
styled application was denied by the Commission.

The Commission is now in receipt of a communication from Yula
M. Giadone, applicant herein, as follows:

"At the hearing held on the above-styled applica-
tion on September 22, 1955, in Alamosa, Colorado,
applicant did not understand the importance of
having customer witnesses present at the hearing
to testify in support of his application. Appli-
cant had arranged to have such a witness present,
but said witness did not appear at the hearing.

"Applicant hereby requests a rehearing on the above
matter, inasmuch as he now has additional evidence,
and competent customer witnesses who will appear
in his behalf and testify as to the need for appli-
cant's proposed service."

F I N D I N G S

THE COMMISSION FINDS:

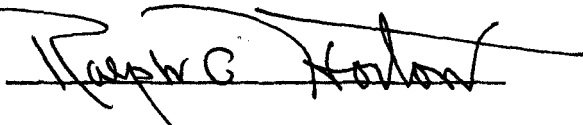
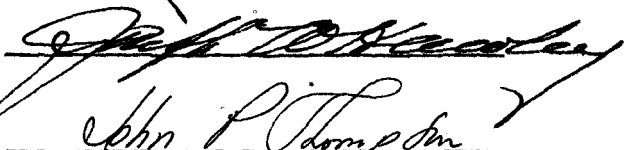
That rehearing should be granted applicant in the above-
styled matter.

O R D E R

THE COMMISSION ORDERS:

That applicant's petition for rehearing in the above-styled matter, filed on October 13, 1955, should be, and the same hereby is granted, said matter to be set for rehearing at some future date to be determined by the Commission, with notice to all parties in interest.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ERNEST G. MASSEY, ROUTE 4, GRAND)	
JUNCTION, COLORADO, FOR A CLASS "B")	APPLICATION NO. 13668-PP
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

October 17, 1955

Appearances: Ernest G. Massey, Grand Junction, Colorado, pro se;
T. A. White, Esq., Denver, Colorado, and
R. E. Turano, Denver, Colorado, for Rio Grande Motor Way, Inc.;
C. J. Schuler, Telluride, Colorado, for Telluride Transfer Company.

S T A T E M E N T

By the Commission:

By the instant application, applicant seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of lumber and logs, from point to point within a radius of seventy-five miles of Montrose, Colorado, with occasional trips beyond.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the City Hall in Grand Junction, Colorado, on October 5, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant testified that he owns four 5-ton trucks and his equipment list is on file with the Commission, his equipment being ample to carry on his proposed operation. His net worth is \$25,000. He has been operating his own trucks for the past twenty-one years, three years in Colorado, under leases of his equipment filed with the

Commission, and under temporary authority from the Commission, dated July 22, 1955. Since that date, he has hauled rough lumber to the Mead Lumber Company at Montrose from the Norwood area and from Chama, New Mexico. He has done some hauling for independent dealers in the Montrose area and the Grand Junction area, from Norwood. He has had requests for the service from Mead Lumber Company and another Montrose lumber company, and the White-Bevan Lumber Company at Norwood. His equipment is based at Montrose and his operation consists of hauling rough lumber and logs from the Norwood area, partly to the planing mill of Mead Lumber Company four miles from Montrose and to the railroad at Montrose. Some hauls are made to the independent lumber company at Grand Junction.

Applicant agreed to a limitation as to any transportation of logs or lumber to or from Telluride, Rico and Ophir. He is hauling no finished lumber, and has had no request for occasional service outside the territory.

Charles Shepherd, Superintendent of Mead Lumber Company, corroborated the testimony of applicant, stating that his company has four mills situated about thirty miles southeast of Norwood, one mill near Ridgway, and another forty miles east of Montrose. The rough lumber is brought to his planing mill at Montrose -- 90% of it being hauled by applicant. About 90% of the finished lumber is shipped from Montrose by rail.

No one protested the granting of the instant application, and applicant's financial stability and experience were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, as limited by the following Order.

O R D E R

THE COMMISSION ORDERS:

That Ernest G. Massey, Route 4, Grand Junction, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber and logs, from point to point within a radius of seventy-five miles of Montrose, Colorado, with no service authorized beyond said radius.

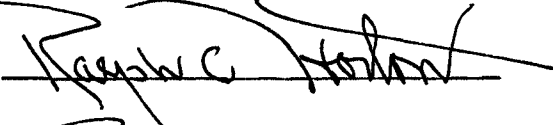


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

mls

original

* * *

APPLICATION NO. 13669-PP

Appearances: Cecil S. Haynie, Esq., Grand Junction, Colorado, for Applicant;
T. A. White, Esq., Denver, Colorado, and
R. E. Turano, Denver, Colorado, for Rio Grande Motor Way, Inc.

By the Commission:

The application was set for hearing at the City Hall, Grand Junction, Colorado, for October 5, 1955. When the case was called up for hearing, counsel for applicant requested that said application be dismissed.

THE COMMISSION FINDS:

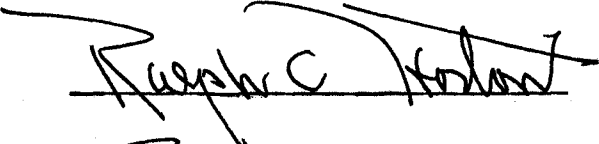


ORDER

That the above-styled application should be, and it is here-

by, dismissed, at request of counsel for applicant.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
O. K. ORE TRANSPORTATION, INC., A)
CORPORATION, GLENWOOD SPRINGS, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)
APPLICATION NO. 13670-PP

October 17, 1955

S T A T E M E N T

By the Commission:

By the instant application, O. K. Ore Transportation, Inc., a corporation, Glenwood Springs, Colorado, seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of uranium, vanadium and related ores, from properties of the Lone Star Mining Corporation of Colorado (known as the "Thexton-Wilson Group of Claims"), numbering twelve, located on approximately 240 acres in Garfield County, Colorado, approximately three miles northwest of New Castle, Colorado, to mills to be designated by the Atomic Energy Commission, located at Rifle, Colorado, and Grand Junction, Colorado.

Said application was regularly set for hearing at the City Hall, Grand Junction, Colorado, on October 5, 1955, at which time applicant did not appear, either in person or by counsel. On the same day, there was filed in the office of the Commission at Denver a telegram and also a letter from John W. Carlisle, Esq., Fort Worth, Texas, attorney for applicant, requesting the dismissal of the application.

F I N D I N G S

THE COMMISSION FINDS:

That the said request should be granted.

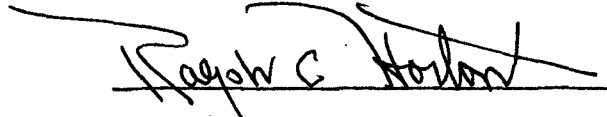
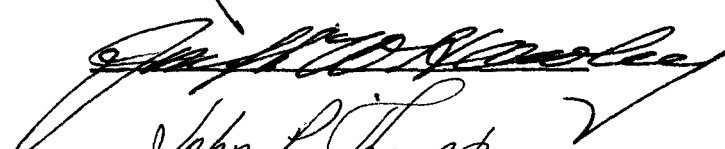
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and it is hereby, dismissed, at request of attorney for applicant.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BURDETT PEASE, 240 HALL AVENUE,)
GRAND JUNCTION, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 13671-PP

October 17, 1955

Appearances: T. A. White, Esq., Denver,
Colorado, and
R. E. Turano, Denver, Colo-
rado, for Rio Grande
Motor Way, Inc.;
Cecil S. Haynie, Esq., Grand
Junction, Colorado, for
Litton Warehouse Company;
C. J. Schuler, Telluride,
Transfer Company;
George Bunte, Jr., Palisade,
Colorado, for Grand Junction-
Palisade Freight Line.

S T A T E M E N T

By the Commission:

By the instant application, Burdett Pease, 240 Hall Avenue, Grand Junction, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, asphalt, dirt, culverts and steel, for road, street, and building construction, over all streets, roads, and highways within a radius of 65 miles of Grand Junction, Colorado, for a limited number of customers, viz: Corn Construction Company, Whitewater Sand and Gravel Company, and Charles Hilton, Grand Junction, Colorado.

Said application, after appropriate notice to all interested parties, was set for hearing at the City Hall at Grand Junction, Colorado, for October 5, 1955. When the application was called up

for hearing, the presiding Commissioner was advised that counsel for applicant was engaged in the trial of cases in the District Court and could not appear at the time set for hearing. Whereupon, no objection appearing, the Commissioner advised that the hearing would be continued to a future date.

F I N D I N G S

THE COMMISSION FINDS:

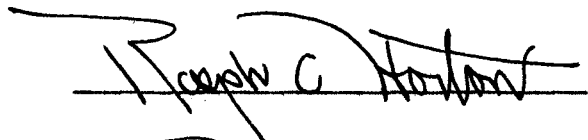
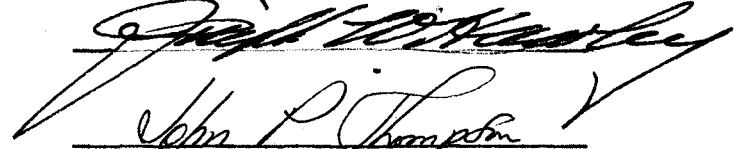

That the hearing herein should be vacated and re-set at some future date convenient to the Commission.

O R D E R

THE COMMISSION ORDERS:

That hearing in Application No. 13671-PP should be, and the same hereby is, vacated, to be re-set at some future date convenient to the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LOYD L. DAVIS, NORWOOD, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE	)	<u>APPLICATION NO. 13402-PP</u>
AS A PRIVATE CARRIER BY MOTOR)	
VEHICLE FOR HIRE.)	
-----)	

October 17, 1955

Appearances: T. A. White, Esq., Denver,
Colorado, and
R. E. Turano, Denver, Colo-
rado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

The instant application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of lumber and logs from Norwood, Colorado to Grand Junction, Colorado, was originally set for hearing at Grand Junction on May 26, 1955, at which time applicant did not appear, and at the request of a neighbor, the hearing was continued, to be re-set for hearing at some future date to be determined by the Commission.

The application was again set for hearing at the City Hall in Grand Junction, Colorado, for October 5, 1955, after due notice to applicant and all interested parties.

When the matter was called up for hearing, applicant again failed to appear, either in person or by counsel, and protestants interposed a motion to dismiss the application for failure to prosecute.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the motion of protestants to dismiss the instant application should be granted.

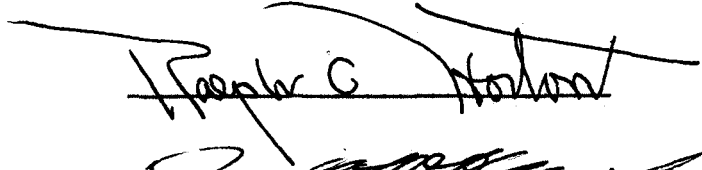
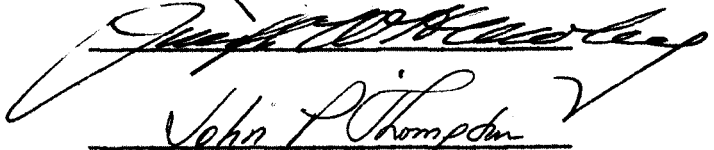

O R D E R

THE COMMISSION ORDERS:

That Application No. 13402-PP of Loyd L. Davis, Norwood, Colorado, should be, and the same is hereby, dismissed, for lack of prosecution.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LA VERN F. BOND AND LOLA A. BOND,)
CO-PARTNERS, 257 COLORADO AVENUE,)
GRAND JUNCTION, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 13665-PP

October 17, 1955

Appearances: La Vern F. Bond, Grand
Junction, Colorado,
pro se.

S T A T E M E N T

By the Commission:

By the instant application, applicants seek a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of trash, from point to point within a radius of ten miles of Grand Junction, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the City Hall in Grand Junction, Colorado, on October 5, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

La Vern F. Bond, one of the applicants, testified in support of the application. He owns a 1947 Dodge dump truck, and his net worth is \$12,000. Since July, 1955, he has been conducting a trash disposal business in Grand Junction and within a radius of ten miles thereof, under temporary authority from the Commission. He has a permit from the City Council of Grand Junction for the operation within the city limits, and now serves twenty customers.

No one appeared to protest the granting of the instant application, and the financial stability and experience of applicants were proved to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That La Vern F. Bond and Lola A. Bond, co-partners, 257 Colorado Avenue, Grand Junction, Colorado, should be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of trash, from point to point within a radius of ten miles of Grand Junction, Colorado.

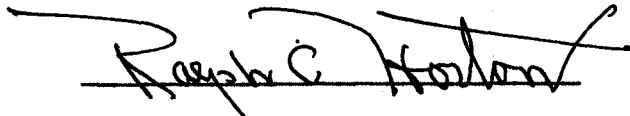
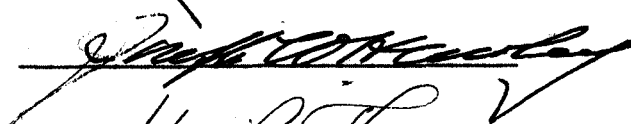
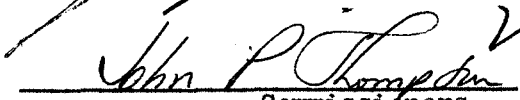
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

ea

original

(Decision No. 44740)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LLOYD H. STECKEL, ROUTE 1, GRAND)
JUNCTION, COLORADO, FOR A CLASS "B") APPLICATION NO. 13672-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

IN THE MATTER OF THE APPLICATION OF)
EDWARD ALTENBERN, 2808 NORTH AVENUE,)
GRAND JUNCTION, COLORADO, FOR A) APPLICATION NO. 13664-PP
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE A. KRANTWASHL, 236 NORTH)
FIRST STREET, GRAND JUNCTION, COLO-) APPLICATION NO. 13667-PP
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

October 17, 1955

Appearances: John L. Rice, Esq., Grand
Junction, Colorado, for
applicants;
T. A. White, Esq., Denver,
Colorado, and
R. E. Turano, Denver, Colo-
rado, for Rio Grande Motor
Way, Inc.;
Cecil S. Haynie, Esq., Grand
Junction, Colorado, for
Litton Warehouse Co.;
C. J. Schuler, Telluride,
Colorado, for Telluride
Transfer Co.;
George Bunte, Jr., Palisade,
Colorado, for Grand Junc-
tion-Palisade Freight Line.

S T A T E M E N T

By the Commission:

By Application No. 13672-PP, Lloyd H. Steckel, Route 1, Grand
Junction, Colorado, seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of sand, gravel, asphalt, dirt, culverts, and steel, for road, street, and building construction, over all streets, roads and highways within a radius of 65 miles of Grand Junction, Colorado, for a limited number of customers, viz.: Corn Construction, Whitewater Sand and Gravel, and Charles Hilton, Grand Junction, Colorado.

By Application No. 13664-PP, Edward Altenbern, 2808 North Avenue, Grand Junction, Colorado, seeks similar authority.

By Application No. 13667-PP, Lawrence A. Krantwashl, 236 North First Street, Grand Junction, Colorado, seeks identical authority.

The three above-numbered applications, after appropriate notice to all interested parties, were set for hearing, and heard at the City Hall in Grand Junction, Colorado, on October 5, 1955, being heard on a consolidated record. Applicants all agreed that any authority issued to them should be limited to the three customers named in the captions of their applications, with no service authorized to or from Telluride, Rico or Ophir, Colorado.

Applicant Steckel testified that he owns a 1955 Ford truck with a rated capacity of 7860 pounds, with dump body, and his net worth is \$10,000. He is employed by Corn Construction Company of Grand Junction, Colorado, to haul materials for road construction jobs. These materials have been hauled largely from what is known as "Chambers Hill" on the old river road, approximately three miles from Grand Junction, and are usually hauled to Grand Junction as a destination, but sometimes to other points. He has made an occasional trip to other road construction jobs of the three customers named, including four or five loads of "hot mix" (oil and gravel), to Rifle. He has hauled no culverts or steel in the past year and has had no requests for such service, but has been requested to include these commodities in his application by his employer. He has been hauling under temporary

authority issued by the State Patrol at the Port of Entry. He has made two or three hauls for Whitewater Sand and Gravel Company and has also hauled for Charles Hilton, both being contractors.

Applicant Altenbern has also been hauling for Corn Construction Company from its gravel pits to Grand Junction, and has made hauls for the other two customers named. He owns a 1955 Chevrolet dump truck and his net worth is between \$4,000 and \$5,000. He has hauled but one culvert (to Redlands) during the past year.

Applicant Krantwashl has had two years experience in the transportation field. He owns a 1955 2-ton dump truck, and his net worth is between \$10,000 and \$12,000. Prior to this year, the truck has been leased to Corn Construction Company and he has been the driver. He has never hauled culverts or steel and wishes to haul same only in emergencies.

R. M. Blanchfield, Office Manager for Corn Construction Company, appeared in support of the three applications. He emphasized the shortage of trucks qualified to serve the contractors in road construction work and the need of authority for additional carriers, and had requested applicants to file the instant application. He usually represents Whitewater Sand and Gravel Company in the purchase and transportation of road building materials. His company has but one dump truck and it is more feasible to use the service of carriers for hire than to buy additional equipment. He uses the service of common carriers whenever possible and his company has its own low-boys and flat bed trucks for delivery to the job of any substantial amount of material, such as culverts and pipe, but it is not feasible to use such equipment in emergencies such as to fill the need for one piece of pipe to replace defective material or for a culvert when found necessary. The need for such service is limited, but very real in emergencies, and a carrier should be authorized to throw onto his dump truck load of road construction material an extra length of pipe or a culvert when it is necessary to

have same rushed to the job. The common carriers do not solicit such business and their service would not be adequate except at exorbitant cost.

In protest, Larry Murray, of Clifton, sales manager of Litton Warehouse Company, holding a general cartage authority in Mesa, Garfield and Delta Counties, under PUC-344, testified that his firm had adequate equipment to handle all shipments of steel and culverts, and had never refused such service, but had never had a demand for the same. The equipment is always available and the service can be rendered on half-hour notice.

L. E. Eisenger, Division Superintendent at Grand Junction for Motor Way, gave testimony similar to that of Mr. Murray.

There was no objection to the grant to applicants of the usual sand and gravel authority, the protest being directed only to any authority for transportation of culverts and steel. The protest of Mr. Schuler is taken care of by the limitations agreed upon at the hearing.

Protestant Bunte operates a line-haul service between Grand Junction and Palisade, and could only be affected in the event some road construction work were contracted for by one of the three customers whom applicants seek to serve on that short stretch of main highway between Grand Junction and Palisade, which possibility is very remote. There remains only Litton Warehouse Company, with general cartage authority in three counties, and Motor Way. It is admitted that these two companies have the authority and equipment to transport steel and culverts within their certificated area, but the Commission cannot see where similar authority for emergencies only -- as limited in the following Order -- will adversely affect their ability to adequately serve the public in the area involved.

F I N D I N G S

THE COMMISSION FINDS:

That the three instant applications should be granted, as

limited in the following Order.

O R D E R

THE COMMISSION ORDERS:

That under Application No. 13672-PP, Lloyd H. Steckel, Route 1, Grand Junction, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, asphalt, dirt, culverts, and steel, for road, street, and building construction, over all streets, roads and highways within a radius of 65 miles of Grand Junction, Colorado, for a limited number of customers, viz.: Corn Construction Company, Whitewater Sand and Gravel Company, and Charles Hilton, Grand Junction, Colorado.

That under Application No. 13664-PP, Edward Altenbern, 2808 North Avenue, Grand Junction, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, asphalt, dirt, culverts, and steel for road, street, and building construction, over all streets, road and highways within a radius of 65 miles of Grand Junction, Colorado, for a limited number of customers, viz.: Corn Construction Company, Whitewater Sand and Gravel Company, and Charles Hilton, Grand Junction, Colorado.

That under Application No. 13667-PP, Lawrence A. Krantwashl, 236 North First Street, Grand Junction, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, asphalt, dirt, culverts, and steel, for road, street, and building construction, over all streets, roads and highways within a radius of 65 miles of Grand Junction, Colorado, for a limited number of customers, viz.: Corn Construction Company, Whitewater Sand and Gravel Company, and Charles Hilton, Grand Junction, Colorado.

That said authorities shall be limited to the service of three

customers only, to-wit: Corn Construction Company, Whitewater Sand and Gravel Company, and Charles Hilton, all of Grand Junction, Colorado, unless and until authority to serve additional customers shall be granted by the Commission.

That no service shall be rendered under said authorities to and from Telluride, Rico, or Ophir, Colorado.

That the transportation of culverts and steel under said authorities shall be limited to such commodities as are necessary for road, street, or highway construction jobs, in emergencies only, by dump trucks, in connection with, and at the same time of, transportation of other road-surfacing materials hereby authorized to be transported.

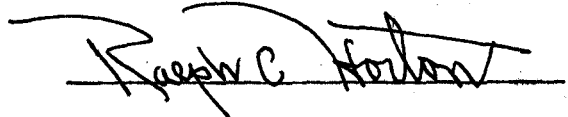
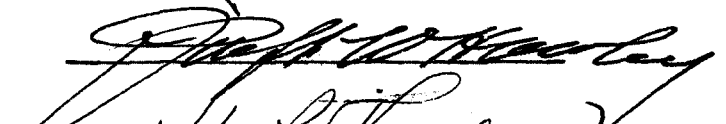
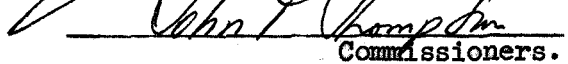
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to these permits deemed advisable.

That this Order is the permits herein provided for, but it shall not become effective until applicants have filed statements 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE APPLICATION OF AND THE)
REASONABLENESS OF THE RATES ON)
LIVESTOCK IN EAGLE AND PITKIN)
COUNTIES AND THAT PORTION OF)
A LINE DRAWN NORTH AND SOUTH)
THROUGH NEW CASTLE, COLORADO.)

CASE NO. 1585
SUPPLEMENTAL ORDER

October 17, 1955

Appearances: J. R. Smith, Denver, Colorado,
for Colorado Motor Carriers'
Association, Motor Truck
Common Carriers' Association;
David G. Rice, Jr., 4651 Lafayette
Street, Denver, Colorado, for
Colorado Cattlemen's Association;
Anthony L. Mueller, Esq.,
T. S. Wood,
Samuel J. Philipponne, and
Robert E. Payne, Denver, Colorado,
for the Commission;
James Conto, New Castle, Colorado, and
Orris Albertson, Burns, Colorado, for
Eagle County Stockgrowers'
Association;
Leonard Horn, Wolcott, Colorado,
Member, Board of Control of
Colorado Cattlemen's Association
and Eagle County Stockgrowers'
Association;
Osire Blanc, Carbondale, Colorado,
pro se;
James Tephens, Gypsum, Colorado,
pro se;
Daryl Hinkle, Carbondale, Colorado,
for Hinkle Trucking;
Richard Estes, Rifle, Colorado,
pro se;
Ralph Earnest, Glenwood Springs,
Colorado, pro se;
Mr. and Mrs. James D. Hartman,
Gypsum, Colorado, pro se.

S T A T E M E N T

By the Commission:

On October 10, 1955, the Commission entered its Decision No.
44720 in the above-entitled matter.

Attached thereto, and made a part thereof, was "Appendix 'A'"
and "Appendix 'B'."

It now appears to the Commission that a change of wording should be made in "Appendix B."

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 44720, of date October 10, 1955, should be amended, nunc pro tunc, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 44720, of date October 10, 1955, should be, and the same hereby is, amended, nunc pro tunc, as of said 10th day of October, 1955, by striking therefrom the words "per loaded truck mile," appearing in the eighth line of the first paragraph of "Appendix 'B' -- Continued," on Page 2B thereof, attached to said Decision No. 44720, and inserting in lieu thereof, the words (loaded mileage only), so that said first paragraph of "Appendix B -- Continued" attached to said Decision No. 44720, appearing on Page 2B thereof, as amended, shall read:

"When shipment to Denver originates outside of the above listed groups but within the Counties of Eagle, Pitkin or that portion of Garfield County lying east of a line drawn north and south through New Castle, Colorado, and that portion of Gunnison County accessible only from Pitkin County and the above described portion of Garfield County, the following arbitrary shall be added to the rate to the nearest accessible group for the actual distance traveled beyond said group:

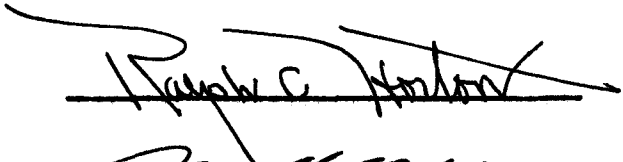
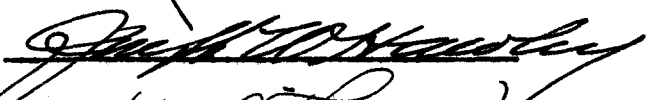

"Cents per 100 pounds (loaded mileage only).

1 Mile	-	2 1/2 cents
2 "	4	"
3 "	5	"
4 "	5 1/2	"
5 "	6	"
10 "	8	"
15 "	10	"
20 "	12	"
25 "	14	"
30 "	16	"

Subject to a minimum charge of \$3.50 per loaded truck mile."

That, except as herein amended, said Decision No. 44720 and Appendix "A" and Appendix "B" attached thereto, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 17th day of October, 1955.

mem

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AMOS CROSBY, DOING BUSINESS AS)	
"57 TRANSIT," 251 COLORADO AVENUE,	)	<u>APPLICATION NO. 13663-Extension</u>
GRAND JUNCTION, COLORADO, FOR AUTH-)	
ORITY TO EXTEND OPERATIONS UNDER)	
PUC NO. 2102.)	
-----)	

October 17, 1955

Appearances: Cecil S. Haynie, Esq.,
Grand Junction, Colorado,
for applicant;
Larry Murray, Grand Junction,
Colorado, for Litton
Warehouse Company;
Verner A. Carlson, Grand
Junction, Colorado, for
Frontier Airlines.

S T A T E M E N T

By the Commission:

Amos Crosby, doing business as "57 Transit," Grand
Junction, Colorado, is the owner of PUC-2102, authorizing:

Transportation by taxi of passengers and baggage
upon call and demand within a radius of fifty
miles of Grand Junction, Colorado, and from
point to point within a five-mile radius of
Grand Junction, Colorado, to and from points
within a 100-mile radius of Grand Junction, Colorado.

By the instant application, he seeks an extension of
said certificate to include the transportation of air express and
air freight between Grand Junction, Colorado, and the Grand Junction
Municipal Airport (Walker Field).

Said application for extension, pursuant to prior setting,
after appropriate notice to all interested parties, was heard at
the City Hall in Grand Junction, Colorado, on October 5, 1955, and
at the conclusion of the evidence, the matter was taken under
advisement.

At the hearing, applicant testified that in his taxicab operation he meets all airplane flights, both incoming and outgoing, and has been handling the air express and air freight in connection with said operation under temporary authority of the Commission under date of September 2, 1955. His list of equipment and financial statements are on file with the Commission and were made a part of the record. The request for the additional transportation comes from Frontier Airlines. Small shipments are often received from mail order houses and the regular common carriers do not wish to make the deliveries from the airport, nor do they wish to handle small shipments outbound. Applicant's service is by stationwagon.

Ernest Mazer, applicant's manager, corroborated Mr. Crosby's testimony, and stated that since the date of the grant of temporary authority, the income from the air express and air freight has amounted to not more than \$65.00, and there is no reasonable expectation of any growth in the business. The company wishes to offer the service because of its other taxicab operation in order to make an adequate all-round service to and from the airport.

Verner A. Carlson, District Traffic and Sales Manager of Frontier Airlines, appeared in support of the application. He stated that shippers of 10% of air express and freight into Grand Junction require delivery of their packages as proposed by applicant. Witness has made requests for a similar service from several common carriers, but they are not interested.

The experience and financial stability of applicant were established to the satisfaction of the Commission, and no opposition to favorable action on the application was voiced at the hearing.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application for extension of authority under PUC-2102 should be granted.

O R D E R

THE COMMISSION ORDERS:

That Amos Crosby, doing business as "57 Transit," 251 Colorado Avenue, Grand Junction, Colorado, should be, and hereby is, authorized to extend operations under his PUC-2102 to include the transportation of air express and air freight between Grand Junction, Colorado, and the Grand Junction Municipal Airport (Walker Field), and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

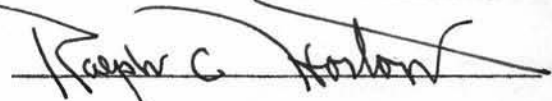
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.


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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL LASSASSO, 3538 BRYANT STREET,)
DENVER, COLORADO.)

PERMIT NO. M-2540

October 20, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Carl Lassasso

requesting that Permit No. M-2540 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2540, heretofore issued to _____

Carl Lassasso

be,

and the same is hereby, declared cancelled effective October 10, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John P. Thompson
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BOB BEESON, SCOTT CITY, KANSAS.)

) PERMIT NO. M-3291
)
)
)
-----)

October 20, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Bob Beeson

requesting that Permit No. M-3291 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3291, heretofore issued to _____
Bob Beeson _____ be,

and the same is hereby, declared cancelled effective September 19, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
Philip W. Hawley
John P. Thompson
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 195 5.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
OSCAR LUDVIGSON, TWIN LAKES,
COLORADO.

PERMIT NO. M-3646

October 20, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Oscar Ludvigson

requesting that Permit No. M-3646 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3646, heretofore issued to _____

Oscar Ludvigson _____ be,

and the same is hereby, declared cancelled effective September 11, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Commissioners

Dated at Denver, Colorado,

this 20th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

E. C. BRADLEY, DOING BUSINESS AS
"BRADLEY'S RABBITRY," ROUTE I,
BOX 12, ARVADA, COLORADO.

PERMIT NO. M-3931

October 20, 1955

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

E. C. Bradley, dba "Bradley's Rabbitry"

requesting that Permit No. M-3931 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3931, heretofore issued to

E. C. Bradley, dba "Bradley's Rabbitry"

be,

and the same is hereby, declared cancelled effective October 10, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
 J. W. H. H. H.
 J. W. H. H. H.
 Commissioner

Dated at Denver, Colorado,

this 20th day of October, 1955.

mls

(Decision No. 44747)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROLLIN S. FLOWER, 5874 POPLAR)
STREET, DENVER 16, COLORADO.)

PERMIT NO. B-4878

October 20, 1955

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-4878 be suspended for six months from October 15, 1955.

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 Rollin S. Flower, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4878 until April 15, 1956.

That unless said permit-holder 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 P. Thompson

Commissioners.

Dated at Denver, Colorado,
this 20th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE LECHMAN, 3155 WEST EX-)
POSITION AVENUE, DENVER 19,)
COLORADO.)

PERMIT NO. B-4758

October 20, 1955

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-4758 be suspended for six months from October 15, 1955.

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 George Lechman, Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-4758 until April 15, 1956.

That unless said permit-holder 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. Norton

John P. Thompson

John P. Thompson

COMMISSIONER

Dated at Denver, Colorado,
this 20th day of October, 1955.

original

* * *

APPLICATION NO. 13787-Transfer

S T A T E M E N T

By Decision No. 32845, of date June 15, 1949, Edward E. Drapela, doing business as "Aspen Air Service," Aspen, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by airplane, in intrastate and interstate commerce, for the transportation of:

passengers and property, not on schedule, but on call and demand, in irregular service, between all points in the State of Colorado, with Aspen, Colorado, as base of operation, applicant not to establish an office or branch for the purpose of developing business at any town, place, or city other than Aspen, Colorado, and nearby airports.

By Decision No. 37825, of date December 3, 1951, said Edward E. Drapela, doing business as "Aspen Air Service," was authorized to transfer all his right, title, and interest in and to said certificate to Rader Flying Service, Inc., a corporation, Glenwood Springs, Colorado.

On December 1, 1952, as shown by the records and file herein, the corporate name of Rader Flying Service, Inc., was changed to "Monarch Aviation, Inc."

By the instant application, said certificate-holder seeks auth-

ority to transfer said operating rights to Aspen Airport Corporation, doing business as "The Aspen Airways," Aspen, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that transferee, pecuniarily and otherwise, is 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 Monarch Aviation, Inc., Aspen, Colorado, should be, and it is hereby, authorized to transfer all its right, title, and interest in and to the certificate of public convenience and necessity granted it by Decision No. 37825, to Aspen Airport Corporation, doing business as "The Aspen Airways," Aspen, 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Ralph C. Kent
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 18th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN RE MOTOR VEHICLE OPERATIONS OF)
LEE MEDINA, CENTER, COLORADO.)

PERMIT NO. B-3561
CASE NO. 70620-INS.

October 18, 1955

S T A T E M E N T

By the Commission:

On June 1, 1954, in Case No. 70620-Ins., the Commission entered its order, revoking Permit No. B-3561 for failure of Respondent herein to keep proper insurance on file with the Commission.

It appears that proper insurance filing has now been made with the Commission by said Respondent.

F I N D I N G S

THE COMMISSION FINDS:

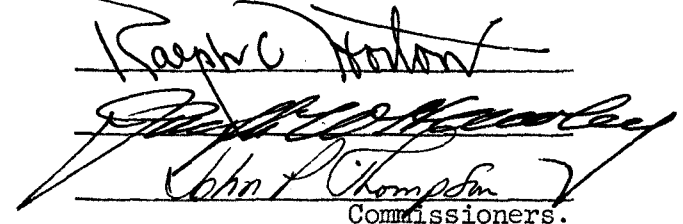
That Permit No. B-3561 should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3561 should be, and the same hereby is, reinstated, as of June 1, 1954, revocation order entered by the Commission on said date in Case No. 70620-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 18th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
MANUEL BLEA, 3648 GILPIN STREET,)	PERMIT NO. B-4208
DENVER, COLORADO.)	<u>CASE NO. 74434-INS.</u>

October 18, 1955

S T A T E M E N T

By the Commission:

On June 1, 1955, in Case No. 74434-Ins., the Commission entered its order, revoking Permit No. B-4208 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as Respondent has now made proper insurance filing with the Commission,

F I N D I N G S

THE COMMISSION FINDS:

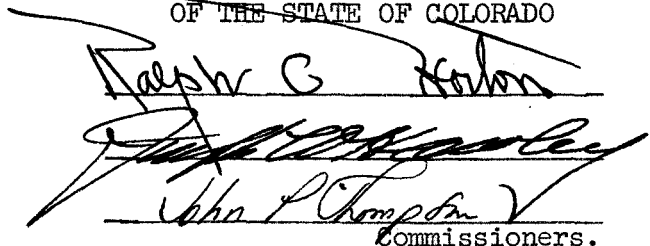
That said permit should be reinstated.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4208 should be, and the same hereby is, reinstated, as of June 1, 1955, revocation order entered by the Commission on said date in Case No. 74434-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 18th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE EXCEPTION NO. 4(E) 6TH REVISED)
PAGE 258 IN MOTOR TRUCK COMMON)
CARRIERS' ASSOCIATION, AGENT, NO. 12,)
COLORADO P.U.C. NO. 6, REMOVING THE)
APPLICATION OF EXCEPTION NO. 4(E) VIA)
DARYL HINKLE, CARBONDALE, COLORADO.)

INVESTIGATION
AND
SUSPENSION
DOCKET NO. 378

October 17, 1955

S T A T E M E N T

By the Commission:

On July 18, 1955, there was filed with the Public Utilities Commission of the State of Colorado, new schedules to become effective August 20, 1955, wherein Daryl Hinkle, Carbondale, Colorado, proposed to exempt his operation from the application of certain named distances between the Denver Union Stockyards and named points in the Glenwood Springs area.

On July 29, 1955, Decision No. 44458, the Commission, on its own motion, suspended the operation of the proposed changes until the 28th day of November, 1955, unless otherwise ordered.

On October 10, 1955, Decision No. 44720, Case No. 1585, the Commission prescribed rates for the movement of livestock between Denver, Colorado, and various designated groups in Eagle, Pitkin and Garfield Counties, to become effective October 10, 1955.

By the prescription of the rates under Decision No. 44720 the cause of action in the instant proceeding has been eliminated.

F I N D I N G S

THE COMMISSION FINDS, That:

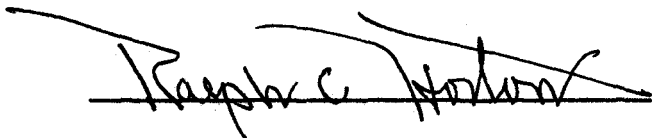
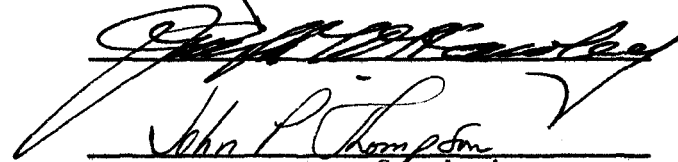
The order heretofore entered in this proceeding, Decision No. 44458, suspending the operation of said schedules, should be vacated and set aside and that the proceeding should be discontinued nunc pro tunc as of October 10, 1955.

O R D E R

THE COMMISSION ORDERS:

That, the Order heretofore entered in this proceeding, Decision No. 44458, suspending the operation of said schedules, be, and it is hereby vacated and set aside nunc pro tunc as of October 10, 1955, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 17th day of October, 1955.

mem

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN SALAZAR AND ROSABELLE SALAZAR,)	
CO-PARTNERS, DOING BUSINESS AS)	
"SALAZAR TRUCK LINE," ROUTE 2, BOX)	
262, TRINIDAD, COLORADO, FOR AUTH-)	APPLICATION NO. 13786-Transfer.
ORITY TO TRANSFER PUC NO. 708 TO)	
CIPRIANO GURULE, DOING BUSINESS AS)	
"GURULE TRUCK LINE," ROUTE 1, BOX)	
41, TRINIDAD, COLORADO.)	
-----)	

October 18, 1955

S T A T E M E N T

By the Commission:

By the instant application, John Salazar and Rosabelle Salazar, co-partners, doing business as "Salazar Truck Line," Trinidad, Colorado, seek authority to transfer PUC No. 708, being the operating rights acquired by them pursuant to authority granted by Decision No. 43210, of date September 7, 1954, to Cipriano Gurule, doing business as "Gurule Truck Line," Trinidad, Colorado, said PUC No. 708 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

freight, between Trinidad, Colorado, and Tercio, Colorado, and intermediate points; freight to or from the above points, from or to points within one mile of either side of Colorado Highway No. 112, Weston to Stonewall Junction (Picket Wire Camp), and Highway No. 114, Stonewall Junction to Tercio; hay and grain from points within a radius of ten miles of Hoehne, Colorado, to Morley, Valdez, and Weston, Colorado; coal from Morley to points upon and along said "line haul."

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; 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 the 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 outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That John Salazar and Rosabelle Salazar, co-partners, doing business as "Salazar Truck Line," Trinidad, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 708 -- being the operating rights set forth in the preceding Statement, which by reference is made a part hereof -- to Cipriano Gurule, doing business as "Gurule Truck Line," Trinidad, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


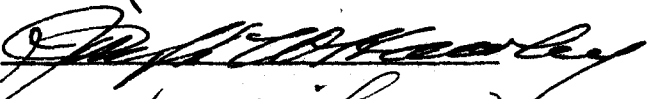
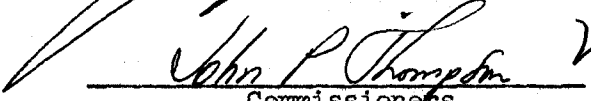
That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission upon proper application.

The tariff of rates, rules and regulations of transferors shall, upon proper adoption notice, 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.

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 18th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION OF RATES, RULES AND)
REGULATIONS ON HEAVY COMMODITIES)
AS PUBLISHED IN SECTION 5 VERSUS)
SECTIONS 1 AND 3 OF MOTOR TRUCK)
COMMON CARRIERS' ASSOCIATION, AGENT,)
LOCAL AND JOINT FREIGHT TARIFF)
NO. 12, COLORADO P.U.C. NO. 6.)

CASE NO. 1585

October 18, 1955

Appearances: LeGrand A. Carlston, Esq., (4045 Pecos St.)
Denver, Colorado, for Oil
Field Carriers Conference,
H. J. Jeffries, L. C. Jones
Trucking Co., L. E. Whitlock
Truck Service, Inc.,
Ferguson Trucking Co., Inc.,
and Rogers Truck Line;
Philip E. Bolian, Tulsa, (P. O. Box 1979)
Oklahoma, for Shippers Oil
Field Traffic Association,
and Service Pipe Line Company;
E. M. Magruder, Tulsa, Oklahoma, (P. O. Box 591)
for Stanolind Oil and Gas Co.,
and Shippers Oil Field Traffic
Association;
R. J. Steele, Independence, (Sinclair Bldg.)
Kansas, for Shippers Oil
Field Traffic Association,
and Sinclair Pipe Line Co.;
Stanely Blunt, Canon City,
Colorado, for Southwestern
Transportation Co.;
J. R. Smith, Denver, Colorado, (407 Denham Bldg.)
for Motor Truck Common
Carriers' Association;
Walter Utzinger, Craig, Colorado,
for Stanton Transportation Co.;
R. E. Callahan, Tulsa, Oklahoma
for Sinclair Oil & Gas;
A. J. Fregeau, Denver, Colorado, (1700 15th St.)
for Weicker Transfer & Storage
Co.;
Harold D. Torgan, Esq., Denver, (First Nat'l. Bk. Bldg.)
Colorado, for United States
Transfer & Storage Co., and
Duffy Storage & Moving Co.;
Wm. DeBoer, Denver, Colorado, (Continental Oil Bldg.)
for Colorado Fuel & Iron
Corporation;
G. U. Daniel, Tulsa, Oklahoma, (Box 659)
for Maloney-Crawford Tank &
Mfg. Co.;

K. C. Burn, Denver, Colorado, for Armco Drainage & Metal Products, Inc.;	(3033 Blake St.)
A. S. Bonney, Denver, Colorado, for The Colorado Builders' Supply Co.;	(1534 Blake St.)
John A. Hutchison, Oklahoma City, Oklahoma, for H. J. Jeffries Truck Line, Inc.;	(P. O. Box 4877)
Harry L. Bennett, Pueblo, Colorado, for Bennett Motor Transport Co.;	(3130 Elizabeth St.)
George A. Rehkow, Denver, Colorado, for Thompson Pipe & Steel Co.;	(408 So. Gilpin St.)
J. H. Ansley, Artesia, New Mexico, for Ferguson Trucking Co., Inc.;	(P. O. Box 637)
A. L. Mueller, Esq., T. S. Wood, and Sam Philipponne, Denver, Colorado, for the Commission.	

S T A T E M E N T

By the Commission:

The history of this proceeding is fully set forth in the Commission's Order, dated June 6, 1955, Decision No. 44303, and need not be repeated here. By its Order in the above referred to Decision, Case No. 1585 was re-opened for further hearing before the Commission beginning at 10:00 o'clock A. M., July 25, 1955, and continued through July 26, in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

At the further hearing, the carriers introduced various exhibits showing the results of their operation, which were submitted in support of the proposals submitted in the motor carriers' Application No. 274. As pointed out in Decision No. 44303, at the close of the hearing on December 6, 1954, the presiding Commissioner suggested that the carriers and shippers attempt at informal conferences or meetings to iron out the existing differences between them in order that the prevailing situation might be corrected. This suggestion was followed out with the result, according to the record, of a give and take on the part of both the shippers and the carriers and the proposed tariffs were agreed upon as a compromise. The compromise tariff proposal represents an increase over the old Section 5 rates and a decrease under the Section 5-A rates.

The only shippers appearing at the hearing to protest were Mr. George Rehkow, representing the Thompson Pipe and Steel Company, and Mr. K. C. Burn, of the Armco Drainage & Metal Products, Inc., and their objection ran only to Section B of the proposed Rule 18.

In regard to the proposed Rule 18, Section B, it is limited to application to only four carriers; namely, Weicker Transfer and Storage Co., Duffy Storage & Moving Co., Gallagher Transfer & Storage Co., and United States Transfer & Storage Co. It would appear that the objections of the shippers were well taken, especially when we consider the fact that the proposal in the proposed Section B is to be applicable only to these four above-named carriers and as far as the record goes, we are unable to determine any justification for the application to only four carriers of the many other carriers who are performing similar service.

Rule 24 provides that toll charges incurred in using the shortest highway route shall be paid by the shipper in addition to the published freight charges. At the present time, there is only one toll facility in general highway use in the State of Colorado; the maximum toll for the use of that facility is eighty-five (85¢) cents per vehicle. In the present situation, the proposed Rule 24 appears reasonable. If additional toll facilities should later be constructed, we will reconsider this Rule.

On June 1, 1955, in Case 1585, Decision No. 44289, the Commission prescribed rates for the movement of pipe, iron or steel, with or without tool joints and couplings attached; also on pipe, iron or steel, wrapped, coated and/or lined, from Minnequa, Colorado, to points and places located in Plains Territory in Colorado; also from storage yards to storage yards and from storage yards in Plains Territory to oil well sites in said territory. Also the distance to be used in the application of said rates should be the actual mileage via the shortest practical route. The rates in cents per one hundred pounds prescribed in this Order were as follows, subject to a minimum weight of 20,000 pounds:

5 miles and under	7 $\frac{1}{2}$
10 miles and over 5	13
20 miles and over 10	18
30 miles and over 20	33
40 miles and over 30	28
50 miles and over 40	32

For distances over 50 miles, the rates were the same as the rates proposed in this proceeding under the minimum weight of 20,000 pounds. The reason for the prescription of the rates on pipe are set forth in Decision No. 44289 and would serve no purpose in repeating herein.

At the further hearing, testimony was offered by the carriers that under the rates prescribed in the above Decision, it would be absolutely impossible to transport commodities for these short distances at the rates prescribed in said Decision. There was no testimony offered by any one disputing these facts, and we are in accord that for a local movement from a storage yard that might be located at Sterling to an oil well site within five miles of Sterling that the carrier could not begin to cover his cost of operation on a basis of a rate of seven and one-half cents (7 $\frac{1}{2}$ ¢) per one hundred (100) pounds. Due to the fact that the carriers and the shippers have submitted a proposed transit tariff that will take care of the situation, we think that our Order in Decision No. 44289 has served its purpose as a temporary measure and that we should rescind the said Order and permit the transit tariff to take care of any future movement. There was no objection offered by any one relative to the prescription of the transit tariff, while on the other hand the shippers and the carriers in their informal conference or meeting recommended the adoption of same.

The exhibits and the testimony offered in this proceeding show without dispute the increased cost from the heavy haulers doing business and without elaborating on the content of the various exhibits, we are convinced that the prescriptions of the proposed tariff to cover heavy moving commodities and the transit tariff covering the movement of pipe are just and reasonable.

F I N D I N G S

THE COMMISSION FINDS:

1. The foregoing Statement is, by reference, incorporated hereinto.
2. That the rates, rules, regulations and commodity descriptions set forth in "Appendix A," attached hereto and made a part hereof, will result in just and reasonable rates, rules, regulations and provisions for the movement of heavy moving commodities as described in the said Appendix.
3. That the rates, rules, regulations and provisions covering storage in transit on pipe, as set forth in "Appendix B," attached to and made a part hereof, will result in just and reasonable rules, regulations, charges and provisions.
4. That the Order entered in Decision No. 44289, dated June 1, 1955, should be revoked and held without force and effect as of the date the new tariffs approved hereby become operative.
5. That the proposed tariff makes provision for all of the transportation now provided for in Sections 5 and 5-A of the present tariff and the proposed tariff should therefore be substituted for the present Sections 5 and 5-A in their entirety.

O R D E R

THE COMMISSION ORDERS:

1. That this Order shall become effective forthwith.
2. That the Statement, Findings, "Appendix A" and "Appendix B" be, and they are hereby, made a part hereof.
3. All motor vehicle common carriers, to the extent they are affected, shall publish, or cause to be published, new schedules, tariffs and rates reflecting the changes set forth in the Statement, Findings and "Appendix A" and "Appendix B."
4. 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.

5. The rates, regulations and provisions prescribed herewith shall become effective on the 1st day of November, 1955, on notice to this Commission and the general public by not less than one day's filing and posting in the manner prescribed by law and the rules of the Commission.

6. On and after November 1, 1955, 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.

7. On and after November 1, 1955, 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.

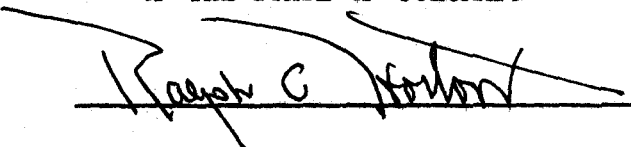
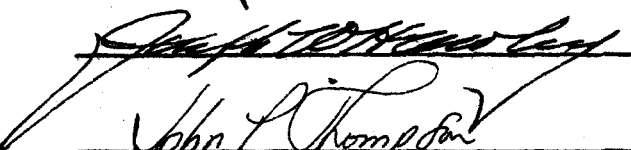
8. That Sections 5 and 5-A of the present Tariff No. 12, Colorado P.U.C. No. 6, are cancelled and revoked as of the 1st day of November, 1955.

9. 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 liabilities applicable to a motor vehicle common carrier.

10. 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.

11. 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 18th day of October, 1955.

APPENDIX "A"

SECTION NO. 5

HEAVY COMMODITIES

RULE NO. 1:

Where no rule or charge is provided for in this section, the general rules applicable to all motor vehicle carriers will apply.

RULE NO. 2: Application of Rates

(A) The rates published in this section will apply only to call and demand carriers and will not alternate with the class rates published in Section No. 1.

(B) Unless otherwise specifically provided, rates published herein include pick-up service at point of origin and delivery service at destination.

(C) The term "pick-up service," as used herein, refers to the service involved in calling for and loading freight on motor vehicle from a platform, railroad freight car or other facilities accessible to highway vehicle.

(D) The term "delivery service," as used herein, refers to the service involved in unloading from motor vehicle to a platform, railroad freight car or other facility directly accessible to highway vehicle.

(E) Rates do not include the service of loading onto and/or unloading from carrier's vehicle shipments which, due to weight, size or shape cannot be handled by truck and driver and require the use of additional labor and/or additional lift equipment. The charge for such additional labor and/or additional lift equipment will be the hourly charge provided for in Rule No. 3.

(F) The term "truck and driver," as used in paragraph (E), also includes truck-tractor, trailer and driver when such combinations are used in the transportation of the shipment.

RULE NO. 3: Special Service or Additional Charges

The following charges are in addition to the transportation charges provided herein, and will be assessed on shipments when special service and/or extra labor or equipment is required in loading or unloading shipments, or when extra services are required due to weak bridges or other highway obstructions preventing accessibility on the normal route. Also for stringing material along a right-of-way, to tow, drag, or gather material or equipment to or from loading or unloading place, to pull down, or set up material, machinery or equipment, or wreck or place same in position, or to rig up or to pump liquids on or off tanks.

Truck, Truck-Tractor of "A" Frame weighing empty - (Power Unit Only)

	<u>HOURLY RATE</u>
7,000 lbs. and under.....	\$ 5.50
Over 7,000 lbs. and under 9,000 lbs.....	6.50
Over 9,000 lbs. and under 12,000 lbs.....	7.50
Over 12,000 lbs. and under 15,000 lbs.....	9.75
Over 15,000 lbs. and under 19,000 lbs.....	12.50
Over 19,000 lbs. and under 24,000 lbs.....	15.00
24,000 lbs. and over.....	17.00

Crane, with driver and operator, less than 75 feet of boom.....	17.50
Crane, with driver and operator, 75 feet of boom and over.....	20.00
Use of Tractor or Caterpillar:	
D-6 or comparable.....	12.50
D-7 or comparable.....	15.00
D-8 or comparable.....	18.00
Athey Wagons.....	5.00
Oil Field Helpers or "swampers".....	2.25
Heavy Moving Foreman (see note).....	5.00
Heavy Moving Helpers (see note).....	3.50
Heavy Moving Helpers, High Work (see note).....	5.00
General Cartage, Extra Men (see note).....	3.00
Pole Trailers (see note).....	2.50

Time to be computed as actual travel and working time.

Any extra expense involved in furnishing material for rigging will be in accordance with the amount of rigging required.

Any necessary travel or subsistence expenses involved in performing the above services are additional, subject to the provisions of the note shown below.

SUBJECT to Rule 25

NOTE: Where reference is made to this note, charges shown will apply only on movements of commodities other than oil field machinery, equipment and supplies.

RULE NO. 4: Fractions Of An Hour

Where hourly rates are applicable herein, fractions of an hour will be considered as one full hour.

RULE NO. 7: Moving Empty Equipment

(a) When shipper or consignee, for its convenience, requests carrier to move empty equipment from the origin of the equipment or from carrier's terminal, whichever is the closer, to origin of the shipment, a charge for the movement of such equipment shall be assessed at the hourly rates provided in Rule No. 3, based on total empty miles traveled less 150 per cent of the total loaded miles traveled. An average traveling speed of thirty (30) miles per hour shall be used in arriving at the charges to be assessed hereunder.

(b) In computing total empty mileage, mileage from destination to immediate subsequent point of use of equipment, or to carrier's nearest terminal, shall be used when less than from destination to point of dispatch of empty equipment.

NOTE: Provisions of this Rule are subject to Rule No. 25.

RULE NO. 8: Off The Highway Service When A Part Of Road Haul

The distance rates named herein shall apply to and include service off highways or improved roads to load and/or unload a shipment when such shipment is transported in a road haul movement, subject to the conditions and charges shown below:

- (1) If the accrued time while carrier's equipment is transporting the road haul load from the highway or improved road to final destination point and/or the origin point to the highway or improved road exceeds one and one-half hours in either direction, an additional charge for each vehicle required in the transportation of the shipment shall be assessed at the hourly rates provided for in Rule No. 3.
- (2) The charge provided for in (1) above will not apply when carrier's equipment can move under its own power at the same rate of speed as on the improved road.
- (3) The provisions of this rule are subject to Rule No. 25.

NOTE: The term unimproved road, as used herein, means one which is not paved or graveled and drained.

RULE NO. 10: Minimum Charge

The minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day shall be on the basis of 10,000 pounds at the applicable rate, subject to the provisions of Rule 11 (B).

RULE NO. 11:

(A) Exclusive Use Of Vehicle For Transportation Of Articles Not Named In This Section. When a shipper requests the exclusive use of a vehicle for service in transporting commodities not named or provided for in this section, the charge will be based on the hourly rate set forth in Rule No. 3, provided, however, that in no event shall the charge be lower than 120% of the applicable class rate where the transportation is over the route of a scheduled line haul motor vehicle common carrier (regular route carrier), or a combination of such carriers.

(B) Exclusive Use Of Vehicle For Transportation Of Articles Named In This Section. When a shipper requests the exclusive use of a vehicle for service in transporting commodities named or provided for in this section (weighing under 4,000 pounds), the charge will be based on the hourly rate set forth in Rule No. 3 or the distance rates subject to a minimum weight of 10,000 pounds published in this section, whichever produces the lower total charge.

RULE NO. 12: Impractical Operation

Nothing in this tariff shall be construed as making it binding on the part of the carrier to receive or deliver freight for destinations to which, on account of road conditions, it is impractical to operate trucks or make deliveries.

In such cases, notice shall be given to both the consignor and consignee and deliveries made by special arrangements, subject to the governing rules and regulations and subject to the charges provided in Rule No. 3.

RULE NO. 13: Special Permits

The rates herein provided for do not include the charges made for special permits required under state regulations because of weight or dimensions of any load. The charge for such special permits, as shown thereon, and any expense resulting therefrom shall be in addition to the transportation charge and shall be borne by the shipper or consignee.

RULE NO. 14: Detention Of Equipment

When, through cause not attributable to the carrier, the carrier's vehicle is delayed and prevented from loading at point of origin for more than one hour after vehicle is made available for loading, or is delayed and prevented from unloading at point of destination for more than one hour after shipment is tendered for unloading, the charge for the time in excess of one hour shall be on the basis of the hourly rates set forth in Rule No. 3.

Vehicles will not be spotted for loading, or shipment will not be tendered for unloading between the hours of 6:00 p.m., and 7:00 a.m., or on Sundays or national holidays, viz.: New Year's Day, Christmas Day, Thanksgiving Day, Independence Day (July 4), and Veterans' Day (November 11), unless advance arrangements are made by the shipper or consignee.

RULE NO. 15: Classification Rule No. 30

The provisions of Rule 30 of current National Motor Freight Classification will not apply in connection with provisions provided herein.

RULE NO. 16: Towing

Where shipper offers shipment of equipment or machines on their own wheels which require towing behind carrier's vehicle:

(A) A charge of 50% of the rates named herein will be made on towed freight if the towing can be done behind a loaded vehicle of the carrier with a minimum shipment of freight tendered by same shipper, or,

(B) Where towing as described in paragraph (A) is requested by the shipper and he does not furnish a minimum load for carrier's vehicle, the shipment will be moved at the regular rate provided herein for the commodity shipped.

(This rule will not apply where the provisions of Rule No. 3 are applicable.)

RULE NO. 18: Light and Bulky Articles

(A) When two or more trucks are required for the transportation of a shipment tendered on one bill of lading and consisting wholly or in part of the light and bulky articles described in Paragraph (B), each truck loaded partially or entirely with one or more of such articles shall be considered as being loaded with a truckload, and such truckload shall be treated as a separate shipment in computing freight charges.

(B) Where reference is made to the term Light and Bulky Articles, such term within the meaning of this tariff shall comprise the following:

- (1) Articles each of which is in excess of 4 feet in width and 15 feet in length, viz.:

Absorber Units;	Masts, set up or in sections;
Airplanes and Parts;	Paving finishers;
Automobiles;	Road patrols;
Boats;	Smoke-Stacks;
Boxes, mud or mud tanks, set up;	Tanks, iron or steel, set up;
Cars, tank;	Tanks, wood, set up;
Derricks, set up or in sections;	Treaters, Oil or Gas;
Graders and Parts;	Vessels, petroleum cracking,
Hoppers or bins, set up;	distilling or refining.

- (2) Articles which, because of bulk or quantity tendered for shipment cannot be loaded on a semi-trailer measuring 8 feet in width and 28 feet in length, viz.:

Barrels;	Conduit cooling fans;
Boxes, set up or knocked down;	Conveyors;
Buildings, fabricated, set up;	Cooling Equipment;
Buildings, sectional and/or parts thereof, set up or knocked down;	Cooling Towers, wood;
Cartons, set up or knocked down;	Culverts;
	Pipe, glass, plastic or composition.

RULE NO. 19: Method of Computing Distance

- (1) Where mileages are shown in Colorado Department of Highways map via improved roads only, such mileages shall be used to determine the distance or portions of such distance via improved roads.
- (2) For distance from and to points not covered by the map referred to in paragraph (1) of this rule, the actual mileage via the shortest practicable route shall be used, except that the map will be used for such portion of the distance as may be provided thereon or ascertainable therefrom.

EXCEPTIONS

- (3) When shipments move under special permits required by and obtained from a municipal or state regulatory body or commission, which specifies therein the route to be traveled by the motor vehicle, the mileage to be used in determining the rate will be that shown in Colorado Department of Highways map via route specified in special permit.
- (4) Where, due to flood conditions, condition of bridges or ferries, it is impractical to operate the truck over highways forming the shortest distance between origin and destination, the most practical route over which the truck can be moved will be shown in the bill of lading and the distance via such route will be used to determine the rate. The bill of lading will also show the reason for the route specified therein.

RULE NO. 21: Rates Based On Varying Minimum Weights

When charges accruing on a shipment based upon actual weight exceed the charges computed upon a rate based upon a greater minimum weight, the latter shall apply.

RULE NO. 22: Weighing

- (A) Except as otherwise provided, all freight must be weighed at point of origin if scales are available, otherwise freight must be weighed enroute or at destination when scales are available, or are available at a point within 10 miles of the direct route origin to destination. Scale ticket shall show the gross, tare and net weight. Net weights, if greater than the applicable minimum weights, are to be used in computing freight charges.
- (B) If the weight of the commodities shipped cannot be determined as provided in paragraph (A), the shipper shall furnish the carrier, in writing, an itemized statement of the commodities offered for shipment, together with the actual weights there indicating that such weights are the actual weights of the commodities described to the best of said shipper's knowledge and belief. Such statement must be signed by the shipper.

RULE NO. 23: Stopping In Transit To Unload Partly Or To Complete Loading

Shipments moving at applicable rates and minimum weights on one bill of lading in one day from one consignor consigned to one consignee at one destination may be stopped in transit at points covered by this tariff not to exceed three (3) stops to complete loading and/or to unload partially, subject to the conditions and charges shown below:

- (1) The charge for each stop will be \$5.00 per truck per stop.
- (2) The through rate to apply will be the rate in effect on date of shipment either:
 - (A) From point of origin to final destination, via the point or points at which stops are made to complete loading and/or to unload partially, or
 - (B) From point of origin to stop-over point, or
 - (C) From stop-over point to final destination, whichever is highest.
- (3) The weight to be used in determining transportation charges will be the weight at point of origin plus the weight loaded at stop-over point or points.
- (4) Shipper at stop-over point or points must declare to agent of truck line at stop-over point or points the additional weight of the freight loaded for the purpose of determining the freight charges to be assessed.

RULE NO. 24: Tolls

The rates named herein do not include tolls for the use of bridges, ferries, tunnels or roads. When the shortest highway route, origin to destination, necessitates the use of bridges, ferries, tunnels or roads where tolls are assessed, the actual toll charges paid by the carrier, when supported by paid receipts, will be in addition to the published freight charges.

RULE NO. 25: Substituted Equipment

When carrier furnishes equipment of unladen weight at variance with equipment ordered by shipper, charges shall be assessed on basis of equipment ordered by shipper or as furnished by carrier, whichever results in the lower charge, provided the equipment ordered by shipper could have handled the shipment.

The following notation must be made on bill of lading:

"Equipment of _____ unladen weight ordered by
shipper and equipment of _____ unladen weight
furnished by carrier."

RULE NO. 26: Extra Accessorial Services

When, by reason of height or width of load being transported or for other reasons incidental to transportation of the load, it is necessary to raise or disconnect telephone, telegraph or power transmission lines or any other obstacle and companies owning such lines or obstacle make a charge for such service, then such charge shall be assessed against and collected from the owner of the property being transported.

RULE NO. 27: Diversion and Reconsignment

Shipments transported under rates, rules and regulations published in this section may be diverted or reconsigned, subject to the following rules, regulations and charges:

- (A) The term "Diversion" or "Reconsignment" means:

1. A change in the name of consignor or consignee or owner necessary to effect delivery and requiring an addition to or change in billing or additional movement of the motor vehicle or both.

(B) A request for diversion or reconsignment must be made or confirmed in writing. The original bill of lading must be surrendered or proof of ownership established by other means, with such request for diversion or reconsignment.

(C) When an order under these rules is received by the carriers parties to this tariff, diligent effort will be made to locate the shipment and effect the change desired while in the carrier's possession, but such carrier will not be responsible for failure to effect the change ordered unless such failure is due to the error or negligence of its employees.

(D) A charge of \$3.00 will be made for each shipment diverted or reconsigned under these rules.

(E) The rates to be applied on shipments accorded diversion or reconsignment privileges under these rules, will be the rate in effect on date of movement from point of origin to final destination, subject to the following:

The rate making distance will be the shortest distance origin to destination via the reconsigning point; in the event more than one reconsignment is involved, the rate making distance will be the shortest distance origin to destination via each successive reconsigning point.

ITEM NO.	COMMODITY
5	Machinery, Equipment, Materials and Supplies used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and pick-up thereof.
10	Articles, heavy, not otherwise specified, weighing 5,000 pounds or more in a single piece, or the component parts of which, when assembled, weigh not less than 5,000 pounds, and the density of which will exceed 20 pounds per cubic foot.
15	<p>Boilers, heating or power, wrought, or wrought and cast combined. Rates will also apply on the following articles shipped with boilers: Parts for each boiler; Brick, Fire Clay, Fire Tile, Insulating Material, Asbestos Cement, or iron or steel material for setting up or suspending each boiler, also on firing tools consisting of pokers, scrapers, slice bars or wire brushes.</p> <p>The weight of insulating material and asbestos cement must not exceed 15% of weight upon which charges are assessed.</p>
20	<p>Outfits, viz.:</p> <p>Bridge Builders', Contractors' or Graders', N.O.I., without livestock, as described under that heading in current National Motor Freight Classification, supplements thereto and reissues thereof.</p> <p>Water Well and Supplies, as described under the heading of "Oil, Water or Gas Well Outfits or Supplies" in current National Motor Freight Classification, supplements thereto and reissues thereof.</p>
25	Cable, electric or wire rope or strand.
30	Culverts, in straight shipments, Graders and Parts, Road Patrols, Paving Finishers, Gravel Bins and Conveyors, in straight or mixed shipments. Apply the provisions of Rule No. 18.
35	Bulldozers and/or Tractors, apply the 20,000 pound rates subject to a minimum weight of 15,000 pounds.
40	Airplanes and Parts, with wings detached. Apply the provisions of Rule No. 18.
45	Building Sheet Metal Work, as specified under the heading "Building Metal Work, including Roof Trimmings or Guttering or Ventilators", in the current National Motor Freight Classification, supplements thereto and reissues thereof. Apply the provisions of Rule No. 18.

ITEM NO.	COMMODITY
50	Electrical Appliances, viz.: Transformers, Motors, Generators or Generators and Engines combined. Telephone Switchboards and Telephone Switchboard Parts.
55	Machinery or Machines and Machinery or Machine Parts, viz.: Asphalt or Cement Mixing; Bakery; Bottling; Clay Working, Brick, Sewer Pipe & Tile; Compressors, air; Cranes; Crushers, ore, stone or coal; Derricks; Elevators or Escalators; Engines, steam or internal combustion; Farm; Ice Making or Refrigeration; Laundry, steam; Mill, flour or grain; Mining, Ore Milling or Smelting; Pile Drivers; Piling; Power Pumps; Printing; Screens, coal, gravel, sand or stone; Shoe or Shoe Repairing; Stokers; Trenching Machines; Well Boring or Drilling Machines.
60	Lumber, viz.: Piling and Bridge.
65	Machinery, N.O.S.
70	Pipe, viz.: Concrete, Iron or Steel.
75	Piling, viz.: Cement, Concrete or Steel.
80	Poles, electric or telephone, wooden, cement, concrete, iron or steel. Apply the provisions of Rule No. 11(B).
85	Shovels, power.
90	Smoke Stacks. Apply the provisions of Rule No. 18.

ITEM NO.	COMMODITY
95	Snow Plow Attachments.
100	Tanks, iron, steel or wood. Apply the provisions of Rule 18.
105	Structural Iron or Steel, including Plate Girders, Stringers and Fabricated Trusses. Steel Concrete Construction Forms.
110	Pole Line Construction Material, as specified under the heading "Pole Line Construction Material," in current National Motor Freight Classification, supplements thereto and reissues thereof. (Subject to Rule No. 18.)
120	Railway Equipment, as specified under the heading of "Railway Material or Equipment," in current National Motor Freight Classification, supplements thereto and reissues thereof.
125	Railway Track Material, iron or steel, as specified under the heading "Railway Material or Equipment," in National Motor Freight Classification, supplements thereto and reissues thereof.
130	Reinforcement, concrete or plaster, iron or steel, as specified under the heading "Iron or Steel," in current National Motor Freight Classification, supplements thereto and reissues thereof.
140	Ordnance, viz.: Artillery; Army Tractor Tanks; Vehicles, crawler type, with or without gun mounts; Vehicles, crawler type, with earth moving attachments. (Subject to Rule No. 18.)

PROPOSED RATES FOR APPLICATION THROUGHOUT THE STATE OF COLORADO

Rates are in Cents per 100 Pounds

Distance - - Miles	MINIMUM WEIGHT		
	10,000 pounds	15,000 pounds	20,000 pounds
5 and under	16	15	15
10 and over 5	19	18	17
20 and over 10	23	22	21
30 and over 20	26	25	25
40 and over 30	30	29	29
50 and over 40	35	33	32
60 and over 50	38	36	35
70 and over 60	43	40	39
80 and over 70	46	43	42
90 and over 80	49	46	45
100 and over 90	52	47	46
110 and over 100	54	50	49
120 and over 110	56	53	52
130 and over 120	61	56	55
140 and over 130	63	59	58
150 and over 140	67	62	61
160 and over 150	68	63	62
170 and over 160	70	65	64
180 and over 170	74	68	67
190 and over 180	76	70	69
200 and over 190	79	73	72
210 and over 200	83	76	75
220 and over 210	85	78	77
230 and over 220	89	82	81
240 and over 230	91	84	83
250 and over 240	94	86	85
260 and over 250	98	90	89
270 and over 260	100	91	90
280 and over 270	102	93	92
290 and over 280	104	96	93
300 and over 290	105	97	94
310 and over 300	106	98	95
320 and over 310	108	99	96
330 and over 320	110	100	97
340 and over 330	112	102	98
350 and over 340	113	105	100
360 and over 350	114	108	103
370 and over 360	116	111	105
380 and over 370	118	113	108
390 and over 380	122	117	111
400 and over 390	125	120	114
410 and over 400	129	123	118
420 and over 410	131	125	120
430 and over 420	135	129	123
440 and over 430	138	132	126
450 and over 440	141	135	129
460 and over 450	144	138	131
470 and over 460	147	141	134
480 and over 470	151	144	138
490 and over 480	154	147	141
500 and over 490	156	150	143
510 and over 500	160	153	146
520 and over 510	163	156	149
530 and over 520	167	160	152

PROPOSED RATES FOR APPLICATION THROUGHOUT THE STATE OF COLORADO

Rates are in Cents per 100 Pounds

Distance - - Miles	MINIMUM WEIGHT		
	10,000 pounds	15,000 pounds	20,000 pounds
540 and over 530	169	162	154
550 and over 540	173	165	158
560 and over 550	176	168	161
570 and over 560	179	172	164
580 and over 570	182	174	166
590 and over 580	185	177	169
600 and over 590	189	180	172
610 and over 600	192	184	175
620 and over 610	194	186	177
630 and over 620	198	189	181
640 and over 630	201	193	184
650 and over 640	205	196	187
660 and over 650	207	198	189
670 and over 660	210	201	192
680 and over 670	214	205	195
690 and over 680	217	208	198
700 and over 690	220	210	201

APPENDIX "B"

STORAGE IN TRANSIT OF IRON OR STEEL PIPE

Item 10 General Application

The provisions of this tariff apply locally via all carriers party hereto at points where storage yards are maintained by such carriers and only when through movement is via a single carrier.

Item 20 Commodities on which Transit is Authorized

The transit privileges offered hereunder apply only on pipe, iron, or steel, with or without tool joints and couplings attached; also on pipe, iron, or steel, wrapped, coated and/or lined.

Item 30 Carrier's Liability

Carrier's liability in operation of storage yard shall be that of warehouseman, to begin with the unloading and storage of commodities in yard and ending with the reloading of the commodities for transportation outbound from the yard. Carrier shall not be liable for aging or deteriorating of iron or steel articles resulting in rust, checks or cracks from natural causes and not caused by negligence of carrier as a warehouseman while commodities are in storage.

Item 40 Racks and Racking

In addition to carrier supplying open space for storage in transit of commodities covered by this tariff carrier will also furnish necessary service and suitable racks, their maintenance in proper condition and the racking and stacking of commodities to be stored and tallying of the articles into and out of the carrier's storage yard.

Item 50 Tonnage Records

Carrier's tonnage records of pipe received for transit storage shall be made from authentic delivery receipts of the carrier, which may be a freight bill or shipping notice carrying a full description with weight shown on such commodities which after verification shall be endorsed by the carrier "For Storage in Transit."

Item 60 Minimum Weight

The minimum weight to apply will be the minimum weight applicable in connection with the through rate, origin to destination. If the actual weight of shipment from transit point is less than the minimum truck load weight governing the applicable through rate, the deficit in weight will be charged for at the applicable local rate from the transit point to ultimate destination.

Item 70 Substitution of Tonnage

It is not required that the identical articles covered by specific inbound bill be re-shipped, but tonnage of like character may be substituted therefor and re-shipped.

Item 80 Storage Limitation

Pipe may be stored in transit in carrier's yard for a period not to exceed twenty-four (24) months.

Item 90 Storage Charges

(a) INITIAL CHARGE

An initial storage charge of ten cents (10¢) per ton of 2,000 pounds, or fraction thereof, shall be made at the time shipment is received and placed in storage, which charge shall cover storage for the balance of the month in which shipment is received for storage.

(b) MONTHLY CHARGE

A monthly storage charge of ten cents (10¢) per ton of 2,000 pounds or fractional part thereof, shall be made for each calendar month or fractional part thereof, after the period covered by the initial storage charge, provided in (a) of this item. Such monthly storage charge shall be computed on basis of total tonnage or weight actually in storage for account of each shipper separately, as of the first day of such calendar month. Minimum charge \$5.00 per month for each shipper.

(c) Storage charges under this tariff shall be in addition to all other charges under this tariff.

Item 100 Rates to Apply on Inbound Shipments

Upon receipt of shipment, carrier will assess and collect inbound charges arrived at as set forth below. Inbound freight bill shall bear notation "For Storage in Transit."

- (a) On shipments originating at points within five (5) miles of carrier's storage yard, inbound charges in lieu of any other charge will be assessed at 7-1/2¢ per cwt. This charge includes delivery to carrier's storage yard, racking in the yard, and re-loading on vehicles of the carrier for movement to final destination.
- (b) On shipments originating at points other than those described in (a) above, the inbound rate will be the local rate from point of origin to storage point plus 7-1/2¢ per cwt. The 7-1/2¢ per cwt. charge includes unloading at the storage yard, racking in the yard and reloading on vehicles of the carrier for movement to final destination.

Item 110 Rates to Apply on Outbound Shipments

- (a) On shipments stored in carrier's yard within five (5) miles of origin point the outbound rate will be the through line haul rate in effect on date of original shipment from point of origin, via storage point, to point of destination.
(Subject to the provisions of Item 100.)
- (b) On shipments originating at points other than as described in (a) above, the outbound rate will be the through rate in effect on date of original shipment from point of origin, via storage point, to point of destination, less the line haul rate paid into the storage point. (Subject to the provisions of Item 100.)
- (c) On shipments forwarded from storage yard by carrier other than carrier maintaining the storage yard, the following charges will apply:

RATES IN CENTS PER 100 POUNDS

SERVICE AND HANDLING	RATE
For checking and loading into or on Railroad cars	7-1/2
For checking and loading on trucks other than those of carrier maintaining storage yard.	5

NOTE: Charges do not include cost of labor or material for furnishing or installing stakes, stripping, ties or other dunnage.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LLOYD W. WEHRMANN, LA BELLE,)
MISSOURI.)

PUC NO. 3014-I

October 20, 1955

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lloyd W. Wehrmann, La Belle, Missouri, requesting that Certificate of Public Convenience and Necessity No. 3014-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 Certificate No. 3014-I, heretofore issued to Lloyd W. Wehrmann, La Belle, Missouri, be, and the same is hereby, declared cancelled effective September 17, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
John W. Hawley
John P. Thompson
Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN M. WHALEN, DOING BUSINESS)
AS "JOHN M. WHALEN TRUCKS,")
ROUTE 1, WHEATLAND, WYOMING.)

PUC NO. 2705-I

October 20, 1955

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John M. Whalen, doing business as "John M. Whalen Trucks," Wheatland, Wyoming, requesting that Certificate of Public Convenience and Necessity No. 2705-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 Certificate No. 2705-I, heretofore issued to John M. Whalen, doing business as "John M. Whalen Trucks," Wheatland, Wyoming, be, and the same is hereby, declared cancelled effective October 20, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton

John P. Thompson

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1955.

original

(Decision No. 44757)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF TROY B. HAMILTON, 1751 ASPEN STREET, GRAND JUNCTION, COLORADO, FOR AUTH- ORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-1328.	}	<u>APPLICATION NO. 13666-PP-Extension</u>

October 19, 1955

Appearances: Troy B. Hamilton, Grand Junction, Colorado, pro se;
T. A. White, Esq., Denver, Colorado, and
R. E. Turano, Denver, Colorado, for Rio Grande Motor Way, Inc.;
Cecil S. Haynie, Esq., Grand Junction, Colorado, for Litton Warehouse Co.;
George Bunte, Jr., Palisade, Colorado, for Grand Junction-Palisade Freight Line.

S T A T E M E N T

By the Commission:

Troy B. Hamilton is the owner of Private Carrier Permit No. B-1328, authorizing the transportation of:

coal from Grand Junction and Palisade coal mining districts to Palisade and Grand Junction; peaches from the Palisade and Grand Junction orchards to the nearest rail shipping point; sheep camp supplies, consisting of feed for sheep and groceries and merchandise for sheep camps in the vicinity of Mack, Colorado, as well as wool from said sheep camps to Grand Junction.

By the instant application, said permittee seeks an extension of authority under said permit to include the transportation of building material from point to point within a radius of fifty miles of Grand Junction, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the City Hall

in Grand Junction, Colorado, on October 5, 1955, and taken under advisement.

At the hearing, applicant testified that under his present authority he has been hauling some coal from the coal fields to Grand Junction, and hauled peaches during one season; however, his principal operation has been the transportation of brick from the Grand Junction Brick Company to various contractors, under a Commercial permit, a few deliveries being made in the fringe area of the city, but mostly to contractors within the city limits. All of his present customers are brick contractors, and he requested that his application be amended to include brick only, rather than building materials generally, and the radius of operations be limited to ten miles of Grand Junction, which amendment was agreed to by all parties. He further agreed that he would charge for the transportation over highways east of Grand Junction within said radius, when in competition with scheduled line-haul common carriers, 20% more than the rates prescribed by said common carriers for similar service, whereupon, all protestants withdrew their protests.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application for extension should be granted, as limited in the Order following:

O R D E R

THE COMMISSION ORDERS:

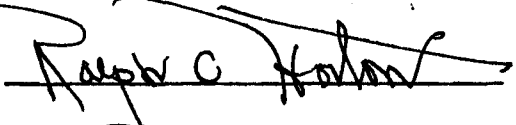
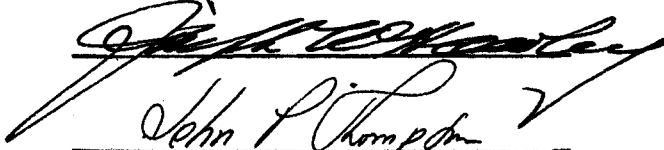
That Troy B. Hamilton, 1751 Aspen Street, Grand Junction, Colorado, should be, and hereby is, authorized to extend his operations under Permit No. B-1328 to include the transportation of brick only within a 10-mile radius of Grand Junction, Colorado.

That the tariff of applicant for transportation over highways east of Grand Junction, Colorado, within a 10-mile radius thereof, when in competition with scheduled line-haul common carriers, shall provide for rates and charges for the movement thereof that are at least 20%

higher than the rates prescribed by the Commission for transportation of freight by motor vehicle common carriers between the points where said service is performed.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 19th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BEE FREIGHT LINES, INC., EAST 52ND)
AVENUE AND COLORADO BOULEVARD, DENVER,)
COLORADO, FOR AUTHORITY TO LEASE PUC)
NO. 1613 TO EDGAR P. MAY, DOING BUSI-) APPLICATION NO. 12951-LEASE
NESS AS "MAY FREIGHT LINE," MEEKER,)
COLORADO.)
-----)

October 19, 1955

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for
applicant;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for
May Freight Line;
T. A. White, Esq., Denver,
Colorado, for Larson
Transportation Company;
E. B. Evans, Esq., Denver,
Colorado, for Leonard Gray
and Estes Trucking Company;
C. A. Smith, Denver, Colorado,
for Hartford Fire Insurance
Company.

S T A T E M E N T

By the Commission:

Bee Freight Lines, Inc., is the owner of PUC No. 1613,
authorizing transportation on call and demand of farm products,
including livestock and wool in grease, farm and ranch supplies,
farm machinery and equipment, and building materials between points
in Rio Blanco County, and from and to points in Rio Blanco County
to and from points in the State of Colorado, and the transportation
of oil well tools, machinery and drilling equipment between points
in Rio Blanco County only, without the right to serve between Meeker
and Rifle, and Meeker and Craig, in competition with the line-haul
services of H. H. Harp, of Meeker, Colorado, and Comet Motor Express,
of Craig, Colorado.

By Decision No. 42802, of date June 10, 1954, said certificate-owner was authorized to lease said certificate to Edgar P. May, doing business as "May Freight Line," Meeker, Colorado, with Option to Purchase. The lease and purchase contract approved by said decision, cited the fact that there was due to H. H. Harp, a former owner of said certificate, on a note and chattel mortgage described in the former decision (No. 38794), a sum in excess of \$100,000. The lease of the certificate, including certain equipment, provided for a consideration of \$43,500, to be paid in monthly installments equal to 10% of the gross revenues realized by vendee during the preceding month of operation, together with 5% per annum interest on the unpaid balance of the principal, payable monthly, with a provision for the acceleration of payments. Upon full payment of the indebtedness, which payments were to be made to Harp on the previous indebtedness mentioned, title to the certificate would pass to vendee.

By Application No. 12951, filed January 31, 1955, Bee Freight Lines, Inc., by petition, seeks an order cancelling the lease authorized by said Decision No. 42802, supra, on the ground that:

"Lessee, May Freight Line, has failed to make payments as set forth in the contract and is presently delinquent more than sixty days on said payments."

Said petition was regularly set for hearing, and heard at 330 State Office Building, Denver, Colorado, on April 26, 1955, with notice to all interested parties, and at the conclusion of the evidence, the matter was taken under advisement.

Many claims have been filed with the Commission against the operation of May Freight Line under the certificate. At the hearing, Charles R. Pressey, Vice-President of Bee Freight Lines, Inc., testified that no payment had been made under the contract referred to for the month of November, 1954, due December 15, 1954, or any succeeding months. May was advised of the default

by letter of January 7, 1955 (Exhibit No. 1), and responded under date of January 10, 1955 (Exhibit No. 2), to the effect that under the terms of the lease agreement, title to all equipment was to be delivered to him on or before January 1, 1955, and in his response required compliance with this proviso by January 15, 1955. The equipment was returned to Bee Freight Lines on January 20, 1955.

Edgar P. May, doing business as "May Freight Line," testified that title to the equipment had not been transferred to him by Bee Freight Line on or before January 1, 1955, as provided in the contract, and had it been so transferred, he could have financed the operations under the lease. He admitted he had never tendered the payment for November, 1954, due on December 15, 1954, or subsequent payments.

Leonard Gray testified that May's indebtedness to him was \$376.55, and it was admitted that May was indebted to one Estes in the sum of \$965.17.

At the close of the testimony the petition was taken under advisement and all parties granted thirty days in which to furnish the Commission with their respective statements of position, particularly on the question as to whether or not the Commission has authority to cancel a lease. No such statements have been submitted, and no decision has been rendered by the Commission.

On April 22, 1955, said PUC-1613 was revoked and cancelled by the Commission for failure of interested parties to file insurance coverage.

On June 1, 1955, Alvin J. Meiklejohn, Jr., advised that he was no longer counsel for May, as the latter had been adjudged a bankrupt and no longer has any interest in the outcome of the case, his interest having become the property of the Trustee in Bankruptcy.

In the meantime, by letter of May 18, 1955, May had advised the Commission that he was "filing for bankruptcy" on that date, and requested the Commission to set aside the revocation of the certificate which had been due to delay in receiving the notice of the

Commission requiring insurance coverage and the fact that he had obtained such coverage through an insurance agency prior to such revocation. He further asked that operation under the certificate be suspended for a period of six months so that the Trustee in Bankruptcy might determine further action. No action was taken on either request due to the pendency of the bankruptcy proceedings.

Under date of October 10, 1955, Mr. Meiklejohn advised the Commission that on October 5, 1955, the Referee in Bankruptcy had entered his order declaring that Harry H. Harp has no further interest in and to said certificate. No copy of this order has been filed with the Commission. However, we do have a copy of an order of the Referee in Bankruptcy of date August 3, 1955, holding that the lease and purchase contract between May and Bee Freight Line, referred to above, is the equivalent of a conditional sale agreement and is void as to the Trustee for lack of recordation, and on May 18, 1955, the date May was adjudged a bankrupt, all of the right, title and interest of the bankrupt in said certificate passed to the Trustee, free and clear of the terms and conditions of said sales agreement; that the said certificate and the right of sale and transfer thereof is subject to the jurisdiction of this Commission.

On October 13, 1955, Thomas J. Fitzgerald, Trustee of the Estate of Edgar Paul May, Jr., Bankrupt, as Transferor, and Lesley Estes and Richard Estes, doing business as "Estes Trucking Company," as Transferees, filed application for the transfer of said certificate. The application is accompanied by a copy of an order of the Referee in Bankruptcy, reciting that he has been authorized to sell said certificate, after due notice to all interested parties; that transferees were the highest and best bidders at the advertised sale, having bid the sum of \$4,000.00 for the certificate, and that said sale was approved and confirmed, proper instrument of transfer to be delivered upon receipt of the purchase price. Hearing on this application has been set before the Commission for October 26, 1955.

One of the interested parties appears as "Edgar P. May" in the records of the Commission, while in the bankruptcy proceedings it appears as Edgar Paul May, Jr. The Commission is certain as to the identify of this party, and the records will be corrected accordingly.

We have reviewed the records of the Commission in detail as a basis for the following Findings and Order to clear the record to date.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement should be made a part hereof, by reference.

That the order of the Commission of date April 22, 1955, revoking said certificate, should be vacated and set aside, and the certificate restored to its former status as of that date.

That the records of the Commission should be corrected to show that the true name of Edgar P. May, wherever it appears throughout the proceedings above referred to, is Edgar Paul May, Jr.

That the question involved in Application No. 12951, supra, to-wit, whether or not the Commission has authority to cancel the lease referred to, has become moot, and said application should be denied.

O R D E R

THE COMMISSION ORDERS:

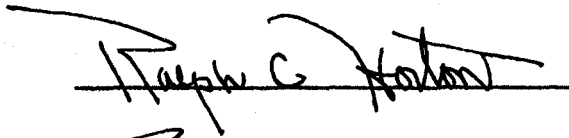
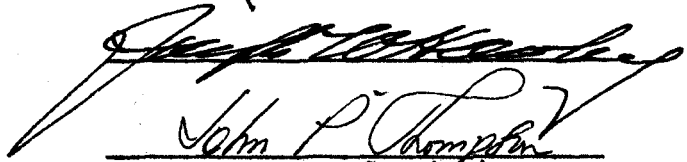
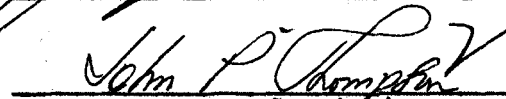
That the Order of the Commission, dated April 22, 1955, revoking Certificate No. PUC-1613 should be, and is hereby, set aside and vacated, and said certificate restored to its former status as of April 22, 1955.

That the records of the Commission be corrected to show that the true name of Edgar P. May is "Edgar Paul May, Jr."

That Application No. 12951 should be, and hereby is, denied.

That this Order is effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 19th day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF)
PUBLIC CONVENIENCE AND NEC-) APPLICATION NO. 13810
ESSITY UNDER CHAPTER 80,)
SESSION LAWS OF COLORADO, 1951.)
-----)

October 14, 1955

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency will exist in the matter of trucks for the transportation of potatoes in Sedgwick County, State of Colorado, and that the emergency will probably continue for a period of approximately thirty (30) days, commencing October 17, 1955.

Request is made for an Order of this Commission relative to the issuance of temporary certificates of public convenience and necessity for the seasonal transportation of the potato crop in said county.

F I N D I N G S

THE COMMISSION FINDS:

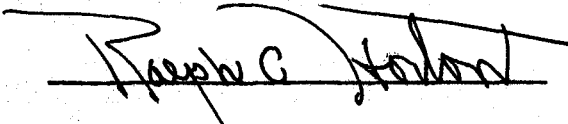


That an emergency exists because of the shortage of certificated carriers for the transportation of potatoes in Sedgwick County, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for the transportation of potatoes to market or place of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period from October 17, 1955, to November 17, 1955, both dates inclusive.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of potatoes to market or place of storage in Sedgwick County, Colorado, said certificates to become effective October 17, 1955, and continue in force up to and including November 17, 1955.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 14th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE GENERAL)
INVESTIGATION OF THE FREIGHT)
RATES ON SAND, GRAVEL, DIRT,)
CONCRETE (WET AND/OR DRY),)
AND ROAD SURFACING MATERIAL,)
WITHIN FIFTY-MILE RADIUS OF)
DENVER, COLORADO, AMENDING)
THE RULES TO INCLUDE THE)
TRANSPORTATION OF INSULROCK.)

CASE NO. 1585

October 19, 1955

S T A T E M E N T

By the Commission:

In Decision No. 16190, dated November 23, 1940, the Commission prescribed rates and regulations covering the transportation of sand, gravel, dirt, concrete (wet and/or dry) and road surfacing material within a fifty-mile radius of Denver, which was subsequently amended by Decision No. 44023, dated March 4, 1955, and provided, in part, the following:

(B) Definition of Building Construction Material: The term "Building Construction Material," as used herein will mean, sand, gravel, dirt, stone and refuse.

Weights. The rates herein provided shall apply on the actual weight of the shipment transported. However, where it is impossible to secure the actual weight, the following estimated weight shall be used: sand, dirt, gravel, stone and refuse, 2,750 pounds per cubic yard; concrete and road surfacing material, 3,500 pounds per cubic yard.

Subsequent to the above decisions, conditions and circumstances have changed whereby the transportation of a new product being termed "insulrock" (other names are geolite or georock) has been developed. The general usage for this product is a covering for building roofs and is being sold through the sand and gravel industry. The

transportation services are being performed by private carriers with movements in small lots from stock piles to roofing jobs. The Commission is of the opinion at the present time that the sand and gravel rates should be amended to include this commodity.

F I N D I N G S

THE COMMISSION FINDS, That:

Decision No. 16190, dated November 23, 1940, and Decision No. 44023, dated March 4, 1955, should be further amended to include the following:

(B) Definition of Building Construction Material: The term "Building Construction Material," as used herein will mean sand, gravel, dirt, stone, insulrock (geolite or georock) and refuse.

Weights: The rates herein provided shall apply on the actual weight of the shipment transported. However, where it is impossible to secure the actual weight, the following estimated weight shall be used: sand, dirt, gravel, stone and refuse, 2,750 pounds per cubic yard; concrete and road surfacing material, 3,500 pounds per cubic yard; insulrock (geolite or georock), 1,250 pounds per cubic yard.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement and findings, be, and the same are hereby made a part hereof.

2. This order shall become effective forthwith.

3. The description set forth in Decisions 16190 and 44023 be and the same are hereby amended to include "insulrock."

4. All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish, or cause to be published the provisions herein set forth.

5. All motor vehicle common carriers involved in the provisions set forth, shall publish, or cause to be published the provisions herein set forth.

6. Jurisdiction is retained to make such further orders as
may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1955.

mem

original

(Decision No. 44761)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TATE KETTLER, LOVELAND, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
538 TO ALVIN L. MILLER AND GORDON) APPLICATION NO. 13533-Transfer
M. WALKER, CO-PARTNERS, DOING BUSI-)
NESS AS "COLUMBINE MILK SERVICE,")
825 COLLEGE, FORT COLLINS, COLORADO.)

October 21, 1955

Appearances: John A. Cross, Esq., Loveland,
Colorado, for Transferor;
Truman Stockton, Esq., Denver,
Colorado, for Transferees;
Barry and Hupp, Esqs., Denver,
Colorado, by Paul Hupp, Esq.,
for Colorado Milk Transport,
Inc.

S T A T E M E N T

By the Commission:

By our Decision No. 3226, dated February 14, 1931, the pre-
sent transferor, Mr. Tate Kettler, was authorized to operate as a
common carrier by motor vehicle

"for the transportation of freight generally
from point to point within the territory ex-
tending ten miles north of Loveland, fifteen
miles east, ten miles south and to the Larim-
er County line on the west, and between
points within said territory and other points
within the State of Colorado,"

subject to the condition, among others, that

"(c) The applicant shall not be permitted,
without further authority from the Commis-
sion, to establish a branch office or to
have any agent employed in any other town
or city than Loveland for the purpose of
developing business."

This operation was assigned PUC No. 538. It is this authority which
Mr. Kettler seeks to transfer, by the present application, which was
filed July 12, 1955.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 4, 1955, due notice of time and place of the hearing being forwarded to all interested parties. Briefs having been filed by all interested parties, the matter now stands submitted for decision.

Our Decision No. 3226, noted supra, was issued shortly after the motor vehicle common carrier act became law, and recognized the "grandfather rights" of Mr. Kettler. The statement of the Commission in that Decision concerning the nature of Mr. Kettler's operation was:

"The applicant has been engaged since 1919 in rendering such service as he seeks authority to continue. His business has consisted in large part of the transportation of grain and other farm products from the farms in the vicinity of Loveland to elevators and canning factories in said city. He is engaged also in the transportation of vegetables from one factory to another in northern Colorado owned and operated by the Kuner-Empson Company, and the transportation of household goods from point to point within the State and livestock from the vicinity of Loveland to Denver."

His equipment at that time consisted of two trucks.

At the present hearing, Mr. Kettler testified that he now owns PUC No. 538; he identified the contract of sale to Columbine Milk Service, and verified the terms and conditions of sale. There is no indebtedness of consequence outstanding as a result of or associated with his operation under PUC No. 538. He has operated under that authority since 1931, operating only one truck since 1934.

Although he has hauled "pretty near everything" connected with farm operations at one time or another, substantially all of the hauling he has done of late has been household goods. The only milk he has ever hauled was hauled to help out a fellow carrier, some ten or fifteen years ago, while the other carrier's equipment was out of operation.

We turn now to the transferee, Columbine Milk Service. This company is a partnership, the partners being Mr. Gordon M. Walker and Mr. Alvin L. Miller.

Mr. Miller in 1946, pursuant to authority of PUC No. 1722 and our Decision No. 26811, began as a common carrier to transport milk to market in Fort Collins and surrounding territory from farms in a territory more particularly described in that decision, but being generally in the vicinity of Fort Collins.

Mr. Walker, the other partner, began business in the area in 1951 by acquiring Private Carrier Permit No. B-1284, by authority of our Decision No. 36017, dated January 19, 1951, pursuant to which he now transports milk to Denver only, for the Frink Creamery in Fort Collins, only. Several months later he sought, and by our Decision No. 37830 obtained, authority as a common carrier to transport milk and dairy products to market in Fort Collins and surrounding territory from farms in a territory more particularly described in that decision, but being generally in the vicinity of Fort Collins, and overlapping, in part, the territory served by Mr. Miller.

This year, 1955, Mr. Miller and Mr. Walker joined forces in the present partnership, Columbine Milk Service. Pursuant to authority of our Decision No. 44430, dated July 18, 1955, which was the result of combined hearing May 31, 1955, upon some six applications of the partners, we authorized the partners to acquire the authority of still another carrier in the area, combine all their authorities, except B-1284, into a single common carrier authority, numbered PUC-2346, enlarge their area of service to Fort Collins in minor respects, and institute serve to Denver dairies from the northern part of their territory, where they did not conflict, in Denver service, with existing carriers. Their applications had asked for Denver authority from an area served by existing carriers, but in this respect the partners met with opposition from existing carriers, and withdrew their applications as to the areas of conflict. The matter of significance is that they did not show that public convenience or necessity required or justified additional milk service to Denver dairies from the area of conflict.

We do not conclude that they could not have done so; we only note that they did not try.

This brings the partners' milk business, under the appropriate trade name "Columbine Milk Service" down to July 18, 1955.

On July 12, 1955, Mr. Kettler, with general commodity authority in the area of conflict, sought leave, by the present application, to transfer that authority to the partners, doing business as Columbine Milk Service. This is the application now under consideration. The common carrier which protested the Denver authority at the previous hearing is back again contesting this application, on the basis that the partners are merely trying to accomplish by a transfer proceeding what they did not prosecute directly, at the previous proceeding. In substance, the argument of the protesting carrier is that as the seller, Mr. Kettler has never in fact engaged in the transportation of milk to Denver, and Columbine intends to do so, the granting of the transfer will amount to putting a new common carrier in the field. They feel that under law, we must require a showing that public convenience and necessity requires additional carriers, before we can allow Columbine to enter the milk-hauling field via the proposed transfer. Mr. Kettler and Columbine, on the other hand, contend that though he never exercised it, Kettler at all times had the authority to haul milk to Denver, and that his right, though latent, is such that it can be bought and sold as personal property, possible unwarranted injury to other existing carriers notwithstanding.

It must be obvious that Columbine is trying to break into the Denver milk market, and that the carrier now serving this market from the same area is trying equally hard to keep it out. At present, Colorado Milk Transport is the only common carrier rendering this service in this area. The granting of this application for transfer will result in there being competition in fact, where none existed before. The question is not whether the present owner of the authority could carry milk

to Denver, but whether Columbine should be permitted to. There is nothing to indicate that the existing service of the present carrier, Colorado Milk Transport, is inadequate or unsatisfactory in any respect. By its previous application, Columbine sought to enter the same area, thereby placing in issue the question of the adequacy of existing service; that portion of the application was not prosecuted, however. Here Columbine takes the position that the adequacy of existing service is not a factor--that this question has no place in this proceeding.

The financial responsibility and operating experience of Columbine stands unchallenged; nothing in the record indicates that any reason of qualification is absent. The problem squarely presented for decision, and, on this evidence, controlling our decision, is whether in any transfer proceeding we can under any circumstances consider the needs of the community or the adequacy of existing service. If we can, then the transfer must be denied, insofar as it pertains to hauling milk to Denver, for there is no showing that this additional service is needed. If we cannot consider the public's need, then the transfer must be allowed, for the transferee, on the evidence here, is in all other respects qualified. ✓

Statutes which have application, and which may be of assistance in resolving the problem are:

'53 C.R.S. 115-5-5: "Any certificate of public convenience and necessity, or rights obtained under such a certificate held, owned or obtained by any public utility, may be sold, assigned, or leased as other property, only upon authorization by the Commission and upon such terms and conditions as the Commission may prescribe." (Emphasis supplied).

This section is made applicable to motor vehicle common carriers by '53 C.R.S. 115-9-2 and 115-9-29.

Our promulgated Rule and Regulations Governing Common Carriers by Motor Vehicle, provide:

Rule 5. Transfer of Certificate. The rule, after requiring application for leave to transfer, provides

"(a) Such application shall be made in duplicate and shall contain all information concerning the transferee or transferees now or hereafter required in original applications."

Rule 3, Contents of Application for Certificate, requires that the applicant state

"(c) The names of all motor vehicle common carriers...with whom applicant will be likely to compete..."

"(f) A statement of all facts and circumstances relied upon by applicant to show public convenience and necessity..."

Surely we would not require this information to be submitted, unless we intended to consider it when it was received. ✓

We have taken occasion many times since 1936, in connection with transfers of private motor carrier permits, to restrict the permit to the work actually done by the seller theretofore. Some of these decisions are: Re Petroleum Transport Company, Decision No. 9087, dated December 12, 1936, supplemented by Decision No. 13932, dated August 29, 1939; Re Kelly, Decision No. 15849, dated August 24, 1940; Re Roth, Decision No. 35905, dated January 8, 1951; and Re Franch, Decision No. 44410, dated July 13, 1955. While these are private carriers, and the present matter involves a common carrier, it should be noted that the Statutes ('53 C.R.S. 115-9-2 and 115-9-29 as to common carriers, and '53 C.R.S. 115-11-3 as to private carriers) declare both to be "affected with the public interest," and as such, public utilities within the definition contained in the Public Utilities Act ('53 C.R.S. 115-1-3). Thus, these decisions cannot properly be segregated as not applying to the situation presented here.

The only decision of this Commission of which we are aware, which applies specifically to restriction of authority of a motor vehicle common carrier in the process of transferring it, is in our Decision No. 37419, dated September 28, 1951, In Re Gehagen.

In 1936, Mr. Gehagen began operation as a motor vehicle common carrier, pursuant to authority from this Commission, the extent of which is not significant here. In 1939, also pursuant to authority from this Commission, he acquired authority to conduct a transfer, moving, and general cartage business throughout Colorado. He later sought to transfer this authority to a corporation, as a device for getting the authority into the hands of one Melton, who specialized in hauling petroleum products in bulk, and wanted the additional territorial authority which he felt Gehagen's certificate would give him. Other petroleum haulers protested the application. As it happens, the same counsel who appeared in the present case appeared in that one. No attempt was made there, nor here, to prove that there was any need or public demand for additional petroleum carriers. Gehagen testified that he had never offered service in the transportation of petroleum products in bulk, and never been tendered any to haul. Melton, the buyer, admitted that the transfer, if authorized, would put a new carrier into the field of bulk petroleum transportation, where none existed before. The Commission there stated that it felt existing common carriers, who have dedicated their property to public use in a given competitive situation, are entitled to protection from encroachment as long as they give satisfactory service at reasonable rates. Quoting from its 1934 Decision No. 5846, In Re Sandlin, the Commission said:

"Experience has taught that in the long run the public is better served by one or two dependable operators who are able to make a reasonable profit and continue in business, rather than to permit so much competition that no one is able to operate at a profit."

In determining that Gehagen should not be permitted to transfer his authority without restriction, the Commission concluded:

"If the transfer of the certificate of Gehagen is authorized to Melton, who intends to conduct a new and entirely different operation, without restriction as to the commodities to be transported, it would, in the opinion of

the Commission, have a disrupting influence on common carrier service in Colorado, and would mean that without proper proof of public convenience and necessity, a new carrier of petroleum products in bulk in tank trucks would be put into the transportation field."

The only factor we can see which distinguishes these cases, one from the other, is that Gehagen had a transfer, moving and general cartage authority, while Mr. Kettler has a general freight authority. This distinction would go only to whether Gehagen himself had legal authority to transport petroleum products, and therefore could transfer such an authority; but there was no discussion at all of this phase of the matter in the Gehagen decision. We therefore conclude that this was in fact not a factor in that decision.

It is clear that so far as existing carriers are concerned, the effect of the two transfers is precisely the same. In each case, we have a common carrier authorized to haul a commodity, but in fact not hauling it, nor soliciting that business, nor even having proper equipment adequate to do the work. In short, each carrier, though having general authority to haul the disputed commodity, has evidenced no desire nor intention to haul it. The purchasing carrier in each instance wants to render a new service, never before conducted by the seller in the many years the seller has been in business. In each case there is already service of the proposed kind available in the area; to all appearances, the existing service is swift, efficient, and reasonably priced. No showing is made that any additional, better, or cheaper service is needed or even desired by shippers in the area. Existing service has involved the commitment of funds, equipment, and manpower to the risks that every common carrier must in the nature of the carriage assume. What the effect of adding new competition will be is unknown; but with existing service being entirely satisfactory in every respect to shippers, it would appear that the revenue-eroding effect of competition could only be harmful. ✓

Abandonment of service is not an issue here; to be abandoned, it must once have been offered. Search of the record since 1931, and Mr. Kettler's own statements concerning his operation since 1919, verifies that he has never offered such a service. A service cannot be abandoned, which has never been attempted. Rather, it appears that the authority as originally issued was broader than was necessary to describe the service Mr. Kettler intended to provide and in fact did provide. From the fact that his service for over twenty years has been a small, one-man-one-vehicle operation, we conclude that this was all the authority which was required by the community's need at the time his certificate was issued and since.

This finding is in keeping with the pronouncement of the Colorado Supreme Court in Public Utilities Commission et al vs. Weicker Transportation Company, et al., 102 Colo. 211, 217, 78 Pac. 2d 633 (1938). There, an authority originally issued in restricted form was expanded, on the basis that the service actually rendered was at all times, from the beginning, broader than the authority provided. The Supreme Court, in affirming the Commission's Order expanding the authority, said:

"...It was clearly within its discretion to consider the acceptance of Goldstein's reports and fees on his intermediate service as factors in arriving at its final official recognition of a status which he claimed had existed from the beginning."

Here, the situation is the reverse. The service actually rendered never has been as broad as the authority granted, and evidently was not intended to be. In the interest of protecting existing service, we should prune the excess, unused, over extended authority.

In short, we now reaffirm our often-declared conviction that if any carrier desires to duplicate service which is being provided by common carriers, it must show that there is some need or demand for the proposed duplicate service, to such an extent that we are justi-

fied in jeopardizing the investment which the existing common carrier has irrevocably committed to public use. We do not see how we can otherwise supervise the motor carrier industry of the State, as we are required to do by Statute, to the end that the public shall have swift, efficient motor carrier service available at reasonable price.

F I N D I N G S

THE COMMISSION FINDS:

The foregoing Statement is, by reference, incorporated hereinto.

The authority being transferred should be clarified, upon transfer, so as to make it clear that the transferee shall not, by reason of the transfer, acquire any authority to transfer milk to Denver and the Denver Metropolitan Area.

O R D E R

THE COMMISSION ORDERS:

That Tate Kettler, Loveland, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 538 -- being the operating rights granted by Decision No. 3226 -- to Alvin L. Miller and Gordon M. Walker, co-partners, doing business as "Columbine Milk Service," Fort Collins, Colorado, which authority, as clarified, reads as follows:

"for the transportation of freight generally from point to point within the territory extending ten miles north of Loveland, fifteen miles east, ten miles south and to the Larimer County line on the west, and between points within said territory and other points within the State of Colorado; provided, however, that the holder of this authority shall not have the right, without further express Order of the Commission, to transport milk or dairy products in cans or in bulk, to Denver or points within ten miles thereof; subject to the following conditions:

"(a) For the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, the applicant shall charge rates which in all cases shall be at least twenty

per cent in excess of those charged by the scheduled carriers.

"(b) The applicant shall not operate on schedule between any points.

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

"(d) Jurisdiction of the application herein shall be, and the same is hereby, retained to the end that if and as occasion may arise appropriate orders may be made to prevent improper encroachment by the applicant upon the field of business occupied by the scheduled carriers, and at the same time to allow the applicant reasonable latitude in the carrying on of its business as it may develop in the future,"

subject to the payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

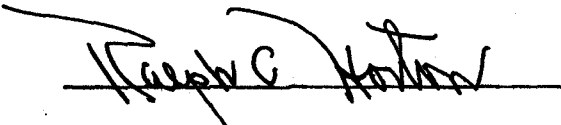
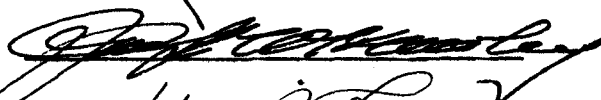
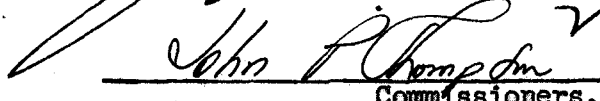
The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

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.

This Order shall become effective twenty-one (21) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44762)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
NATHAN GOLDSTEIN, 2990 CLERMONT)	
STREET, DENVER, COLORADO, FOR AUTH-)	
ORITY TO TRANSFER PERMIT NO. A-787)	
TO GOLDSTEIN TRANSPORTATION AND	)	APPLICATION NO. 13590-PP-Transfer
STORAGE, INC., 3434 WALNUT STREET,	)	<u>SUPPLEMENTAL ORDER</u>
DENVER, COLORADO.)	
-----)	

October 21, 1955

Appearances: Marion F. Jones, Esq.,
 Denver, Colorado, and
 Alvin J. Meiklejohn, Jr., Esq.,
 Denver, Colorado, for
 applicants;
 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 Decision No. 44647, of date September 22, 1955,
authority was granted to Nathan Goldstein to transfer Permit
No. A-787 to Goldstein Transportation and Storage, Inc., Denver,
Colorado.

The effective date of said decision was October 13, 1955,
and the parties to said transfer were required to advise the Com-
mission, in writing, that said permit had been formally assigned
and that said parties had accepted said assignment and in the
future would comply with the conditions and requirements of said
decision, within thirty days from the effective date of said
Order, or otherwise the authority referred to would become
automatically revoked.

The Commission is in receipt of a communication from
Marion F. Jones, Esq., one of the attorneys for applicants, re-
questing that the time within which said acceptance of the terms

of Decision No. 44647 be extended to and including January 1, 1956, in order that the transferee may inaugurate operations under said authority at the beginning of the calendar year, the necessity for double reports for 1955 be eliminated, and the licensing of the equipment involved in the transfer may not be required before the licensing period.

F I N D I N G S

THE COMMISSION FINDS:

That the request of applicants herein should be granted.

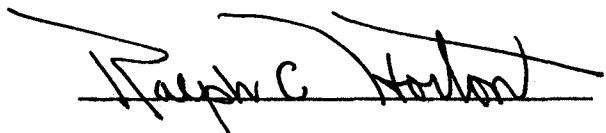

O R D E R

THE COMMISSION ORDERS:

That the time within which acceptance of the terms of our Decision No. 44647, of date September 22, 1955, is to be filed, should be, and hereby is, extended to and including January 1, 1956.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BENNIE GOLDSTEIN, DOING BUSINESS AS)
"GOLDSTEIN REFRIGERATOR LINE," 3434)
WALNUT STREET, DENVER, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.) APPLICATION NO. 13587-Transfer
416 AND PUC NO. 416-I TO GOLDSTEIN)
TRANSPORTATION AND STORAGE, INC.,)
3434 WALNUT STREET, DENVER, COLO-)
RADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
BENNIE GOLDSTEIN, DOING BUSINESS AS)
"GOLDSTEIN REFRIGERATOR LINE," 3434)
WALNUT STREET, DENVER, COLORADO,)
FOR AUTHORITY TO TRANSFER INTER-) PUC NO. 1901-I-Transfer
STATE OPERATING RIGHTS TO GOLDSTEIN)
TRANSPORTATION AND STORAGE, INC.,)
3434 WALNUT STREET, DENVER, COLO-)
RADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
BENNIE GOLDSTEIN, DOING BUSINESS AS)
"GOLDSTEIN REFRIGERATOR LINE," 3434)
WALNUT STREET, DENVER, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT) APPLICATION NO. 13589-PP-Transfer
NO. B-503 TO GOLDSTEIN TRANSPORTA-)
TION AND STORAGE, INC., 3434 WALNUT)
STREET, DENVER, COLORADO.)
-----)

S U P P L E M E N T A L O R D E R

October 21, 1955

Appearances: Marion F. Jones, Esq., Denver,
Colorado, and
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for applicants;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

By Decision No. 44646, of date September 22, 1955,
authority was granted Bennie Goldstein, doing business as

"Goldstein Refrigerator Line," to transfer PUC-416 and PUC-416-I, PUC-1901-I, and Private Carrier Permit No. B-503, to Goldstein Transportation and Storage, Inc., Denver, Colorado.

The effective date of said decision was October 13, 1955, and the parties to said transfer were required to advise the Commission, in writing, that said certificates and permit have been formally assigned and that said parties have accepted said assignment and in the future will comply with the conditions and requirements of said decision within thirty days from the effective date of said Order, or otherwise the authorities referred to would become automatically revoked.

The Commission is in receipt of a communication from Marion F. Jones, Esq., one of the attorneys for applicants, requesting that the time within which said acceptance of the terms of Decision No. 44646 be extended to and including January 1, 1956, in order that the transferee may inaugurate operations under said authorities at the beginning of the calendar year, the necessity for double reports for 1955 may be eliminated, and licensing of the equipment involved in the transfer may not be required before the licensing period.

It is represented that the Interstate Commerce Commission has already granted this same extension on the transfer of interstate operating rights being transferred to transferee.

F I N D I N G S

THE COMMISSION FINDS:

That the request of applicants herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That the time within which acceptance of the terms of our Decision No. 44646, of date September 22, 1955, is to be filed, should be, and hereby is, extended to and including

January 1, 1956.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
Joseph W. Reilly
John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOSEPH G. ALLSPACH AND WILLIAM)	
ALLSPACH, JR., CO-PARTNERS, DOING)	
BUSINESS AS "ALLSPACH BROTHERS)	
RUBBISH REMOVAL SERVICE," 2501)	APPLICATION NO. 13696
HUDSON STREET, DENVER, COLORADO,)	
FOR A CERTIFICATE OF PUBLIC CON-)	
VENIENCE AND NECESSITY TO OPERATE)	
AS A COMMON CARRIER BY MOTOR)	
VEHICLE FOR HIRE.)	
-----)	

October 21, 1955

Appearances: Robert E. McLean, Esq.,
Denver, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Co orado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing on said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicants herein seek a certificate of public convenience and necessity, authorizing them to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicants testified that they had been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and were so engaged prior to the first day of November, 1954; that they had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and they would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to the granting of authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicants' motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Joseph G. Allspach and William Allspach, Jr., co-partners, doing business as "Allspach Brothers Rubbish Removal Service," Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal plants in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicants shall operate their 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 applicants with all present and future laws and rules and regulations of the Commission.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph G. Allspach

William Allspach, Jr.

John A. Thompson

Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

* * *

APPLICATION NO. 13697

Appearances: Robert E. McLean, Esq.,
Denver, Colorado, for
Applicant.

By the Commission:

On October 13, 1955, and prior to the hour set for hearing on said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

-1-

by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he had been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to the granting of authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of

E. T. Clinton, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal plants in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

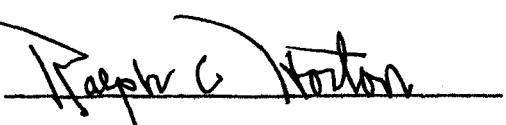
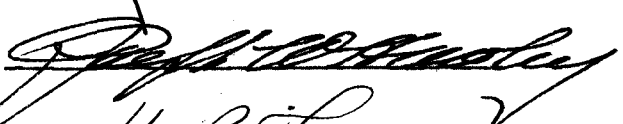

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. E. STRASSHEIM, 1070 HANOVER)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 13698

October 21, 1955

Appearances: John H. Lewis, Esq.,
Denver, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he had been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

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.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of C. E. Strassheim, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal plants in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

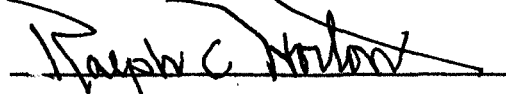
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

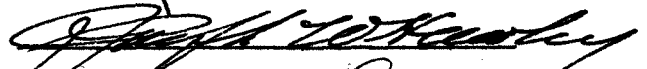
That applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Ralph C. Norton




John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
JOHN STRASSHEIM AND ALFRED H. STRASS-
HEIM, CO-PARTNERS, 3520 GRAPE STREET,
DENVER, COLORADO, FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE AS A COMMON CARRIER BY
MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 13699

October 21, 1955

Appearances: John H. Lewis, Esq.,
Denver, Colorado,
for applicants.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicants herein seek a certificate of public convenience and necessity, authorizing them to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicants testified that they had been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and were so engaged prior to the first day of November, 1954; that they had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and they would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to the granting of authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicants' motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of John Strassheim and Alfred H. Strassheim, co-partners, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal plants in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

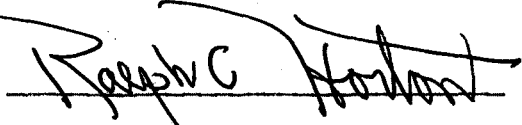
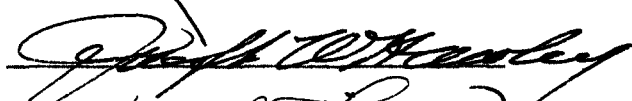
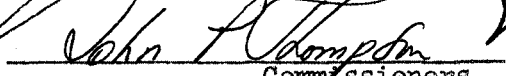
That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicants shall operate their 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 applicants with all present and future laws and rules and regulations of the Commission.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

(Decision No. 44768)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CONRAD TREBER, 4646 LOGAN STREET,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13701

October 21, 1955

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and neces-

sity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to the granting of authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require the applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor ve-

hicle common carrier call and demand transportation service of Conrad Trebor, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

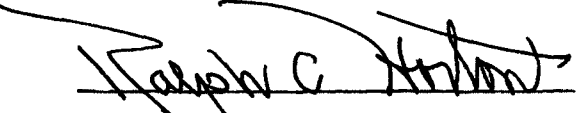
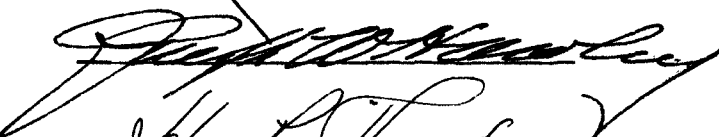

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44769)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CONRAD E. TREBER, 4772 RACE STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	) ) ) ) ) ) ) )	<u>APPLICATION NO. 13703</u>

October 24, 1955

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant seeks a certificate of public convenience and necessity,

authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require the applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Conrad

E. Treber, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

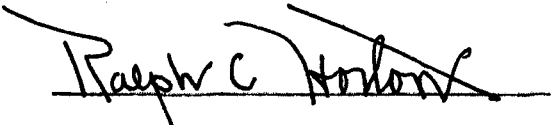
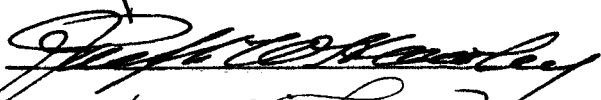

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 24th day of October, 1955.

mls

original

(Decision No. 44770)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN W. BURBACH, 639 EAST 19TH)
AVENUE, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 13704

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity,

authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require the applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of John W.

Burbach, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

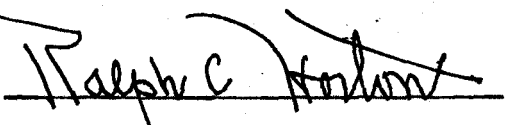
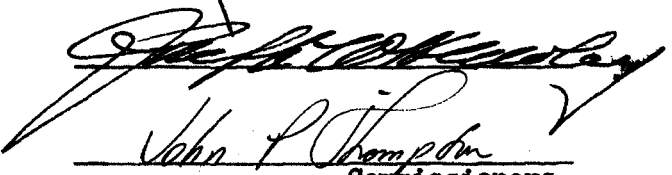
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44771)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VICTOR GINTHER, 4095 OTIS STREET,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13705

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity,

authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

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.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require the applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor ve-

hicle common carrier call and demand transportation service of Victor Ginther, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

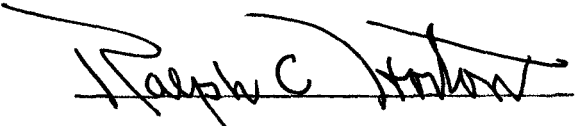
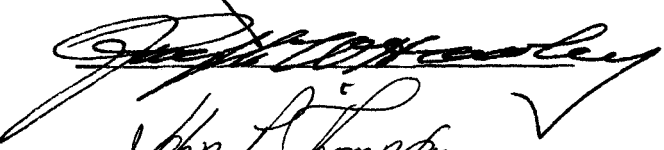
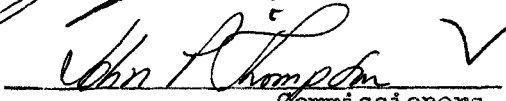
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44772)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. P. FINNEY, DOING BUSINESS AS)
"FINNEY SIGHTSEEING SERVICE," 942)
SOUTH CONEJOS STREET, COLORADO)
SPRINGS, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND)
NECESSITY.)

APPLICATION NO. 13186-Extension
SUPPLEMENTAL ORDER

October 21, 1955

Appearances: Marion F. Jones, Esq., Denver,
Colorado, and
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. P.
Finney;
Horn and Anderson, Esqs., Colo-
rado Springs, Colorado, for
Colorado Springs Transit Com-
pany;
Hodges, Silverstein, Hodges and
Harrington, Esqs., Denver,
Colorado, by J. G. Hodges,
Esq., for Denver-Colorado
Springs-Pueblo Motor Way, Inc.;
John F. Bensberg, Colorado
Springs, Colorado, pro se;
Ben S. Wendelken, Colorado
Springs, Colorado, for The
Broadmoor Hotel Garage, Pikes
Peak Company, and Yellow Cab
Company;
Frank Mobley, Esq., Colorado
Springs, Colorado, for James
Donaldson.

S T A T E M E N T

By the Commission:

By Decision No. 44719, dated October 11, 1955, the Commis-
sion dismissed Application No. 13186-Extension, of R. P. Finney, do-
ing business as "Finney Sightseeing Service," Colorado Springs, Colo-
rado, for a certificate of public convience and necessity.

On October 19, 1955, Petition for Rehearing was filed in
said matter by Alvin J. Meiklejohn, Jr., Esq., Denver, Colorado,

Attorney for said R. P. Finney, doing business as "Finney Sightseeing Service," Colorado Springs, Colorado.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Petition for Rehearing filed herein and each and every allegation thereof, and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That said Petition should be denied.

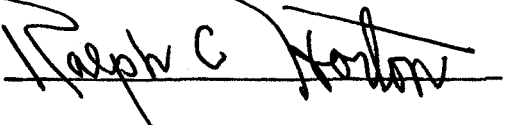
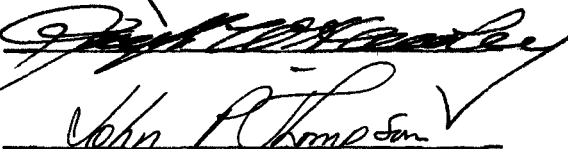
O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter, filed by Alvin J. Meiklejohn, Jr., Esq., Denver, Colorado, Attorney for R. P. Finney, doing business as "Finney Sightseeing Service," Colorado Springs, Colorado, should be, and the same hereby is, denied.

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 21st day of October, 1955.

mls

original

(Decision No. 44773)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND R. HAMILTON, 440 LIPAN)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 13706

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and neces-

sity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor ve-

hicle common carrier call and demand transportation service of Raymond R. Hamilton, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

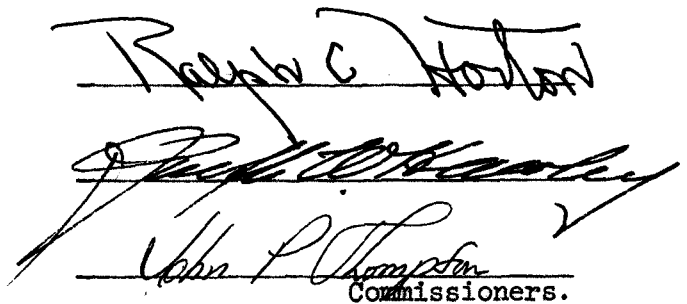
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44774)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) J. A. HANKLE, 4777 LINCOLN STREET,) DENVER, COLORADO, FOR A CERTIFICATE) OF PUBLIC CONVENIENCE AND NECESSITY) TO OPERATE AS A COMMON CARRIER BY) MOTOR VEHICLE FOR HIRE.)	<u>APPLICATION NO. 13707</u>
---	------------------------------

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and neces-

sity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following:

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of J. A.

Hankle, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

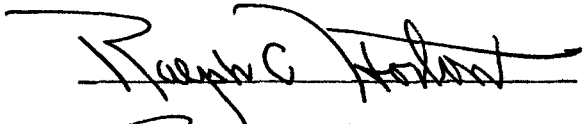
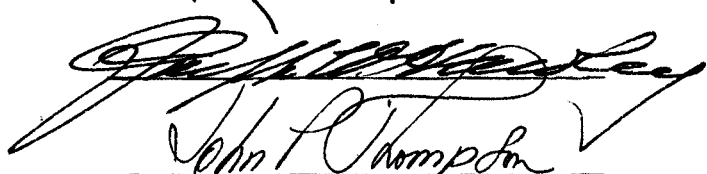
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44775)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALEX HEIDENREICH, 3340 WILLIAMS)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 13708

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceeding to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing,

applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor ve-

hicle common carrier call and demand transportation service of Alex Heidenreich, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

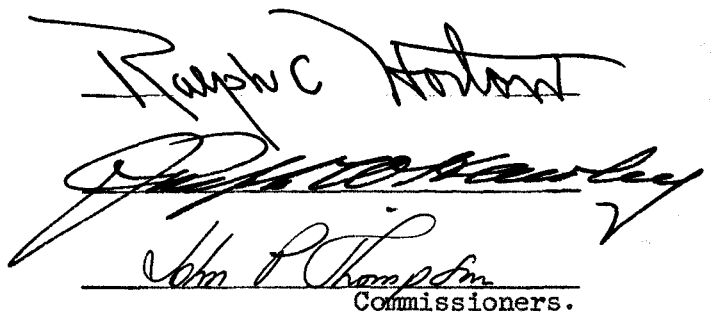
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44776)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 80, SESSION LAWS OF COLO- RADO, 1951.	}	<u>APPLICATION NO. 13817</u>

October 21, 1955

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency will exist in the matter of trucks for the transportation of sugar beets in the Counties of Adams, Bent, Boulder, Crowley, Delta, Garfield, Larimer, Logan, Mesa, Montrose, Morgan, Otero, Prowers, Pueblo, Sedgwick, and Weld, commencing October 24, 1955, and that the emergency will probably continue for a period of approximately thirty (30) days thereafter.

Request is made for an Order of the Commission relative to the issuance of temporary certificates of public convenience and necessity for the seasonal transportation of the sugar beet crop in said Counties.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage of certificated trucks for the transportation of sugar beets in the territory described, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of sugar beets to market or place of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be

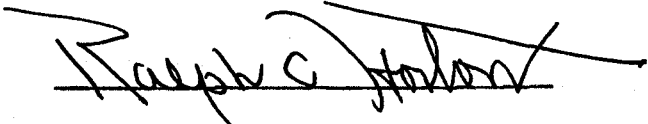
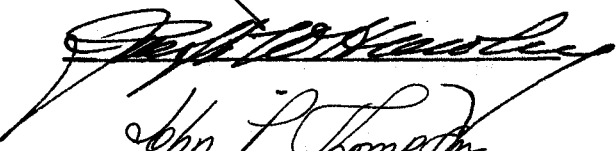
effective for a period of thirty (30) days, or from October 24, 1955, to November 24, 1955, both dates inclusive.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity should be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of sugar beets to markets or places of storage in the Counties of Adams, Bent, Boulder, Crowley, Delta, Garfield, Larimer, Logan, Mesa, Montrose, Morgan, Otero, Prowers, Pueblo, Sedgwick, and Weld, State of Colorado, said certificates to become effective October 24, 1955, and continue in force up to and including November 24, 1955, no such certificate to issue for the transportation of said product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44777)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EDWARD A. LEHL, 4510 LINCOLN)	
STREET, DENVER, COLORADO, FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE	)	<u>APPLICATION NO. 13709</u>
AND NECESSITY TO OPERATE AS A)	
COMMON CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

October 21, 1955

Appearances: Robert E. McLean, Esq.,
Denver, Colorado, for
applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor

vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Edward A. Lehl, Denver, Colorado, for the transportation of ashes,

trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

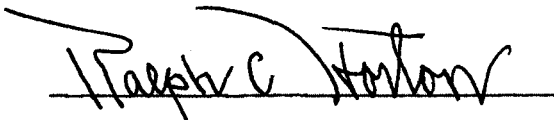
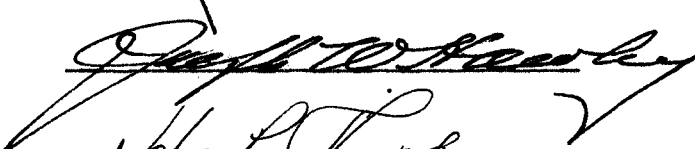
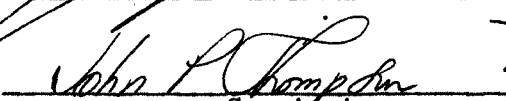
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44778)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY MOORE, 3466 WEST LOUISIANA)
AVENUE, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 13710

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing,

applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motore vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle

common carrier call and demand transportation service of Henry Moore, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

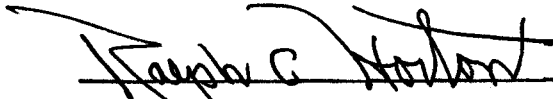
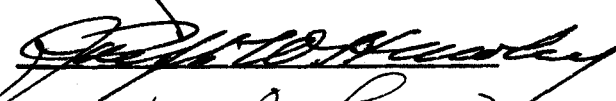

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44779)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
CHARLES A. PRIEN, 5115 ST. PAUL }
STREET, DENVER, COLORADO, FOR A }
CERTIFICATE OF PUBLIC CONVENIENCE }
AND NECESSITY TO OPERATE AS A }
COMMON CARRIER BY MOTOR VEHICLE FOR }
HIRE. }

APPLICATION NO. 13711

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing,

applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, for the transportation, on call and demand, of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Charles A. Prien, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

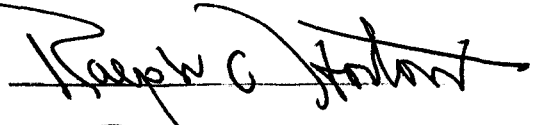
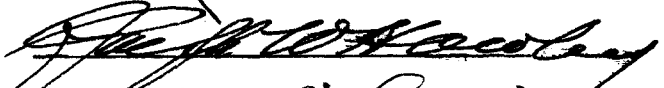

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

original

(Decision No. 44780)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD S. ROBINSON, 3321 LARIMER)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 13712

October 21, 1955

Appearances: Robert E. McLean, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing,

applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Harold S. Robinson, Denver, Colorado, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

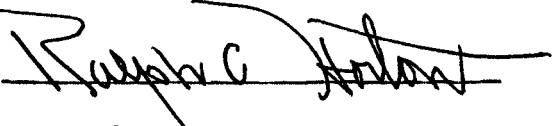
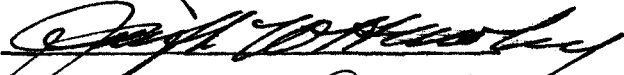

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION
OF SOUTHERN UNION GAS COMPANY,
1104 BURT BUILDING, DALLAS,
TEXAS, FOR AN ORDER AUTHORIZING
ISSUANCE OF CERTAIN SECURITIES
IN AMOUNT OF \$2,000,000.

AMENDED
APPLICATION NO. 13811
Securities

October 21, 1955

S T A T E M E N T

By the Commission:

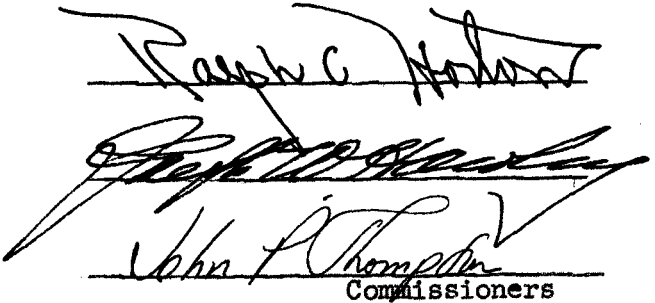
Upon consideration of the application filed October 17, 1955, by
Southern Union Gas Company, a Corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on November 10, 1955,
at 9:30 O'clock A. M., 330 State Office Building, Denver, Colorado, respect-
ing 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 pro-
ceedings. Intervention petitions should be filed with the Commission on or
before November 4, 1955, and should set forth the grounds of the proposed
intervention, and the position and interest of the petitioners, in the pro-
ceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 21st day of October, 1955.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DONALD J. SCHIMPF, 5025 GRANT)	
STREET, DENVER, COLORADO, FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	<u>APPLICATION NO. 13713</u>
AND NECESSITY TO OPERATE AS A)	
COMMON CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

October 21, 1955

Appearances: Robert E. McLean, Esq.,
Denver, Colorado, for
applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission, at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes,

trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Donald J. Schimpf, Denver, Colorado, for the transportation of

ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

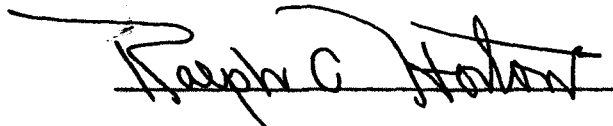
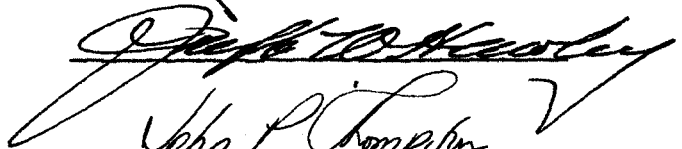
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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-One days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GEORGE SCHIMPF, JR., 5077 SHERMAN)	
STREET, DENVER, COLORADO, FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	APPLICATION NO. 13714
AND NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

October 21, 1955

Appearances: Robert E. McLean, Esq.,
Denver, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the abofe-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of

ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of George Schimpf, Jr., Denver, Colorado, for the transportation of

ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

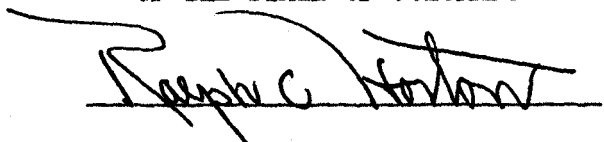
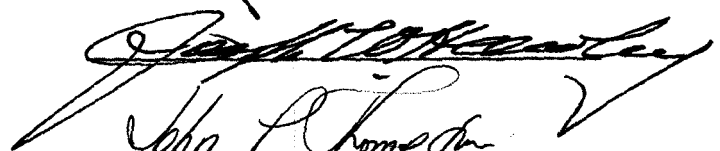

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE SCHAFER, 5127 ST. PAUL)
STREET, DENVER, COLORADO, FOR A) APPLICATION NO. 13715
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)
-----)

October 21, 1955

Appearances: Robert E. McLean, Esq.,
Denver, Colorado, for
applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes,

trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, applicant testified that he has been engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and was so engaged prior to the first day of November, 1954; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and he would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement should be, and hereby is, made a part of these Findings, by reference, and the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of George Schaffer, Denver, Colorado, for the transportation of ashes,

trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

Joseph C. Sweeney

John A. Thompson

Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

(Decision No. 44785)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ELVIN L. HIZEL AND EVERETT HIZEL,)	
CO-PARTNERS, DOING BUSINESS AS)	
"CARL HIZEL & SONS," 4165 MARSHALL)	<u>APPLICATION NO. 13770</u>
STREET, WHEATRIDGE, COLORADO, FOR)	
A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY.)	
-----)	

October 21, 1955

Appearances: Elvin L. Hizel, Wheatridge,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

The above-styled application was set for hearing before the Commission at 9:30 o'clock A. M., on October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

On October 13, 1955, and prior to the hour set for the hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said report of the Examiner shows that in view of the fact that there were twenty applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicants herein seek a certificate of public convenience and

necessity, authorizing them to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

At the hearing, Elvin L. Hizel, one of the applicants herein, testified that applicants were engaged in the transportation of ashes, trash, and refuse in the City and County of Denver, and were so engaged prior to the first day of November, 1954; that they had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such services, and they would comply with all ordinances and regulations of the City and County of Denver, and of the Commission.

No one appeared in opposition to granting the authority sought.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement should be, and hereby is, made a part of these Findings, by reference, and the report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicants' proposed motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier service of Elvin L. Hizel and Everett C. Hizel,

co-partners, doing business as "Carl Hize & Sons," Wheatridge, Colorado, on call and demand, for the transportation of ashes, trash, and other refuse in the City and County of Denver, and from points in the City and County of Denver, to officially-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

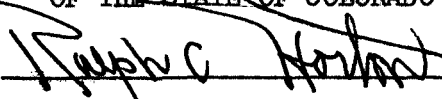
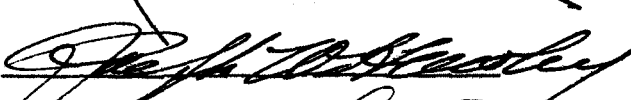

That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicants shall operate their 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 applicants with all present and future laws and rules and regulations of the Commission.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of October, 1955.

ea

original

(Decision No. 44786)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COLORADO TRANSPORTATION COMPANY)
AND CONTINENTAL BUS SYSTEM, INC.,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER TO PACKAGE DELIVERY SERVICE) APPLICATION NO. 12637-Transfer
COMPANY, 2127 ARAPAHOE STREET, DEN-)
VER, COLORADO, CERTAIN AUTHORITY)
ORIGINALLY GRANTED BY DECISION NO.)
1002 AND CONTAINED IN PUC NO. 56.)
-----)

October 25, 1955

Appearances: Barry and Hupp, Esqs.,
Denver, Colorado, and
Clarence Button, Esq.,
Denver, Colorado, for
Package Delivery Service;
Joseph G. Hodges, Esq.,
Denver, Colorado, for
Continental Bus System, Inc.;
T. A. White, Esq., Denver,
Colorado, for Colorado
Transportation Company;
E. B. Evans, Esq., Denver,
Colorado, for Foster Truck
Lines, Harold Swena, and
others.

S T A T E M E N T

By the Commission:

The instant application was filed July 7, 1953, and
after appropriate notice to all parties in interest, was set for
hearing, and heard, at the Hearing Room of the Commission, 330
State Office Building, Denver, Colorado, November 9, 1953, and at
the conclusion of the testimony, the matter was taken under
advisement.

On June 18, 1926, by Decision No. 1002, under PUC No.
56, Rocky Mountain Motor Company and its subsidiaries were auth-
orized, among other things, to operate a transportation service
by motor vehicle for hire, for the transportation of:

of completing their PUC No. 572 so that they might own a certificate which authorizes service all around the Metropolitan Area of Denver.

The transferors are desirous that they not lose or be deprived of any authority which authorizes the transportation of packages, express, and light parcels over, or along, or via their authorized bus routes, whether in buses equipped to carry passengers, or in other vehicles.

The facts as disclosed by the record indicate that Package Delivery Service Company renders substantial service in the area set out in the so-called "triangle" between Denver, Morrison, and Golden, and operate a minimum of three routes which average one hundred packages a day in this territory. They also render substantial service for Denver department stores, and on occasion, have as high as twelve delivery trucks in this area transporting furniture to new homes being constructed in many portions of the area being subject to much new home building.

F I N D I N G S

After a careful consideration of the record and all of the files, the Commission is of the opinion, and finds:

1. That the transfer of part of PUC No. 56 referred to in Paragraph 2 hereof is compatible with the public interest.
2. The reference in Decision No. 18703 of this Commission, of date April 20, 1942, to PUC No. 56 is intended to be to PUC No. 56, and not to PUC No. 55.
3. That Package Delivery Service Company's authority, as a result of the transfer authorized hereby, shall be as follows:

"To permit Package Delivery Service Co. to operate under PUC No. 572 for the transportation of small packages with a maximum weight of fifty (50) pounds (except that that maximum should not apply to furniture and house furnishings sold by retail stores in Denver) between Denver and Golden, and to the top of Lookout Mountain, and up Mount Vernon Canyon where the Mount Vernon Country Club is situated, and also as far as, and to Morrison, and any points within a triangle

Passengers and express between points and over routes as follows: Route No. 7, Denver to Silver Plume, by way of either Mount Vernon Canyon or Lookout Mountain through Idaho Springs and Georgetown for the carriage and transportation of passengers and light parcels and express, such as passenger trains carry to each of these points.

Rocky Mountain Motor Company subsequently transferred its package delivery authority, which was granted to them under Decisions Nos. 3472 and 14471, being PUC No. 572, to Package Delivery Service Company, and shortly after the transfer of its package delivery certificate to a separate company, it sought and obtained the approval of this Commission to "loan" or "lease" or "allow" the use of a portion of Route No. 7, referred to supra, which transfer was approved by this Commission in Application No. 1813-AA-A, dated April 20, 1942, being Decision No. 18703. The pertinent language of that decision which describes what Package Delivery Service Company was permitted to do under its use of Route No. 7 of PUC No. 56, is set out as follows:

"To permit Package Delivery Service Co. to operate under PUC No. 56 for the transportation of small packages with a maximum weight of fifty (50) pounds (except that that maximum should not apply to furniture and house furnishings sold by retail stores in Denver) between Denver and Golden, and to the top of Lookout Mountain, and up Mount Vernon Canyon as far as the top of Mount Vernon Canyon where Mount Vernon Country Club is situated, and also as far as, and to, Morrison, and any points within a triangle formed by Denver, Morrison and Golden, where said points are not already covered in Package Delivery's certificate transferred to Package Delivery Service Co., said service to be a door-to-door service, and to be performed only for retail stores located in the City and County of Denver, no service to be performed up Bear Creek Canyon to points beyond Morrison, and minimum rate to Morrison to be not less than twenty-five cents (25¢) per package."

On December 29, 1952, in Application No. 12155, being Decision No. 39923, this Commission authorized the transfer of certain authority contained in PUC Nos. 5, 55, and 56, more

specifically referred to in Decision No. 1001, dated June 18, 1926, Application No. 542, and assigned Route No. 7 the following authority:

Golden to the bottom of Floyd Hill at the junction of U. S. 40 and U. S. 6, via Lookout Mountain and Mount Vernon Canyon.

This authority was transferred to Colorado Transportation Company.

On January 29, 1953, in Application No. 12112, being Decision No. 40015, (as amended by Decision No. 40038), this Commission authorized the transfer of Route No. 7 as contained in PUC No. 56, granted by Decision No. 1002, and as amended to provide for service between Denver and Silver Plume via Clear Creek Canyon, referred to supra, to Continental Bus System, Inc., Denver, Colorado.

This, in the main, recites the facts as disclosed by the Commission records with respect to the authorities referred to herein, except that in Decision No. 18703, there is a reference: "applied after the decision is rendered" to PUC No. 55, it being thought that at some time or other, someone connected with the Commission was of the opinion that the Package Delivery Service authority loaned from Rocky Mountain Motor Company might have conceivably been taken from PUC No. 55, as granted by Decision No. 1001, instead of PUC No. 56, as found in Decision No. 1002.

We have examined the files, and have heard the testimony of the applicant transferee and the transferors, Colorado Transportation Company and Continental Bus System, Inc., the evidence discloses that the transferors are ready, willing, and able to transfer that portion of the authority in PUC No. 56 which Package Delivery Service Company has been using since 1942, so long as their right to transport packages, express, and light parcels over, along, or via their authorized bus routes are not affected as hereinafter set forth, and Package Delivery Service Company is desirous of obtaining said authority for the purpose

formed by Denver, Morrison, and Golden, where said points are not already covered in Package Delivery's certificate transferred to Package Delivery Service Co., said service to be a door-to-door service, and to be performed only for retail stores located in the City and County of Denver, no service to be performed up Bear Creek Canyon to points beyond Morrison, and minimum rate to Morrison to be not less than twenty-five cents (25¢) per package."

4. That these Findings are in the best interest of the public, in order that Continental Bus System, Inc., and Colorado Transportation Company may continue to transport passengers, express, parcels, etc., over their authorized routes for the benefit of the public, and that Package Delivery Service Company may render a package delivery service in the area designated through their facilities and with their delivery trucks and over the routes and territories which they use.

5. That the authority transferred to Package Delivery Service Company shall become a part of PUC No. 572, and PUC No. 56 will not henceforth authorize the transportation of small packages with a maximum weight of fifty (50) pounds, except that said maximum should not apply to furniture and household furnishings sold by retail stores in Denver between Denver, Golden, and the top of Lookout Mountain etc., referred to herein in Paragraph 3, supra, as such service is now conducted by Package Delivery Service Company with the use of panel trucks and stake trucks, Provided that the transfer authorized hereby and this Paragraph 5 shall not impair or affect any right of Continental Bus System, Inc., under PUC No. 56 heretofore transferred to it, to transport packages, light parcels, and express over its authorized bus routes between Denver and Silver Plume, Colorado, in buses equipped to transport passengers, or its right to transport express, packages, and light parcels between Denver and points west of Golden in any type of vehicle, and any such right or certificate therefor is not transferred hereby. This transfer should not impair or affect any right of Continental Bus System, Inc. to transport packages over their authorized routes.

O R D E R

THE COMMISSION ORDERS:

That the Findings made herein should be, and hereby are, incorporated in this Order, by reference.

That Continental Bus System, Inc., should be, and hereby is, authorized to transfer to Package Delivery Service Company, a Colorado corporation, such portion of its right, title, and interest in and to PUC No. 56 described and set out in Paragraph 3 in the preceding Findings and Statement, as provides for the specialized package delivery service therein defined.

That Continental Bus System, Inc. shall continue to own PUC No. 56 and use said number and have the right to transport packages, light parcels and express over its authorized bus routes, as authorized thereby.

That the authority transferred herein shall be, and hereby is, made a part of PUC No. 572, the authority now owned by Package Delivery Service Company.

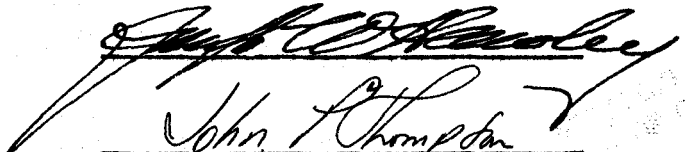
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission upon proper application.

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, 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.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT.

Dated at Denver, Colorado,
this 25th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CHARLES WHITAKER, GRANBY, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE)	<u>APPLICATION NO. 13755-PP</u>
AS A PRIVATE CARRIER BY MOTOR)	
VEHICLE FOR HIRE.)	
-----)	

October 26, 1955

Appearances: Charles Whitaker, Granby,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Charles Whitaker, 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, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

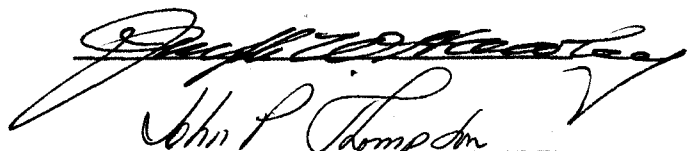
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GORDON L. WILSON, KREMMLING, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 13756-PP

October 26, 1955

Appearances: Gordon L. Wilson, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Product Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Gordon L. Wilson, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

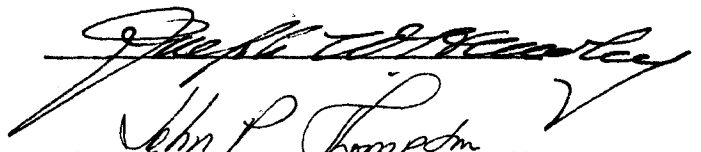
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. D. WOODALL, KREMMLING, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13757-PP

October 26, 1955

Appearances: W. D. Woodall, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That W. D. Woodall, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1955.

mls

original

(Decision No. 44790)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE CHICAGO,
BURLINGTON & QUINCY RAILROAD
COMPANY'S DISMANTLING AND
ABANDONING SPUR TRACKAGE AT
DIXON'S MILLS, BOULDER COUNTY,
COLORADO, AND REMOVING NON-
AGENCY STATION AT SAID PLACE
FROM STATION LIST.

APPLICATION NO. 13673

October 26, 1955

S T A T E M E N T

By the Commission:

Pursuant to the Rules and Regulations of this Commission Pertaining to Railroads and Express Companies Operating in the State of Colorado, Chicago, Burlington & Quincy Railroad Company, by J. C. Street, its General Attorney, did, on September 21, 1955, file its petition requesting authority to abandon and remove certain trackage, known as "Dixon's Mill" in Boulder County, Colorado, said abandonment to be effective within thirty days, or on October 24, 1955.

Dixon's Mill is located at Mile Post 35.39 on Applicant's Denver to Lyons Branch Line, being also some 2.8 miles easterly from Longmont, Colorado.

According to the instant application, Dixon's Mill has been a non-agency station for the purpose of serving a stock-loading facility located at this point. The stockyard is owned by Miller & Karsh, of Longmont, Colorado, who have other facilities and now propose to abandon the yard at this location. Applicant reports that no shipments have been made from this station in recent years; that no further business is currently expected, and there are no indications of a future need for the track. Applicant desires to

remove the non-agency station from the Open and Prepay Station List; to remove and salvage the non-perishable track materials for more advantageous use elsewhere, thereby eliminating maintenance expense at this location since the track is not needed for railroad operations.

Upon investigation of this matter by the Commission, and with reference to the white-print map as attached to the instant application, it is noted that the Dixon's Mill trackage extends some 1104 feet from the main rail line to the stock-pen location where some three cars could be placed for loading. Other investigation reveals the following facilities as noted near Dixon's Mill:

<u>Mile Post</u>	<u>Station</u>	<u>Trackage</u>	<u>Capacity (cars)</u>
32.14	Idaho Creek	Yard	30
33.65	Jessum	Yard	17
35.39	<u>Dixon's Mill</u>	<u>Yard</u>	19
38.20	Longmont	Yard	303 (Joint with C & S)

In addition, there are facilities of the Great Western Railway Company which connects with The Chicago, Burlington & Quincy Railroad Company at Longmont. In 1954, The Great Western handled 149 loaded stock cars from its yards.

Principal occupation in the area continues to be irrigated truck farming and sugar beet raising, with the crops being delivered to Longmont for processing at the Kurer-Empson Canning factory or the Great Western Sugar plant. Stock feeding has advanced to a large-scale industry, as in the case of Miller and Karsh. In this instance, cattle are not put out to graze but the feeding operation is concentrated in a series of feed lots located quite near to the main line of the Great Western Railroad Company, where a direct service siding and adjacent loading pens provide a simple and direct loading or unloading operation. Hence, we see the decline in use of the small stock loading pens that the railroads have provided for the convenience of the various individual shippers along the line.

It appears in this matter that there are ample rail facilities to meet the public needs of the region. The last shipment handled at Dixon's Mill was in May, 1953. Further, the current trend of business, as shown above, can, therefore, leave no justification for the continued maintenance of this trackage.

As a matter of public information, three notices of the proposed track removal were posted in conspicuous locations at Dixon's Mill on September 21, 1955, wherein it was indicated that any protests to the proposal should be forwarded to the Commission.

No protests having been submitted, and none appearing in the files of the Commission, 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 public convenience and necessity in this area can and is being adequately served by other existing stations and track facilities.

That safe and economical railroad operation does not require a spur track at Dixon's Mill, Colorado.

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, by reference.

That the Chicago, Burlington & Quincy Railroad Company be, and it hereby is, authorized to discontinue the non-agency station of Dixon's Mill, Colorado, and to remove said non-agency station from the Open and Prepay Station List, on notice to this Commission and the general public by not less than one day's filing and posting of new schedules in the manner prescribed in Section 16 of the Public Utilities Act of the State of Colorado.

That this Order shall become effective this day and date.

John P. Thompson
Commissioners.

Dated at Denver, Colorado,
this 26th day of October, 1955.

ea.

original

(Decision No. 44791)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EMPIRE ELECTRIC ASSOCIATION, INC.,)	
FOR APPROVAL TO BORROW FUNDS FROM)	APPLICATION NO. 13577-SECURITIES
THE NATIONAL RURAL ELECTRIFICATION)	<u>SUPPLEMENTAL ORDER</u>
ADMINISTRATION.)	
-----)	

October 27, 1955

Appearances: George E. Dilts, Esq.,
Cortez, Colorado, for
applicant;
J. M. McNulty, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

On August 29, 1955, by Decision No. 44544, in the above entitled matter, the Commission issued its order authorizing and approving the issuance by Applicant of a Mortgage Note in an amount of \$600,000; a Supplemental Mortgage covering said note; and an Amendment to an Amending Loan Contract in the amount of \$1,390,000. All of said instruments were by and between Applicant and the United States of America through the Rural Electrification Administrator for the purposes as set forth in our original order.

The Commission has now been advised by the Attorneys for Applicant that it is desirable at this time to have a supplemental order approving the action by Applicant of issuing an additional Note or Notes in a total amount of \$790,000, making up the balance of the aggregate amount of the loan authorized by the Commission of \$1,390,000 in its order of August 29, 1955.

Sufficient evidence was presented at the hearing on August 22, 1955, to justify the loan in the total amount, and we see no necessity at this time for holding a further hearing, since we are fully advised in the premises.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That the issuance of a Supplemental Order herein involving the issuance by Applicant of a Mortgage Note or Notes in an additional amount of \$790,000, is not inconsistent with public interest, or with the provisions of the law governing such transactions, and should be approved.

That a Supplemental Order should issue to Empire Electric Association, Inc., authorizing and approving the issuance by said Association of an additional Note or Notes in the amount of \$790,000, by said Association to the United States of America.

O R D E R

THE COMMISSION ORDERS:

That the issuance by Empire Electric Association, Inc., of a Mortgage Note or Notes in the principal amount of \$790,000 in the form as set forth in "Exhibit A," introduced at the hearing on August 22, 1955, in the instant matter be, and the same is hereby, authorized and approved.

That the authorizations and approvals above given relate to that portion of the transactions set forth in our original order of August 29, 1955, Decision No. 44544, that have to do with the expenditure of borrowed money by Applicant within the certificated areas of the acquired utility properties.

That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said securities, on the part of the State of Colorado.

That within one hundred and twenty (120) days of the final execution of the Mortgage Note or Mortgage Notes authorized herein, Applicant shall file with the Commission an executed copy of said instrument or instruments.

That the Commission retains jurisdiction of this proceeding to the end that it may make such further order, or orders, in the premises as to it may seem to be 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


Commissioners.

CHAIRMAN HORTON ABSENT.

Dated at Denver, Colorado,
this 27th day of October, 1955.

ea

original

(Decision No. 44792)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD KAMMERZELL AND ALBERT MARING,)
CO-PARTNERS, DOING BUSINESS AS "K &)
M DISPOSAL COMPANY," 4460 PENNSYLVANIA)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13716

October 27, 1955

Appearances: George Alan Holley, Esq.,
Wheatridge, Colorado,
for Applicant;
Angelo DiSalle, Denver,
Colorado, pro se;
Francis R. Salazar, Esq.,
Denver, Colorado, for
Angelo DiSalle.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 13, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 13, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

By said application, applicants herein seek authority to operate as a common carrier by motor vehicle for hire, for the transportation of trash, rubbish, and ashes, in an area specifically delineated in said application.

At the time and place designated for hearing, George Alan Holley, Attorney for Applicant, requested that said application be

dismissed, without prejudice.

Report of the Examiner designated by the Commission to conduct hearing on said application, recommends to the Commission that said application be dismissed, as requested by Attorney for Applicants.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That Application No. 13716 should be dismissed, without prejudice, as requested by Attorney for Applicants.

O R D E R


THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That Application No. 13716 should be, and the same hereby is, dismissed, without prejudice, at the request of Attorney for Applicants.

This Order shall become effective twenty-one days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

(Decision No. 44793)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
OSCAR DOSTER, KREMMLING, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE)	<u>APPLICATION NO. 13729-PP</u>
AS A PRIVATE CARRIER BY MOTOR)	
VEHICLE FOR HIRE.)	

October 27, 1955

Appearances: Oscar Doster, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Oscar Doster, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

(Decision No. 44794)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BRYCE WELSCH, FRASER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 13754-PP

October 27, 1955

Appearances: Bryce Welsch, Fraser, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Krenmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Bryce Welsch, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

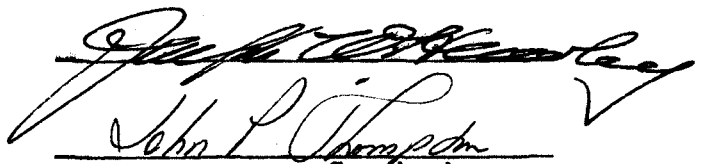
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

(Decision No. 44795)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) ORVIE WALDRON, GENERAL DELIVERY,) COWDREY, COLORADO, FOR A CLASS "B") PERMIT TO OPERATE AS A PRIVATE) CARRIER BY MOTOR VEHICLE FOR HIRE.) -----)	<u>APPLICATION NO. 13753-PP</u>
--	---------------------------------

October 27, 1955

Appearances: Orvie Waldron, Cowdrey,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Krenmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Orvie Waldron, Cowdrey, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

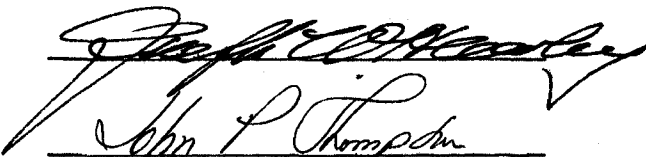
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

(Decision No. 44796)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
GEORGE S. VARNER, KREMMLING, COLO- }
RADO, FOR A CLASS "B" PERMIT TO OP- }
ERATE AS A PRIVATE CARRIER BY MOTOR }
VEHICLE FOR HIRE. }

APPLICATION NO. 13752-PP

October 27, 1955

Appearances: George S. Varner, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That George S. Varner, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

(Decision No. 44797)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARL J. STONE, BOX 412, KREMMLING,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13751-PP

October 27, 1955

Appearances: Carl J. Stone, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Carl J. Stone, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

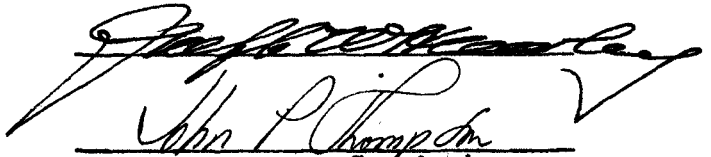
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

(Decision No. 44798)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND O. SIMPSON, BOX 242,)
KREMMLING, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13750-PP

October 27, 1955

Appearances: Raymond O. Simpson, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might beheard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Raymond O. Simpson, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

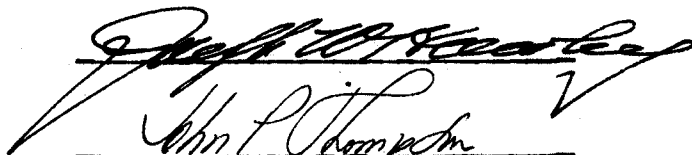
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

(Decision No. 44799)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD G. CAMERON AND CHARLES M.)
CAMERON, CO-PARTNERS, DOING BUSINESS)
AS "CAMERON BROTHERS," 233 KEMP)
STREET, LONGMONT, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 26 TO)
MAURICE MC KENNA AND LAWRENCE J.)
BEARDSLEY, CO-PARTNERS, DOING BUSI-)
NESS AS "MC KENNA AND BEARDSLEY,")
3420 WALNUT STREET, DENVER, COLO-)
RADO.)

APPLICATION NO. 13761-Transfer

IN THE MATTER OF THE APPLICATION OF)
DONALD G. CAMERON AND CHARLES M.)
CAMERON, CO-PARTNERS, DOING BUSINESS)
AS "CAMERON BROTHERS," 233 KEMP)
STREET, LONGMONT, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
A-626 TO MAURICE MC KENNA AND)
LAWRENCE J. BEARDSLEY, CO-PARTNERS,)
DOING BUSINESS AS "MC KENNA AND)
BEARDSLEY," 3420 WALNUT STREET,)
DENVER, COLORADO.)

APPLICATION NO. 13762-PP-Transfer

IN THE MATTER OF THE APPLICATION OF)
DONALD G. CAMERON AND CHARLES M.)
CAMERON, CO-PARTNERS, DOING BUSINESS)
AS "CAMERON BROTHERS," 233 KEMP)
STREET, LONGMONT, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 692 TO)
MAURICE MC KENNA AND LAWRENCE J.)
BEARDSLEY, CO-PARTNERS, DOING BUSI-)
NESS AS "MC KENNA AND BEARDSLEY,")
3420 WALNUT STREET, DENVER, COLO-)
RADO.)

APPLICATION NO. 13763-Transfer

IN THE MATTER OF THE APPLICATION OF)
DONALD G. CAMERON AND CHARLES M.)
CAMERON, CO-PARTNERS, DOING BUSINESS)
AS "CAMERON BROTHERS," 233 KEMP)
STREET, LONGMONT, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 1938)
TO MAURICE MC KENNA AND LAWRENCE J.)
BEARDSLEY, CO-PARTNERS, DOING BUSI-)
NESS AS "MC KENNA AND BEARDSLEY,")
3420 WALNUT STREET, DENVER, COLO-)
RADO.)

APPLICATION NO. 13764-Transfer

- - - - -
October 28, 1955.
- - - - -

Appearances: Marion F. Jones, Esq., Denver,
Colorado, and
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for
Transferors;
John D. Saviers, Esq., Aurora,
Colorado, for Transferees;
H. D. Hicks, Denver, Colorado,
for Weicker Transfer and
Storage Company;
V. G. Garnett, Denver, Colorado,
for Colorado Rapid Transit
Company.

S T A T E M E N T

By the Commission:

Donald G. Cameron and Charles M. Cameron, co-partners, doing business as "Cameron Brothers," Longmont, Colorado, are the owners of the following authorities issued by this Commission:

1. PUC No. 26, authorizing:

Route 1: Beginning at Denver, Colorado; thence north along the paved highway to Broomfield with the right to deliver and take freight and express at Broomfield, and at intermediate filling stations, garages and tourist camps, or within a radius of five miles of Denver, Broomfield, and said paved highway; from Broomfield north and west about four miles to the Monarch Mine No. 2, and store and camp of the National Fuel Company, with authority to deliver and take freight and express at said point, along or within a radius of five miles of the road between said mine and Broomfield; thence north about four miles to the Town of Louisville, with the right to take and deliver freight and express along said road, or within a radius of five miles thereof; thence east and north about three miles to the Town of Lafayette, with the right to take, deliver, and transport freight and express to and from the various farms, mines and mining camps within a radius of five miles of the said Town of Lafayette, as well as in said towns; and thence north and east to the Town of Erie, Colorado, with authority to deliver and take freight, express, and mining supplies located in or within five miles of the said Town of Erie; and thence north to Firestone, Colorado, with authority to take and deliver freight, express, and mining supplies along said road between Erie and Firestone, and at any point within a radius of five miles of said road or said towns, the right to transport milk and cream being excluded from this authority;

Route 2: Beginning at Erie, Colorado; thence north five miles along the Erie-Longmont Highway, said highway being located on the County Line dividing Weld and Boulder Counties; thence south along the same route five miles to Erie; thence west to the hamlet of Canfield; thence south three-fourths of a mile; thence west one and one-half miles to a point on the Denver-Longmont paved highway at a point two miles north of the intersection of same with the Boulder paved highway; thence west one and one-half miles; thence south two miles to a point on the Boulder paved highway seven miles east of Boulder; thence west two miles to a point five miles east of the City of Boulder; thence south one mile to Base Line Road; thence east along said Base Line Road two miles; thence south one and one-half miles to Louisville; thence south one-half mile; thence east two miles to Rickard's Corner on paved highway two miles south of Lafayette; thence south on said paved highway to Broomfield; thence south on Wadsworth Avenue to Arvada; thence on the paved highway to Denver, with the right to haul freight and express along said route, or within a radius of five miles thereof, and with the right to haul freight and express into and out of and between Arvada and Denver, with the further authority for transportation of freight, generally, between Denver and Eldorado Springs, Colorado, the right to transport milk and cream being excluded from this authority. Excepted from said authority is the right to haul freight or express within a radius of five miles of Boulder, Colorado, as carved out of said authority in transfer to Overland Motor Express by Decision No. 23083; and excepting, also, from said authority the right to haul freight, express, and farm products within a radius of five miles of Arvada, or within a radius of five miles of Highway No. 72, extending between Denver and Arvada, Colorado, and excepting also all authority for the transportation of freight to or from the whole area of the Atomic Energy Rocky Flats Plant, as carved out of said authority and transferred to Thomas D. Lane Truck Lines, by Decision No. 39801.

2. Private Carrier Permit No. A-626, authorizing:

Transportation of freight other than milk and cream to the Towns or Cities of Hygiene, Niwot, and Longmont, Colorado, and the transportation of freight between Denver and Wellington, Colorado, via U. S. Highway No. 87, with service to intermediate points, including the right to serve points not exceeding ten miles east of Highway No. 87 between Denver and Wellington and points not exceeding five miles west of Highway No. 87 between the Larimer-Boulder County Line and Wellington, Colorado; freight rights in the above authority retained by Decision No. 41034.

3. PUC No. 692, authorizing:

Transportation of freight between the City of Denver and the Towns of Windsor and Severence, Colorado, but not to or from intermediate points; freight between Greeley, Bracewell, Farmers' Spur, Windsor, Johnstown, and Severence; all commodities (no express) from Denver to Timmath and Wellington, via Windsor (with no intermediate service between Denver and Greeley), only intermediate service between Windsor and Wellington; between Loveland,

Greeley, Windsor, Timmath, and Wellington; from Wellington, Timmath and Windsor, to Greeley, Fort Collins, Loveland, and Denver (no intermediate service between Denver and Greeley on U. S. Highway No. 85); and from Fort Collins to Windsor, Timmath, Wellington, and Greeley (without authority to transport freight from Fort Collins to Loveland or Denver or any intermediate points on U. S. Highway No. 285 (now U. S. Highway No. 287), and no authority to transport freight from Greeley to Denver, Colorado; freight, on schedule, to and from the U. S. Army Internment Camp, located on U. S. Highway No. 34, approximately eight miles west of Greeley, from and to points presently authorized to be served.

4. PUC No. 1938, authorizing:

Transportation of livestock, between points in Larimer County lying north of the south boundary line of the City of Fort Collins, as extended, and all other points within the State of Colorado, and the transportation to the farms, only, within said territory, of farm machinery and stock feeds and farm supplies from all other points in the State.

By Application No. 13761, the certificate-owners seek authority to transfer PUC No. 26; by Application No. 13762-PP, permit-holders seek authority to transfer Permit No. A-626; by Application No. 13763, certificate-holders seek authority to transfer PUC No. 692, and by Application No. 13764, said certificate-owners seek authority to transfer PUC No. 1938, the transferees, in each instance, being Maurice McKenna and Lawrence J. Beardsley, co-partners, doing business as "McKenna and Beardsley," Denver, Colorado.

The four applications were regularly set for hearing before the Commission at its Hearing Room, 330 State Office Building, Denver, Colorado, October 21, 1955, and were there heard on a consolidated record and taken under advisement.

It appears from the evidence adduced at the hearing that the present transferors acquired the four authorities and certain equipment by transfer from V. G. Garnett and E. V. Garnett, co-partners, doing business as "Colorado Rapid Transit Company." At the time of transfer, a part of the consideration was represented by a promissory note of Cameron Brothers, payable to the Garnetts on or before January 10, 1958, in the principal amount of \$23,200.00, secured by chattel mortgage upon the four authorities and the equipment transferred at that time, consisting of three G.M.C. Trucks. The contract between the transferors and transferees filed in connection with the present transaction and

identified by the witness, to which contract the Garnetts were parties, fixed the consideration for the proposed transfer of the four authorities, three Chevrolet Trucks, one typewriter, and one filing cabinet, at \$20,860.25. \$1,000.00 was paid on this purchase price on the date of the contract for sale (August 19, 1955), and applied on the indebtedness of Cameron Brothers to the Garnetts. \$9,000.00 in cash is to be paid transferors by transferees upon authorization of the proposed transfers by the Commission, said amount also to be paid upon the Cameron Brothers' indebtedness to the Garnetts. Upon such authorization for transfer, the transferees agree to execute their promissory note in the amount of \$10,000.00, payable to V. G. Garnett and E. V. Garnett, co-partners, doing business as "Colorado Rapid Transit Company," the principal of said note to mature five years from the date of the Commission Order authorizing transfers, said note to bear interest at the rate of six per cent per annum, payable monthly. This promissory note is to be secured by a chattel mortgage on the four authorities, and on the personal property described in the contract, authority for the execution of the note and chattel mortgage being requested of the Commission.

The cash payments aggregating \$10,000.00 and the execution of the note and chattel mortgage by transferees to the Garnetts will reduce the indebtedness of Cameron Brothers to the Garnetts to \$3,200.00. In payment thereof, the Cameron Brothers agree to execute and deliver to the Garnetts their promissory note in that amount, to mature January 10, 1958, bearing interest at six per cent per annum, to be secured by 4,550 shares of stock of Colorado Milk Transport, Inc., a Colorado corporation, evidenced by Stock Certificate No. 12 of said company.

The cash payments aggregating \$10,000.00 and the execution of the note in the amount of \$10,000.00 and the chattel mortgage by transferees to the Garnetts will reduce the agreed purchase price (\$20,860.25) due transferors from transferees, to \$860.25. It appears that the Cameron Brothers are indebted to General Motors Acceptance Corporation in that amount, by virtue of a Purchase Contract executed to acquire the motor vehicle equipment described in the Purchase Contract. The payment of this balance is to be assumed by transferees herein, it being agreed that it may be paid at the

rate of \$172.05 per month, with interest, until such indebtedness is liquidated. It is further agreed that in the chattel mortgage to be executed to secure the payment of the \$10,000.00 note of transferees payable to the Garnetts, said mortgage, so far as it pertains to the motor vehicle equipment, shall be junior to any rights in and to said motor vehicle equipment presently held by G.M.A.C.

The Garnetts agree that the original promissory note of Cameron Brothers, in the amount of \$23,200.00, and the chattel mortgage securing the payment thereof, are to be cancelled, released, and held for naught. The cash payments made, and to be made, under the instant contract and execution and delivery of the new \$10,000.00 note and chattel mortgage of transferees, payable to the Garnetts, and the note of Cameron Brothers, shall cancel all indebtedness from Cameron Brothers under the original contract between them and the Garnetts, except for that portion thereof represented by the \$3,200.00 note of Cameron Brothers, above referred to.

At the hearing, Transferor Donald G. Cameron testified that he had made arrangements to pay all current indebtedness against the authorities and the operations of Cameron Brothers thereunder. His reason for the transfer is the fact that he is now employed full-time by Colorado Milk Transport, Inc.; his brother is now engaged in the dairy business, and he and his brother "do not get along."

Transferee Maurice McKenna identified the financial statement of transferees attached to the applications as "Exhibit A," showing the net worth of transferees, as of August 25, 1955, to be \$126,400.00. A new Description of Equipment has been filed. Witness has had five years experience, and his partner many years experience in the transportation business. They are now operating the authorities to be acquired under the instant applications under temporary authority of the Commission. The operation will require full-time employment of both partners. He confirmed the terms of the contract.

V. G. Garnett also confirmed the terms of the contract, as they apply to Colorado Rapid Transit Company, and agreed to file a copy of the executed chattel mortgage from transferees to the Garnetts as a late-filed exhibit.

The financial responsibility and experience of the transferees were

established to the satisfaction of the Commission.

No one appeared in opposition to the granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That the proposed transfers of the four authorities are in the public interest, and should be authorized, as set forth in the Order following.

That the proposed promissory note of transferees, payable to V. G. Garnett and E. V. Garnett, co-partners, doing business as "Colorado Rapid Transit Company," and the chattel mortgage securing payment of the same, should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Donald G. Cameron and Charles M. Cameron, co-partners, doing business as "Cameron Brothers," Longmont, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 26 (Application No. 13761), PUC No. 692 (Application No. 13763), and PUC No. 1938 (Application No. 13764), to Maurice McKenna and Lawrence J. Beardsley, co-partners, doing business as "McKenna and Beardsley," Denver, Colorado.

That the tariff of rates, rules, and regulations of transferors shall, upon proper adoption notice, become and remain those of transferees, until changed according to law and rules and regulations of this Commission.

That the right of transferees to operate under this Order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates.

That Donald G. Cameron and Charles M. Cameron, co-partners, doing business as "Cameron Brothers," Longmont, Colorado, should be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. A-626 (Application No. 13762-PP), to Maurice McKenna and Lawrence J. Beardsley, co-partners, doing business as "McKenna and Beardsley," Denver,

Colorado.

That 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 transferors of delinquent reports, if any, covering operations under said permit up to time of transfer of said permit.

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

That Maurice McKenna and Lawrence J. Beardsley, co-partners, doing business as "McKenna and Beardsley," Denver, Colorado, should be, and they hereby are, authorized to execute their promissory note in the amount of \$10,000.00, payable to V. G. Garnett and E. V. Garnett, co-partners, doing business as "Colorado Rapid Transit Company," Denver, Colorado, the principal of said note to mature five years from the date hereof, said note to bear interest at the rate of six per cent per annum, payable monthly, and secure the payment of the same by the execution of a chattel mortgage on PUC Nos. 26, 692, and 1938, and Private Carrier Permit No. A-626, and the following personal property, to-wit:

- 1 - 1953 two-ton Chevrolet Truck, complete with body, Serial No. X-53K011589, Motor No. LEA-120788;
- 1 - 1953 two-ton Chevrolet Truck, complete with body, Serial No. X-53K011568, Motor No. LEA-183719;
- 1 - 1953 Chevrolet Truck, complete with body, Serial No. X-53K011579, Motor No. LEA-120773;
- 1 - L. C. Smith Typewriter, No. 1A-1556961-12, and
- 1 two-door metal file cabinet,

said chattel mortgage to provide that, so far as said chattel mortgage pertains to the motor vehicle equipment above described, it shall be junior to any rights in and to said motor vehicle equipment presently held by General Motors Acceptance Corporation, copy of said chattel mortgage, when executed, to be filed with the Commission as a late-filed exhibit.

That said transfers herein authorized shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said certificates and permit have been formally assigned, and that said parties have accepted, and in the future will comply

with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptances of the terms of this Order within thirty (30) days from the effective date of this Order, unless such time shall be extended by the Commission, upon proper application, shall automatically revoke the authority herein granted to make the transfers, without further Order on the part of the Commission.

This Order shall become effective twenty-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HORTON ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

HW

original

(Decision No. 44809)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ODUS SHELTON, FRASER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 13749-PP

October 27, 1955

Appearances: Odus Shelton, Fraser, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Odus Shelton, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
GERALD RUST, GRANBY, COLORADO, FOR }
A CLASS "B" PERMIT TO OPERATE AS A }
PRIVATE CARRIER BY MOTOR VEHICLE }
FOR HIRE. }

APPLICATION NO. 13748-PP

October 27, 1955

Appearances: Gerald Rust, Granby, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Gerald Rust, 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, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

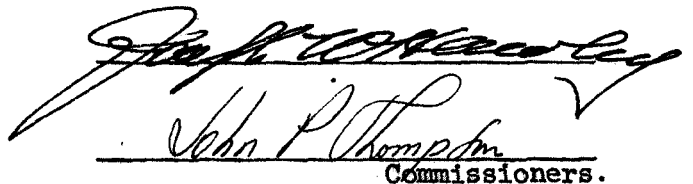
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOUIS B. PHILLIPS, KREMMLING, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 13747-PP

October 27, 1955

Appearances: Louis B. Phillips, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Louis B. Phillips, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

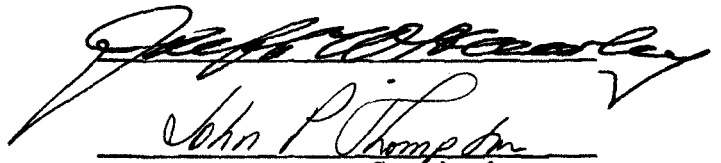
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ORVAL J. RUTH AND ULA P. RUTH, 3270)
HOLLY STREET, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 13765-PP

October 27, 1955

Appearances: Truman A. Stockton, Jr., Esq.,
 Denver, Colorado, and
 John H. Lewis, Esq., Denver,
 Colorado, for applicants;
 Ralph E. Turano, Denver,
 Colorado, and
 Ernest Porter, Esq., Denver,
 Colorado, for Rio Grande
 Motor Way, Inc., and Larson
 Transportation Company;
 Howard D. Hicks, Denver, Colo-
 rado, for Weicker Transfer
 and Storage Company;
 E. B. Evans, Esq., Denver,
 Colorado, for Westway
 Motor Freight, Inc.

S T A T E M E N T

By the Commission:

By the instant application, applicants herein seek a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of native lumber between points in the State of Colorado, and building materials from supply points in the City and County of Denver, to job sites within a radius of ten miles of the City and County of Denver, including points in the City and County of Denver.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at 330 State Office Building, Denver, Colorado, at 11:00 o'clock A. M., on October 21, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the outset, it was agreed that "native lumber" as used in the application and testimony, should be construed as meaning lumber grown in Colorado.

Applicant Orval J. Ruth testified that he has never operated under any authority from this Commission, but has had experience in the transportation business since 1948. His equipment consists of one 1952 GMC flat bed truck, 1½-ton, and one 1951 Studebaker 2-ton flat bed truck. He identified his financial statement attached to the application, showing a net worth of \$55,900.

Referring first to the first paragraph of his application in which he seeks authority to transport native lumber between points in Colorado, he testified that he has been engaged largely in conducting a leasing arrangement with Denver Wood Products Company of Denver. For the past three years he has leased his trucks to this company exclusively, driving one of the trucks himself and providing a driver for the other. Native lumber is brought in to this company largely from the southwestern part of the state, but applicant has never done any hauling for the company "over the road," his operations being confined to Denver and a 10-mile radius thereof. Deliveries of native lumber are made from the company's yard to job sites within that area and his trucks are occasionally used in the unloading of box cars. His deliveries are approximately 50% of native lumber and 50% of finished lumber which has been shipped in from out of the state to the company. This company operates its own trucks but leases other trucks when necessary. It has requested applicant to apply for the authority sought, and applicant feels that operations under an authority of his own would be more satisfactory than the leasing arrangement.

Applicant stated that he desired authority to haul native lumber from point to point over the entire State of Colorado, and particularly from sawmills and planing mills to any point in the state.

As to the second request for authority to transport building materials from supply points in Denver to job sites in

Denver and within a radius of ten miles thereof, applicant stated he had requests for service from two lumber yards and contractors, and is willing to restrict any authority issued to building materials originating at lumber yards in the area referred to, with deliveries to job sites within said area.

A. C. Thompson, Vice-President since 1928 of the East Denver Lumber Company (3812 Brighton Boulevard), appeared in support of the application. It is a part of his duty to arrange transportation for the distribution of his merchandise. The native lumber handled by his company is principally transported from western Colorado to Laramie, Wyoming, and thence by rail or truck to his company's yard at Denver. One Reed has a mill at 39th and Wynkoop Street, Denver, and occasionally native lumber is picked up there and hauled to the East Denver yard. East Denver Lumber Company has its own equipment for deliveries of building materials and does not need applicants' service at the present time, but if business develops to justify it, or service by dump truck of any material becomes advisable, he would call upon applicants for service, as the service heretofore rendered by them has been satisfactory. Any service would be from the company's yard to points within a ten-mile radius of Denver.

Herman F. Rask, in charge of sales and transportation for Denver Wood Products Company, also appeared for applicants. His company has leased applicants' equipment for use in connection with its own trucks. Millions of feet of native lumber are transported annually from mills in all points of the state to his company in Denver. These mills have their own trucks and make their own deliveries. His company is using one of its own trucks, or a leased truck in emergencies, having experienced no difficulty in this regard, and has never called upon applicants for any such transportation. His company keeps a large inventory of native lumber, and only in an unforeseen emergency -- probably remote -- could it use applicants' service for the transportation of native lumber to Denver. Deliveries from the company's yards to points

outside Denver are made in the company's own trucks. Applicants' trucks carry one of the new so-called "Metropolitan Licenses" to cover operations in Denver and the 10-mile radius. If this equipment is properly licensed and the proper authority issued, his company might use applicants' service in deliveries of native lumber from its yard to points outside Denver, or building materials from its yard to job sites within the area applied for, and he thought he could keep applicants "pretty busy." Witness has used the service of common carriers whenever possible.

George H. Dodge, manager of Aurora Lumber Company, Aurora, Colorado, in charge of transportation needs of his company, also appeared as a witness. As to native lumber, it is delivered to his warehouse at Syracuse and Smith Road by the mills in various parts of the state, with only occasional delay in deliveries. The shipments amount to only one load per month. He has not employed applicants or leased their trucks for the past $1\frac{1}{2}$ years, but knows they have proper equipment and the ability to properly handle lumber. His company carries a substantial inventory. On one occasion last spring, his stock became depleted and he could have sent applicant for a load of native lumber if he had had proper authority. His company operates three trucks and makes its own deliveries of building materials. There have been times when it could use another truck but called on no one for additional service and he knew there were common carriers with ample authority to perform the same. He would use applicants' service if authorized, if it was needed at any time.

Favorable action on the application was vigorously opposed by two common carriers:

Ralph E. Turano, Traffic Manager for Rio Grande Motor Way and Larson Transportation Company, had no interest in the delivery of building materials in Denver or points within the ten-mile radius, his companies not being authorized to perform

such service, but did oppose any additional authority for the transportation of native lumber to Denver from points his companies are authorized to serve. His companies are engaged in this transportation and have proper equipment of all kinds to handle the same, the equipment being based at their various terminals in the state. They have hauled native lumber for Denver Wood Products Company when called upon. The loading and unloading operations of native lumber are handled by dock crews sent along with the driver, when necessary.

Howard D. Hicks, Traffic Manager of the Transportation Division of Weicker Transfer and Storage Company, testified his company had call and demand authority under its PUC-341 to perform all service proposed by applicants and in the area involved. It has 26 units of equipment of all kinds to perform any service requested, and is ready and willing to perform all of the services referred to and has never refused service. It has performed transportation service for Aurora Lumber Company, East Denver Lumber Company, and Denver Wood Products Company in line-haul or joint service with other carriers. It has not been called upon to transport native lumber to Denver as this hauling is all done by the mills themselves. Any authority to additional carriers would seriously affect the ability of his company to perform an adequate transportation business.

In cases of this nature, the burden of proof is upon applicants to show need for their proposed private carrier service, and in the opinion of the Commission, they have not sustained this burden, either by their own testimony or the testimony of customer-witnesses. Their trucks are in use under lease arrangements and may be needed by lessees, but that fact does not constitute a need for the authority sought. The native lumber is being transported from the mills to the yards of the proposed customers by the mill operators themselves, and the building material distributed to the job from their yards by trucks of

these customers themselves and the equipment they operate under lease. Only in an emergency would applicants be called upon to haul native lumber to Denver, and this contingency is very remote. Only in an emergency would these customers call upon applicants to haul their building materials to the jobs, in case of a breakdown of their own trucks, or occasionally when the use of an additional truck is advisable, and in such cases there are common carriers with proper authority and equipment to perform the service and who are ready and willing to perform the same. The evidence shows to the satisfaction of the Commission that the needs of these customers are satisfactorily met, and we are not justified in issuing an authority to these applicants under which they could operate only in emergencies.

F I N D I N G S

THE COMMISSION FINDS:

That the foregoing Statement should be made a part of these Findings, by reference.

That the instant application should be denied.

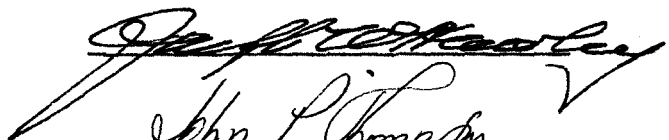
O R D E R

THE COMMISSION ORDERS:

That the instant application should be, and hereby is, denied.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND NOT PARTICIPATING.
Dated at Denver, Colorado,
this 27th day of October, 1955.

original

(Decision No. 44804)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DONALD P. BROWN, BOX 32, LARKSPUR,)	
COLORADO, FOR AUTHORITY TO TRANSFER	)	<u>APPLICATION NO. 13766-Transfer</u>
PUC NO. 1134 TO WILLARD PETERSON,)	
ELBERT, COLORADO.)	
-----)	

October 27, 1955

Appearances: Donald P. Brown, Larkspur,
Colorado, pro se;
Willard Peterson, Elbert,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Donald P. Brown, Larkspur, Colorado, is the owner of
PUC No. 1134, authorizing:

Transportation of milk to Larkspur, Colorado,
from farmers and milk producers residing in
the area described as: Beginning at the town
of Elbert, Colorado, thence east 12 miles;
thence south 5 miles; thence west to East
Cherry Creek, a distance of approximately
21 miles; thence north along the east bank
of Cherry Creek a distance of 9 miles; thence
east a distance of 9 miles; thence south 4
miles to the point of beginning.

By the instant application, he seeks authority to transfer
his operating rights under said certificate to Willard Peterson,
Elbert, Colorado.

Said application, pursuant to prior setting, after
appropriate notice to all parties in interest, was heard at 330
State Office Building, Denver, Colorado, at 2:00 o'clock P. M.,
on October 21, 1955, and at the conclusion of the evidence, the
matter was taken under advisement.

At the hearing, Donald P. Brown, transferor, testified
that he has been operating under said certificate for the past
eight months. His father has assisted in the operation. Witness

is a partner of his father in the operation of a cattle ranch. Because of his father's ill health, transferor is now compelled to devote full time to the cattle business and it became necessary to sell this authority. He has been serving 17 customers. There is no indebtedness against the certificate or the operations thereunder. He owns a 1955 two-ton Ford truck with van-type bed, and under the terms of his contract of sale, the total consideration for the certificate and the truck is \$6,000, which has been paid.

Transferee Willard Peterson corroborated the testimony of the transferor. He formerly operated a ranch and has resided in the area to be served, and knows the customers, and the details of the operation. He has sold his ranch so that he may have sufficient time to devote to this milk route. He expects to haul the milk of his customers to Frink Creamery Company, and no one else is serving this company in this area. He will use the truck purchased from transferor Brown, and his net worth is \$67,000.

No one appeared in opposition to the granting of the transfer, and the financial stability and operating experience of transferee were established to the satisfaction of the Commission.

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 Donald P. Brown, Box 32, Larkspur, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1134 -- being the authority set out in the preceding Statement which, by reference, is made a part hereof -- to Willard Peterson, Elbert, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission upon proper application.

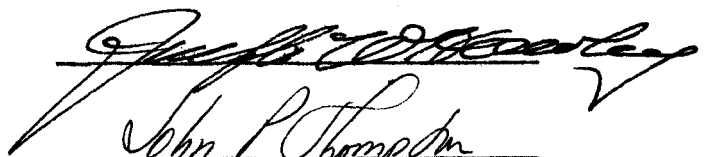
The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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.

This Order shall become effective twenty-one days from date.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD MILLER, JR., KREMMLING, COLO-)
RADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 13741-PP-Amended
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

October 27, 1955

Appearances: Harold Miller, Jr., Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

As originally filed, the above-styled application sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of;

logs and poles, from forests in the State of Colorado, to sawmills and rail points within a radius of thirty miles of point of origin.

At the hearing, as shown by the Report of the Examiner, applicant stated that he wishes to amend his application, to request

authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

lumber and logs, from point to point within a radius of one hundred and fifty miles of Kremmling, Colorado.

Said Report of the Examiner recommends that said application be amended, as requested by applicant, and that said amended application be set for hearing at a later date.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That said application should be amended, as requested by applicant herein.

That said amended application be set for hearing at a later date, to be determined by the Commission, with notice to all parties in interest.

O R D E R

THE COMMISSION ORDERS:

That Application No. 13741-PP should be, and the same hereby is, amended, to show that applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

lumber and logs, in the State of Colorado, from point to point within a radius of one hundred and fifty miles of Kremmling, Colorado.

That Application No. 13741-PP-Amended should be set for hearing at a later date, to be determined by the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT
AND NOT PARTICIPATING.
Dated at Denver, Colorado,
this 27th day of October, 1955.

original

(Decision No. 44806)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DELLAS PATE, BOX 562, WALDEN, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 13746-PP

October 28, 1955

Appearances: Dellas Pate, Walden, Colorado,
pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Dellas Pate, Walden, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.


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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44807)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
EARL NORMAN, FRASER, COLORADO, FOR
A CLASS "B" PERMIT TO OPERATE AS A
PRIVATE CARRIER BY MOTOR VEHICLE
FOR HIRE.

APPLICATION NO. 13745-PP

October 28, 1955

Appearances: Earl Norman, Fraser, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Earl Norman, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

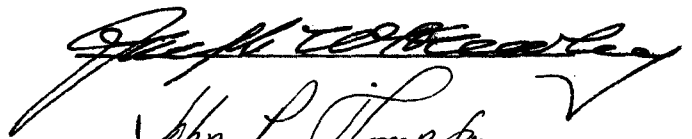
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44808)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MERRIT W. MURPHY, GRANBY, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 13744-PF
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

October 28, 1955

Appearances: Merrit W. Murphy, Granby,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Merrit W. Murphy, 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, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44809)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROBERT MORROW, FRASER, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE)	APPLICATION NO. 13743-PP
AS A PRIVATE CARRIER BY MOTOR VE-)	
HICLE FOR HIRE.)	

October 28, 1955

Appearances: Robert Morrow, Fraser, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Robert Morrow, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

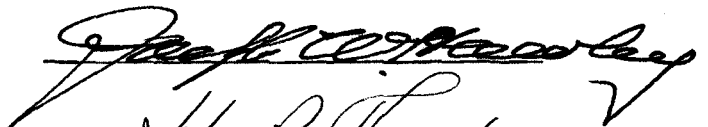
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44810)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. ETHA MILBURN, KREMMLING, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 13740-PP

October 28, 1955

Appearances: Mrs. Etha Milburn, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seek authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS

That Mrs. Etha Milburn, Kremmling, Colorado, should be, and she hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

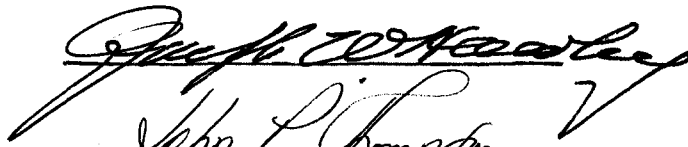
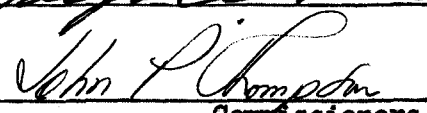
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

Original

(Decision No. 44811)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MALCUM R. MARTIN, WALDEN, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13739-PP

October 28, 1955

Appearances: Malcum R. Martin, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Malcum R. Martin, Walden, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

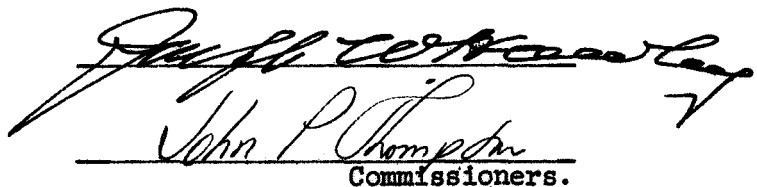
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44812)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE A. MARSHALL, BOX 432, WALDEN,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13738-PP

October 28, 1955

Appearances: Joe A. Marshall, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Joe A. Marshall, Walden, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

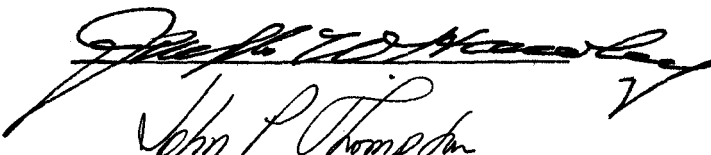
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44813)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SAM LEYBA, FRASER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 13737-PP

October 28, 1955

Appearances: Sam Leyba, Fraser, Colorado,
pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Sam Leyba, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

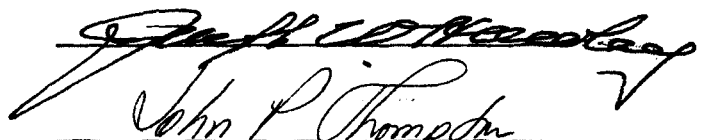
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44814)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ERVIN C. KING, GRANBY, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13736-PP

October 28, 1955

Appearances: Ervin C. King, Granby, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Ervin C. King, 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, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

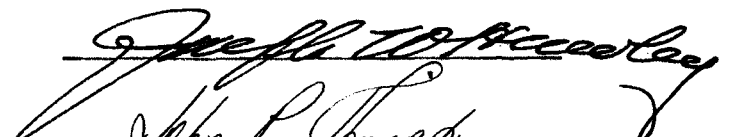

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

original

(Decision No. 44815)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN L. HOWELL, FRASER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13735-PP

October 28, 1955

Appearances: John L. Howell, Fraser,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Krenmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That John L. Howell, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

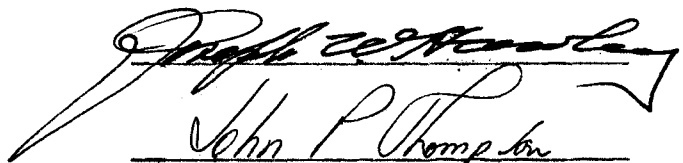
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WELDON HARRIS, MORRISON, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE	)	APPLICATION NO. 13771-PP
AS A PRIVATE CARRIER BY MOTOR)	
VEHICLE FOR HIRE.)	
-----)	

October 28, 1955

Appearances: Weldon Harris, Morrison,
Colorado, pro se;
Marion F. Jones, Esq.,
Denver, Colorado, for
Fairplay Motor Company;
E. J. Trenberth, Idaho
Springs, Colorado, for
Curnow Livery and
Transfer Company.

S T A T E M E N T

By the Commission:

By the instant application, Weldon Harris, Morrison, Colorado, seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of ore, from point to point within a radius of fifty miles of Morrison, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, on October 26, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that he has been engaged in hauling uranium ore from his own property, approximately one mile south of Morrison, Colorado, for the Four Corners Uranium Corporation, which holds a lease on said property. The hauling is done from the property to a railroad loading point at Mount Olivet Cemetery, near Denver, temporary

authority having been granted by the Commission on August 17, 1955. He owns a GMC 2½-ton 1955 dump truck, and his net worth is approximately \$15,000. In addition to this one customer, he wishes to haul for Morrison Uranium Corporation and another uranium company operating in the same general territory. There are also feldspar deposits some fifteen miles west of Morrison and he wishes authority to haul feldspar and other ores, either to railheads or other points of destination. After his delivery of uranium ore to the railhead, it is transported by rail to Rifle, Colorado. Applicant has had twenty years experience in trucking operations. He agreed that in any authority issued he might be restricted as to any service within Clear Creek or Gilpin Counties, or a radius of twenty miles of Fairplay, Colorado. Upon this condition, the protestants withdrew any protest.

No one appeared to object to favorable action on the application, and it did not appear that the granting of said authority and applicant's operations thereunder, would impair the services of common carriers operating in the territory.

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 Weldon Harris, Morrison, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ore from point to point within a radius of fifty miles of Morrison, Colorado, said authority to be restricted against service in Clear Creek or Gilpin Counties, or a radius of twenty miles of Fairplay, Colorado.

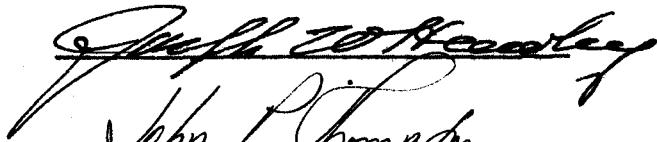

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this order is the permit herein provided for, but it shall not become effective until 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARNOLD D. THORSON, DOING BUSINESS)
AS "A. D. THORSON TRAILER SERVICE,")
5480 WEST 56TH AVENUE, ARVADA, COLO-) APPLICATION NO. 13775-Extension
RADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PUC NO. 2649.)
-----)

October 28, 1955

Appearances: Arnold D. Thorson, Arvada,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The instant application for extension was set for hearing at 330 State Office Building, Denver, Colorado, for 10:00 o'clock A. M., on October 26, 1955, at which time applicant appeared in person, no other interested party appearing.

Applicant stated to the Commission that the instant application was improperly drawn and does not describe the authority that he seeks. He asked that the instant application be dismissed so that he might have a proper application presented at a later time for the consideration of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That Application No. 13775 for extension of authority under PUC No. 2649 should be dismissed, at request of applicant.

O R D E R

THE COMMISSION ORDERS:

That Application No. 13775 for extension of authority under PUC No. 2649 should be, and hereby is, dismissed, for the reasons set forth in the Statement preceding, which, by reference, is made a part hereof.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KELLY FIORENTINI, WESTON, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 13773-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

October 28, 1955

S T A T E M E N T

By the Commission:

By the instant application, Kelly Fiorentini, Weston, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of lumber and forest products, from forests and sawmills in the State of Colorado, to Denver, Colorado, only, for Broderick Wood Products Company, only; and from Denver to points in the State of Colorado, for said company, only.

Said application was regularly set for hearing at 330 State Office Building, Denver, Colorado, for ten o'clock A. M., on October 26, 1955, with due notice to all interested parties, including applicant.

When the matter was called for hearing, applicant did not appear, either in person or by counsel, nor did anyone appear for Broderick Wood Products Company, whom he wishes to serve as a customer.

On the theory that applicant was not advised of his necessity to appear before the Commission and substantiate the statements made in his application, the Commission feels that the setting should be vacated and the application set for hearing at some later date.

F I N D I N G S

THE COMMISSION FINDS:

That the setting in Application No. 13773-PP should be vacated and re-set for hearing at some future time convenient to the Commission.

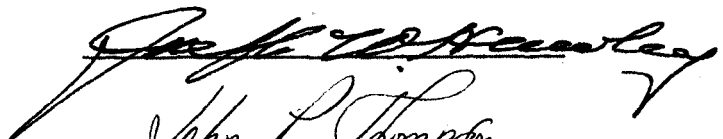

O R D E R

THE COMMISSION ORDERS:

That the setting in Application No. 13773-PP should be, and hereby is, vacated, to be re-set on some future date convenient to the Commission, with notice to all interested parties.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of October, 1955.

ea

original

(Decision No. 44819)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDWIN E. HILL, GRANBY, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13734-PP

October 31, 1955

Appearances: Edwin E. Hill, Granby, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Edwin E. Hill, 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, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44820)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK HARDGRAVES, BOX 121, KREMML-)
ING, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13733-PP

October 31, 1955

Appearances: Frank Hardgraves, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Edwin E. Hill, Granby, Colorado, should be, and he hereby is, authorized to operate as a Class "R" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44820)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK HARDGRAVES, BOX 121, KREMML-)
ING, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13733-PP

October 31, 1955

Appearances: Frank Hardgraves, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Frank Hardgraves, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

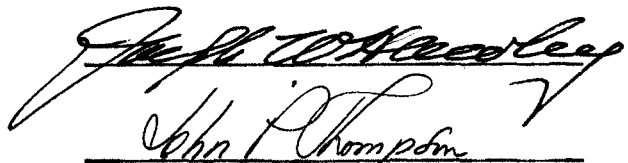
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44821)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK FAIR, FRASER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 13732-PP

October 31, 1955

Appearances: Jack Fair, Fraser, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Jack Fair, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

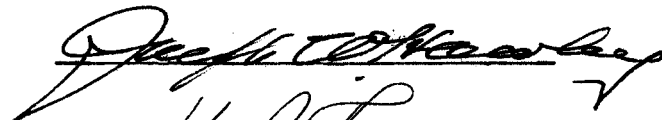
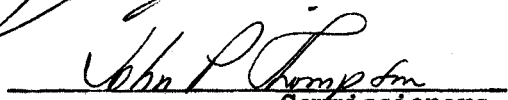
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44822)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LESLIE ELLERMAN, GENERAL DELIVERY,)
COWDREY, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13731-PP

October 31, 1955

Appearances: Leslie Ellerman, Cowdrey,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Leslie Ellerman, Cowdrey, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

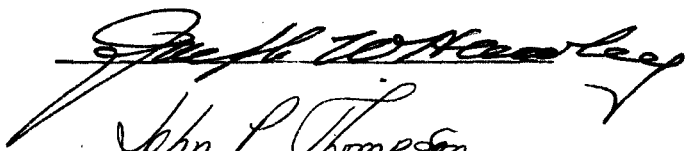
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44823)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WINSTON DOSTER, KREMMLING, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13730-PP

October 31, 1955

Appearances: Winston Doster, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Winston Doster, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44824)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARVIN DOSTER, KREMMLING, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13728-PP

October 31 1955

Appearances: Marvin Doster, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Krenmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Marvin Doster, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

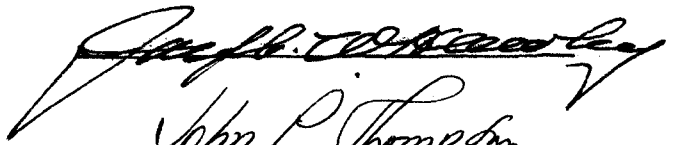
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BUD THOMPSON AND LUCILLE THOMPSON,)
CO-PARTNERS, 728 HOLLY STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-3827 TO) APPLICATION NO. 13758-PP-Transfer
NATHAN NOVITCH, DOING BUSINESS AS)
"NATE NOVITCH TRUCKING COMPANY,")
720 JASMINE STREET, DENVER, COLO-)
RADO.)
-----)

October 31, 1955

Appearances: Lucille B. Thompson, Denver,
Colorado, for Transferors;
Nathan Novitch, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Bud Thompson and Lucille Thompson, co-partners, are the
owners of Private Permit No. B-3827, authorizing:

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 (50)
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 Valmont plant of Public Service Company,
near Boulder, Colorado, to Great Western Sugar
Factories at Loveland, Longmont, Greeley, Fort
Lupton, Brighton and Johnstown, Colorado, and
to the Rocky Mountain Arsenal located near
Denver, Colorado.

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 jobs within a radius of 50 miles of said
pits and supply points.

By the instant application, they seek authority to
transfer said permit to Nathan Novitch, doing business as "Nate
Novitch Trucking Company," Denver, Colorado.

The matter was regularly set for hearing, and heard, at
330 State Office Building, Denver, Colorado, at 9:30 A. M., on

October 21, 1955, and at the conclusion of the hearing, was taken under advisement.

Lucille B. Thompson, one of the co-partners, represented the transferors, testifying that the partners have been operating under the permit for the past five years. Bud Thompson, her husband, who has been in active charge, is a disabled veteran and has been advised by the Veterans Administration to obtain lighter work. There is no indebtedness against the equipment of transferors or the operations thereunder. The agreed purchase price for the permit, including three trucks, is \$3,500.00, \$1,000.00 having been paid and the balance is represented by a chattel mortgage for \$2,500.00 upon the trucks but not on the permit, the note so secured being payable on or before December 1, 1955, with interest at 6% per annum. The equipment transferred consists of three 1952 three-ton International trucks.

Nathan Novitch, the transferee herein, corroborated Mrs. Thompson's testimony. He is an inspector for the Denver Department of Weights and Measures, and has had eighteen years in the transportation business. His net worth is \$14,000.

The operating experience and financial stability of transferee were established to the satisfaction of the Commission. No one appeared in opposition to the granting of the transfer sought 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 Bud Thompson and Lucille Thompson, co-partners, 728 Holly Street, Denver, Colorado, should be, and hereby are, authorized to transfer all their right, title, and interest in and to

Permit No. B-3827 -- being the authority set forth in the preceding Statement which, by reference, is made a part hereof -- to Nathan Novitch, doing business as "Nate Novitch Trucking Company," 720 Jasmine Street, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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 time of transfer of said permit.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT
AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES E. EVANS, DOING BUSINESS AS)
"CHARLES E. EVANS TRUCK LINE," 540)
SOUTH LINCOLN STREET, LITTLETON,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 851 TO JOSEPH C. ROSE, 495)
NORTH WINDERMERE STREET, LITTLETON,)
COLORADO.)
-----)

APPLICATION NO. 13759-Transfer

October 31, 1955

Appearances: Richard B. Cossaboom, Esq.,
Littleton, Colorado,
for Transferor.

S T A T E M E N T

By the Commission:

Charles E. Evans, doing business as "Charles E. Evans
Truck Line," Littleton, Colorado, is the owner of PUC-851,
authorizing:

Transportation, not on schedule, of farm
products, including livestock, farm supplies
and farm equipment from farm to farm, farm
to town, and town to farm, within a radius
of 10 miles of Littleton, Colorado, and from
points outside thereof to the area for cus-
tomers residing therein; provided, however,
that applicant shall not engage in the trans-
portation of furniture, machinery, and lumber
from Denver to said Littleton area, and shall
not transport any commodities along the line
of any scheduled common carrier, except farm
products and livestock from town to town, all
of which service shall be on call and demand,
only.

By the instant application, he seeks authority to transfer
said certificate and operating rights thereunder to Joseph C. Rose,
Littleton, Colorado.

Said application, pursuant to prior setting, after approp-
riate notice to all parties in interest, was heard at 330 State
Office Building, Denver, Colorado, at 9:30 o'clock A. M., on
October 21, 1955, and at the conclusion of the evidence, the
matter was taken under advisement.

At the hearing, Joseph C. Rose, transferee, identified the Contract of Sale attached to the application. By its terms, upon authorization by the Commission of the proposed transfer, transferee will assume full responsibility and obligation for the payment of a certain promissory note executed by transferor on March 21, 1955, payable to the Littleton National Bank, Littleton, Colorado. The present balance on said note is \$926.52, which note will be paid by transferee immediately upon the authorization of the transfer. The payment of the note constitutes the full consideration for the certificate. Transferor conveys to transferee title to one 3-ton 1955 International truck with 20-foot cattle rack, which will be used in the operation. There is no indebtedness against the certificate or the operations thereunder. Transferee has had thirty years experience in the transportation business and has operated under this certificate under temporary authority of the Commission since August 19, 1955. His net worth is \$15,000. His main occupation is the buying and selling of feed in carload lots, and operations under the certificate will be conducted largely in conjunction therewith.

No one appeared in opposition to the granting of the transfer, and transferee's financial stability and operating experience were established to the satisfaction of the Commission.

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 Charles E. Evans, doing business as "Charles E. Evans Truck Line," 540 South Lincoln Street, Littleton, Colorado, should be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC-851 -- being the operating rights as set forth in the preceding Statement which, by reference, is

made a part hereof -- to Joseph C. Rose, 495 North Windermere Street, Littleton, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

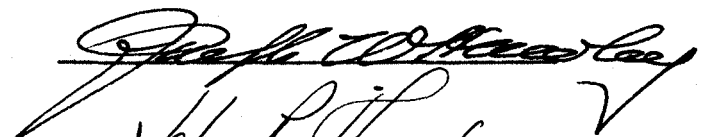
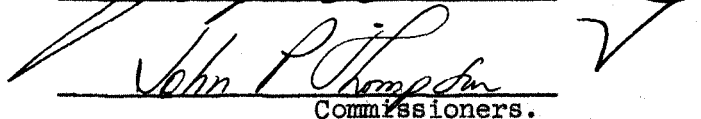
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission upon proper application.

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, 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.

This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLARENCE O. LEE, FARMINGTON, NEW)
MEXICO, FOR AUTHORITY TO TRANSFER)
PERMITS NOS. B-4563 AND B-4563-I)
TO JESS EDWARDS, INC., A CORPORATION,)
P. O. BOX 2287, CORPUS CHRISTI,)
TEXAS.)
-----)

APPLICATION NO. 13760-PP-Transfer

October 31, 1955

Appearances: Marion F. Jones, Esq.,
 Denver, Colorado, and
 Alvin J. Meiklejohn, Jr., Esq.,
 Denver, Colorado, for
 Transferor;
 O. Russell Jones, Esq., Santa Fe,
 New Mexico, for Transferee;
 Ernest Porter, Esq., Denver,
 Colorado, for Rio Grande
 Motor Way, Inc.

S T A T E M E N T

By the Commission:

Clarence O. Lee, of Farmington, New Mexico, is the owner of private carrier Permit Nos. B-4563 and B-4563-I, authorizing:

Transportation, in interstate and intrastate commerce, of machinery, equipment, materials, and supplies, used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and other products and by-products; also machinery, materials, equipment, and supplies, used in connection with construction, operations, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up of pipe; between points, and from point to point, within a radius of 80 miles from the intersection of U. S. Highway No. 550, with the Colorado-New Mexico State Line, the interstate operating rights herein granted being subject to the Federal Motor Carrier Act of 1935.

By the instant application, he seeks authority to transfer said permits (B-4563 and B-4563-I) to Jess Edwards, Inc., a Texas corporation.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at 330 State Office Building, Denver, Colorado, at 9:30 o'clock A. M., on October 21, 1955, and at the conclusion of the evidence, the matter was taken under advisement.

Clarence O. Lee, transferor, testified that he has conducted operations under these permits since 1952. He has a terminal at Farmington, New Mexico, and a storage yard at Ignacio, Colorado. He has been under a doctor's care for the past two years, suffering from a heart condition and high blood pressure, and has been advised to give up the operation. By the terms of the Contract of Sale attached to the application and identified by the witness, transferor is selling to transferee, New Mexico certificate of public convenience and necessity No. 888, Interstate Commerce Commission certificates MC-56964 (Sub 1) and MC-56964 (Sub 4), the two permits here involved, and vehicles and equipment consisting of 8 trucks and 6 trailers, listed in "Exhibit A" attached to the contract. His accounts payable amount to \$64,985.48, of which \$989.47 are current and the balance past due. His equipment obligations amount to \$77,556.62, and other long term obligations amount to \$603.34.

The agreed purchase price is \$125,000. The sum of \$28,156.69 is to be credited upon the purchase price by the assumption by transferee of the past due unpaid balance due upon the equipment. The sum of \$25,000 will be placed in escrow with the Albuquerque National Bank, to be paid over to transferor upon the approval of the transfer of the Colorado permits and the New Mexico certificate. The balance of the purchase price, to-wit: \$71,843.31, is payable one-third on or before one year from and after June 8, 1955; one-third 2 years from said date;

and one-third 3 years from said date, to be represented by promissory notes to be delivered by transferee to said bank at the same time the \$25,000 is paid. Upon payment of the balance due on the equipment, transferor will convey title of same to transferee, free and clear of all encumbrances. Failure of the I. C. C. to approve the transfer of interstate authority shall not vitiate the agreement.

J. D. Kinsey, Vice-President of transferee corporation, corroborated the testimony of transferor. He introduced the following exhibits:

Exhibit A: Information respecting transferee, names and addresses of officers and directors and the ten principal stockholders.

Exhibit B: Certified copy of Minutes of Board of Directors of date May 2, 1955, authorizing the execution of the contract referred to.

Exhibit C: Balance sheet of transferee corporation, showing assets and liabilities as of August 31, 1955.

The assets of said corporation are listed as \$1,680,277.48, and the liabilities show Capital Stock, \$100,000 and Surplus Account of \$550,833.80.

Witness Kinsey also identified the Articles of Incorporation of his company and the certificate of the Secretary of State of Colorado, authorizing the company to do business in Colorado. The business of the corporation is the transportation of oil field equipment and supplies, and other goods, wares, and merchandise. Witness testified that the company is operating in Texas, Oklahoma, Kansas, Nebraska, Utah, and other states. The application for transfer of the New Mexico certificate was granted on October 6, 1955.

There was no opposition to the granting of the transfer of said permits.

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 Clarence O. Lee, Farmington, New Mexico, should be, and hereby is, authorized to transfer all his right, title, and interest in and to Permits Nos. B-4563 and B-4563-I -- being the authority as set forth in the preceding Statement which, by reference, is made a part hereof -- to Jess Edwards, Inc., a corporation, P. O. Box 2287, Corpus Christi, Texas, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

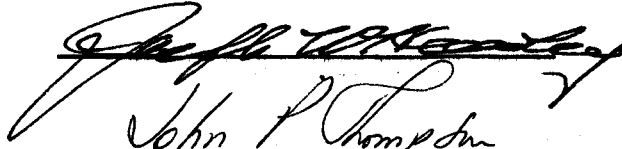
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permits have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, of either of them, kept and performed. Failure to file said written acceptance of the terms of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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 permits up to time of transfer of said permits, the interstate operating rights authorized herein to be transferred being subject to the Federal Motor Carrier Act of 1935, as amended.

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

transferred, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson
Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER MORRIS AND TIM SOUTHMAN,)
CO-PARTNERS, FRASER, COLORADO, FOR) APPLICATION NO. 13742-PP-Amended
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

October 31, 1955

Appearances: Walter Morris, Fraser,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner discloses that the above-styled application was originally filed by Walter Morris, Fraser, Colorado, and that said Walter Morris, at the hearing on said application,

requested that the application be amended, so as to show that he and Tim Southman, of Fraser, Colorado, as co-partners, were applicants herein.

By the above-styled application, as amended at the hearing, applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, Walter Morris, one of said applicants, testified that he was engaged in the transportation of logs and poles from forests in the State of Colorado to sawmills and railroad loading points; that he was, at the present time, operating in Middle Park; that he and his partner, Tim Southman, had sufficient equipment to carry on the operation, and that they were financially able to conduct the operation, and would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company testified that they were engaged in the operation of sawmills and general lumber businesses, and were desirous of using applicants' service for the transportation of logs and poles from forests to their mills and railroad loading points.

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 applicants' proposed operation will tend to impair the efficiency of the service of any common carrier now serving the area sought to be served by applicants.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part

of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following, and that said application be amended to show Walter Morris and Tim Southman, as co-partners, to be applicants, rather than Walter Morris an individual.

O R D E R

THE COMMISSION ORDERS:

That Application No. 13742-PP should be, and the same hereby is, amended, to show that "Walter Morris and Tim Southman, co-partners, Fraser, Colorado," are the applicants herein, rather than "Walter Morris," as originally filed.

That Walter Morris and Tim Southman, co-partners, Fraser, Colorado, should be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and poles in the State of Colorado, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

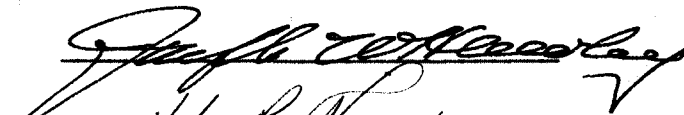
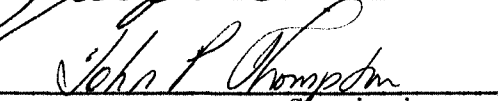
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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.

This Order shall become effective twenty-one days from
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT
AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

ea

original

(Decision No. 44829)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LYLE K. BRANDT, GRANBY, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13724-PF

October 31, 1955

Appearances: Lyle K. Brandt, Granby, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Lyle K. Brandt, 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, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

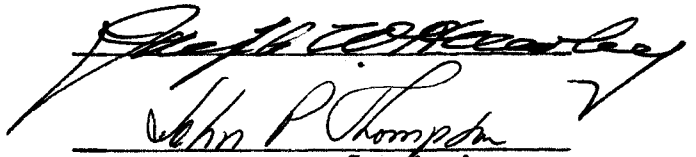
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44830)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
CURRY L. BRANDT, GRANBY, COLORADO, }
FOR A CLASS "B" PERMIT TO OPERATE }
AS A PRIVATE CARRIER BY MOTOR VE- }
HICLE FOR HIRE. }

APPLICATION NO. 13723-PP

October 31, 1955

Appearances: Curry L. Brandt, Granby,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Curry L. Brandt, 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, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

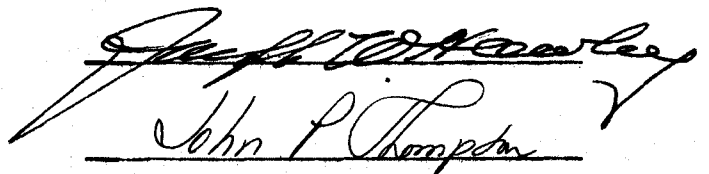
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


John P. Thompson

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44831)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
JOHNNIE BEAN, BOX 132, KREMMLING, }
COLORADO, FOR A CLASS "B" PERMIT TO }
OPERATE AS A PRIVATE CARRIER BY }
MOTOR VEHICLE FOR HIRE. }

APPLICATION NO. 13722-PP

October 31, 1955

Appearances: Johnnie Bean, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Johnnie Bean, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

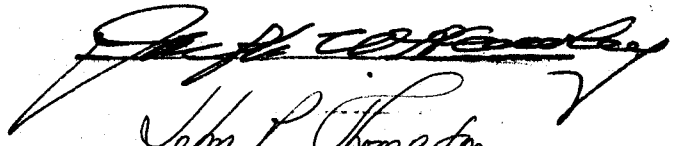
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44832)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
JOE C. BEAN, KREMMLING, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13721-PP

October 31, 1955

Appearances: Joe C. Bean, Kremmling, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Joe C. Bean, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

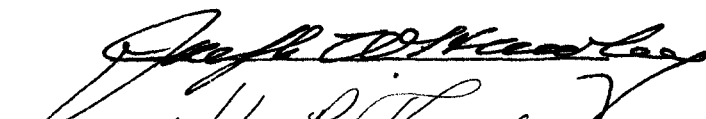

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

(Decision No. 44833)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALTON BEAN, KREMMLING, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 13720-PP

October 31, 1955

Appearances: Alton Bean, Kremmling, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That Alton Bean, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

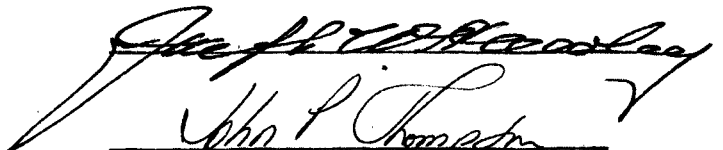
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44834)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
J. A. BAKER, BOX 154, FRASER, COLO-
RADO, FOR A CLASS "B" PERMIT TO OP-
ERATE AS A PRIVATE CARRIER BY MOTOR
VEHICLE FOR HIRE.

APPLICATION NO. 13719-PF

October 31, 1955

Appearances: J. A. Baker, Fraser, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That J. A. Baker, Fraser, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

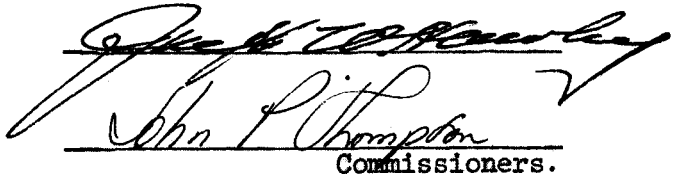
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

original

(Decision No. 44835)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE W. ALTON, BOX 322, KREMMLING,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 13717-PP

October 31, 1955

Appearances: George W. Alton, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private

carrier by motor vehicle for hire, for the transportation of logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desired to continue to use applicant's service.

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 applicant's proposed operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That George W. Alton, Kremmling, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation, within the State of Colorado, of logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

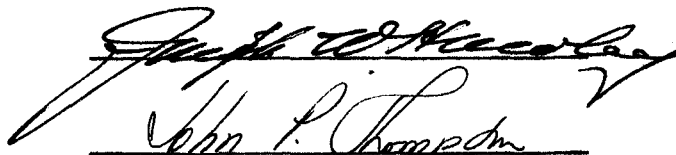
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
S. L. BROWN, BOX 7, HIDEAWAY PARK,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 13726-PP-Extension
OPERATIONS UNDER PERMIT NO. B-3600.)

October 31, 1955

Appearances: S. L. Brown, Hideaway Park,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 8:00 o'clock P. M., October 17, 1955, at the Court House, Hot Sulphur Springs, Colorado, with due notice to all parties in interest.

On October 17, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were thirty-eight applications for similar authority, it was agreed by all parties at the hearing that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to extend operations under Permit No.

B-3600 to include the right to transport logs and poles, from forests in the State of Colorado, to sawmills and railroad loading points within a radius of thirty miles of said forests.

At the hearing, applicant testified that he was engaged in the transportation of logs and poles from forests within the State of Colorado to sawmills and railroad loading points; that he had sufficient motor vehicle equipment to perform the extended service sought to be rendered; that there was a demand for such service, and that he would comply with all rules and regulations of the Commission.

Representatives of the Kremmling Timber Company, Broderick Wood Products Company, Acme Lumber Company, and Koppers Company, testified that they were engaged in the operation of sawmills and general lumber businesses; that they were using applicant's service for the transportation of logs and poles from the forests to their mills, and to railroad loading points; that they desire to continue to use applicant's service.

No one appeared in opposition to granting the authority sought.

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

It did not appear that applicant's extended operation 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 the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

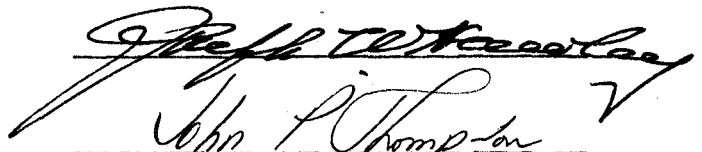
THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That S. L. Brown, Hideaway Park, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-3600 to include the right to transport, within the State of Colorado, logs and poles, from forests to sawmills and railroad loading points within a radius of thirty miles of said forests.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of October, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
JOHN BUSCH, 2118 EAST 20TH AVENUE, }
DENVER, COLORADO, FOR AUTHORITY TO } APPLICATION NO. 13676-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO. }
B-4875. }

November 1, 1955

Appearances: John Busch, Denver, Colo-
rado, pro se;
Marion F. Jones, Esq.,
Denver, Colorado, for
Fairplay Motor Company.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 14, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 14, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were a number of applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to extend operations under Permit No.

B-4875 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of sand, gravel, and stone, to building construction jobs, from supply points within a radius of fifty miles of said jobs; transportation of insul-rock, to roofing jobs, from points within a radius of fifty miles of said jobs.

At the hearing, applicant testified that he was engaged in the transportation of sand, gravel, and other road-surfacing materials, from pits and supply points, to road construction jobs and cement-mixer plants; that the demand for such transportation service was brought about by the large increase in road construction, and in building construction; that he was financially able, and had sufficient equipment to render the services sought by his application.

In opposition to the authority sought, E. B. Bell, Assistant Manager for Fairplay Motor Company, testified that his company had authority to render the service sought by the instant application between points within a radius of twenty miles of Alma, Colorado; that his company had the type of equipment necessary to render this service, and that the company was ready and willing to meet any demand for service; that any loss of business would materially affect his company's ability to continue to serve this territory.

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

It did not appear that applicant's proposed extended operation, as hereinafter limited, will impair the efficient operation of the service

of any common carrier now operating in the area sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

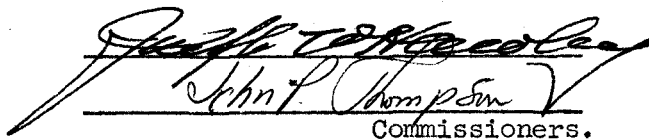
THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That John Busch, Denver, Colorado, should be, and he is hereby, authorized to extend his operations under Permit No. B-4875 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer, and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of sand, gravel, and stone, to building construction jobs, from supply points within a radius of fifty miles of said jobs; transportation of insul-rock, to roofing jobs, from points within a radius of fifty miles of said jobs; specifically excluding the right to operate within a radius of twenty miles of Alma, Colorado.

This Order is made a part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

CHAIRMAN HORTON ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of November, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARY A. DJUREEN, 150 SOUTH MONROE)
STREET, DENVER, COLORADO, FOR AUTH-) APPLICATION NO. 13677-PP-Extension
ORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-2343.)

November 1, 1955

Appearances: Mary A. Djureen, Denver, Colo-
rado, pro se;
Marion F. Jones, Esq., Denver,
Colorado, for Fairplay Motor
Company.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 14, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 14, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were a number of applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing,

applicant herein seeks authority to extend operations under Permit No. B-2343 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of sand, gravel, and stone, to building construction jobs, from supply points within a radius of fifty miles of said jobs; transportation of insul-rock, to roofing jobs, from points within a radius of fifty miles of said jobs.

At the hearing, applicant testified that she was engaged in the transportation of sand, gravel, and other road-surfacing materials, from pits and supply points, to road construction jobs and cement-mixer plants; that the demand for such transportation service was occasioned by the large increase in road construction, and in building construction; that she was financially able, and had sufficient equipment to render the extended service sought by the instant application.

In opposition to the authority sought, E. B. Bell, Assistant Manager for Fairplay Motor Company, testified that his company had authority to render the service sought by the instant application between points within a radius of twenty miles of Alma, Colorado; that his company had the type of equipment necessary to render this service, and that the company was ready and willing to meet any demand for such service; that any loss of business would materially affect his company's ability to continue to serve this territory.

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

It did not appear that applicant's proposed extended operation, as hereinafter limited, will impair the efficiency of the service of any common carrier now operating in the area sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:


That the Report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That Mary A. Djureen, Denver, Colorado, should be, and she hereby is, authorized to extend operations under Permit No. B-2343 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer, and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of sand, gravel, and stone, to building construction jobs, from supply points within a radius of fifty miles of said jobs; transportation of insul-rock, to roofing jobs, from points within a radius of fifty miles of said jobs; specifically excluding the right to operate within a radius of twenty miles of Alma, Colorado.

This Order is made a part of the permit granted to applicant,

and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of November, 1955.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ANTHONY P. FILIPPONE, 3654 PECOS)
STREET, DENVER, COLORADO, FOR) APPLICATION NO. 13678-PP-Extension
AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-3662.)

November 1, 1955

Appearances: Anthony P. Filippone, Denver,
Colorado, pro se;
Marion F. Jones, Esq., Denver,
Colorado, for Fairplay Motor
Company.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at 9:30 o'clock A. M., October 14, 1955, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, with due notice to all parties in interest.

On October 14, 1955, and prior to the hour set for hearing of said application, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Said Report of the Examiner shows that in view of the fact that there were a number of applications for similar authority, it was agreed by all parties that all of the applications might be heard on a consolidated record.

By the above-styled application, as amended at the hearing, applicant herein seeks authority to extend operations under Permit No. B-3662 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of sand, gravel, and stone, to building construction jobs, from supply points within a radius of fifty miles of said jobs; transportation of insul-rock, to roofing jobs, from points within a radius of fifty miles of said jobs.

At the hearing, applicant testified that he was engaged in the transportation of sand, gravel, and other road-surfacing materials, from pits and supply points, to road construction jobs and cement-mixer plants; that the demand for such transportation service was occasioned by the large increase in road and building construction; that he was financially able, and had sufficient equipment to render the extended services sought by the instant application.

In opposition to the authority sought, E. B. Bell, Assistant Manager for Fairplay Motor Company, testified that his company had authority to render the service sought by the instant application between points within a radius of twenty-miles of Alma, Colorado; that his company had the type of equipment necessary to render this service, and that the company was ready and willing to meet any demand for such service; that any loss of business would materially affect his company's ability to continue to serve this territory.

The operating experience and financial responsibility of

applicant were established to the satisfaction of the Commission.

It did not appear that applicant's proposed extended operation, as hereinafter limited, will impair the efficiency of the service of any common carrier now operating in the area sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein should be approved.

That the authority sought by the above-styled application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

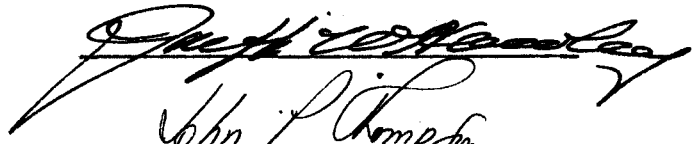
That the Report of the Examiner referred to in the above Findings should be, and the same hereby is, approved.

That Anthony P. Filippone, Denver, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-3662, to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer, and processing plants within a radius of fifty miles of said pits and supply points; transportation of sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; transportation of sand, gravel, and stone, to building construction jobs, from supply points within a radius of fifty miles of said jobs; transportation of insul-rock, to roofing jobs, from points within a radius of fifty miles of said jobs; specifically excluding the

right to operate within a radius of twenty miles of Alma, Colorado.

This Order is made a part of the permit granted to applicant,
and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HORTON ABSENT, AND
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of November, 1955.

mls