

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION OF CERTAIN MOTOR)
VEHICLE COMMON CARRIERS FOR AN)
INCREASE IN RATES FOR THE TRANS-)
PORTATION OF BULK PETROLEUM)
PRODUCTS.)

CASE NO. 1585

September 3, 1958

Appearances: Jones and Meiklejohn by Alvin J. Meiklejohn, Jr.,
Esq., representing the Applicants, 526 Denham
Building, Denver 2, Colorado;
J. R. Smith, representing the Colorado Motor
Carriers' Association, 4060 Elati Street,
Denver 16, Colorado;
J. L. Smith, representing Continental Oil Company,
1755 Glenarm, Denver 2, Colorado;
Geo. F. Case, representing The Frontier Refining
Company, 4040 East Louisiana Ave., Denver 22, Colo.;
K. J. Haslam, representing Phillips Petroleum Co.,
68 South Main St., Salt Lake City, Utah;
Raymond L. Wells, representing Skelly Oil Company,
605 W. 47th St., Kansas City 13, Missouri;
J. H. Beatty, representing Socony Mobile Oil Company,
925 Grand Ave., Kansas City 42, Missouri;
Paul R. Gary, representing Standard Oil Company,
910 So. Michigan Ave., Chicago 80, Illinois;
T. S. Wood and S. J. Philippone, for the staff of
the Commission.

S T A T E M E N T

By the Commission:

This matter is before the Commission on an application from
The Colorado Motor Carriers' Association, as Agent (No. 100) for and on
behalf of carriers parties to its Tariff Colorado P.U.C. No. 8, jointly
with Barlow's Service, Inc., (No. 7), M & M Oil & Transportation, Inc.,
(No. 4), Melton Transport Company, (No. 4), Pacific Intermountain Express
Company, (No. 1), and R. B. "Dick" Wilson, Inc., (No. 12), requesting
authority to make the following adjustment in their rates:

"When the railroads operating intrastate in Colorado are granted increases in rates under Application No. 14969, covering Ex Parte 206-A and Ex Parte 212, permit the motor carriers of bulk petroleum products, as described in Item No. 20 of Colorado Motor Carriers' Association Tariff Colorado P.U.C. No. 8, to adjust their rates between points in Plains Territory to reflect the same competitive relationship which exists with the presently effective rail rates."

On July 25, 1958, the Commission in its Decision No. 50692, assigned the matter for hearing on August 20, 1958, at 10:00 A.M., in the hearing room of the Commission, 330 State Office Building, Denver, Colorado.

The hearing was held as assigned and upon completion it was taken under advisement.

Witness D. S. Eno, a traffic consultant, doing business as Western Traffic Service, introduced in evidence six exhibits purporting to justify the request. Mr. Eno was the only witness for the applicants who testified in support of the application.

Exhibit 1 is a statement showing a comparison of present mileage rates and specific point to point rates from Denver to example railroad competitive points in Colorado "Plains Territory."

Exhibit 2 is a statement showing the present mileage scale of rates in cents per gallon in "Plains Territory", the proposed rates on gasoline under the X-206-A increases and the proposed rates on distillate under the X-206-A and X-212 increases. Under the X-212 Application there is no proposed increase on gasoline.

Exhibit 3 is a statement showing the composite system cost data as compiled from the annual reports for the year 1957 of R. B. "Dick" Wilson, Inc., Ward Transport, Inc., and M & M Oil and Transportation, Inc. The exhibit shows a breakdown between variable and fixed costs for these three carriers on a system-wide operating basis. It also shows a variable cost per mile for these carriers combined of 31.9 cents and a fixed cost per load of \$18.02 based on a 7,000 gallon load.

Exhibits 4 and 5 show various computations based on the information shown in Exhibit 3.

Exhibit 6 shows a comparison of mileage scales of rates on gasoline in cents per gallon under the proposed increase with Wyoming, Nebraska, Kansas, Kansas-Oklahoma-Texas-Colorado, interstate, and the so-called Washington scale applicable between Idaho, Utah, Wyoming and Colorado on interstate traffic.

The record shows that the operating ratio for the year 1957, of Wilson was 104.5, Ward, 95.26 and M & M, 93.4; that the average length of haul in Plains Territory for Wilson was 74 miles, Ward, 100 miles and M & M, 88 miles; that the revenue derived from traffic in Plains Territory in Colorado by Wilson was 8.84%, Ward, 47.80% and M & M, 3.39% of the total revenue. The witness further testified that no study had been made on other carriers than those shown in Exhibit 3, viz.: Wilson, Ward and M & M.

Our Observation and Comments

As hereinbefore stated, this application was filed for and on behalf of carriers parties to Colorado Motor Carriers' Association Tariff Colorado P.U.C. No. 8, of which there are 15 common carriers in addition to several private (contract) carriers, also Barlow, Melton and P.I.E. In other words, out of 21 common carriers a study was made on only three. Furthermore, on the basis of the testimony and evidence presented we are unable to determine the need for the anticipated additional revenue to be forthcoming under the proposed increase in rates.

F I N D I N G S

THE COMMISSION FINDS, That:

1. None of the carriers owning the certificates of public convenience and necessity involved in the application appeared at the hearing in support of their request.
2. The record does not contain sufficient cost data covering all the carrier applicants from which the Commission can reach a conclusion in support of the requested increases.

3. The instant application should be denied without prejudice to a different conclusion provided said applicants desire to present a full and complete cost analysis of their respective operations by responsible officers of their organization.

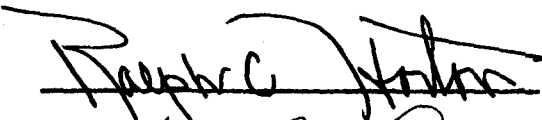


4. An early denial of the application should be made in order that said applicants may be in a position to pursue this matter at a reasonable early date, bearing in mind what action may be taken by the Commission in Application No. 114969 (Ex Parte 206-A and 212), now pending a decision.

O R D E R

THE COMMISSION ORDERS, That:

The instant Application in Case No. 1585, Decision No. 50692, dated July 25, 1958, be and the same is hereby denied without prejudice to a different conclusion based upon the facts as outlined in the findings contained herein.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 3rd day of September, 1958.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
D. W. RUHTER, AZTEC, NEW MEXICO.)

PERMIT NO. M-2352

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

D. W. Ruhter

requesting that Permit No. M-2352 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2352, heretofore issued to _____

D. W. Ruhter

be,

and the same is hereby, declared cancelled effective August 21, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ray C. Holm
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MELVIN SCHRAMMECK, DOING BUSINESS AS)
"MEL SUPPLY COMPANY," ROUTE 1,)
5035 WEST STATE STREET, BOISE, IDAHO,)
-----)

PERMIT NO. M-3839

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Melvin Schrammeck DBA Mel Supply Co.

requesting that Permit No. M-3839 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3839, heretofore issued to _____
Melvin Schrammeck DBA Mel Supply Co. _____ be,
and the same is hereby, declared cancelled effective August 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hobart
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

FRED HILLSHAFFER, MARVIN BROWN AND)
HAROLD AMEN, DOING BUSINESS AS)
"ACME TANK CLEANERS," BOX 1026,)
STERLING, COLORADO.)
-----)

PERMIT NO. M-10906

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Fred Hillshafer, Marvin Brown and Harold Amen DBA Acme Tank Cleaners

requesting that Permit No. M-10906 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10906, heretofore issued to Fred Hillshafer,

Marvin Brown and Harold Amen DBA Acme Tank Cleaners be,

and the same is hereby, declared cancelled effective July 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALEXANDER SMITH, INC., 90 RIO GRANDE,
DENVER 23, COLORADO.

PERMIT NO. M-10927

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Alexander Smith, Inc.

requesting that Permit No. M-10927 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10927, heretofore issued to _____
Alexander Smith, Inc. _____ be,

and the same is hereby, declared cancelled effective February 28, 1958.

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

Ralph C. Horton
 John Thompson
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,

this 5th day of September, 1958.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MIKE ESQUIBEL, JR., 200 NORTH 3RD)
STREET, ROCKY FORD, COLORADO.)

PERMIT NO. M-10939

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Mike Esquibel, Jr.

requesting that Permit No. M-10939 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10939, heretofore issued to _____
Mike Esquibel, Jr. _____ be,
 and the same is hereby, declared cancelled effective August 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton
 John P. Thompson
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,

this 5th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROY JEFcoat, ROUTE 1, DURANGO,)
COLORADO.)

PERMIT NO. M-10946

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Roy Jefcoat

requesting that Permit No. M-10946 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10946 , heretofore issued to

Roy Jefcoat

be,

and the same is hereby, declared cancelled effective March 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
 John P. Thompson
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,

this 5th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. H. COLLINS, DOING BUSINESS AS)
"WEST SLOPE TRAILER SALES," 2833)
NORTH AVENUE, GRAND JUNCTION,)
COLORADO.)
-----)

PERMIT NO. M-10993

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
E. H. Collins DBA West Slope Trailer Sales

requesting that Permit No. M-10993 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10993, heretofore issued to _____
E. H. Collins DBA West Slope Trailer Sales _____ be,
and the same is hereby, declared cancelled effective March 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DUKE CITY OIL COMPANY, INC., P. O.)
BOX 713, ALBUQUERQUE, NEW MEXICO.)
-----)

PERMIT NO. M-12540

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Duke City Oil Company, Inc.

requesting that Permit No. M-12540 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12540, heretofore issued to _____

Duke City Oil Company, Inc. be,

and the same is hereby, declared cancelled effective July 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Brown
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
O. R. STEWART, BOX 43, GREEN RIVER,)
UTAH.)

PERMIT NO. M-14111

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

O. R. Stewart

requesting that Permit No. M-14111 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14111, heretofore issued to _____

O. R. Stewart be.

and the same is hereby, declared cancelled effective August 24, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Bryant
 John P. Thompson
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,

this 5th day of September, 1958.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

FRANK L. AND ROBERTA E. MC INROY,
ROUTE 3, BOX 652, GOLDEN, COLORADO.

PERMIT NO. M-15394

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Frank L. and Roberta E. McInroy

requesting that Permit No. M-15394 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15394, heretofore issued to _____

Frank L. and Roberta E. McInroy _____ be,

and the same is hereby, declared cancelled effective August 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ray C. Hodson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
B. H. LINVILLE AND CHESTER R. LINVILLE,
PARTNERS, DOING BUSINESS AS "LINVILLE)
PRODUCE", 403 NINTH STREET, FOWLER,)
COLORADO.)
-----)

PERMIT NO. M-1425

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Linville Produce, Fowler, Colorado,

requesting that Permit No. M-1425 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1425, heretofore issued to _____

Linville Produce, Fowler, Colorado, be,

and the same is hereby, declared cancelled effective August 16, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 5th day of September, 1958

* * *

PUC NO. 2592-I

September 5, 1958

S T A T E M E N T

The Commission is in receipt of a request from the above-named certificate-holder s requesting that their PUC No. 2592-I be suspended for six months from August 16, 1958.

F I N D I N G S

That the request should be granted.

ORDER

That Linville Produce, Fowler, Colorado,

_____ be, and is hereby, authorized to suspend operations under PUC No. 2592-I until February 16, 1959.

That unless said certificate-holders 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.

Ralph G. Jordan
 John P. Thompson
 Joseph F. Negro
 Commissioners

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ORVILLE D. GRITZ, P. O. BOX 445,)
FLAGLER, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-12481

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Orville D. Gritz, Flagler, Colorado,
requesting that Permit No. M-12481 be cancelled.

FINDINGS

THE COMMISSION FINDS:

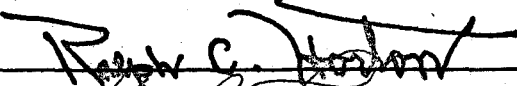
That the request should be granted.

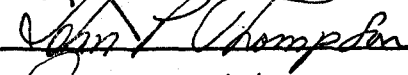
ORDER


THE COMMISSION ORDERS:

That Permit No. M-12481, heretofore issued to _____
Orville D. Gritz, Flagler, Colorado, _____ be,
and the same is hereby, declared cancelled effective May 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,

this 5th day of September, 1958

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ORVILLE D. GRITZ, P. O. 445,)
FLAGLER, COLORADO.)
-----)

PUC NO. 3793-I

September 5, 1958

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 No. 3793-I be suspended for six months from May 31, 1958.

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 Orville D. Gritz, Flagler, Colorado.

be, and he is hereby, authorized to suspend operations under PUC No. 3793-I until November 30, 1958.

That unless said certificate-holder 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. Brown
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 5th day of September 1958

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE NORMAN, BOX 22, YAMPA, COLO-)
RADO.)

PERMIT NO. M-13016

September 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Clarence Norman, Yampa, Colorado,

requesting that Permit No. M-13016 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13016, heretofore issued to _____

Clarence Norman, Yampa, Colorado, _____ be,

and the same is hereby, declared cancelled effective August 22, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Figo
Commissioners

Dated at Denver, Colorado,

this 5th day of September, 1958

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 50882)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE NORMAN, BOX 22,)
YAMPA, COLORADO.)
)
)
)

PERMIT NO. B-5429

September 5, 1958

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-5429 be suspended for six months from August 22, 1958.

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 Clarence Norman, Yampa, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-5429 until February 22, 1959.

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. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 5th day of September, 1958

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 50883)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PETER DAVID SABO, 3127 NORTH)
ARCADIA, COLORADO SPRINGS,)
COLORADO.)

PERMIT NO. B-5359

September 5, 1958

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-5359 be suspended for six months from June 26, 1958.

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 Peter David Sabo, Colorado Springs, Colorado.

be, and is hereby, authorized to suspend his operations under Permit No. B-5359 until December 26, 1958.

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

Ray C. [Signature]
[Signature]
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,
this _____ day of _____, 195__

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SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 50884)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EARL SEELYE AND WILLIAM SONJU,)
BOX 46, YAMPA, COLORADO.)
)
)
)

PERMIT NO. B-5426

September 5, 1958

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittees requesting that their Permit No. B-5426 be suspended for six months from July 27, 1958.

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 _____

Earl Seelye and William Sonju, Yampa, Colorado,
be, and are hereby, authorized to suspend their operations under Permit No. B-5426 until January 27, 1959.

That unless said permit-holders 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
Joseph F. Tigro
Commissioners

Dated at Denver, Colorado,
this 5th day of September, 1958

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
H. D. AND EDNA H. SCOTT, DOING)
BUSINESS AS "SCOTT TRAILER)
SALES", 3011 TENTH STREET,)
GREELEY, COLORADO.)
- - - - -)

PUC NO. 3078

September 5, 1958

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-holders requesting that their PUC No. 3078 be suspended for six months from August 1, 1958.

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 H. D. and Edna H. Scott, d/b/a "Scott Trailer Sales",
Greeley, Colorado,
be, and they are hereby, authorized to suspend operations under PUC No. 3078 until February 1, 1959.

That unless said certificate-holders 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

Robert C. Hutton
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,
this 5th day of September 1958

Original

(Decision No. 50886)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
D. D. SMITH, DOING BUSINESS AS)
"SMITH WATER SERVICE," 217 SOUTH)
FOURTH STREET, BOX 762, STERLING,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16338
SUPPLEMENTAL ORDER

September 5, 1958

Appearances: Wolvington and Carleton, Esqs.,
Sterling, Colorado, for
Applicant;
Jones and Meiklejohn, Esqs.,
Denver, Colorado, for D. H.
Neff, B. L. Prather.

S T A T E M E N T

By the Commission:

On June 4, 1958, the Commission entered its Decision No. 50403
in the above-styled application, granting to applicant herein a certifi-
cate of public convenience and necessity, authorizing him to operate as
a common carrier by motor vehicle for hire, for the transportation of:

drilling mud, drilling oil, and other drilling
liquids used in the drilling of oil and gas
wells, only, to drilling operations of oil and
gas wells within a radius of twenty-five miles
of such operations.

On June 13, 1958, Petition for Rehearing was filed herein by
Jones and Meiklejohn, Attorneys for Protestants.

On August 8, 1958, the Commission entered its Decision No.
50758, granting rehearing in said matter, and setting same for ten
o'clock A. M., August 19, 1958, at the Court House, Sterling, Colorado,
at which time and place said rehearing was had and said matter taken
under advisement.

On August 20, 1958, the Commission entered its Supplemental Order in the above-styled matter, being Decision No. 50805, granting to applicant herein a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

drilling mud, drilling oil, and other drilling liquids used in the drilling of oil and gas wells, only, to drilling operations of oil and gas wells within a radius of twenty-five miles of such operations, tank equipment being restricted in size to not more than the capacity of 60 barrels of oil.

The Commission inadvertently restricted the applicant to 60 barrel capacity, whereas evidence at the hearing disclosed that 100 barrel capacity was standard and the more feasible. We will amend our previous order nunc pro tunc to conform to the evidence.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, and said Decision No. 50805, of date August 20, 1958, should be amended, nunc pro tunc, as of said 20th day of August, 1958, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 50805, of date August 20, 1958, should be, and the same hereby is, amended, nunc pro tunc, as of said 20th day of August, 1958, by substituting the figure "100," in lieu of the figure "60," appearing in the third line of the second paragraph of the Order contained in said Decision No. 50805, so that said second paragraph of said Order, appearing on Page 3 thereof, as amended, shall read as follows:

"That all tank equipment of the applicant for the transportation of the commodities authorized herein shall be restricted in size to not more than the capacity of 100 barrels of oil."

That, except as herein amended, said Decision No. 50805 shall

remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holman
John P. Thompson
Joseph A. Nigro
Commissioners.

Dated at Denver, Colorado,
this 5th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES AND)
REGULATIONS IN THE COLORADO MOTOR CAR-)
RIERS' ASSOCIATION, AGENT, LOCAL AND)
JOINT FREIGHT TARIFF NO. 12-A, COLORADO)
P.U.C. NO. 11, ISSUED BY J. R. SMITH,)
CHIEF OF TARIFF BUREAU, 4060 ELATI ST.,)
DENVER 16, COLORADO.)

CASE NO. 1585

September 8, 1958

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 September 13, 1958, 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 staff of the Rate Department's investigation developed the following facts.

For the account of Rio Grande Motor Way, Inc.:

Under Decision No. 50669, dated July 24, 1958, of this Commission, authority was granted to the above carrier to perform the following, viz.: to provide scheduled transportation service from Glenwood Springs, Colorado, to intermediate points between Carbondale and Redstone, Colorado, and to intermediate points and Carbondale on the return trip.

By this additional extension in authority, the carrier has set forth specific point to point rates from Denver to Redstone, Colorado, rather than using the mileage scale, the purpose being to maintain the same level of rates at Redstone on L.T.L., 5,000 and 10,000 pound minimum weight factors as presently in effect at Aspen, Basalt, Carbondale, Snowmass and Woody Creek, Colorado. These points are all located within approximately a 15-mile airline radius of each other.

On 2nd Revised Page No. 159 (Class Rates) between Glenwood Springs and Redstone, Colorado, the routing is being corrected to show that it applies via the above carrier in lieu of the Aspen Truck Line. The authority for Aspen Truck Line, P.U.C. No. 1856, does not include Redstone in its authority; however, the present rates have been in effect since April 17, 1954. No other change is being made.

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, appear to represent just, fair and reasonable rates and charges and should be authorized and an order 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 September 13, 1958, be the prescribed rates, rules, regulations and provisions of the Commission.
4. On and after September 13, 1958, the carriers affected by the transportation of the aforesaid commodity shall cease and desist from demanding, charging and collecting rates greater or less than those herein prescribed.

5. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.

6. 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.

7. On and after September 13, 1958, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.

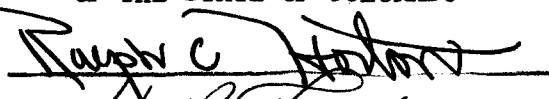
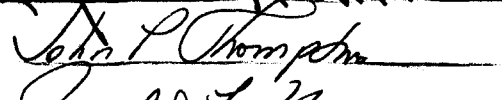

8. On and after September 13, 1958, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

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 and 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 and effect until 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 8th day of September, 1958.

mem

APPENDIX "A"

Colorado Motor Carriers' Association, Agent, Local and Joint
Freight Tariff No. 12-A, P.U.C. No. 11.

3rd Revised Page No. 151:

CLASS RATES IN CENTS PER 100 POUNDS														
BETWEEN AND	MILES	DENVER, COLORADO												
		L. T. L.				MINIMUM WEIGHT 5,000 POUNDS				MINIMUM WEIGHT 10,000 POUNDS				*ROUTE NO.
		1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th	
REDSTONE	216	287	244	201	158	235	201	165	129	187	158	130	102	87
* - Route No. 87 - Rio Grande Motor Way, Inc., direct.														

2nd Revised Page No. 159:

Class Rates between Glenwood Springs, Colorado and Redstone, Colorado,
correct routing to reflect that rates apply via Rio Grande Motor Way, Inc.
(No. 87).

original

(Decision No. 50888)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES E. EVANS, DOING BUSINESS AS)
"EVANS TRUCKING CO.," BERTHOUD,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16487-PP
SUPPLEMENTAL ORDER

September 2, 1958

S T A T E M E N T

By the Commission:

On July 7, 1958, the above-styled applicant filed his application with the Commission, seeking authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand and gravel.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, at ten o'clock A. M., August 7, 1958, with notice to all parties in interest.

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

On August 13, 1958, the Commission entered its Decision No. 50762, dismissing said application for lack of prosecution.

On August 27, 1958, applicant petitioned the Commission for rehearing alleging inability beyond his control as the reason for his failure to attend the hearing set for August 7, 1958.

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 petition for rehearing be, and the same hereby is,

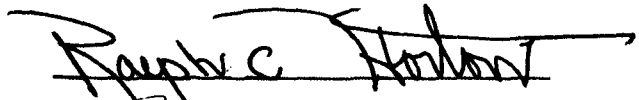
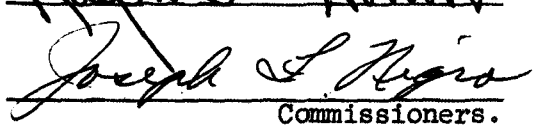
granted.

That Decision No. 50762, of date August 13, 1958, dismissing Application No. 16487-PP for lack of prosecution, should be, and the same hereby is, vacated, set aside, and held for naught.

That Application No. 16487-PP should be later re-set for hearing before the Commission on a 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.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 2nd day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRY D. CHRISTENSEN, DOING BUSINESS)
AS "CHRISTENSEN DRILLING COMPANY",)
5700 AMMONS STREET, ARVADA, COLORADO.)

PERMIT NO. M-10151

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Harry D. Christensen, d/b/a "Christensen Drilling Company," Arvada, Colorado,
requesting that Permit No. M-10151 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10151, heretofore issued to _____
Harry D. Christensen, d/b/a "Christensen Drilling Company," Arvada, Colorado, be,
and the same is hereby, declared cancelled effective August 19, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ORVILLE L. AND GORDON L. O'DELL,)
DOING BUSINESS AS "HI-WAY FOOD)
LOCKERS", STEAMBOAT SPRINGS, COLORADO,)
-----)

PERMIT NO. M-3553

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orville L. and
Gordon L. O'Dell, d/b/a "Hi-Way Food Lockers", Steamboat Springs, Colorado,
requesting that Permit No. M-3553 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3553, heretofore issued to Orville L. and Gordon L.
O'Dell, d/b/a "Hi-Way Food Lockers", Steamboat Springs, Colorado, be,
and the same is hereby, declared cancelled effective August 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
)
R. H. VAN PELT, BOX 387, GRAND VALLEY,)
COLORADO.)
_____)

PERMIT NO. M-10638

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

R. H. Van Pelt, Grand Valley, Colorado,

requesting that Permit No. M-10638 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10638, heretofore issued to _____

R. H. Van Pelt, Grand Valley, Colorado be,

and the same is hereby, declared cancelled effective September 9, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hooten

John Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND BRANDT, WIGGINS, COLORADO.)

PERMIT NO. M-11695

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Raymond Brandt, Wiggins, Colorado.

requesting that Permit No. M-11695 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11695, heretofore issued to

Raymond Brandt, Wiggins, Colorado,

be,

and the same is hereby, declared cancelled effective February 16, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Brown
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GREELEY "66" OIL COMPANY, 1001 THIRD)
STREET, GREELEY, COLORADO.)
-----)

PERMIT NO. M-11258

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Greeley "66" Oil Company, Greeley, Colorado,
requesting that Permit No. M-11258 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11258, heretofore issued to _____
Greeley "66" Oil Company, Greeley, Colorado, be,
and the same is hereby, declared cancelled effective May 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Brown
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

NOVICE R. HARRINGTON, 4240 EAST)
CHERRY LYNN ROAD, PHOENIX, ARIZONA.)

PERMIT NO. M-8363

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Novice R. Harrington, Phoenix, Arizona,

requesting that Permit No. M-8363 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8363, heretofore issued to _____

Novice R. Harrington, Phoenix, Arizona, be,

and the same is hereby, declared cancelled effective July 8, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. H. H. H.
John P. Thompson
Joseph F. H. H.
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NOVICE R. HARRINGTON, 4240 EAST)
CHERRY LYNN ROAD, PHOENIX,)
ARIZONA.)

PUC NO. 3248-I

September 10, 1958

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____

Novice R. Harrington, Phoenix, Arizona,

requesting that Certificate of Public Convenience and Necessity No. 3248-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. 3248-I heretofore issued to _____

Novice R. Harrington, Phoenix, Arizona,

be, and the same is hereby, declared cancelled effective July 8, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 10th day of September, 1958

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WELDON HARRIS, MORRISON, COLORADO.)

PERMIT NO. M-8868

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Weldon Harris, Morrison, Colorado,

requesting that Permit No. M-8868 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8868, heretofore issued to _____

Weldon Harris, Morrison, Colorado,

be,

and the same is hereby, declared cancelled effective August 18, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WELDON HARRIS, MORRISON, COLORADO.)

PERMIT NO. B-4921

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Weldon Harris, Morrison, Colorado,

requesting that Permit No. B-4921 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4921, heretofore issued to _____

Weldon Harris, Morrison, Colorado, be,

and the same is hereby, declared cancelled effective August 17, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holm
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

CARL LOSASSO, 3538 BRYANT, DENVER
11, COLORADO.

PERMIT NO. M-2540

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Carl Losasso

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 Losasso

be,

and the same is hereby, declared cancelled effective September 2, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hudson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

P. E. AND L. E. GINGERY, DOING)
BUSINESS AS "GINGERY BROS.)
IMPLEMENT CO., ROUTE 1, BOX 350B,)
LOVELAND, COLORADO.)

PERMIT NO. M-4236

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

P. E. and L. E. Gingery DBA Gingery Bros. Implement Co.

requesting that Permit No. M-4236 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4236, heretofore issued to _____

P. E. and L. E. Gingery DBA Gingery Bros. Implement Co. be,

and the same is hereby, declared cancelled effective July 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hutton
John T. Thompson
Joseph F. Higney
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES VIDMAR, BOX 603, PALISADE,)
COLORADO.)
)
)
-----)

PERMIT NO. M-6357

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Charles Vidmar

requesting that Permit No. M-6357 be cancelled.

FINDINGS


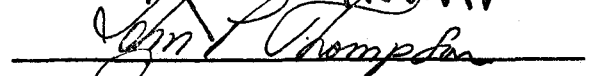
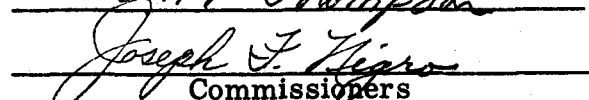
THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6357, heretofore issued to _____
Charles Vidmar _____ be,
and the same is hereby, declared cancelled effective October 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 10th day of September, 195 8.
ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRED E. LEAF, 444 COLLINS, PUEBLO,)
COLORADO.)

PERMIT NO. M-7692

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Fred E. Leaf

requesting that Permit No. M-7692 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7692, heretofore issued to _____
Fred E. Leaf

and the same is hereby, declared cancelled effective September 5, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
L. C. AND LEONA H. SEAGLER, DOING)
BUSINESS AS "SEAGLER MOTOR PARTS CO.;")
400 NORTH TOWNSEND AVENUE, MONTROSE,)
COLORADO.)
-----)

PERMIT NO. M-10267

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
L. C. & Leona H. Seagler DBA Seagler Motor Parts Co.

requesting that Permit No. ^M-10267 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10267, heretofore issued to _____
L. C. & Leona H. Seagler DB Seagler Motor Parts Co. _____ be,
and the same is hereby, declared cancelled effective September 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KIMBELL-DIAMOND COMPANY, DOING BUSI-)
NESS AS "KIMBELL-LAS VEGAS COMPANY,")
701-11 EAST LINCOLN, LAS VEGAS,)
NEW MEXICO.)
-----)

PERMIT NO. M-10948

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Kimbell-Diamond Co. DBA Kimbell-Las Vegas Co.

requesting that Permit No. M-10948 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10948, heretofore issued to _____
Kimbell-Diamond Co. DBA Kimbell-Las Vegas Co. _____ be,
and the same is hereby, declared cancelled effective August 30, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson

John P. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELEMENTS, INC., BOX 5, 4499 WEST)
72ND AVENUE, WESTMINSTER, COLORADO.)
-----)

PERMIT NO. M-11060

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Elements, Inc.
requesting that Permit No. M-11060 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11060, heretofore issued to _____
Elements, Inc. _____ be,
and the same is hereby, declared cancelled effective September 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hooten
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MELVIN L. BARBER, 347 MAPLE AVENUE,)
LAS ANIMAS, COLORADO.)

PERMIT NO. M-11977

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Melvin L. Barber

requesting that Permit No. M-11977 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11977, heretofore issued to

Melvin L. Barber

and the same is hereby, declared cancelled effective September 5, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Respectfully,
John P. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALFRED E. OWENS, ROUTE 1, ROCKY)
FORD, COLORADO.)

PERMIT NO. M-13481

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Alfred E. Owens

requesting that Permit No. M-13481 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13481, heretofore issued to _____
Alfred E. Owens _____ be,
 and the same is hereby, declared cancelled effective August 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Thompson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. O. THOMAS, 712 RUSSELL, LARAMIE,)
WYOMING.)

PERMIT NO. M-13900

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
W. O. Thomas
requesting that Permit No. M-13900 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13900, heretofore issued to _____
W. O. Thomas be,
and the same is hereby, declared cancelled effective August 29, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. [Signature]
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT A. JONES, 705 LEXINGTON,)
BUTTE, MONTANA.)

PERMIT NO. M-14194

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Robert A. Jones

requesting that Permit No. M-14194 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14194, heretofore issued to _____

Robert A. Jones

be,

and the same is hereby, declared cancelled effective June 26, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Brown
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LEON A. MASON, 309 SOUTH MESA,
FRUITA, COLORADO.

PERMIT NO. M-14538

September 10, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Leon A. Mason

requesting that Permit No. M-14538 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14538, heretofore issued to _____

Leon A. Mason

be,

and the same is hereby, declared cancelled effective July 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Tigro
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF A GENERAL)
INVESTIGATION OF LIVESTOCK)
COMMON CARRIERS OF NORTHERN)
AND NORTHEASTERN COLORADO.)

CASE NO. 5144

September 12, 1958

Appearances: Raymond B. Danks, Esq., Denver,
Colorado, for Bates & Sons,
Inc.;
Jones and Meiklejohn, Esqs.,
Denver, Colorado, for Soren-
son Truck Service, Inc., E.
W. Driscoll, and Archer and
Archer, Inc.;
S. G. Leischuck, Denver, Colo-
rado, for Stockyards Live-
stock Hauling;
Edwin R. Lundborg, Esq., Denver,
Colorado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This proceeding is a general investigation of the practices of livestock motor common carriers in the northeast quarter of Colorado. It was commenced by Order of the Commission dated April 22, 1958; hearings were held May 5 to May 9, inclusive, at the Commission's Hearing Room in Denver, and carriers requesting further opportunity to be heard were heard July 16, 1958, at the same place. The matter now stands submitted for decision.

Preliminary investigation disclosed an unsatisfactory condition in the industry in this area, with violations of our Rules and Regulations quite as common as compliance. It being our purpose to discover and understand thoroughly the reasons for the existing unsatisfactory condition before ordering any changes, we had our staff assemble and digest hundreds of carrier records, leaving no livestock motor common carrier in the terri-

tory untouched. All 44 of the motor vehicle common carriers domiciled in the territory who haul livestock were subpoenaed and were present at the hearing, as were one private (contract) carrier, and one carrier from outside the territory who does little hauling locally within the territory but considerable into and out of the territory. A summary of the evidence adduced concerning each of these carriers is attached to this Decision as Appendix "A", which is by reference, incorporated hereinto and made a part hereof. In some instances, the carrier's representative testified, in others not; some were represented by counsel, some not. The person named in Appendix "A" was in each case in the hearing room, however, and had ample opportunity to correct any testimony concerning its operations. Accordingly, we conclude that the digest accurately characterizes each carrier's operation.

In addition to that evidence, certain matters of general application were explained. Important among these is the existing tariff situation in Colorado.

Two publishing agents publish intrastate livestock motor tariffs applicable in Colorado: Colorado Motor Carriers' Association, which publishes, among others, its Tariff No. 14, Colo. P. U. C. No. 13, Section 4 of which governs rates on movements of livestock; and Motor Tariff Service's Tariff No. 1-A, Colo. P. U. C. No. 3 (also known as "Beck's Tariff"), Section 7 of which applies to movements of livestock. The rates chargeable are identical under the two tariffs; in the following discussion, the numbering system of the Motor Carriers' Association tariff will be used.

This general tariff is directed at movements of commodities in large lots, applies statewide, and contains rates for a number of different commodities. It presently consists of 128 pages; of these, 18 specifically refer to livestock, but portions of other pages, which list the participating carriers and set general rules governing mile-

ages and transportation rates, are applicable as well to livestock as to other transportation included in the tariff. In general form, the tariff contains three types of material: (1) Rules governing the application of rates, (2) the rates themselves, and (3) a set of prescribed mileages to be used in calculating distances between certain named points. The livestock portion of the tariff (Section 4) establishes special rules and rates applicable only to movements of livestock, but by general reference also incorporates the general rules and prescribed mileages applicable to all transportation, published in other sections of the tariff.

The tariff appears to have accumulated piece by piece over a number of years. As a result, a good deal of variety presently exists over the State with regard to livestock rates. All commercial livestock is not treated alike: with variations in different areas, sheep, goats and horses are carried only at premium rates. In some areas, shippers can combine their shipments and obtain the lower rates per hundredweight applicable to large shipments; in other areas, not. In general, however, livestock moves at rates based upon the distance traveled and the size of load carried. This general statement covers a great multitude of variations.

Livestock moves cross country as well as to market. Generally, the cross country movements are irregular both in frequency and location, and involve smaller volumes per shipment, while the movements to market and to some feed lots are larger in volume and more regular in frequency, and consequently warrant the closer regulatory attention. The tariff takes this into account, though not with uniformity. In some areas of the State, the rate from a community or geographical area to principal markets is given without referring to mileage; in others, the charge is based upon miles traveled, with the mileage to be used from named communities to named markets listed in the tariff. Although recent highway construction has made many of

these "prescribed mileages" obsolete, yet tinkering with these mileages to keep them up to date results in increasing or lower charges, thus affecting both the carrier and the livestock shipper; these obsolete mileages have continued to be used from year to year, consequently, although ridiculous individual situations do occasionally arise. In still other marketing situations no mileage is prescribed, and actual mileage is used. This diversity of treatment in various areas is further complicated by exceptions in parts of the State pursuant to which certain carriers will carry only loads of certain minimum sizes in some areas, but of different minimums in other areas.

After eliminating thus the prescribed distances and specific rates, we find only the general mileage scale remaining; this alone applies to cross country movements, but it too is subject to the same carrier minimum load exceptions noted above.

Quite as much variety exists with respect to load sizes as exists with regard to mileages. In general, the larger the load, the lower the charge per 100 pounds of weight transported. As with mileages, reductions in charge occur in units; the uniformly smallest unit, to which the highest rate applies, is denominated less-than-truckload; a lower rate per hundred-weight applies variously over the State to loads of 5,000 pounds, 8,000, 10,000, 15,000, 16,000, 18,000 and 20,000 pounds. The application of minimums over LTL varies both from place to place and from carrier to carrier in many areas. Consequently, a given shipment in many areas will move at different rates, depending upon the carrier selected.

Many illustrations drawn from experience might be given to demonstrate the strange results sometimes obtained under the present system, but we will not extend this decision further on the point. It should be evident, however, that under the system which has grown up historically, there is no statewide uniformity of rates or services for the transportation of livestock. Rate practices in the part of the State

now under consideration must be viewed in this statewide setting.

Turning then to the area now under consideration, we find a somewhat less complex situation. The area is not split by any mountain range: the added expense, hazards and delay of mountain operation are not present. The area has a good network of fast, all-weather roads. In general, loading facilities are good. There is a good volume of fairly steady business available to the carriers in much of the area.

The tariff, though not distinguishing this area from others specifically, does to some extent recognize the optimum conditions prevailing here. The only special rates here are those applicable within three miles of Denver Union Stockyards to the Brush vicinity, and to one feed lot near Denver; otherwise, the tariff provides for billing all livestock movements on a mileage-hundredweight basis. This is complicated somewhat by the existence of several dozen prescribed mileages, many obsolete, and by an inordinate number of load-size units: LTL, 5,000, 10,000, 15,000, 18,000 and 20,000 pounds.

The Motor Carriers' Association by its Application No. 333, filed February 7, 1958, while our staff was conducting its investigation, proposes certain changes statewide in the present tariff, but carries forward many of the existing practices. In part because of the study now under consideration, hearing on this application has been deferred. We will not attempt to dispose of that application in this proceeding; our Findings here, however, will set certain guides for the carriers to consider in presenting their case on that application. Without going into detail, that application would in general make minor changes in existing rules; would eliminate all prescribed mileages and special area rate structures now existing; would eliminate all rates now associated with transportation to markets; would permit shippers all over the State to consolidate loads, thus obtaining the lower hundredweight rates applicable to larger loads; and

would in the area now under consideration relieve the carriers of the duty to serve at any minimum load sizes except LTL (at present LTL rate levels) and 22,000 pounds (a new minimum load size). 5,000 and 10,000 pound columns are provided, but are limited by the proposal to use only at the convenience of the carrier; an open invitation to rate war, as each individual could cut rates or not cut them as he sees fit.

It continues in effect the distinction between rates for cattle on the one hand, and sheep, goats and horses on the other. It does tend to simplify the checkerboard application of these premium rates on this livestock, in general settling on the highest extra charges now in effect. Though the simplification is a step in the right direction, the application of the extra charge is still subject to some confusion. As to all livestock, the carriers propose a single, mileage-type method of charging, regardless of the direction, volume, or regularity of movement, except for higher rates for movements traversing mountain areas, and except for the minima noted.

In addition to Application No. 333, seeking authority to change the existing rate situation, it appears that carriers domiciled in the Greeley area have taken matters in their own hands, without prior authority. Exhibit 101 is a map upon which a grid has been drawn, each square approximating five mile sides. Rates to the Denver market have been assigned each square, and these carriers have been charging on the basis of this self-help map. The map in fact conforms largely but not entirely to the mileage actually involved; but the carriers have been collecting their rates on the basis of the map, it appears, irrespective of the authorized mileage. The map is, of course, just one more application of the method now in authorized use in certain other parts of the State, whereby rates to markets are calculated not directly from the mileage involved, but by geographic location. This method has the advantage of simplicity, but also the difficulties inherent in

prescribing mileages -- that highway changes quickly render them obsolete, resulting in discrimination against those who would benefit from highway improvement. The Greeley carriers praise this system in its actual practice; but Application No. 333, in which the Greeley carriers participate, would abolish all such plans.

The transportation of livestock requires special skill with animals, but is otherwise relatively uncomplicated, when compared with other types of carriage. Only one commodity is hauled, and that in truckload lots ordinarily from one origin point to one destination. According to the carriers, loading and unloading time ordinarily represents a very minor portion of the total time involved. Backhaul revenue is minor; the carriers' livelihood comes from the front haul, substantially uncomplicated by allocation of backhaul expenses to backhaul revenues. Most livestock haulers do no other work; all their revenues and expenses are associated with this one activity. Thus, the usual situation is relatively uncomplicated; it is not necessary to make some allocation of the revenues, costs and overhead of this type of business out of the carrier's total business.

Taking it all around, therefore, it appears that this industry in this area is as well suited for the development of sound rate practices as any we regulate; there are as few complications here as anywhere, it would appear.

The records upon which the carriers and we rely in regulating are those records which show revenues and costs. The key revenue record is the bill of lading. It serves several functions: (1) it is a receipt given by the carrier to the shipper, acknowledging receipt of the livestock; (2) it represents the contract of carriage; and (3) it makes provision for all the information necessary to determine the charge applicable to that transportation. This record being basic and essential to the operation from beginning to end, the Commission has prescribed a Uniform Livestock Bill of Lading for use by all livestock

carriers.

Ordinarily, a number of people are interested in a livestock shipment: the owner; the carrier; the consignee (ordinarily the buyer); a possible mortgagee; the insurance company which insures the load; the Revenue Department, which collects road taxes; and this Commission, which effectively can regulate rates and prevent unlawful discriminations only if data is prepared and retained in sufficient detail to permit rate audits from time to time. The prescribed Uniform Livestock Bill of Lading makes provision for insertion of the data essential to serve all these various needs, so that one document can be used by all. Carbon copies are provided in quantity (original and three carbons) sufficient to satisfy the needs of those most concerned. Failure to complete, or failure to retain these records destroys the entire record structure upon which all must rely. Accordingly, the Commission expects to continue to insist that carriers make and retain these records, under penalty of law.

In addition to the foregoing, several conclusions may be drawn from Exhibit "A" attached:

There is no apparent pattern to the conduct of the carriers, though the common violations appear to be failure to keep records, and miscalculation of rates. It is not characteristic of any type of carrier to have any type of fault, however. Some large carriers are in complete compliance; other large carriers in substantial non-compliance. This same diversity exists among small carriers also; and among city-based carriers and country-based carriers; and among carriers which do have paid drivers (who may possibly not be following instructions), and those with no paid drivers. Neither size, location, type of operation, or any other factor seems to control whether a carrier complies or does not, except possibly the character of the operator himself. No excuse prevails; for every non-complying carrier there is at least one virtually identical which is in substantially full compliance.

Compliance with the present rules, regulations, forms, and tariff is not impossible. Many are doing it. Nevertheless, it appears to the Commission that compliance can be made easier; that the system can be, and ought to be, simplified still further. It is the purpose of the following Findings to suggest methods to this end, and to some extent to explain our views. In future rate cases we expect we will order such changes to be put into effect, unless someone shows cause why they should not be. The carriers, publishing agencies, and shippers, and others involved in the livestock industry will accordingly be well advised to study these Findings carefully, and to come prepared with specific data to discuss them in future rate cases.

F I N D I N G S

THE COMMISSION FINDS THAT:

1. The livestock tariff should in form be simplified and uncluttered with exceptions. In many forms of transportation, the circumstances of the carriage become so complex that a complicated tariff is required, fairly to meet the needs of the industry. Not so here: it appears that here, if anywhere, classic simplicity of tariff is possible.

2. The language of the tariff should be that of the layman, not the traffic expert. The livestock shipping industry does not maintain, nor indeed do the circumstances require it to maintain, rate experts conversant with the complex interrelationships of transportation generally. This is true of shipper and carrier alike. The ordinary shipper is a rancher, whom none expect to be particularly experienced in rate matters. The tariff should be in such form and language that the average rancher can easily understand it.

3. The mathematics necessary to determine the proper total charge should be reduced to an absolute minimum. Rule 1310 now in existence and as altered by Application No. 333, without commenting on the muddy language of the Rule, illustrates the type of problem which should be eliminated. Even a most elementary shipment, say of 20,000

pounds of sheep in plains territory, requires the use of more scratch paper and mathematics than the average rancher or truck driver ordinarily has at hand. Such refinements have no place in a livestock tariff.

4. The language of rules governing the tariff should be so clear as to minimize the possibility of dispute. The posting of market mileages, discussed later in these Findings, will make a great stride in this direction. Rules, such as that governing the application of minimum charges, should be so clearly stated as to be readily understood by a person with no experience in rate matters. Item 1380 should be clarified; the language admits of more than one construction. According to the carriers, this rule is intended to pass along to the shipper the out-of-pocket costs the carrier is required to pay others in connection with stops en route. The rule should say so, instead of referring, as at present, to "any additional expense incurred." The rule should also require the carrier to show such out-of-pocket expenses as a separate charge.

5. Each rule or regulation should be so worded as to stand alone. At present, some tariff provisions are subject to alternation; that is, two or more rules or rates may be applicable to a particular shipment, and in such instances the shipper is entitled to the one which results not in the lowest individual rate, but in the lowest total transportation charge. Where a rule is subject to alternation (e.g., Item 1360 (b) apparently alternates with Item 70, a general transportation rule), each rule should cross-refer to the possibly alternating provision, and clearly state the circumstances under which each will be the controlling rule.

6. All of the rules, regulations, and rates applicable to the transportation of livestock should be assembled in one place. The present tariff No. 14, in its various sections, includes a number of commodities and types of transportation; general rules applicable to

all transportation are printed early in the tariff, but additional specific rules governing the transportation of livestock are printed in the livestock portion of the tariff. This method has logic and results in publishing economies; but to the shipper interested only in livestock, it makes the tariff very difficult to decipher. It sometimes appears, contrary to the fact, that whatever rule is found, another rule somewhere else in this big book contradicts it. The livestock industry is one of Colorado's principal industries; justification exists for publishing all rules, rates and mileage affecting this great industry in one place; and they should apply to all movements of livestock by all motor common carriers, regardless of what other types of business a carrier may have.

7. One aim of the tariff publishing agencies should be to publish the livestock tariff in convenient hip-pocket form, once a year only. The people who use this tariff are principally stockmen and truck drivers; to have real value, the tariff must be printed in form suitable to their convenient use. It is to be hoped that copies of the tariff can be published in handbook form, pocket size, to replace the outmoded editions which, because of their convenience, are still in unauthorized use in much of the State. Perhaps the tariff publishing agencies or the cattlemen's association would find it good public relations to publish such a handbook, once the tariff was approved. Annual republication of such a tariff and handbook would not be the major undertaking it might at first appear. The publishing agents could accumulate proposed changes, presenting them once a year, during the off-season, at which time carriers, shippers and the Commission alike could have ample time to consider them for adoption, before the following Spring rush. Livestock hauling conditions do not change so suddenly that anyone would be seriously injured by confining changes to once a year only. The fact that annual handbooks were published would also eliminate misunderstandings over rates changed since

the last time the rancher shipped; he would simply be referred to the current year's handbook.

8. Although simplified in form, the tariff should distinguish between local, cross-country, and market movements. The three should be clearly separated, and not commingled. From time immemorial, tariffs for all commodities have taken into account the economies, the stable revenues, and the shipper-carrier relationships which arise under differing situations; we now have under discussion one such distinction -- that between livestock hauling and the transportation of other commodities. Such universally recognized distinctions, which exist in the present livestock tariff, should be carried forward, to the extent explained in the following discussion.

a. Local movements of livestock, to distances up to perhaps twenty miles, should be billed at a flat charge per truck load, or perhaps larger charge per trailer load. It must be recognized that in difficult mountain terrain, this flat charge would necessarily be somewhat higher than in plains territory; the tariff should spell out the areas and vehicles where the higher charge prevails. In connection with local movement charges, the present tariff provides, for example, a maximum charge of \$6.00 per load on movements between points within three miles of Denver; \$5.00 per load between points within two miles of Lamar; and \$5.00 per rail carload for movements within approximately one mile of Brush; all regardless of the size of equipment used. The principle stated in this paragraph is already long established; its expansion deserves consideration.

b. Cross-country movements (movements exceeding the distance ultimately prescribed as local, but not destined to markets named in the future tariff) should be charged according to the mileage traveled, using the shortest improved highway route. Although in principle actual highway miles should be used, this does not mean speedometer miles on the speedometer of the particular vehicle. Speedometers vary too greatly,

and the expense of keeping all of them calibrated is too great to be justified for this particular industry. By "actual miles" is meant actual miles according to some approved, independent measurement. Publishing agencies should review the various Highway Department publications, select one best suited to the settlement of disputes concerning the term "shortest improved highway route," and designate that publication in the livestock rules. In connection with the heavy hauling industry, we have adopted certain language defining "improved highway," but that definition appears to be not suited to the livestock industry, as it eliminates too many roads, which, though not suitable to heavy hauling, are suitable to livestock hauling.

c. The charge for movement to markets should be somewhat lower than that for cross-country movements of like distance. Where a truck and driver can be used regularly, the cost per trip is obviously lower than where the use is only occasional, the equipment and driver are idle much of the time, and must earn enough during busy times to tide them over the idle ones. To give occasional, irregular traffic the same rate as steady traffic results in undue discrimination against the latter. Market centers attract traffic and result in more regular business to carriers; even the roads are more economical to travel; livestock rate structures should take into account the operating economies which result from the larger, more regular shipments which move to market centers. The tariff should designate the markets which have volume and regularity of traffic sufficient to justify rates somewhat lower than those for cross-country movements, and should make it perfectly plain that the rates apply only to movements terminating at those markets: that they may not be combined with other rates to make through rates or cross-country rates. Market areas should be so described as to include the entire effective market as a rate unit; thus the Denver market, for

example, should be so described as to include, at one rate from a given point of origin, the stockyards and packing houses in the Denver commercial zone. A single basing point within the market area should be designated for use in making mileage determinations, but all points within the market area should be billed as though they were at that basing point. The return flow of livestock from Denver to Northeast Colorado points having fallen off substantially in recent years, the revenues and economies of that return traffic, which is front-haul traffic to some carriers, and which formerly justified lower rates, appears no longer to exist. Market rates to this market should accordingly be applied in one direction only -- to, not from, the Denver market. The rule governing applicability of market rates to this market, and to others similarly situated, should spell out this distinction.

d. Particularly with regard to movements to markets, considering the large part these movements have in the total movements, a method of eliminating all possible disputes over mileage should be adopted. One method successfully used in other parts of the State provides for indelibly marking each fixed loading facility with the mileage to principal markets. Both the rancher and the carrier can easily verify the accuracy of these mileages; disputes are quickly resolved. The numbers can be changed from time to time as highway changes warrant, again with minimum dispute. The numbering code simplifies the work of all concerned: once it is established and clearly marked, a Denver 53 chute (53 miles from the Denver market) is uniformly Code 53 to Denver for all carriers and all shippers. Under present practice, the 55 mile rate (next higher bracket) would apply. It might be more acceptable to shippers, and if so it is to be recommended, that future rate units be say "50.01 to 55.00 miles", so that the chute marking would fall into a self-explanatory bracket. Setting aside changes in general rate levels for the moment, such a

bracket change would simply require restating the present first (mileage) column on the tariff page; the present 55 mile rate would apply to the newly-named bracket, just as it does now.

9. Livestock loads should be classified by size not according to weight, as at present, but according to the type of equipment (whether straight truck or tractor-trailer combination) required to handle the load tendered. The rate structure for straight trucks should parallel, at slightly lower levels, that for trailers, to whatever maximum mileage the tariff extends. Charges thus would be based not upon hundredweight miles, but upon truck or trailer miles traveled.

Great reforms raise great objections. This revolutionary proposal, applicable only to livestock hauling, merits explanation. The evidence here is that loading and unloading time, even on local movements, is an inconsequential part of the total time involved in moving livestock. According to the evidence, it takes only five to eight minutes to load or to unload a trailer-load of cattle, where established loading facilities are provided, as they ordinarily are in this area. As noted elsewhere herein, shipper-caused delays at loading points could be separately charged. Loading and unloading time being such a small proportion of the total, the charge for the ordinary non-local movement should be related not to time, but to distance traveled. The major expenses in this transportation are those connected with buying the vehicle, and operating it. Obviously, it costs more to buy and more to operate a tractor-trailer combination than a straight truck over the highways. This difference is not so great as might appear, when spread over the number of miles traveled in the life of a vehicle, but some difference nevertheless does exist. The principle has only limited application, however: the cost of transporting 18,000 pounds of cattle in a tractor-trailer combination is so close to the cost of transporting 12,000 pounds in the

same vehicle as not to warrant any distinction in rates. The economics of the transportation are principally associated not with the size of load in a given vehicle, but in the comparison of a vehicle of one size and cost with a different vehicle of another size and cost. The Commission feels that there should generally be only two rates of charge for market and long-distance cross-country moves of livestock: one related to straight-truck miles, and another, higher, related to tractor-trailer miles. Until vehicle height and length restrictions are relaxed, it appears that present tractor-trailer sizes have about reached their limit, and present loads are as large as can be carried. Nevertheless, it may be argued that charging by the truck or trailer mile provides no encouragement to carriers to obtain even larger, more modern, more efficient equipment. Such equipment is warranted, and bought now, only where a regular volume of the larger-type shipments is available. Upon proper showing, special rates for shippers of this type may be justified, and if justified, approved; these rates can be designed so that they recognize the economies resulting from the larger shipper's operations, at the same time rewarding the carrier for providing larger more efficient equipment. In addition to its other merits, this simplified method of charging is adaptable to existing Revenue Department road tax procedures, and would actually simplify record-keeping for the carriers.

10. Progressions in the rate as the mileage increases should be regular. The existing blocks, by which the rate increases only in units of five miles until a hundred-mile distance is reached, and thereafter in ten mile units, appear to be a satisfactory progression. However, the proposed rate progressions are quite erratic. In Application No. 333, for example, under the column headed "20M", we note that the carriers proposed that the charge for the 130 mile bracket be 37 cents per hundredweight; for 140 miles, 41 cents, an

increase of 4 cents; but for 150 miles, 42 cents, an increase of only one cent.

11. Shipper-caused delays should be separately charged, so as to make those who cause them pay their cost. For example, it does not seem fair to make shippers who provide adequate loading facilities share the extra cost involved in serving those who do not; this could be adjusted by providing a specified extra charge where the cattle cannot reasonably be loaded without carrier-provided loading facilities. Some shippers have the carrier appear hours before he is needed, to assure that he will be there when he is needed. If the added expense involved in having these trucks and men idle is to be adjusted by setting a maximum free loading time, and providing an hourly charge for shipper-caused delays over that free time, it would appear some balancing provision should protect the shipper where the carrier agrees to appear, but does not, at the agreed time and place. Also, some shippers prefer to have their livestock weighed at scales off, or even opposite, the direct route. This extra expense to the carrier could be adjusted by providing for weighing without extra charge at the scale on or within a specified distance of the direct route, with a specified mileage or hourly penalty for hauling to any other scale selected by the shipper. Circumstances might be visualized where controversy could arise as to the application of such rules. This is simply a normal incident of any rules or regulations; the Commission is prepared to hear and resolve such shipper-carrier controversies now as in the past.

12. Shippers should be permitted to consolidate loads and thus obtain the lower rates applicable to larger shipments; where the shippers assemble their loads to permit loading the group at a single point and unloading at another single point, no special or extra charge should be assessed; the service required to load or unload at multiple points should be charged in some specified relation to the extra time

or mileage required to perform the extra service. The rules should specifically require that the bill of lading issued to each shipper in a consolidated load be marked by the carrier to show that the bill of lading is for a portion of a consolidated load; otherwise it is impossible to determine from the record why the lower rate for larger loads was applied to that shipment.

13. One form of livestock bill of lading, and only one, should be countenanced. As indicated above, many organizations are interested in movements of livestock; a single bill of lading, used by all, meets the requirements of everyone concerned, and becomes the standard commercial paper of the industry. The cost of these forms is too small to permit serious complaint. The present diversity of forms, and the variation in qualities of carbon paper used, seriously impairs the effectiveness of present methods of billing. Again, the publishing agencies might well find it desirable to arrange to supply quality forms at cost to the carriers they serve. Denver Union Stockyards and some sales rings now supply carriers with a diversity of forms; many of these have only limited usefulness, but they do come to be substituted for the more satisfactory form; the publishing agencies, carrier associations and our staff will assist carriers and shippers alike by making it easier in this fashion for carriers to keep these essential records. The rules should require livestock bills of lading to be numbered serially, and all numbers, including spoiled bills, to be retained; otherwise no assurance can ever be had on the record that any audit--whether for rates, road tax, insurance, or any purpose -- is a complete one.

14. Methods of making it easier to keep records deserve consideration. If charges by the vehicle-mile are adopted, the present bill of lading weight provisions can be simplified. Even under the existing system, however, we must recognize that it may be burdensome to complete the bill of lading. Ordinarily it is not possible to in-

sert the weight at the time a shipment is accepted, it being then unknown. To require the carrier to go back to his bills and complete them several days later, when he receives the information, is burdensome and raises the legal problems inherent in altering an official business record. Alternative methods of keeping the required information should accordingly be countenanced. The principal suggestion of the carriers in this respect, that they be allowed to staple account-of-sale sheets to bills of lading, appears to have real merit. The information contained on these sheets is put there by an organization independent of the shipper-carrier relationship. The entire industry relies upon this information, and it is beyond dispute, for our purpose. According to the carriers, it is not burdensome to put the bill of lading and account of sale sheet together; they must do it anyway, to bill the customer. We do not plan to enter any affirmative orders in this present proceeding; but in a later proceeding, the carriers would be well advised to seek a change in our rules to permit stapling account-of-sale sheets to bills of lading for the purpose of establishing an acceptable record. Any such alternative method which lightens the carrier's work deserves considerate attention. The burden must remain with the carrier, however, to maintain adequate records, and to produce evidence of weight upon request; and no departure from the prescribed methods of keeping records can be permitted, except upon specific grant of authority.

In some instances, the extent of a carrier's operation may be so small, either in volume of shipments or in territory served, as not to warrant the expense to the carrier and the public which necessarily results from rate audits. In such cases, an exemption might be granted, to relieve the carrier of this burden so long as that condition continues. The carriers and our staff could well re-examine our present procedures with a view to simplifying them in such cases. When a carrier's gross revenue for the entire year is under \$10,000, for example, it would

appear that he could not affect the shipping public in any substantial degree, no matter how great an error he made on a particular rate; particularly where there were other larger carriers, more closely supervised, available in the vicinity to accept the traffic of any shipper abused by the small carrier. Perhaps the revenue figure should be higher. This, and a procedure for obtaining exemptions with adequate safeguards for the public, are left for the consideration of the carriers and our staff. For carriers of such limited operation, a record such as the "Record of Truck Shipments" issued by The Hartford Fire Insurance Company's Livestock Department might be sufficient.

15. In view of the large number of matters deserving further study and possible change, mentioned above, it appears that no affirmative orders should be entered now, but that instead, the carriers, stockmen, feeders and others who might be affected should be given an opportunity to consider and discuss them. A busy shipping season is almost upon us; during this time shippers and carriers alike will have an opportunity to observe how the thoughts expressed herein would work out in actual practice, and thus discover at first hand which proposals have merit. Accordingly, we will leave the changes to future proceedings. Copies of this Decision will be mailed Statewide to those interested in the livestock industry, and enough additional copies will be printed that those who do not receive a copy may obtain one without charge upon written request to the Secretary of the Commission. All concerned are urged to come to future proceedings prepared to discuss the foregoing proposals in detail, and make recommendations concerning them.

An Order will be entered accordingly, terminating this proceeding.

O R D E R

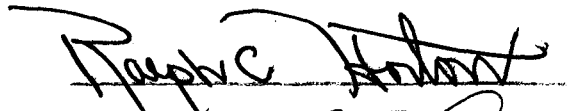
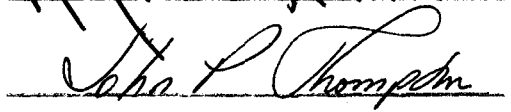

THE COMMISSION ORDERS:

That Case No. 5144 should be, and the same hereby is, termi-

nated, and the files closed.

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 12th day of September, 1958.

mls

CASE 5144

1958 General Investigation, Livestock Hauling Practices

Northeastern Colorado

APPENDIX "A"

Digest of Testimony

Carrier Name, PUC No., and Base of Operation	Person Who Appeared at Hearing	No. of Shipments Audited	Digest of Testimony Concerning This Carrier's Operations
B. J. Truck- ing Service PUC No. 910 J. Collins	L. C. Downing	99	Appears to be making a sincere effort to keep good records; correct rate charged 90% of the time; errors run to undercharges. 1956 gross (previous owner) \$76,000.
Ackley Truck Line PUC No. 620 Brush	E. W. Driscoll	99	12 bills of lading incomplete; 41, correct rates applied; 49, wrong rates, total result a net undercharge. Records poor. About 80% of their hauling falls within 25 miles of Brush; good deal of rail work. Most loading points served have established loading facilities. Figures a straight truck (bob-tail) will haul 9,000 pounds at most; figures on a five mile haul he can be out, load, deliver, unload, be back at office in an hour at most; on 25 mile haul two hours. Figures it takes 5 to 8 minutes to load or unload a trailer. Regards short haul of small loads as being an accommodation service for which he does not expect to receive full pay.
Ahnstedt Truck Line PUC No. 549 Lyoke	Wendell Ahnstedt	93	Records of 85 in 93 shipments so incomplete a rate audit was impossible. Apparently charging consolidated load rates, contrary to tariff. Records poor. 60% of livestock hauled goes to Denver; rest scattered. Sales barns at Haxtun, Wray, Sterling; feed lot at Wray. Most loading points have established loading facilities. 1956 gross: \$22,000.
Iron Truck Line PUC No. 577 Iron	Raymond Cross	31	Freight bills not completely filled out; rate check impossible; records generally incomplete. Most hauling is to Brush sales ring, perhaps one-third to Denver stockyards. Very little farm to farm. Has one trailer, figures 18,000 pound capacity, and one bob-tail truck, 9,000 pound maximum. Time experience same as Ackley Truck Line where loading facilities good, as they usually are; actual driving time 40 minutes Akron to Brush, but work may take five hours if loading facilities poor. Driving time Akron to Denver, figures 3 hours.
Amick, Marcus & Wallace PUC No. 1628 Harris	Wallace Amick	4	Apparently does very little hauling; freight bills illegible. Operators say two dozen loads a year would cover all their hauling; sales rings at Brush and Yuma; most local hauling is done by farmers themselves.

ame, PUC No., i Base of rier	Person Who Appeared at Hearing	No. of Shipments Audited	Digest of Testimony Concerning This Carrier's Operations
cher & Archer, c. C No. 1147 & I lesburg	Andrew Archer	17	Fails to complete records as to weight, as required; rate check impossible. Does very little intrastate hauling, only 9 loads in 1957; seven of these went to Denver; rates correct on these. There are no sales rings in their County, but there are several feed lots
rry Atteberry C Nos. 458 & 1422 ron	Same	15	Not using presented bill of lading; freight bills not completely filled out; rate check impossible. Carrier says some bills lost. Says he hauls about 100 loads a year; about half to Denver stockyards, most of the rest to Brush sales ring. Thinks the 5,000 lb. rate column, which now stops at 75 miles, should continue to 120 miles, as the LTL and 10,000 lb. columns applicable now are not low enough to be competitive with farmer-owned transportation. Operates one straight (bobtail) truck, one trailer; his experience compares with that of Akron Truck Line.
tes & Sons, c. C No. 449 giene	Arles Bates	304	Records very good, carrier deserves praise. Carrier appears to be in substantial rate compliance; the several apparent errors, tending towards slight undercharges, may be attributed to possible confusion in the tariff as to the mileage basing point to be used, where there are several possible, as here. No blame necessarily attaches to the carrier in these circumstances; nevertheless the fact of disagreement between the carrier and our rate staff in several instances is noted.
bey, Dewey C No. 535 eley	Same	242	Records not adequately kept; possible to audit only 174 of these 242 shipments; the rest could not be audited for lack of data; in the 174, which could be audited, there were 112 rate errors, decidedly on the undercharge side. Appears to haul mainly to Denver stockyards.
ck, Alice Blakley Live- stock Truck Co. C No. 435 & I ver	Same	127	Records in good order; not a single rate or other violation found; carrier appears to be in full compliance, deserves praise. About 65% of her hauling is to or from Denver Stockyards; 90% on Eastern Slope; she thinks highway miles should control.
nkenbeckler, Wm. C No. 992 rling	Same	85	Records good; charges wrong rate about one-third of the time; almost all errors are undercharges. Apparently charging consolidated load rates, contrary to tariff. Five power units; two steady drivers; perhaps 75% of his hauling is to Denver stockyards, the rest scattered. Ordinarily loads at established loading facilities.
well, Frank Cadwell cking Co. C No. 351, & I, 474 & I, O, & 1655 blo	Same	103	Carrier from outside the territory, principal movements limited to those to and from the territory. Records good; rates correct 80% of the time; errors tend toward possible misfiguring of mileage.

ie, PUC No., l Base of rier	Person Who Appeared at Hearing	No. of Shipments Audited	Digest of Testimony Concerning This Carrier's Operations
ion Ball ress No. 984 & I ugler	Everett J. Miller	109	Receives mail at Flagler, but operates out of Arickaree. Has no bills of lading at all, as required; records insufficient to permit audit. Appears to be beyond his authority about one-fourth of the time. He says about a third of his business is livestock; this moves about half to Denver, most of the rest to Brush. Operates one truck tractor, one bob-tail truck. Loads at established facilities about half the time.
note Trucking No. 2149 lder	Oliver Clyncke	128	Correct rate applied only about half the time; errors tend towards undercharges. File of bills of lading is not in chronological order as required; they say this is an inconvenient way of doing it. Substantially all their hauling is on Eastern slope; 80% of it to and from Denver stockyards. 1956 gross: \$17,000.
ley, Glenn Nos. 381, & 1782 over	Same		Records very poor; impossible to check operations from record. 75% of livestock he hauls goes to Denver; rest scattered. Operates three units; has one driver on wages. Usually loads at established facilities. 1956 gross: \$15,000.
lehay, Henry Nos. 1590 & I d	Same	22	Records very good, legible, fully completed. Correct rate applied 90% of the time; errors tend toward slight overcharges. About two-thirds of the livestock he hauls goes to Denver, rest scattered and interstate. Operates four units, has three drivers on wages. Has no trouble figuring rates under present system, he says. 1956 gross: \$54,000.
son, Vern No. 1371 on	Same	37	Records incomplete, but from data available, auditor was usually able to compute the data missing; wrong rate charged two-thirds of the time, apparently mostly due to using wrong mileage. Some question whether his authority closes; he says he understands his south boundary is an east-west line drawn half way between Greeley and Eaton, and his east boundary is a north-south line drawn twenty miles east of Greeley.
ley Truck e Nos. 774 & I & 2048 ley	G. A. Keiser	195	Records so incomplete that rate audit is impossible; about one-third of the shipments could be checked through use of other data only; of these, the right rate was charged on about one-half. Has not filed required annual reports for 1955, 1956 or 1957.
t, Guy-dba m Hauling vice Nos. 945 & I gmont	Same	84	Fails to complete bills of lading as required; rate audit impossible.
tway, John N 870 tz	Same	47	Applied correct rate about half the time; errors tend to small undercharges. Records complete enough to audit 80% of the time. Appears to be frequently hauling without authority. Apparently charging consolidated rates on some shipments, contrary to tariff.

me, PUC No., d Base of rrier	Person Who Appeared at Hearing	No. of Shipments Audited	Digest of Testimony Concerning This Carrier's Operations
nson, K. C. C No. 1181 . Morgan	Same	27	Sometimes records good, mostly not. Operates two power units, what he hauls goes 90% to Denver stockyards. Pays no driver wages. 1956 gross: \$14,000.
ckman, Paul a Yuma County ansportation C Nos. 1066 & I ma			No evidence was adduced concerning this operation; the Commission discontinued the proceeding as to this carrier upon receiving notice of the death of Mr. Hickman.
mp, Lester C No. 403 riva	Same	21	Often makes no bills of lading, as required; records insufficient to permit audit. Conference with the carrier has resulted in no apparent improvement. Operates two power units, tries to keep one driver on wages. Uses record book provided by Hartford Ins.Co. instead of keeping other records. It works fine. Says trucker's copy of bill of lading is so faint no purpose in keeping it.
mb, F. R. C No. 1048 lt	Robert Lamb	133	Does not keep records sufficient to permit an audit of rates. Poor carbon paper complicates the problem of deciphering file copies. His greatest problem is competition of trader trucks who may or may not have authority, but in any case do move a lot of cattle.
uta, Ray C No. 1472 rt Collins	Same	156	Correct rate applied about one-third of the time; errors scattered between small undercharges and small overcharges; errors apparently result from using wrong mileage; records appear satisfactory, except for occasional omission of data necessary to audit.
al Bros. uck Line C Nos. 1847 & I ggins	Harold Neal	22	No rate check made; bills of lading not completely filled out to permit a check; recently fined on this account. Otherwise apparently in complete compliance. Less than half their business is livestock, but most of that is to Denver stockyards; some to Brush Sales Ring. They pay no driver wages.
lson, Harvey C No. 818 ook	Same	35	Appears to be in compliance on about one-half the shipments; incorrect rates applied on one of every three shipments; failure to complete bills of lading common.
is Truck ne C No. 776 is	Ralph Armstrong	12	No rate check made; operator did not keep records, required by regulation; in apparent violation to this extent. Small operator, 4-5 loads a month during shipping season. Loading takes him a little longer than some, because he has to load more himself. Brush and Denver receive 90% of what hauling he does. He has no objection to the prescribed livestock Bill of Lading.
rachini & Son C No. 1129 ldona	Robert Parachini	10	No rate check made, as carrier did not keep bills of lading required by regulation; in apparent violation to this extent. Only 10% of his work is livestock, most of it to Denver, mostly originating at farms near Weldona. Notes no substantial difference in his operation from the others who testified.

Carrier, PUC No., and Base of Operation	Person Who Appeared at Hearing	No. of Shipments Audited	Digest of Testimony Concerning This Carrier's Operations
Ed, Ray-dba Oil Gas & Oil Co. Nos. 519-520 Seley	W. E. McMahan	232	This authority has changed hands since the period under discussion.
Schaefer, J. J. No. 432 Advisor	Same, and Donald R. Schaefer	172	Substantially all his traffic is to or from Denver; wrong rate charged about one shipment in three; substantially all errors were undercharges of small amounts; records good, though bills of lading frequently partly incomplete. Suggests: 1) permitting carriers to staple account-of-sale sheet to bill of lading as permanent record, instead of having to copy it; 2) base rates on actual miles, not by speedometer, as this too variable, and label loading facilities to stabilize the miles charged; 3) clarify the application of LTL vs. minimum charges, particularly on two-way travel for different shippers.
Matjen, Claude J. Nos. 1314 & I Eylene Wells	Same	34	Records inadequately kept; no bill of lading made on 16 of the 34 shipments reviewed, others so incomplete as to make auditing impossible. He thinks cross country hauls up to 100 miles ought to be charged on a miles-traveled basis. Small operator. 1956 gross: \$8,400.
Math, Lester E. No. 1276 Berling	Same	79	Keeps generally good records; rate audit indicates few instances of charging the wrong rate, with only insignificant dollar amounts involved. Apparently charging consolidated-load rates in some instances, contrary to the tariff. Thinks this is the way it ought to be. 75% of the livestock he hauls goes to Denver; rest scattered. Operates 6 power units; usually has established loading facilities.
Penon Truck Service P. O. 337, 489 & I Agmont	Charles Sorenson	374	Maintains records sufficient for rate audit, though not in prescribed manner; correct rates charged 90% of time; errors tend to overcharges.
Stockyards Live- stock Hauling Co. No. 436 Over	S. G. Leischuck	132	Records very good, no errors in rating found. Carrier appears to be in full compliance, deserves praise.
John's Cattle- raisers No. 518 Seley	Marshall Anderson	245	Correct rate 90% of the time; when in error, overcharges and undercharges about equal; records good. Completely endorses Schaefer's suggestions. Says traffic flow has changed; formerly buying and selling was through stockyards; now much moves directly from producer to feeder, and directly from feeder to packer. Result: the heavy northbound traffic from Denver to feeders has largely disappeared. Speedometer miles poor measure; varies too greatly; elimination of variation by calibration out of the question too expensive; in determining feasible routes upon which to base mileage, do not follow heavy haulers guide (Rule 180, p. 20, PUC No. 12, M. F. Tariff No. 13), is not suited to livestock, as it eliminates too

ame, PUC No., d Base of rrier	Person Who Appeared at Hearing	No. of Shipments Audited	Digest of Testimony Concerning This Carrier's Operations
ntinued - roh's Cattle- ners			many usable roads. Thinks Highway Department (not tourist) single sheet map might do. Colo. Motor Carriers Ass'n. has attempted to solve these problems Statewide, failed; they don't expect the P.U.C. to do it in one try, either, but will cooperate. Northern Colo. livestock haulers have been using a zone map to calculate rates; lacking Commission blessing, it results in wrong rates sometimes, but has been a stabilizing factor beneficial to public and carriers.
utheit, M. E. C No. 1150 a. 1	Same	30	Records so incomplete that it was impossible to audit any shipment. Usually fails to make out a bill of lading at all, it appears. Very small operator; 1956 gross: \$3,000.
ndenbark, Paul &/Paul Vandenbark st, Harold dba V Y Truck Line C No. 819 rmit Nos. B-1492 & I xtun		96	Usually fails to fill out bill of lading completely; of 96 shipments only 14 could be audited; on 9 of these, the wrong rate was charged.
lker, Ben L. C No. 869 w Raymer	Same	19	Carrier keeps no records from which an audit could be made; has no bills of lading.
nn, Dee C No. 775 non	Same	45	Record keeping poor, does not permit review of operation. In instances where audit was possible, it appears a wrong rate was charged about one time out of every three. Operates four trailers (estimates 18,000 to 24,000 lb. capacities) and one 16 ft. bed straight truck (estimates 8,000 lb. capacity cows, 5,000 lbs. of calves), keeps one driver on wages. Bulk of his hauls are to sales ring at Limon, La Junta and Brush, and to feed lots at La Junta and Henderson. He has no suggestions to make regarding simplification or improvement of record keeping. 1956 gross: \$25,000.
lshusen, Martin C No 1461 na	Same	None	Records very poor; no information available to permit a rate audit. Carrier in 100% violation of record keeping and rate regulations. Carrier says he operates three power units, does a good deal of farm-to-farm hauling, and quite a bit to Denver; very little to Brush. Has no steady drivers.
rious Truck Line rmit No. B-1236 t Morgan	Walter W. Yearous	7	Note a private carrier; appears to do a good deal of hauling outside territory authorized. No rate check made, carrier states freight bills destroyed by fire.
ter, A. C. C No. 1096 ley	Same	3	Owner has since sold the authority.
key Trucking pe, Inc. C No. 622 iver	Ralph Yockey	788	Records generally good though not entirely in conformance with those prescribed; bills of lading failed to show point of origin; correct rate applied 90% of the time; errors appear to be scattered overcharges and undercharges. Recent improvement noted. 1956 gross: \$309,000.

ne, PUC No., d Base of rrier	Person Who Appeared at Hearing	No. of Shipments Audited	Digest of Testimony Concerning This Carrier's Operations
ma Livestock ction C No. 1105 na	Virgil Means	33	Records in very bad shape; no bills of lading, usually charges wrong rate; almost completely in violation, so far as record keeping and rate regulations are concerned; carrier states his records for the time under study were destroyed by him. Operates two power units only. Operates the Yuma Sales Ring, uses his carrier authority only to pick up and deliver to sales, with infrequent farm-to-farm haul. None to Denver.
mmerman, Paul G. 3 s. 961 & I rlington	Same	103	Record keeping very poor; virtually every shipment appears to involve some violation. Uses the prescribed Livestock Bill of Lading on some occasions, but not on others; when it is used, it appears not to be completed in sufficient detail to permit review of operation. A long-established carrier, he really appears to be making no effort to comply. 1956 gross: \$22,000.

original

(Decision No. 50911)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SOUTHWESTERN GREYHOUND LINES, INC.,)	
210 EAST NINTH STREET, FORT WORTH,)	
TEXAS, FOR AUTHORITY TO TRANSFER)	APPLICATION NO. 16531-Transfer
PUC NO. 298 AND PUC NO. 298-I TO)	<u>SUPPLEMENTAL ORDER</u>
THE GREYHOUND CORPORATION, 5600)	
JARVIS AVENUE, CHICAGO, ILLINOIS.)	

September 11, 1958

Appearances: John R. Barry, Esq., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By Decision No. 50849, dated August 28, 1958, Southwestern Greyhound Lines, Inc., Fort Worth, Texas, was authorized to transfer PUC No. 298 and PUC No. 298-I to The Greyhound Corporation, Chicago, Illinois, with authority as set forth in the Statement thereof.

On September 5, 1958, the Commission received a Petition from Southwestern Greyhound Lines, Inc., by its Attorneys, Barry, Hupp, and Dawkins, Denver, Colorado, stating that a portion of the authority owned by said Southwestern Greyhound Lines, Inc., had been inadvertently omitted in the Order of transfer, being Decision No. 50849, dated August 28, 1958, and requesting a nunc pro tunc Order to include this authority.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 50849, dated August 28, 1958, should be amended, nunc pro tunc, as provided in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 50849, dated August 28, 1958, should be,

and the same is hereby, amended, nunc pro tunc, as of the 28th day of August, 1958, by striking the first paragraph of the Statement thereof, and inserting in lieu thereof the following:

"Heretofore, Southwestern Greyhound Lines, Inc., Fort Worth, Texas, was granted a certificate of public convenience and necessity (PUC Nos. 298 and 298-I), authorizing operations as a common carrier by motor vehicle for hire, for the:

Operation of a motor bus line for the carrying of passengers, parcels, and small packages between Trinidad, Aguilar, Walsenburg, and intermediate points;

transportation of:

passengers, baggage and express, interstate, only, between Denver and the Colorado-New Mexico State Line and intermediate points, via U. S. Highway No. 85;

passengers, baggage, and express, between Denver and the Colorado-Wyoming State Line, via U. S. Highway No. 85, the Colorado-Nebraska State Line, via U. S. Highway No. 6 and 138, and the Colorado-Kansas State Line, via U. S. Highway No. 40, in interstate commerce, only;

passengers, baggage and express, in interstate commerce, between the Colorado-Wyoming State Line and Denver, via Virginia Dale, Bellvue, Fort Collins, Loveland, Berthoud, Longmont, Lafayette, and Broomfield, via U. S. Highway No. 285; between Denver and the Colorado-Wyoming State Line, Dover, Nunn, Eaton, Greeley, Fort Lupton, Brighton, via U. S. Highway No. 85; between Denver and the Colorado-Kansas State Line, near Kanorado, via Aurora, Bennett, Strasburg, Byers, Limon, Stratton, and Burlington, via U. S. Highway No. 40; between Denver, Colorado-Nebraska State Line, near Laird, via U. S. Highway No. 85 between Denver and Greeley; U. S. Highway No. 38 between Greeley and Wiggins; State Highway No. 52 between Wiggins and Fort Morgan;

U. S. Highway No. 38 between Fort Morgan and Brush, Colorado State Highway No. 54 between Brush and the Nebraska State Line via Akron, Otis, Yuma, Eckley, Wray, and Laird;

occasional motor coach service, by special charter, for transportation of passengers from point to point within the State of Colorado; subject to the terms hereinafter set forth: (a) In the handling of charter business, the point or origin of the same being within the territory served by the holder of a certificate for regu-

lar motor carrier operation, intrastate, which gives to such certificate holder the first opportunity of rendering the charter service, if such certificate holder is authorized by the Commission to handle charter business, and also if such local certificate holder is able to perform the service required; but if such certificate holder has no certificate for handling charter parties or is unable to comply with the necessary requirements or specifications of the charter party, then applicant may solicit such charter business freely, and may render the service desired from the point of origin to destination, regardless of the fact that there may be other local certificate holders operating in the territory into which the charter party is destined. (b) Any controversy arising in connection with the provisions of this order shall be determined at once upon presentation by the carriers interested to the Chairman of the Commission, or, in the event of his absence from Denver or inability to act for any reason to either of the other Commissioners who may be available in Denver. (c) The applicant will not engage in any sightseeing service of a direct competitive character in the Denver Rocky Mountain Parks served by Rocky Mountain Motor Company, PUC-55 or other sightseeing operators in the Pikes Peak Region now being served by the Pikes Peak Auto Company, PUC-116; Pikes Peak Auto Livery, PUC-140; and Broadmoor Hotel Garage, PUC-275, and other authorized sightseeing operators with rights to serve the region-San Isabel Forest now served by the San Isabel Forest Tours, PUC-318; Cedaredge Grand Mesa now being served by V. A. Phillips, under PUC-258, and other like scenic areas in the State now being served by local authorized sightseeing operators;

passengers, baggage, and express, intrastate, between Denver and the Colorado-Kansas State Line and intermediate points, on U. S. Highway No. 40 and 40-N (now U. S. Highway No. 24);

passengers, parcels, and small packages, between Denver and Limon and intermediate points, via U. S. Highway No. 40;

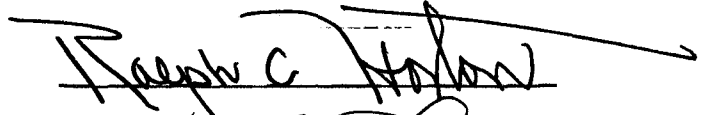
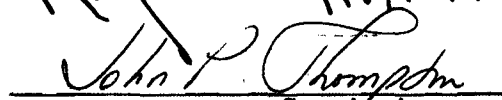
passengers, baggage, and light express, in interstate commerce, only, between a point a few miles east of Holly on the Kansas-Colorado State Line and a point on the Colorado-New Mexico State Line where U. S. Highway No. 85 crosses same; the route through the State of Colorado through Lamar, Las Animas, La Junta, Thatcher, and Trinidad;

use of Colorado Highway No. 185 between Denver, Colorado, and Castle Rock, Colorado, starting at a point on Colorado Boulevard in the City and County of Denver where the routing of the Denver Valley Highway makes a junction with State Highway No. 153; thence southerly 21.4 miles along State Highway No.

185 to a junction with State Highway No. 1, (U. S. Highway 85-87), approximately 3/4 of a mile north-
erly from the North City Limits of Castle Rock,
Colorado.

That, except as herein amended, said Decision No. 50849,
dated August 28, 1958, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of September, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YELLOW CAB, INC., 3455 RINGSBY)
COURT, DENVER, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND) APPLICATION NO. 16532-Extension
NECESSITY, AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 2204.)

September 11, 1958

Appearances: Walter M. Simon, Esq., Denver,
Colorado, for Applicant;
John R. Barry, Esq., Denver,
Colorado, for Southwestern
Greyhound Lines, Inc.; Cen-
tral Greyhound Lines, Denver,
Colorado Springs-Pueblo
Motor Way, Inc.; Aurora Bus
Line; Denver-Salt Lake &
Pacific Stages, Inc.; Con-
tinental Bus System, Inc.;
Transcontinental Bus System,
Inc.;
R. B. Danks, Esq., Denver,
Colorado, and
Lynn Johnson, Denver, Colorado,
for Package Delivery Service
Company;
E. B. Evans, Esq., Denver, Colo-
rado, for Westway Motor Freight,
Inc.;
John H. Lewis, Esq., Denver, Colo-
rado, for Denver Delivery Ser-
vice Co.;
John F. Mueller, Esq., Denver,
Colorado, for Cabs, Inc.;
Harold D. Torgan, Esq., Denver,
Colorado, for Empire Delivery
Service, Inc.; Harold's Express;
Speedy Messenger Service;
Ernest Porter, Denver, Colorado,
for Denver & Rio Grande Western
Railroad Co.; Rio Grande Motor
Way, Inc.;
Mrs. Rose Fox, Denver, Colorado,
for Galen E. Broyles Advertis-
ing Agency;
Sidney C. Grinstein, Denver, Colo-
rado, pro se;
I. B. James, Denver, Colorado, for
Colorado Transportation Co.; Den-
ver-Boulder Bus Co.;
George L. Todd, Denver, Colorado,
for Butler Paper Co.

S T A T E M E N T

By the Commission:

By its application filed August 7, 1958, as restricted at the hearing thereof, the applicant motor vehicle common carrier, which holds several taxicab certificates of convenience and necessity, seeks to have its Certificate No. 2204 extended so that, as extended, it will authorize the applicant to engage as a motor vehicle common carrier in the transportation of:

packages, parcels, baggage, messages, letters, papers, and documents, from point to point within a radius of sixteen miles from Sixteenth Street and Champa Streets, in the City and County of Denver (referred to as the Denver Metropolitan area), and from and to said metropolitan area to and from the area in Jefferson County known as Rocky Flats, and to and from the plant of the Martin Company, near Waterton, Colorado; provided, that such transportation shall be performed in taxicabs, only, at no less than taxicab passenger rates, and that no parcels shall exceed 50 lbs. in weight.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 27, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

F. M. Elliott, General Manager of the applicant company, testified in support of the application, as did ten public witnesses and the Assistant Manager of one of the applicant's competitors, the Zone Cab Company. Three competitors testified in protest.

It appears from the evidence that the applicant and its predecessors have engaged in the taxicab business in Denver and the surrounding metropolitan area for many years past. Without specific authority so to do, they have as an incident of their taxicab service provided a delivery service in taxicabs for the delivery of flowers, drugs, and miscellaneous packages and papers of various kinds. They have charged for such delivery the charge which would have been appli-

cable had they taken one passenger, plus an additional 25% for leaving the cab to pick up and deliver the package. They have authority to operate 248 cabs and taking into account the variations during the day and week average perhaps 200 on the streets at any given time. These passenger vehicles are radio dispatched, have two-way radio facilities, and fairly well blanket the area served at any given time, day or night. According to the testimony, applicant intends to use only passenger vehicles commonly known as taxicabs, and used as taxicabs, in connection with the proposed service. They do not propose, nor seek authority to operate routes, nor to establish what is ordinarily called a package delivery service.

What they have in mind, Mr. Elliott said, is essentially an emergency service at premium rates performed incidentally to their taxicab operation with the same personnel, the same vehicles, and the same facilities that are used regularly in their taxicab service.

Gertrude Ardelt, a flower shop operator, testified that her store has vehicles of its own for delivery of flowers, but occasionally requires emergency service on a few minutes notice at times when their equipment is not available. She would like to have a cab available on call and would pay premium rates for the delivery of her flowers in such emergencies.

Chester Peterson, of Peterson Typesetting Company, is similarly situated with regard to the emergent delivery of printing proofs to prospective customers; Butler Paper Company, with regard to paper samples, but not large lots of paper; Dow Chemical Company at Rocky Flats, with regard to parts and supplies used in the operation of that plant; Peerless Printing Company, for the delivery of editorial material arriving by air at night; KOA Radio and KOA TV, for the use of news film exposed and processed in connection with the news service of its broadcasting agency; Denver Wholesale Florists Company, for the delivery of flowers to the airport for distant customers; Broyles Adver-

tising Agency, for copy of various kinds being delivered to clients; and McKesson & Robbins Pharmaceutical Company, for semi-emergency delivery of pharmaceuticals only; none of these companies desires nor required delivery of liquor items, as the transportation of such items in taxicabs is prohibited by Denver Ordinance.

In protest, Mr. Lynn Johnson, of Package Delivery Service Company, stated that his Company operates regular route delivery facilities for large customers, particularly department stores. It operates only during regular working hours and days and really is not in a position to render emergency, or after hour, service upon call. Accordingly it has no objection to the granting of the application provided the terms are such that it will be perfectly obvious that the applicant does not seek to establish a new general package delivery service.

Andy Lee Spinden, operator of Speedy Messenger Service, with package authority in Denver and a three mile radius, is somewhat similarly situated. Although his Company operates a "hot shot" service rather than a regular route service, his service is also confined to day time service on regular working days. He does not operate radio dispatched equipment and his base of operations is down town. He does not have sufficient equipment to establish city-wide locations, and of course, is not authorized to serve the entire area now sought by the applicant.

Mr. Sidney C. Grinstein, operating a single vehicle out of Union Station, hauls railroad goods and luggage. He does not object to the application provided that it is stated in such a manner as to clearly prohibit the use of any vehicle except ordinary taxicabs regularly used in ordinary taxicab service.

The situation presented here is somewhat unusual in several respects. The applicant has been operating evidently illegally, hauling packages in connection without the transportation of a passenger

for many years. However, this situation is not of the sort often mentioned in decisions, where the illegal operation is entered upon for the purpose of establishing some service which is later sought to be ratified at the expense of existing carriers. It appears that this applicant's predecessors were operating in this business before any of the present protestants.

On the evidence in this case, we would clearly not be authorized in law to grant authority for the indiscriminate transportation of packages of any size by the applicant. Our Order to follow is intended to conform to the evidence, which requires that we rather severely restrict the operation. The evidence supported a grant only of authority to carry packages in ordinary passenger vehicles commonly known as and equipped as taxicabs. The vehicles to be used are the vehicles then in service as taxicabs, but temporarily unoccupied while awaiting the next call for passenger duty. It is expressly intended by the applicant that such vehicles be on the street at the time they are called, and that the Company shall not maintain any vehicles segregated for use as package delivery vehicles. The evidence does not support a grant of authority under which the applicant might be permitted to pick up several packages at one time in one vehicle and deliver the packages to several destinations; nor for authority to collect packages from several points of origin for delivery to a single point of delivery. The evidence does not warrant the conclusion that the applicant should be authorized in terms or by implication to enter into any effective competition with any existing common carrier of packages; rather, the only conclusion we can fairly draw from the evidence is that the service needed is service of an emergency nature, at premium prices justified by the emergency, and requiring the use of radio dispatched passenger vehicles constantly stationed throughout the City.

By no means or device, therefore, can the applicant be authorized to decrease the unit charge applicable to transportation by

charging a single passenger fare for several packages carried in one vehicle but having either different origins or different destinations.

In actual effect, we recognize that our Order to follow may not effectively prohibit the applicant from actually carrying several items in one cab at one time. Our purpose will be to require the Company, if it does so, to charge the customer as though the customer had ordered a separate taxicab for each separate routing.

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 applicant should be authorized to carry packages in taxicabs at premium rates only in accordance with the foregoing explanation.

O R D E R

THE COMMISSION ORDERS:

That the above and foregoing Statement is hereby incorporated and made a part of this Order, by reference.

That Yellow Cab, Inc., Denver, Colorado, should be, and it is hereby, authorized to extend operations under PUC No. 2204, so as to authorize the applicant to engage as a motor vehicle common carrier in the transportation of packages, parcels, baggage, messages, letters, papers and documents, from point to point within a radius of sixteen miles from 16th and Champa Streets, in Denver, Colorado, and from and to points within said radius, to and from the area in Jefferson County known as Rocky Flats and to and from the plant of the Martin Company, near Waterton, Colorado; PROVIDED, HOWEVER, that such transportation shall be performed in taxicabs, only; and that no individual items so transported shall exceed fifty pounds in weight; and PROVIDED that each delivery from one origin to one destination shall be charged as though the applicant had transported one passenger from that origin to that

point of delivery, in addition to any extra charge made for leaving the vehicle to pick up or deliver such item.




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 its 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 11th day of August, 1958.

mls

original

(Decision No. 50913)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
K. C. ELECTRIC ASSOCIATION, A COLO-)	
RADO CORPORATION, HUGO, COLORADO,)	APPLICATION NO. 16539
FOR AN ORDER AUTHORIZING THE ISSU-)	<u>SECURITIES</u>
ANCE OF SECURITIES AND THE APPLICA-)	
TION OF THE PROCEEDS THEREFROM.)	

September 11, 1958

Appearances: T. H. Thomas, Jr., Esq.,
Burlington, Colorado,
for Applicant;
E. R. Lundborg, Esq., Den-
ver, Colorado, and
E. R. Thompson, Denver,
Colorado, for the Com-
mission.

S T A T E M E N T

By the Commission:

By this application, the K. C. Electric Association (later referred to herein as the Association), requests that this Commission authorize the Applicant to borrow from the Rural Electrification Administration \$126,000 to be evidenced by a mortgage note dated August 1, 1958, maturing over a period of thirty-five (35) years, and bearing interest at two per cent (2%) per annum; to authorize a supplemental mortgage, securing payment of said note; and to approve a loan contract in connection with such borrowing and to authorize Applicant to use the proceeds therefrom for specified purposes.

The matter was set for hearing, after due notice to all interested parties, on Thursday, August 28, 1958, at two o'clock P. M., at the offices of the Commission, 330 State Office Building, Denver, Colorado, and was there heard by the Commission and taken under advisement.

The K. C. Electric Association is a corporation organized and existing under the laws of the State of Colorado and particularly under

the provisions of Article 16 of Chapter 41 of the Colorado Statutes Annotated, 1935, being a cooperative association, with its office and principal place of business in Hugo, Lincoln County, Colorado.

The principal object or purpose of the Association is to provide electricity to the farmers and consumers in Kit Carson and Cheyenne Counties, Colorado, and in a portion of Lincoln County, Colorado. The Association is formed without purpose of gain or profit to itself and is authorized to issue 10,000 shares of capital stock of a par value of \$5.00. The shares of capital stock are in fact in the nature of a membership fee and no person is entitled to own or hold more than one share of stock or membership in the cooperative. Any and all persons in the rural areas served by the cooperative, other than consumers on acquired lines, are required to be members of the corporation, and upon payment of the membership fee and compliance with the Articles of Incorporation, By-Laws and Rules and Regulations of the Association are entitled to one electric service connection. The Association serves non-member consumers on lines purchased from private public utility corporations and in such cases, membership is optional with such non-members. Membership fees are refundable upon surrender of the stock held by the member and discontinuance of purchase of electricity from the Association. Members and non-members of the Association are entitled to participate in the "capital credit and patronage refund" plan set forth in Article VIII of the By-Laws.

The Association is now engaged in sale of electric energy to farmers and members in rural areas in the Counties of Kit Carson and Cheyenne and a portion of Lincoln County, Colorado. In addition thereto under and by virtue of certain purchases and acquisitions from The Inland Utilities Company, and from the Incorporated Towns of Flagler in Kit Carson County, Colorado, and Kit Carson in Cheyenne County, Colorado, the Association is now furnishing and selling elec-

tric energy and serving the Towns of Bethune, Stratton, Vona, Seibert, and Flagler in Kit Carson County, Colorado, and the Towns of Hugo and Arriba in Lincoln County, Colorado, together with the unincorporated Town of Bovina and the Towns of Cheyenne Wells and Kit Carson in Cheyenne County, Colorado.

Under Decision and Order No. 3119 by this Commission, dated August 31, 1948, the Certificate of Public Convenience and Necessity held by The Inland Utilities Company to serve territories in the Counties of Kit Carson, Cheyenne and Lincoln, in the State of Colorado, were transferred to the Association. Under Decision No. 40225 of this Commission, dated March 31, 1953, the Certificate of Public Convenience and Necessity theretofore held by C. A. Berridge to serve the Town of Kit Carson and the fringe area extending for an area of two miles beyond all sides of the town limits of the said Town of Kit Carson, Cheyenne County, Colorado, were also transferred to the Association.

From time to time, the Association has executed the following promissory notes all payable in quarterly installments over 25 to 35 year periods, each bearing interest at the rate of two (2%) per centum per annum, dated and in the amounts set forth below, including the present proposed note of \$126,000:

<u>No.</u>	<u>Date</u>	<u>Principal Amount</u>	<u>Final Payment Date</u>
1.	August 24, 1948	\$ 550,000.00	August 24, 1973
2.	August 24, 1948	150,000.00	August 24, 1983
3.	June 7, 1949	500,000.00	June 7, 1984
4.	September 15, 1950	500,000.00	September 15, 1985
5.	November 13, 1950	500,000.00	November 13, 1985
6.	July 26, 1951	1,375,000.00	July 26, 1986
7.	August 20, 1951	410,000.00	August 20, 1986
8.	September 10, 1953	310,000.00	September 10, 1988
9.	August 1, 1958	126,000.00	August 1, 1993
Total		\$4,421,000.00	

Interest is payable only on such sums as are actually advanced under the aforesaid notes and from the date when the sums are advanced.

To secure all of the sums advanced and to be advanced by the United States of America under the aforesaid and above described notes,

the Association did, as of July 26, 1951, issue a mortgage upon all of the real and personal property of the Association owned, constructed and acquired and upon all of the real and personal property hereafter acquired by the corporation in the Counties of Cheyenne, Kiowa, Kit Carson, Lincoln and Yuma, State of Colorado.

By its Decisions and Orders Nos. 40226 and 41835, on Application Nos. 12235 and 12692 (Securities), the Commission has heretofore approved all of the actions of the Association in making loan contracts required by the Rural Electrification Administration and in giving notes and securities therefor insofar as the transactions pertain to properties acquired by the Association and held under Certificate of Public Convenience and Necessity.

As of July 22, 1958, the Association entered into, executed and delivered a further agreement with the United States of America by amendment of its Loan Contract, dated as of July 16, 1951, as amended, for the purpose of increasing the aggregate amount of its loans by an amount not in excess of \$126,000. In accordance with the terms and provisions of the amendment to the loan contract, Applicant now proposes to make, execute and deliver to the United States of America its promissory note, dated August 1, 1958, in the principal sum of \$126,000, payable in quarterly installments, with interest at the rate of two (2%) per centum per annum with a final payment date of August 1, 1993, with interest payable only on such funds as are actually advanced on the aforesaid note and from the date when said funds are advanced. To secure the payment of the above sums, the Association now proposes to make, execute and deliver to the United States of America its supplemental mortgage, dated as of August 2, 1958.

Applicant's witness testified that it proposes to expend the sum of \$126,000 as required for the rehabilitation, rebuilding and reconstruction of portions of its electric transmission lines. Such reconstruction is needed to eliminate outages resulting from ice and wind

conditions, and to improve the distribution of electric power throughout its territory served, including the Town of Cheyenne Wells in Cheyenne County, and the Towns in Kit Carson County.

Applicant's witness testified that of the \$126,000, Applicant proposes to spend nearly all of such amount on the transmission line which lies principally outside the certificated areas. Thus the fee for the issuance of this certificate shall be the minimum amount of \$50.00.

Applicant's witness testified that the Association is current in its interest payments and its repayment of debt to the Rural Electrification Administration and that it is the belief of management that the Association will be fully able to meet future obligations by the proposed borrowing of \$126,000, if approved.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the K. C. Electric Association, as to its properties and facilities previously certificated by this Commission.

That the Commission is fully advised in the premises.

That the above and foregoing Statement be incorporated as a part of these Findings, by reference.

That the issuance by K. C. Electric Association, of the Mortgage Note in the principal amount of \$126,000, dated August 1, 1958, Exhibit B, should be authorized and approved.

That the issuance by K. C. Electric Association of a Supplemental mortgage, dated August 2, 1958, Exhibit C, should be authorized and approved.

That the issuance by K. C. Electric Association of the Amendment, dated July 22, 1958, to the Amending Loan Contract, dated as of July 16, 1951, Exhibit A, should be authorized and approved.

That the authorization and approval of the above described

commitments by K. C. Electric Association should pertain only to expenditures of borrowed funds within the acquired certificated areas.

That the use of the borrowed funds by the K. C. Electric Association, for the purposes set forth in the foregoing Statement, are not inconsistent with the public interest, or with the provisions of the law governing such transactions and should be approved.

That within one hundred and twenty (120) days of the final execution of the instruments authorized herein, Applicant should file with the Commission one conformed executed copy of each of said instruments.

O R D E R

THE COMMISSION ORDERS:

That the issuance by K. C. Electric Association of the Mortgage Note in the principal amount of \$126,000, dated August 1, 1958, Exhibit B, be, and the same is hereby, authorized and approved.

That the issuance by K. C. Electric Association, of the Supplemental Mortgage, dated August 2, 1958, Exhibit C, be, and the same hereby is, authorized and approved.

That the issuance by K. C. Electric Association of the Amendment, dated July 22, 1958, to the Amending Loan Contract, dated as of July 16, 1951, Exhibit A, be, and the same hereby is, authorized and approved.

That authorizations and approvals given relate only to that portion of the expenditures of borrowed funds by Applicant within its certificated areas.

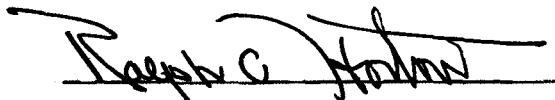
That within one hundred and twenty (120) days of the final execution of the instruments authorized herein, Applicant shall file with the Commission one conformed executed copy of each of said instruments.

That the Commission retains jurisdiction of this proceeding to the end that it may make further Order, or Orders, in the premises

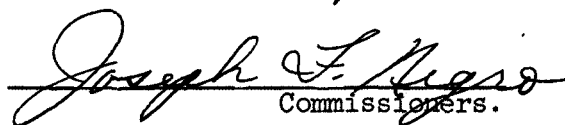
as to it may seem to be proper and desirable.

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.

Dated at Denver, Colorado,
this 11th day of September, 1958.

original

(Decision No. 50914)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PLATEAU NATURAL GAS COMPANY, A COR-)	
PORATION, 1605 SOUTH TEJON STREET,)	
COLORADO SPRINGS, COLORADO, FOR AN)	
ORDER AUTHORIZING ISSUANCE OF 5,750)	APPLICATION NO. 16527-Securities
SHARES OF 6% CUMULATIVE PREFERRED)	<u>SUPPLEMENTAL ORDER</u>
STOCK, 2,750 SHARES OF 3% CONVERT-)	
IBLE CUMULATIVE PREFERRED STOCK,)	
AND 300,000 SHARES OF COMMON STOCK.)	

September 12, 1958

Appearances: E. A. Stansfield, Esq., Denver,
Colorado, for Applicant;
St. George Gordon, Esq., Lamar,
Colorado, for City of Lamar,
Colorado, Intervener;
E. R. Lundborg, Esq., Denver,
Colorado, and
E. R. Thompson, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

On August 28, 1958, the Commission entered its Decision No. 50851 in the above-styled application, authorizing applicant herein to issue 5,750 shares of 6% Cumulative Preferred Stock, 2,750 shares of 3% Convertible Cumulative Preferred Stock and 300,000 shares of Common Stock.

On September 2, 1958, "Petition for Intervention" was filed with the Commission in said matter, by John C. Statler, Attorney, in behalf of the Town of Holly, Colorado, praying for an Order of the Commission authorizing said Town of Holly to intervene herein.

Inasmuch as said Petition for Intervention was not filed with the Commission within the time provided by law,

F I N D I N G S

THE COMMISSION FINDS:

That said Petition should be denied.

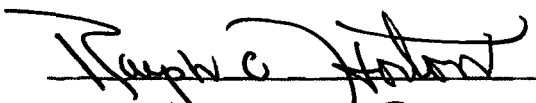

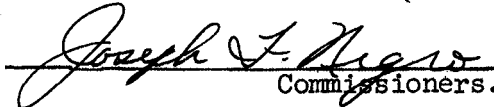
O R D E R

THE COMMISSION ORDERS:

That "Petition for Intervention" filed with the Commission in the above-styled matter on September 2, 1958, by John C. Statler, Attorney, in behalf of the Town of Holly, Colorado, should be, and the same hereby is, denied, for the reason that said Petition was not filed within the time prescribed by law.

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 12th day of September, 1958.

mls

original

(Decision No. 50915)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PUBLIC SERVICE COMPANY OF COLORADO,)	
900 15TH STREET, DENVER, COLORADO,)	
FOR AUTHORITY TO EXTEND FACILITIES)	<u>APPLICATION NO. 16556-Extension</u>
IN SECTION 1, TOWNSHIP 2-SOUTH,)	
RANGE 73-WEST, GILPIN COUNTY, COLO-)	
RADO.)	

September 12, 1958

S T A T E M E N T

By the Commission:

On August 21, 1958, Public Service Company of Colorado, filed an application with this Commission, for authority to extend its facilities to serve sixteen residential sites in and adjacent to the Spondulix Subdivision near Rollinsville, Colorado. The extension will consist of 1700 feet of primary pole line, and is located in Section 1, Township 2-South, Range 73-West, Gilpin County, Colorado.

This application was filed pursuant to the Commission's order in Application No. 13576 - Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and files herein and believes that this matter is one which can be decided without a formal hearing and being fully informed in the matter will issue its order granting the construction as requested. The Commission has received a letter from the Union Rural Electric Association, Inc., dated September 4, 1958,

and a letter from Colorado Central Power Company, dated August 27, 1958, stating in effect, that the respective companies have no objection to the granting of the authority sought by Public Service Company of Colorado in the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074, previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to the Spondulix Subdivision near Rollinsville, Colorado, in Section 1, Township 2-South, Range 73-West, Gilpin County, Colorado, and that Public Service Company of Colorado should be authorized to render said service.

O R D E R

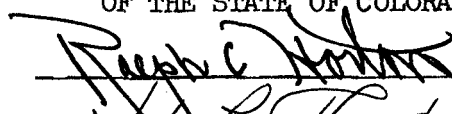
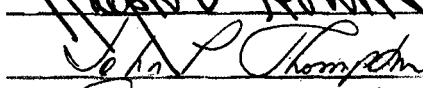
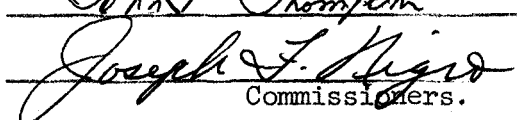
THE COMMISSION ORDERS:

That Public Service Company of Colorado be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to serve the Spondulix Subdivision near Rollinsville, Colorado, in Section 1, Township 2-South, Range 73-West, Gilpin County, Colorado.

That Public Service Company of Colorado shall render electric service under the certificate granted herein under the rates, rules and regulations of said Company now or hereafter on file with this Commission, 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




Commissioners.

Dated at Denver, Colorado,
this 12th day of September, 1958.
mls

original

(Decision No. 50916)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GRAND VALLEY RURAL POWER LINES, INC.,)
2727 GRAND AVENUE, GRAND JUNCTION,)
COLORADO, FOR AUTHORITY TO INCREASE)
ITS RATES IN THE TOWN OF COLLBRAN,)
STATE OF COLORADO.)

APPLICATION NO. 16305

September 12, 1958

Appearances: Eugene H. Mast, Esq., Grand
Junction, Colorado, for
Applicant;
Edward R. Lundborg, Esq.,
Denver, Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

By the instant application, Grand Valley Rural Power Lines, Inc., hereinafter referred to as "Applicant," or "Grand Valley" seeks authority of this Commission to increase its rates in the Town of Collbran, Mesa County, Colorado.

The matter was set for hearing, after due notice to all interested parties, on Thursday, August 28, 1958, at ten o'clock A. M., in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

A written protest was received from the Town of Collbran in opposition to Grand Valley's proposal to increase rates in the Town. Subsequently, the Town through its attorneys notified the Commission it would be unable to attend the hearing, but that it did not consent or agree to an entry of any order allowing the rate increase. The Town of Collbran, then, was not represented to support its protest to the application.

Applicant is a cooperative, non-profit association formed for the purpose of distributing electrical energy in Mesa County and a small portion of Garfield County, Colorado. Applicant holds a certificate of public convenience and necessity for distribution of electric energy within the Town of Collbran, which certificate was obtained by transfer from Plateau Valley Light and Power Company, and was approved by this Commission in Decision No. 24898, dated September 4, 1945. It is therefore a public utility as to its operations within the Town of Collbran and as such subject to the jurisdiction of this Commission. Applicant has on file with this Commission a copy of its Articles of Incorporation as amended to date.

In compliance with the Commission's rules of procedure in cases of an application to this Commission to increase rates, Applicant notified its consumers in the Town of Collbran of its formal filing of such an application seeking from this Commission authority to increase rates within the Town limits of the Town of Collbran. Witnesses for Applicant testified that the proposed rates, approval for which is sought in this application, are presently in effect throughout the remainder of Applicant's system and that all consumers in Collbran had been mailed notices of its intent to increase rates and including therewith a comparison of the present rates and the proposed rates.

Applicant's Exhibit "E" is a Statement of Income and Expenses within the Town of Collbran. Shown in this exhibit are figures representing Plant Investment, Net Income, and Number of Customers. These figures differed materially from the figures representing the same items as submitted in the exhibit sponsored by witness for the staff of the Commission. In the staff's exhibit, the total Plant Investment is \$33,169 lower, Operating Expenses are \$6,649 lower, and the Number of Customers 65 less. The differences between these figures are created by the allocation factors. Applicant pro rated Plant Investment on the

basis of 205 customers in Collbran to the total number of customers on the system, whereas the staff witness pro rated the plant investment on the basis of 140 customers in Collbran to the total number served on the system. Applicant's customer count includes each water heater user as an additional customer even though they had been counted as a customer in another classification. On the remainder of the system, all water heater use is supplied through a single meter and therefore the use of a water heater as an additional customer in Collbran distorts the ratio of the number of customers in Collbran to the number of customers on the total system. A similar argument obtains for operating expense, except purchased power. Applicant estimated the cost of purchased power, whereas staff witness obtained the average cost per revenue Kwh of the system for the test year of 1957. This average cost per revenue Kwh was applied to the actual revenue Kwh delivered in Collbran to obtain the purchase cost of power delivered. Applicant also included interest on long-term debt and amortization of loan principal as a part of operating cost. The staff considered these two items as "below the line."

Applicant did not protest or object to the approach used by the Commission's staff and, therefore, the figures contained in the staff's exhibits will be used by the Commission.

The staff in its presentation endeavored to determine, by allocation, the rate of return presently being earned in Collbran and what this rate of return would be after the proposed increase. The comparison was also made by the staff of the rate of return in Collbran and the remainder of the system. Testimony revealed that under the present rates there was a loss for the test year in Collbran of \$286, while the balance of the system earned a net income of \$42,463, or a rate of return on the rate base of 3.29%. Further testimony revealed that had the new rates been in effect for the test year, Collbran would have a net operating revenue of \$1,110 and a rate of return of 1.69%. It is apparent from the testimony that the present rates in

Collbran are discriminatory and that the new rate proposed in Collbran, which would be the same rate as applied system-wide, is not unjust or unreasonable.

Some discussion of the proposed rules and regulations of Applicant was had and Applicant agreed to confer with the staff of the Commission to the end that rules and regulations to be filed by Applicant are acceptable. Applicant stressed the fact it would be very willing to work with the Commission in any requests it might make as far as its operating practices and procedures are concerned.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement should be made a part hereof by reference.

That the Commission has jurisdiction of Grand Valley Rural Power Lines, Inc., as to the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the rates currently in effect in Collbran are unjust, unreasonable, and discriminatory and should be revised.

That the rates as proposed by Grand Valley, fully set forth in Exhibit "B" and made a part hereof by reference, are just, reasonable and non-discriminatory and should be approved for filing with this Commission.

That the rules and regulations as proposed by Applicant in its Exhibit "C" should be approved and accepted for filing, subject to any changes to be worked out by the Applicant and the Commission's staff.

O R D E R

THE COMMISSION ORDERS:

That the rates as proposed by Grand Valley Rural Power Lines, Inc., Grand Junction, Colorado, attached in its Exhibit "B", are just, reasonable and non-discriminatory and should be permitted to be filed

and become effective as hereinafter stated.

That Grand Valley Rural Power Lines, Inc., Grand Junction, Colorado, be, and it hereby is, authorized to file on forms prescribed by this Commission, the rates as approved herein on not less than one day's notice to become effective on all energy consumed on or after September 19, 1958, Applicant's regular monthly meter reading date.

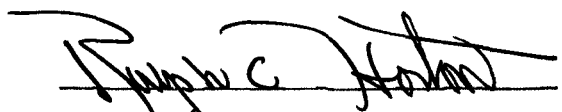
That Applicant is authorized to file on forms prescribed by this Commission concurrently with the filing of its Rates its Rules and Regulations, as set forth in Applicant's Exhibit "C", made a part hereof by reference thereto, as amended by conference with the staff of the Commission.

That Applicant shall continue to keep records of its operations so as to show, upon request of this Commission, the effect of its operations within the Town of Collbran.

That Applicant shall continue its operations within the Town of Collbran in conformity to the Rules Regulating the Service of Gas and Electric Utilities as promulgated by this Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 12th day of September, 1958.

mls

original

(Decision No. 50917)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHWESTERN GREYHOUND LINES, INC.,)
210 EAST NINTH STREET, FORT WORTH,)
TEXAS, FOR AUTHORITY TO TRANSFER)
PUC NO. 298 AND PUC NO. 298-I TO)
THE GREYHOUND CORPORATION, 5600)
JARVIS AVENUE, CHICAGO, ILLINOIS.)

APPLICATION NO. 16531-Transfer
SUPPLEMENTAL ORDER

September 12, 1958

Appearances: John R. Barry, Esq., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By Decision No. 50849, dated August 28, 1958, Southwestern Greyhound Lines, Inc., Fort Worth, Texas, was authorized to transfer all right, title and interest in and to PUC No. 298 and PUC No. 298-I to The Greyhound Corporation, Chicago, Illinois, subject to certain terms and conditions set forth in said Order.

The Commission is now in receipt of a request from John R. Barry, Attorney for the Applicants herein, asking for an extension of time within which to file the necessary acceptance of transfer, and other data connected with said transfer.

No reason appears why said extension should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the time within which to file the necessary acceptance of transfer and other data connected therewith should be extended to January 1, 1959, at which time a further extension will be reconsidered if deemed necessary.

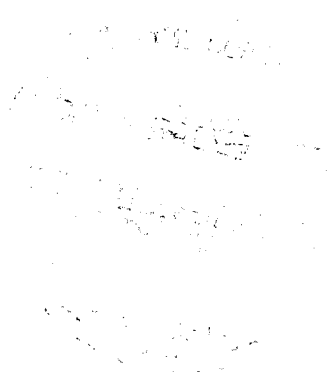
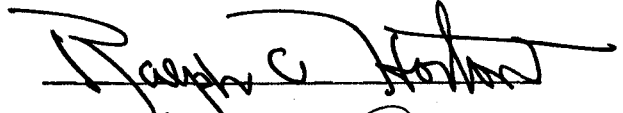

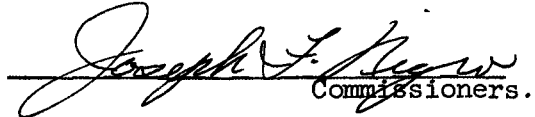
O R D E R

THE COMMISSION ORDERS:

That Southwestern Greyhound Lines, Inc., Fort Worth, Texas, and The Greyhound Corporation, Chicago, Illinois, be, and are hereby, authorized to extend the time within which to file the necessary acceptance of transfer, authorized by Decision No. 50849, dated August 28, 1958, and other necessary data connected therewith, to January 1, 1959, at which time a further extension will be reconsidered if deemed necessary.

This Order shall become effective the day and date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 12th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PHILLIP REICHERT, DOING BUSINESS AS)
"PIONEER TRUCKING COMPANY," 2715)
FIFTH STREET, BOULDER, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
616 TO JOHN A. CAPOALE AND EVELYN)
J. CAPOALE, CO-PARTNERS, DOING)
BUSINESS AS "PIONEER TRUCKING COM-)
PANY," 2655 NORTH BROADWAY, BOULDER,)
COLORADO.)

APPLICATION NO. 16510-Transfer
SUPPLEMENTAL ORDER

September 12, 1958

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for Applicants;
Barry, Hupp and Dawkins, Esqs.,
Denver, Colorado, for Colo-
rado Milk Transport, Inc.

S T A T E M E N T

By the Commission:

On August 19, 1958, the Commission entered its Decision No. 50801 in the above-styled matter, authorizing Phillip Reichert, doing business as "Pioneer Trucking Company," Boulder, Colorado, to transfer PUC No. 616 to John N. Caporale and Evelyn J. Caporale, co-partners, doing business as "Pioneer Trucking Company," Boulder, Corado.

On August 25, 1958, the Commission amended said Decision No. 50801 by issuance of Decision No. 50813, to properly show initial of John Caporale to be "A", rather than "N".

It now appears that there is a typographical error in the first line of the second page of said Decision No. 50801, viz., "State Highway No. 12," whereas the proper highway number is "121."

F I N D I N G S

THE COMMISSION FINDS:

That said Decision No. 50801 should be further amended, as

set forth in the Order following.

O R D E R

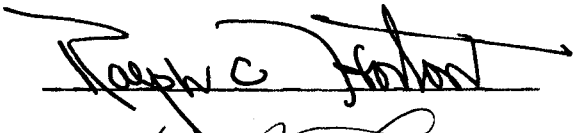


THE COMMISSION ORDERS:

That Decision No. 50801, of date August 19, 1958, should be, and the same hereby is, further amended, nunc pro tunc, as of said 19th day of August, 1958, by striking the first line of the second page of said Decision, and inserting in lieu thereof, the following:

"to State Highway No. 121; thence south two miles;".

That, except as herein amended, and as amended by Decision No. 50813, of date August 25, 1958, said Decision No. 50801 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 12th day of September, 1958.

mls

original

(Decision No. 50919)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PETITION OF THE DENVER-BOULDER)
BUS COMPANY, 1730 GLENARM PLACE,)
DENVER, COLORADO, FOR AUTHORITY TO)
CHANGE ITS SERVICE BETWEEN DENVER,)
COLORADO, AND CENTRAL CITY, COLO-)
RADO, FROM A YEAR-AROUND OPERATION)
TO A SEASONAL OPERATION.)

APPLICATION NO. 14997

September 15, 1958

S T A T E M E N T

By the Commission:

This matter coming on to be heard at Central City, Colorado,
on February 13, 1957, the following appearances were made and entered:

Joseph Dolan, Esq., Boulder, Colorado,
for Denver-Boulder Bus Company;
Leroy J. Williams, Esq., Central City,
Colorado, for Gilpin County and City
of Black Hawk;
Marshall Quiat, Esq., Central City,
Colorado, for City of Central City.

Donald B. James testified that he is the President of the
Denver-Boulder Bus Company with authority as follows:

transportation of passengers, baggage, express,
mail and newspapers in intrastate and inter-
state commerce, between Denver and Boulder and
all intermediate points and to furnish occasion-
al motor coach service by special charter be-
tween points in the State of Colorado;

transportation of passengers from Boulder, Colo-
rado, to the Amphitheatre of the Red Rocks over
the following described routes: From Boulder to
Broomfield via Colorado Highway 7 and U. S. High-
way 87; thence via Colorado Highway 121 to inter-
sect on with U. S. Highway 6; thence via U. S.
Highway 6 to intersection with Colorado Highway
93; thence via Colorado Highway No. 93 to en-
trance to Park of the Red Rocks, and thence to
the Amphithreatre in said Park, and return to
Boulder, and (a) from Boulder to Central City
via Colorado Highway 119, via Nederland, Rollins-
ville and Blackhawk, and return to Boulder; and

(b) from Boulder to Broomfield via Colorado Highway 7 and U. S. Highway 87; thence via Colorado Highway 121 to intersection with U. S. Highway 6; thence via U. S. Highway 6 to intersection with Colorado Highway 119; thence via Colorado Highway 119 to Central City via Blackhawk, and return to Boulder, subject to the following restrictions: that all movements be round-trip from Boulder to the Red Rocks and return, and from Boulder to Central City and return. That the proposed service be seasonable in that it shall only be offered to the public during the opera festival season at Central City, and when concerts and public entertainments are being presented at the Amphitheatre at the Red Rocks;

transportation of passengers, baggage, mail, express and newspapers, by motor bus by operating a new and alternate route between Denver and Boulder, as follows, to-wit: between Denver, Colorado, and Boulder, Colorado, via State Highways 72, 93 and 170 as follows: from Denver over State Highway 72 via Arvada and Leyden Junction to the junction of State Highway 72 with State Highway 93; thence over State Highway 93 to Marshall; thence over State Highway 170 to Boulder, Colorado, and return over the same route, serving all intermediate points except with respect to local service between Denver, Colorado, and Arvada, Colorado;

transportation of passengers, baggage, mail, express, and newspapers between Boulder and Blackhawk, Colorado, and all intermediate points via State Highway 119; and like transportation between Denver and Boulder over the Denver-Boulder Turnpike; and also over the County road between a point on U. S. Highway 87 west of Lafayette and Colorado Highway 168;

operate over an alternate route for operating convenience only in connection with present regular route operations between Denver, Colorado, and Blackhawk, Colorado, from the junction of U. S. Highway 6 and U. S. Highway 40, located approximately $7\frac{1}{2}$ miles west of the west city limits of Denver, Colorado; thence westerly via U. S. Highway 6 (Clear Creek Canon) to the junction of said U. S. Highway 6 with U. S. Highway 40 at the foot of Floyd Hill, being approximately 4.6 miles east of the junction of Colorado Highway 103 and U. S. Highway 6 and 40 in Idaho Springs, Colorado. Amended to delete the call and demand service to Russell's Gulch and Idaho Springs out of Central City and Blackhawk, Colorado;

interstate operating rights herein granted shall be subject to the Federal Motor Carrier Act of 1935, as amended;

the transportation of passengers, baggage, express, mail and newspapers between Boulder and Blackhawk, Colorado, and all intermediate points, via State

Highway 119, modified and changed to provide that applicant shall operate said transportation service over the route hereinabove set forth from June 25 to September 30, both dates inclusive, of each year: PROVIDED, that applicant shall upon call and demand, render special trip service over said route during the balance of the year for the transportation of not less than 20 passengers per trip;

and that in these proceedings his Company seeks to reduce the present service between Denver and Central City from a daily and year-around service to a seasonal operation. So that the proposed service would be regular between June 10 to September 9, inclusive, and on call and demand for groups of 20 or more during the balance of the year.

Witness James further testified that the Denver-Boulder Bus Company operated a daily passenger service between Denver and Central City transporting passengers and their baggage and newspapers; that this operation had not been profitable and, in fact, had operated in the red for a considerable time.

Witness James identified exhibits showing both receipts and disbursements on said operations, which exhibits were admitted into evidence; and further testified that during the period from October 1954, to October 1955, and from October 1955, to October 1956, the revenue received from the Central City run amounted to 15 cents per mile and 13 cents per mile, respectively; that when the receipts from the sightseeing operations were added, the total revenue per mile amounted to 26 cents per mile for 1955 and 27 cents per mile for 1957; operating costs averaging more than 35 cents per mile.

Witness James further testified that the Denver-Boulder Bus Company owns and operates a parking lot at Central City; that the revenues from this lot approximate \$2,500 per year.

Justin Briely testified that he is the Secretary of the Central City Opera House Association, which Association produces operas and plays in the Central City Opera House during the months of July and August; that the continuation of the summer schedule is of vital import-

ance to the Association because of the fact that many people buy tickets to the opera or play in Denver and Boulder and must depend for transportation on public carriers.

Leroy J. Williams, Dorothy McClure, Mrs. William Landau, Edward L. Evans, Claude Rowe, William Powers and George Ramstetter all testified of their use of the bus and its need in Central City and Black Hawk; that it is the only means of transportation for those without cars; that the discontinuance of the bus service for the period sought would work a hardship upon the people and communities served.

After hearing the evidence herein, this Commission took the matter under advisement, and has waited before making its decision so that the people might increase their patronage to the bus Company. On July 30, 1958, the Commission ordered one of its auditors to make an additional check of the operations of the Denver-Boulder Bus Company, with the following summary:

Summary of Central City Operations

Denver to Central City:

<u>Period</u>	<u>Revenue Per Mile</u>	<u>Year Cost Per Mile</u>
October 1952 through September 1953	12¢ with Tour 21¢	\$.3975
October 1953 through September 1954	11¢ with Tour 22¢	.3988
October 1954 through September 1955	15¢ with Tour 26¢	.3941
October 1955 through September 1956	13¢ with Tour 27¢	.4236
October 1956 through September 1957	13¢ with Tour 28¢	.4415
October 1957 through July 15, 1958	9¢ with Tour 19¢	Not Available

This report further discloses that for the nine months which applicant herein wishes to abandon service, the average number of passengers transported was 3.6 per day. This would result in an average revenue of approximately \$10.00 per day.

There is testimony in the record showing that without the cost of insurance, social security and management, the actual cost of operation of a small station wagon exceeds \$15.00 per day.

F I N D I N G S

THE COMMISSION FINDS:

From the testimony, files, records and an examination by an auditor of the Commission's staff, that the Denver-Boulder Bus Company, in its operation of a bus line between Denver and Central City, has for the period of from October 1952, through September 1957, continuously lost money; that based upon the auditor's examination for the last year, there seems to be no chance of an improvement; that the loss is a substantial one and that its continuation is not in the public interest; that the public convenience and necessity no longer requires the service of the Denver-Boulder Bus Company between Denver and Central City between September 15 and June 10, except upon a call and demand basis made by a sufficient number of passengers to be profitable.

O R D E R

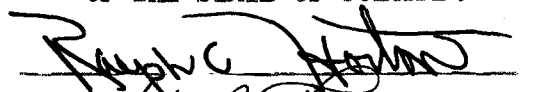


THE COMMISSION ORDERS:

That the Denver-Boulder Bus Company, Denver, Colorado, be, and hereby is, permitted to discontinue its daily service in the transportation of passengers between Denver and Central City between September 15 and June 10, except that on a call and demand basis made by a sufficient number of passengers to be profitable; that immediately after the receipt of this Order the Denver-Boulder Bus Company give five (5) days notice of this discontinuance of service.

That the Commission retains jurisdiction herein for such future Orders as may be appropriate.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1958.

mls

original

(Decision No. 50920)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROSE MATHER BABB, INDIVIDUALLY,)
AND AS EXECUTRIX OF THE ESTATE)
OF DAVID L. BABB, DECEASED, DO-)
ING BUSINESS AS "BROWN AND WHITE)
CAB COMPANY," 1169 LAFAYETTE)
STREET, DENVER, COLORADO.)

PUC NO. 77

September 15, 1958

S T A T E M E N T

By the Commission:

It appearing to the Commission that no operations were conducted under the above-styled certificate from October 1, 1957, to May 1, 1958,

F I N D I N G S

THE COMMISSION FINDS:

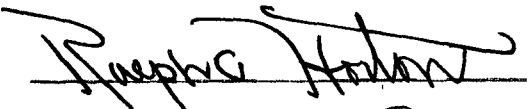


That suspension of operations under said certificate during the period October 1, 1957, to May 1, 1958, should be approved, nunc pro tunc, by this Commission.

O R D E R

THE COMMISSION ORDERS:

That suspension of operations under PUC No. 77 from October 1, 1957, to May 1, 1958, should be, and hereby is, authorized and approved, nunc pro tunc.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1958.

original

(Decision No. 50921)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES HARRY MEADOR, 473 THIRD)
AVENUE, DURANGO, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COM-)
MON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 16274
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: E. B. Hamilton, Esq., of
Eakes & Hamilton, Esqs.,
Durango, Colorado, for
Applicant;
Harold D. Torgan, Esq., Den-
ver, Colorado, for Al-
fred's Trailer Park &
Sales Co., Aurora Trailer
Supply, Denver Trailer
Sales and Supply Company,
Inc., Mean Trailer Sales,
Rocky Mountain Mobile
Home Towing Service, Inc.,
Terry's Trailer Court,
Thorson Trailer Service,
Trailer Homes Rental Ser-
vice, Johnny's Trailer Re-
pairs.

S T A T E M E N T

By the Commission:

On May 8, 1958, the Commission entered its Decision No. 50238,
granting to Charles Harry Meador, Durango, Colorado, a certificate of
public convenience and necessity, authorizing him to operate as a common
carrier by motor vehicle for hire.

Inasmuch as the requirements set forth in said Decision No.
50238 have not been met by said applicant,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

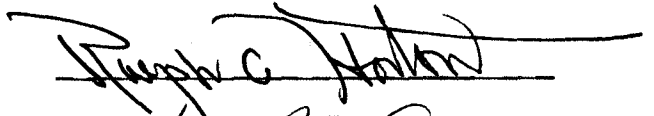


O R D E R

THE COMMISSION ORDERS:

That certificate of public convenience and necessity granted to Charles Harry Meador, Durango, Colorado, by Decision No. 50238, of date May 8, 1958, in Application No. 16274, should be, and the same hereby is, cancelled and revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 50238.

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 15th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DEARBORN MACHINERY MOVERS, INC.,)
4099 SOUTH SANTA FE DRIVE, ENGLE-)
WOOD, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15715-PP-Amended
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Ron J. Hardesty, Esq., Denver,
Colorado, and
Roy H. McVicker, Esq., Denver,
Colorado, for Applicant;
Howard D. Hicks, Denver, Colo-
rado, for Centennial Truck
Line;
Howard Yelverton, Denver, Colo-
rado, for Goldstein Trans-
portation and Storage, Inc.;
R. B. Danks, Esq., Denver, Colo-
rado, for Colorado Transfer
and Warehousemen's Association,
Duffy Storage and Moving,
Sorenson Truck Service, Inc.,
Stanton Truck Company, Inc.,
Weicker Transfer and Storage
Company, Eveready Freight Ser-
vice, Inc., Gallagher Trans-
portation Company, Englewood
Transfer and Storage Company;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Stor-
age Company;
Marion R. Smyser, Esq., Denver,
Colorado, and
R. E. Turano, Denver, Colorado,
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

On March 14, 1958, the Commission entered its Decision No.
49834, authorizing the above-styled applicant to operate as a Class
"B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has not fulfilled requirements

set forth in said Decision No. 49834,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

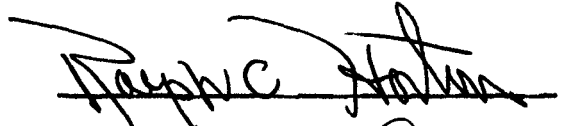

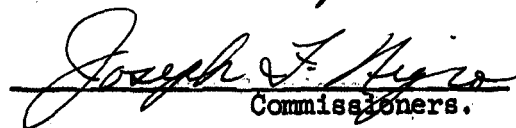
O R D E R

THE COMMISSION ORDERS:

That operating rights granted Dearborn Machinery Movers, Inc., Englewood, Colorado, by Decision No. 49834, of date August 14, 1958, in Application No. 15715-PP-Amended, should be, and hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49834.

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 15th day of September, 1958.

mls

Original

(Decision No. 50923)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH FLESCH, WALDEN, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMITS NOS.)
B-4105 AND B-4105-I TO RALPH FLESCH,) APPLICATION NO. 16264-PP-Transfer
ERNA MAE FLESCH, AND RICHARD FLESCH,)
CO-PARTNERS, DOING BUSINESS AS)
"RALPH FLESCH & SON," WALDEN, COLO-)
RADO.)

September 15, 1958

Appearances: Ralph Flesch, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On April 30, 1958, the Commission entered its Decision No. 50181, authorizing Ralph Flesch, Walden, Colorado, to transfer all his right, title, and interest in and to Permits Nos. B-4105 and B-4105-I to Ralph Flesch, Erna Mae Flesch, and Richard Flesch, co-partners, doing business as "Ralph Flesch & Son," Walden, Colorado.

The requirements which are a condition precedent to transfer of said permits upon our records were never complied with, and the records of the Commission show that said operating rights are the property of Ralph Flesch, Walden, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 50181, of date April 30, 1958, entered by the Commission in the above-styled application, should be set aside, and the records of the Commission show that Ralph Flesch, Walden, Colorado, is the owner of Permits Nos. B-4105 and B-4105-I.

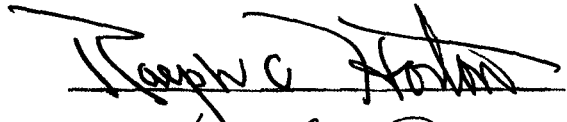
O R D E R

THE COMMISSION ORDERS:

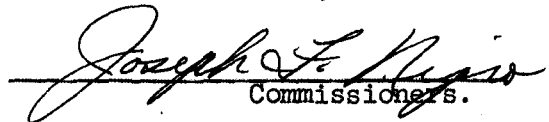
That Decision No. 50181, of date April 30, 1958, authorizing Ralph Flesch, Walden, Colorado, to transfer Permits Nos. B-4105 and B-4105-I to Ralph Flesch, Erna Mae Flesch, and Richard Flesch, co-partners, doing business as "Ralph Flesch & Son," Walden, Colorado, should be, and the same hereby is, set aside, vacated, and held for naught, and the Secretary of the Commission is hereby directed to change the records of the Commission to show that Ralph Flesch, Walden, Colorado, is the owner of said Permits Nos. B-4105 and B-4105-I.

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 15th day of September, 1958.

mls

original

(Decision No. 50924)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLIE YORD, 916 PRAIRIE ROAD,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 15980-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Charlie Yord, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

On January 22, 1958, the Commission entered its Decision No. 49418, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has failed to fulfill requirements set forth in said Decision N . 49418,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

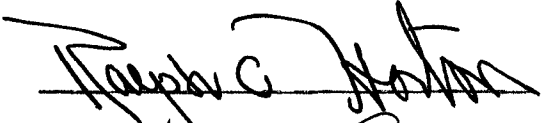


O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Charlie Yord, Colorado Springs, Colorado, on January 22, 1958, by Decision No. 49418, in Application No. 15980-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49418.

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 15th day of September, 1958.

mls

original

(Decision No. 50925)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROBERT HUGH NEUMANN, BOX 35, WINTER)	
PARK, COLORADO, FOR A CLASS "B")	APPLICATION NO. 16081-PP
PERMIT TO OPERATE AS A PRIVATE)	<u>SUPPLEMENTAL ORDER</u>
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

September 15, 1958

Appearances: Robert Hugh Neumann, Winter
Park, Colorado, pro se.

S T A T E M E N T

By the Commission:

On March 3, 1958, the Commission entered its Decision No. 49737, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has failed to fulfill requirements set forth in said Decision No. 49737,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Robert Hugh Neumann, Winter Park, Colorado, on March 3, 1958, by Decision No. 49737, in Application No. 16081-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49737.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Reynold C. Hobart
John L. Thompson
Joseph F. Negro
Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1958.

mls

original

(Decision No. 50926)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLEMAN SMITH, DOING BUSINESS AS)
"COLEMAN SMITH & SON," c/o EAST SIDE)
LUMBER CO., P. O. BOX 452, FORT)
COLLINS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16058-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Coleman Smith, Fort Collins,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On February 24, 1958, the Commission entered its Decision No. 49679, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has failed to fulfill requirements set forth in said Decision No. 49679,

F I N D I N G S

THE COMMISSION FINDS:

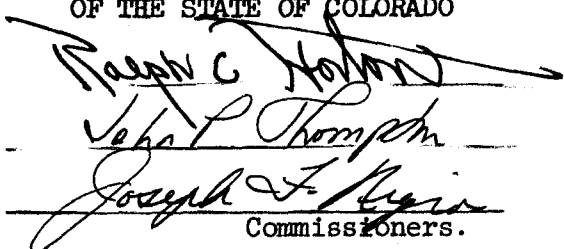
That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Coleman Smith, doing business as "Coleman Smith and Son," Fort Collins, Colorado, on February 24, 1958, by Decision No. 49679, in Application No. 16058-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49679.

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 15th day of September, 1958.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN VARNER, GENERAL DELIVERY,)
KREMMLING, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)
APPLICATION NO. 16083-PP

September 15, 1958

Appearances: John Varner, Kremmling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On March 3, 1958, the Commission entered its Decision No. 49735, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has failed to fulfill requirements set forth in said Decision No. 49735,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.


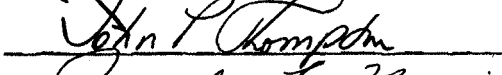
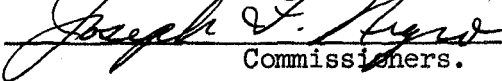
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to John Varner, Kremmling, Colorado, on March 3, 1958, by Decision No. 49735, in Application No. 16083-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49735.

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 15th day of September, 1958.

original

(Decision No. 50928)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JULIO ZARAGOZA, BOX 514, FORT LUP-)
TON, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16109-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Julio Zaragoza, Fort Lupton, Colorado, pro se.

S T A T E M E N T

By the Commission:

On April 23, 1958, the Commission entered its Decision No. 50111, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has failed to fulfill requirements set forth in said Decision No. 50111,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

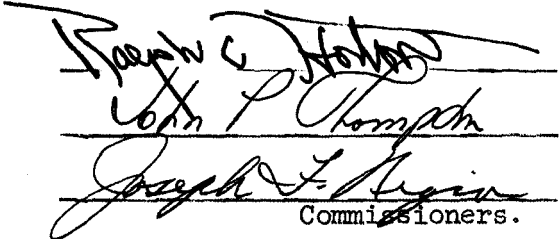
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Julio Zaragoza, Fort Lupton, Colorado, on April 23, 1958, by Decision No. 50111, in Application No. 16109-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 50111.

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 15th day of September, 1958.
mls

original

(Decision No. 50929)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM F. HICKMAN, GRANBY, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16077-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: William F. Hickman, Granby,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On March 4, 1958, the Commission entered its Decision No. 49739 granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has not fulfilled requirements set forth in said Decision No. 49739,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to William F. Hickman, Granby, Colorado, on March 4, 1958, by Decision No. 49739, in Application No. 16077-PP should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49739.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holman
John P. Thompson
Joseph F. Meyer
Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1958.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER HAMILTON, DOING BUSINESS AS)
"HAMILTON & SONS MOTOR TRANSPORTA-)
TION," 2232 PINE STREET, PUEBLO,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16181-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Walter Hamilton, Pueblo,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On April 17, 1958, the Commission entered its Decision No. 50095,
granting to the above-styled applicant the right to operate as a Class "B"
private carrier by motor vehicle for hire.

Inasmuch as said applicant has not fulfilled requirements set
forth in said Decision No. 50095,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

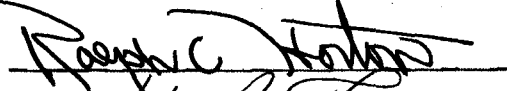
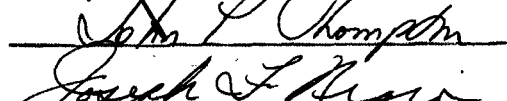
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Walter Hamilton, doing business
as "Hamilton & Sons Motor Transportation," Pueblo, Colorado, on April 17,
1958, by Decision No. 50095, in Application No. 16181-PP, should be, and
the same hereby are, revoked, for failure of said applicant to comply with
requirements set forth in said Decision No. 50095.

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 15th day of September, 1958.
mls

original

(Decision No. 50931)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE F. GOEBEL, 403 NORTH THIRD,)
ROCKY FORD, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16251-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: George F. Goebel, Rocky Ford,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On May 9, 1958, the Commission entered its Decision No. 50243,
granting to the above-styled applicant the right to operate as a Class
"B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has not fulfilled requirements set
forth in said Decision No. 50243.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

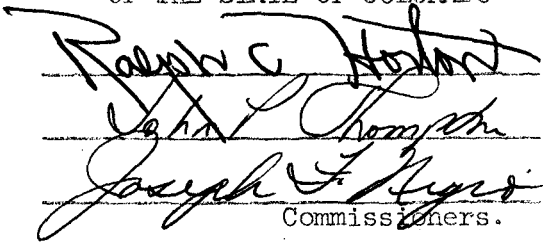
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to George F. Goebel, Rocky Ford,
Colorado, on May 9, 1958, by Decision No. 50243, in Application No.
16251-PP, should be, and the same hereby are, revoked, for failure of
said applicant to comply with requirements set forth in said Decision
No. 50243.

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 15th day of September, 1958.
mls

original

(Decision No. 50932)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JIM A. KESTERSON, GENERAL DELIVERY,)
WALDEN, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16079-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Jim A. Kesterson, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On March 4, 1958, the Commission entered its Decision No. 49738, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has failed to fulfill requirements set forth in said Decision No. 49738,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

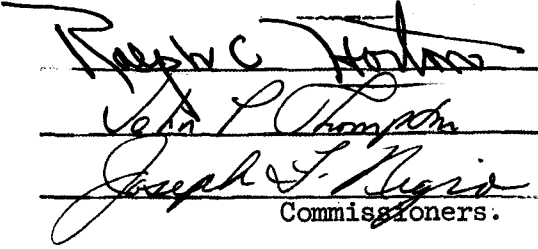
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Jim A. Kesterson, Walden, Colorado, on March 4, 1958, by Decision No. 49738, in Application No. 16079-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49738.

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 15th day of September, 1958.
mls

original

(Decision No. 50933)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARION D. KERNS, 610 LYNN, COLORADO)
SPRINGS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15979-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Marion D. Kerns, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

On January 20, 1958, the Commission entered its Decision No. 49419, granting to the above-styled applicant the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has not fulfilled requirements set forth in said Decision No. 49419,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

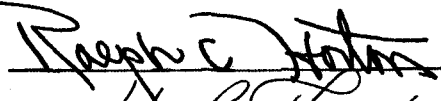

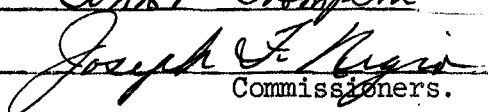
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Marion D. Kerns, Colorado Springs, Colorado, on January 20, 1958, by Decision No. 49419, in Application No. 15979-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49419.

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 15th day of September, 1958.
mls

original

(Decision No. 50934)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES A. CHRISTMAN, JAMESTOWN STAR)
ROUTE, BOULDER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 15994-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: James A. Christman, Boulder,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On January 24, 1958, the Commission entered its Decision No. 49492, granting to James A. Christman, Boulder, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has not fulfilled requirements set forth in said Decision No. 49492,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

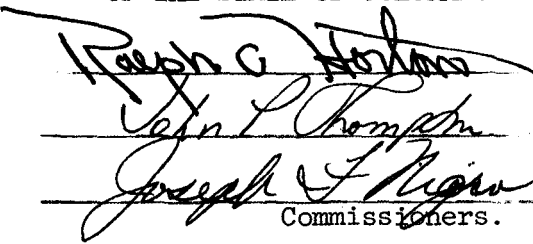
O R D E R

THE COMMISSION ORDERS:

That the operating rights granted the above-styled applicant on January 24, 1958, by Decision No. 49492, in Application No. 15994-PP, should be, and the same hereby are, revoked, for failure of said applicant to comply with requirements set forth in said Decision No. 49492.

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 15th day of September, 1958.
mls

original

(Decision No. 50935)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GUY MILLER, BOX 273, PAGOSA SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16276-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: Guy Miller, Pagosa Springs,
Colorado, pro se;
T. A. White, Esq., Denver,
Colorado, and
R. E. Turano, Denver, Colo-
rado, for Rio Grande
Motor Way, Inc.;
John Able, Durango, Colo-
rado, for Montezuma Truck
Line.

S T A T E M E N T

By the Commission:

On May 8, 1958, the Commission entered its Decision No. 50237,
granting to Guy Miller, Box 273, Pagosa Springs, Colorado, the right to
operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicant has failed to fulfill requirements
set forth in said Decision No. 50237,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.


O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Guy Miller, Pagosa Springs,
Colorado, on May 8, 1958, by Decision No. 50237, in Application No.
16276-PP, should be, and the same hereby are, revoked, for failure to
comply with requirements set forth in said Decision No. 50237.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Harph C. Horton
John P. Thompson
Joseph F. Hays
Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1958.

mls

original

(Decision No. 50936)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. T. RANGLES AND KENNETH PATTERSON,)
JR., DOING BUSINESS AS "RANGLES &)
PATTERSON," ULYSSES, KANSAS, CO-)
PARTNERS, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16187-PP
SUPPLEMENTAL ORDER

September 15, 1958

Appearances: J. T. Randles, Ulysses,
Kansas, pro se;
Kenneth Patterson, Jr.,
Ulysses, Kansas, pro se;
H. W. Billings, Springfield,
Colorado, pro se;
L. E. Walker, Walsh, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

On April 17, 1958, the Commission entered its Decision No. 50097, granting to J. T. Randles and Kenneth Patterson, Jr., doing business as "Randles & Patterson," Ulysses, Kansas, the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as said applicants have failed to fulfill requirements set forth in said Decision No. 50097,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R


THE COMMISSION ORDERS:

That operating rights granted to J. T. Randles and Kenneth Patterson, Jr., doing business as "Randles & Patterson," Ulysses, Kansas, on April 17, 1958, by Decision No. 50097, in Application No.

16187-PP, should be, and the same hereby are, revoked, for failure to comply with requirements set forth in said Decision No. 50097.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph C. Hobart
John P. Thompson
Joseph F. Nipio
Commissioners..

Dated at Denver, Colorado,
this 15th day of September, 1958.

mls

original

(Decision No. 50937)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE D. HERSHEY AND PEARL HERSHEY,)
HOWARD, COLORADO, FOR AUTHORITY TO)
SELL ARKANSAS VALLEY TELEPHONE COM-)
PANY TO W. A. DRAVES AND RUBY J.) APPLICATION NO. 16279-Transfer
DRAVES, DOING BUSINESS AS "ARKANSAS)
VALLEY TELEPHONE COMPANY," P. O.)
BOX 84, HOWARD, COLORADO.)

RE INVESTIGATION AND SUSPENSION OF)
PROPOSED INCREASE IN RATES BY THE)
ARKANSAS VALLEY TELEPHONE COMPANY,) INVESTIGATION AND SUSPENSION
HOWARD, COLORADO.) DOCKET NO. 413

September 15, 1958

S T A T E M E N T

By the Commission:

The Commission set the above matters for hearing at the County Court House in Salida, Colorado, on September 25, 1958.

On September 12, 1958, the Commission received a letter from W. A. Draves and Ruby J. Draves, stating, in effect, that due to a change in circumstances they no longer wished to purchase the Arkansas Valey Telephone Company and requested the withdrawal of the application. Investigation and Suspension Docket No. 413 was predicated on Mr. and Mrs. Draves obtaining the Arkansas Valley Telephone Company and instituting dial service for which they proposed a higher rate. The withdrawl of Application No. 16279 obviates the necessity for hearing in Investigation and Suspension Docket No. 413.

F I N D I N G S

THE COMMISSION FINDS:

- That the above Statement be made a part hereof by reference.
- That Application No. 16279 should be permitted to be withdrawn

in accordance with the request of Applicant.

That Investigation and Suspension Docket No. 413 should be cancelled.

That the hearing set in the above matters should be vacated.

O R D E R

THE COMMISSION ORDERS:

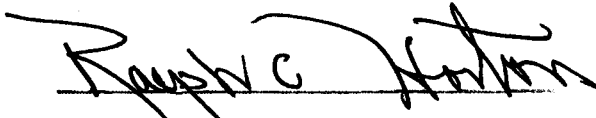


That Application No. 16279-Transfer be, and it hereby is, permitted to be withdrawn.

That Investigation and Suspension Docket No. 413 be, and it hereby is, vacated.

That the hearing set in the above-entitled matter be, and it hereby is, vacated.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LOLO SARMIENTO, DOING BUSINESS AS)
"SARMIENTO COAL COMPANY", 126 NORTH)
FRAZIER, FLORENCE, COLORADO.)
-----)

PERMIT NO. M-12764

September 17, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Lolo Sarmiento, d/b/a "Sarmiento Coal Company", Florence, Colorado,
requesting that Permit No. M-12764 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12764, heretofore issued to _____
Lolo Sarmiento, d/b/a "Sarmiento Coal Company", Florence, Colorado, be,
and the same is hereby, declared cancelled effective August 19, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Ralph G. Johnson
John P. Thompson
Joseph F. Fiero
Commissioners

Dated at Denver, Colorado,

this 17th day of September, 195 8

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM FRICKELL, DOING BUSINESS AS)
"AUTOMATIC DEODORANT SERVICE",)
4338 CLAYTON STREET, DENVER 16,)
COLORADO.)
-----)

PERMIT NO. M-2510

September 17, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
William Frickell, d/b/a "Automatic Deodorant Service", Denver, Colorado,
requesting that Permit No. M-2510 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2510, heretofore issued to _____
William Frickell, d/b/a "Automatic Deodorant Service", Denver, Colorado, be,
and the same is hereby, declared cancelled effective September 8, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Tigro
Commissioners

Dated at Denver, Colorado,

this 17th day of September, 195 8

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 50940)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LEE SCHROEDER, OTIS, COLORADO.)
)
)
-----)

PERMIT NO. B-5498

September 17, 1958

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-5498 be suspended for six months from August 24, 1958.

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 Lee Schroeder, Otis, Colorado.

be, and is hereby, authorized to suspend his operations under Permit No. B-5498 until February 24, 1959.

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. Gordon
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 17th day of September, 1958

njm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LEE SCHROEDER, OTIS, COLORADO.

PERMIT NO. M-14643

September 17, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Lee Schroeder, Otis, Colorado,

requesting that Permit No. M-14643 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14643, heretofore issued to

Lee Schroeder, Otis, Colorado,

be,

and the same is hereby, declared cancelled effective August 24, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 17th day of September, 195 8

SUSPENSION ORDER---PRIVATE CARRIER

(Decision No. 50942)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THURMAN T. PEARCE, 1818 PENN-)
SYLVANIA STREET, DENVER 3,)
COLORADO.)

PERMIT NO. B-3711

September 17, 1958

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-3711 be suspended for six months from June 27, 1958.

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 Thurman T. Pearce, Denver, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-3711 until December 27, 1958.

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

Walter C. Anderson
James F. Higo
Commissioners

Dated at Denver, Colorado,
this 17th day of September, 1958

mjm

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE GREAT WESTERN RAILWAY COMPANY,)
500 SUGAR BUILDING, DENVER, COLORADO,)
A COLORADO CORPORATION, FOR AN ORDER)
AUTHORIZING THE REMOVAL OF RAILROAD)
BRIDGE NO. 6 LOCATED OVER AND ACROSS)
WELD COUNTY ROAD NO. 91 NEAR MEAD,)
COLORADO, AND THE CONSTRUCTION)
THEREAT OF A RAILROAD GRADE CROSSING.)

APPLICATION NO. 16523

September 15, 1958

Appearances: Edward A. Walsh, Esq., Denver,
Colorado, for Applicant;
E. L. Lundborg, Esq., Denver,
Colorado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

On August 7, 1958, The Great Western Railway Company, by Frank A. Kemp, President, filed an application with this Commission seeking authority to remove its railroad bridge over a Weld County road and in lieu thereof to construct and maintain a highway-railroad grade crossing, all as captioned above.

After appropriate notice to all interested parties, to Union Rural Electric Association, to Mountain States Telephone and Telegraph Company and to the Colorado State Department of Highways, the matter was heard at Denver, Colorado, on September 8, 1958, and thereafter taken under advisement by the Commission.

Applicant is a Colorado corporation, with its General Office located at 500 Sugar Building, Denver, Colorado. Applicant owns and operates a short-line railroad having approximately sixty-three (63) miles of main and branch line track, located in an agricultural area in northern Colorado and serving certain beet factories and other industries

located in said area. No passenger trains are operated by this railroad and the freight train operations consist principally of short connecting hauls, including the necessary switching, between the various beet receiving stations, industrial sites and other rail line connections located in the area. Freight traffic consists of all commodities, but chiefly of sugar beets transported to sugar factories served by the railroad, and of beet sugar and molasses manufactured at the various factories.

Located over County Road No. 91, which extends east and west between Sections 2 and 11, Township 3-North, Range 68-West of the 6th P. M., in Weld County, Colorado, is Applicant's wooden railroad bridge No. 6, which it desires to remove and in lieu thereof to construct a highway-railroad grade crossing. The location of the County road and the railroad bridge referred to herein are more fully shown on Exhibit "A" as offered in evidence at the hearing.

The testimony of Mr. J. E. Baker, Operating Superintendent of The Great Western Railway Company, reveals that there are two daily daytime trains averaging eight cars in length which pass over said railroad bridge during nine months of the year. During the months of October, November and December, when the movement of sugar beets occurs, two to four trains, averaging about thirty cars in length, move over said railroad bridge, both day and night. If permission is granted to remove the bridge and establish a crossing at grade, it is expected that operating speed of trains over the crossing will not exceed thirty miles per hour.

Further testimony revealed that the existing railroad bridge has a vertical clearance over the County road of 11 feet and 4 inches. Supporting timbers are located in the center of the roadway which results in a horizontal opening of only 14 feet width for each traffic lane. Because of the restricted clearances, farmers in the area have complained at various times to the railroad and to the County Commis-

sioners because it is necessary for them to make extensive detours when they desire to move combines or other large pieces of farm equipment. On various occasions, high and wide loads on the highway have caused damage to the bridge structure and shifted track alinement, thereby also creating a hazardous operation for the railroad.

Mr. Baker also explained that the instant bridge was built in 1904 to 1906 and had been rebuilt once. The bridge is currently safe, but is in need of repair. He reported that a new single span replacement bridge meeting present clearance requirements was estimated to cost \$42,770, exclusive of foundation costs.

If applicant is permitted to remove the wooden bridge, it is proposed that adjacent side hill slope areas on the south of the County road along the rail line will be excavated and placed as fill material in the County road to bring it to the existing railroad level. The new roadway fill is to extend some six-hundred feet on each side of the rail line and will thereby offer good visibility of approaching vehicles as well as approaching trains. Mr. Baker explained that the proposed grade crossing would be installed in conformance with the specifications of this Commission, as illustrated in Exhibit "D" and protection would consist of two reflectorized crossbucks to be installed and maintained by the Railroad.

Other testimony in behalf of Weld County was offered by Mr. Raymond Troxell, Road Supervisor for District No. 2. He explained that the crossing was located approximately one mile east of the North Washington highway on a County road that served only an agricultural section and terminated some four miles east at a north-south county road. He stated that principal usage was by local residents engaged in farm-to-market movements with traffic amounting to some 50 vehicles per day; that it was a graveled all-weather roadway 30-feet wide; that the present bridge structure caused much difficulty for local resi-

dents; that the proposed new dirt fill would include a 30-foot wide gravel-surfaced roadway and provide good vision in all directions and that adjacent property owners had no objection since they also agreed the work should be done.

Mr. Elmer Shultz, County Commissioner from District No. 2 in Weld County, testified that the County entered into an agreement with The Great Western Railway Company regarding the establishment of the railroad grade crossing, as proposed herein. Said Agreement, marked as Exhibit "E", was identified by the witness and made a part of the record herein. By this Agreement, the parties have mutually set out the portions of the work to be performed by each, the methods of said performance, and the division of maintenance to be continued by each party after completion. It was his opinion that the elimination of the railroad bridge and the establishment of a crossing at grade would be an improvement over the present setup. The County is willing to provide, install and maintain reflectorized advance warning signs in accordance with the Commission's specifications. Estimated total cost is \$10,692.00, of which amount Weld County has agreed to pay \$4,206.00, and that ample dirt for the new road fill was readily available.

Other Exhibits received at the hearing were two photographs as offered by Mr. Baker to further illustrate the roadway curvature and restricted vision at the bridge as follows:

Exhibit B: View looking east along the County Road to show the bridge location.

Exhibit C: Close up view at the bridge to show curvature of the roadway due to center bridge support located in middle of the roadway.

It appears further that the proposed work is not within the limits of any city or town; that a waiver of hearing notice and consent for granting of the proposed application has been filed by affected utility companies; that similar consent filings have also

been made by adjacent property owners, all being attached to the instant application and duly made a part of the Commission's file herein.

No one appeared at the hearing in opposition to the granting of the requested authority.

F I N D I N G S

THE COMMISSION FINDS:

1. That the above Statement, by reference, be made a part of these Findings.
2. That public convenience and necessity require the granting of the authority sought.

O R D E R

THE COMMISSION ORDERS:

That The Great Western Railway Company, 500 Sugar Building, Denver, Colorado, be, and it hereby is, authorized to dismantle and remove its railroad bridge No. 6, located over the County Road No. 91, which road extends east and west between Sections 2 and 11, Township 3-North, Range 68-West of the 6th P. M., Weld County, Colorado, and at said location to construct and thereafter maintain a railroad grade crossing, according to the manner as outlined in the preceding Statement, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That protection devices shall consist of two reflectorized crossbuck signs and two reflectorized advance warning signs, said signs and installation to be in conformance with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.


That the reflectorized crossbuck signs shall be installed and maintained by The Great Western Railway Company.

That the standard reflectorized advance warning signs shall be installed and maintained by Weld County.

That the work to be done, method of payment and maintenance provisions shall be as indicated in the foregoing Statement and Exhibits "A", "B", "C", "D" and "E", all of which, by reference, are made a part hereof.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph C. Horton
John P. Thompson
Joseph F. Hyslop
Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHERN UNION GAS COMPANY, BURT)
BUILDING, DALLAS, TEXAS, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO RENDER GAS SERVICE IN)
LA PLATA COUNTY, STATE OF COLORADO.)

APPLICATION NO. 16508

September 17, 1958

Appearances: Barry, Hupp & Dawkins, Esqs.,
Denver, Colorado, by John
R. Barry, Esq., and
Willis L. Lea, Jr., Esq.,
Dallas, Texas, for Appli-
cant;
J. M. McNulty, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, Southern Union Gas Company is seeking a certificate of public convenience and necessity from this Commission to sell natural gas from the pipelines of Pacific Northwest Pipeline Corporation and pipelines of certain others in La Plata County, Colorado, to the right-of-way grantors for such pipelines and to other consumers along the routes thereof accessible to such lines, subject to obtaining the necessary authority from the Federal Power Commission for the sale of gas from any interstate transportation lines subject to the jurisdiction of said Commission.

The matter was set for hearing on Friday, September 12, 1958, at 9:30 A. M., in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado. Hearing was had on said date and, at the conclusion thereof, the Commission took the matter under advisement.

Applicant herein is a Delaware corporation authorized to do

business in the State of Colorado. It presently holds a certificate of public convenience and necessity from this Commission to render gas service in the City of Durango and vicinity, and to customers located along its natural gas pipe line in La Plata County, Colorado. It also holds a certificate of public convenience and necessity for the rendition of service from and along the routes of pipelines of El Paso Natural Gas Company, identical with the service it now seeks to render from the gas pipelines of others in the same county. Applicant is also engaged as a natural gas public utility in the States of New Mexico, Texas, and Arizona. It maintains a local office in the City of Durango. A copy of the Articles of Incorporation of Southern Union Gas Company, as presently amended and in effect, is on file with the Commission.

Witness for Applicant at the hearing stated that Pacific Northwest Pipeline Corporation is a pipe line company engaged in the transportation and sale of natural gas in interstate commerce, subject to the jurisdiction of the Federal Power Commission. Pacific Northwest has arranged with Southern Union, Applicant herein, to render gas service at retail to certain prospective customers along its gathering and transmission gas lines located in La Plata County. Quite frequently, in order to obtain a right-of-way, Pacific Northwest, and other similar operators, is obliged to endeavor to obtain gas service for the grantor as part consideration of the right-of-way. Since these wholesalers of gas are not in the retail gas business in La Plata County, they want Southern Union to render the distribution service. If a tap is made on an interstate gas transportation system, the natural gas company will have to obtain permission from the Federal Power Commission to make the sale to Southern Union, who, in turn, will sell it to the customers. While it is believed that, initially, service will be rendered mostly to grantors of right-of-way, it is not the intent of the present application to limit the scope of the service but to be able to render gas

service in La Plata County to anyone requesting it who would be within the economic limits for gas service from the other gas pipelines.

Since, for the most part, gathering and transmission lines are at much higher pressures than distribution gas lines, it will be necessary to set additional gas regulators prior to the tap-offs to the customers. Applicant has agreed to set forth in its tariffs what equipment will be furnished by it in the supplying of these pipe line taps. A contract has been negotiated by and between Pacific Northwest and Southern Union as to which company will furnish the high-pressure regulators, the equipment necessary to odorize the gas, the low pressure regulators and meters. This contract, a copy of which is part of the record in this case (Exhibit 1), provides that Southern Union will supply the low pressure regulator and meters with Pacific Northwest furnishing the other necessary equipment. This contract also provides that Pacific Northwest is responsible for the odorization of the gas prior to delivery to the customers.

The witness estimated that not over \$5,000 of Southern Union funds would be necessary to render any foreseeable gas service under the certificate requested. The funds for any future construction thereunder will be from current cash on hand.

Applicant proposes to render this service under the rates presently on file with this Commission for this type of gas service.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Southern Union Gas Company, is a public utility, as defined in Colorado Revised Statutes, Article I, Chapter 115, Section 1-3.

That the Commission has jurisdiction of Applicant and of the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the above Statement be made a part of these Findings

by reference.

That the public convenience and necessity require, and will require, the granting to Applicant of a certificate of public convenience and necessity for the installation, construction, operation and maintenance of metering and incidental delivery facilities for gas service to customers of Southern Union from the gas lines of Pacific Northwest Pipeline Corporation (and the gas line or lines of any other gas gatherer or transporter requesting and authorizing that such gas distribution service be rendered by Applicant) now or hereafter located in La Plata County, Colorado.

That Southern Union Gas Company should serve customers located along such other gas pipelines in La Plata County, Colorado, only, upon written request for said service from the operator of such lines, respectively.

That Southern Union Gas Company should file with this Commission as a part of its tariffs, the equipment that it intends to furnish for the rendering of gas service to customers located on the pipe lines of others.

That Southern Union should amend its tariffs so as to provide gas service in the area of the certificate to be granted herein to customers to be served along the pipe lines of others now or hereafter located in La Plata County, Colorado.

O R D E R

THE COMMISSION ORDERS:

That this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity, to the Southern Union Gas Company, Dallas, Texas, for the installation, construction, operation and maintenance of metering and incidental delivery facilities for gas service and for the supplying of such gas service to customers of Southern Union Gas Company from the pipe lines of others now or hereafter located in La Plata County, Colorado.

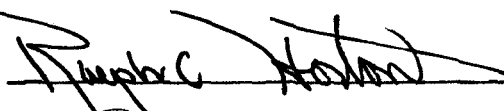

That the certificate of public convenience and necessity herein granted shall be further restricted to the serving of customers from the gas pipe lines of others upon written request of the operators of such other lines to Southern Union Gas Company for said service.

That Southern Union Gas Company shall, prior to rendering gas service to any customers along the pipe lines of others, file with this Commission as a part of its tariffs the equipment that it intends to furnish for the rendering of service to customers located along said pipe line.

That Southern Union Gas Company shall amend its First Revised Sheet No. 8 of its PUC Tariff No. 6 so as to provide service in the area of the certificate granted herein to customers to be served along the gas pipelines of others now or hereafter located in La Plata County, Colorado, and at the rates now stated therein, until changed in accordance with the law and the rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

original

(Decision No. 50945)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEM-)
PORARY CERTIFICATES OF PUBLIC CON-)
VENIENCE AND NECESSITY UNDER)
CHAPTER 80, SESSION LAWS OF COLO-)
RADO, 1951, FOR EMERGENCY MOVEMENT)
OF POTATOES IN THE SAN LUIS VALLEY,)
STATE OF COLORADO.)

APPLICATION NO. 16595

September 17, 1958

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 the Counties of Costilla, Conejos, Rio Grande, Saguache, and Alamosa, State of Colorado, on September 20, 1958, and that said emergency will probably continue for a period of approximately thirty days thereafter.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of potatoes in said Counties.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency will exist because of shortage in certificated trucks for the transportation of potatoes in the Counties above set forth, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for transportation of potatoes from fields to loading points, sheds, and storage places, as provided by

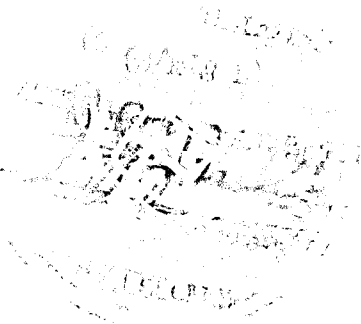
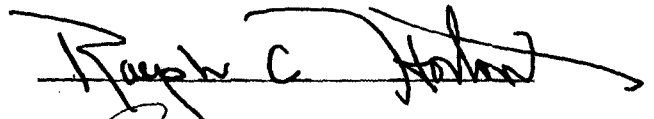
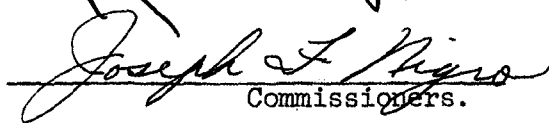
by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty (30) days, or from September 20, 1958, to and including October 19, 1958.

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 operation of motor vehicles, for the transportation of potatoes from fields to loading points, sheds, and storage places, in the Counties of Costilla, Conejos, Rio Grande, Saguache, and Alamosa, State of Colorado, said certificates to become effective September 20, 1958, and to continue in force up to and including October 19, 1958, no such certificate to issue for transportation of potatoes by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

COMMISSIONER JOHN P. THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

original

(Decision No. 50946)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEM-)
PORARY CERTIFICATES OF PUBLIC CON-)
VENIENCE AND NECESSITY UNDER)
CHAPTER 80, SESSION LAWS OF COLO-)
RADO, 1951, FOR EMERGENCY MOVEMENT)
OF MILLET AND SORGHUM IN THE COUNTY)
OF LOGAN, STATE OF COLORADO.)

APPLICATION NO. 16596

September 17, 1958

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 millet and sorghum in the County of Logan, State of Colorado, on September 20, 1958, and that said emergency will probably continue for a period of approximately thirty days thereafter.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of millet and sorghum in said County.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency will exist because of shortage in certificated trucks for transportation of millet and sorghum in Logan County, 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 transportation of millet and sorghum from fields to storage points, as provided by Chapter 80, Ses-


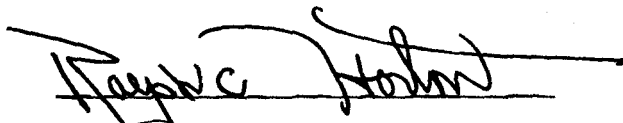

sion Laws of 1951, said certificates to be effective for a period of thirty (30) days, or from September 20, 1958, to and including October 19, 1958.

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 operation of motor vehicles, for transportation of millet and sorghum, from fields to storage points in Logan County, Colorado, said certificates to become effective September 20, 1958, and to continue in force up to and including October 19, 1958, no such certificates to issue for transportation of millet and sorghum by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

COMMISSIONER JOHN P. THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958,

mls

original

(Decision No. 50947)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
UNION RURAL ELECTRIC ASSOCIATION,)
INC., BRIGHTON, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY FOR THE CONSTRUCTION OF AN)
EXTENSION OF ITS LINE TO SERVE THE)
MINE OF JOSEPH W. WALSH IN SECTION)
26, TOWNSHIP 2-SOUTH, RANGE 71-WEST.)

APPLICATION NO. 16591-Extension

September 17, 1958

S T A T E M E N T

By the Commission:

On September 8, 1958, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for a certificate of public convenience and necessity for an extension of its facilities consisting of about a mile and three-quarters of primary three-phase line across the north halves of Sections 25 and 26, Township 2-South, Range 71-West, Jefferson County, Colorado, to the Mena Mine, under development by Joseph W. Walsh. The estimated cost of construction is \$7,380.00.

This application was filed pursuant to the Commission's Order in Application No. 13576 - Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the records and files herein, and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order

granting the construction as requested. The Commission has received a letter from Public Service Company of Colorado, dated September 8, 1958, and a letter from the Colorado Central Power Company, dated September 8, 1958, both of said letters stating, in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074 previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to Joseph W. Walsh at a location in the north half of Section 26, Township 2-South, Range 71-West, Jefferson County, Colorado; and that Union Rural Electric Association, Inc., should be authorized to render said service.

O R D E R

THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity, to extend its facilities to serve Joseph W. Walsh at a location in the north half of Section 26, Township 2-South, Range 71-West, Jefferson County, Colorado; all in accordance with the application for electric service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Holman
Joseph F. Higin
Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
SMITH METAL WORKERS, INC., 2628)
WEST COLFAX AVENUE, DENVER,)
COLORADO.)

PERMIT NO. M-11781
CASE NO. 86662-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86662-Ins., the Commission entered its Order, revoking Permit No. M-11781 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

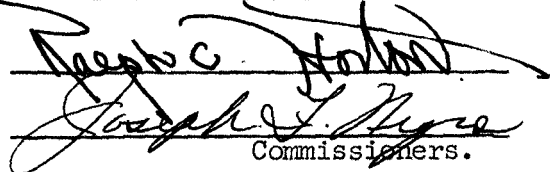
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-11781 should be, and the same hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86662-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
UNIVERSAL PARTS, INC., 1201 24TH)
STREET, DENVER, COLORADO.)

PERMIT NO. M-9031
CASE NO. 86679-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86679-Ins., the Commission entered its Order, revoking Permit No. M-9031 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

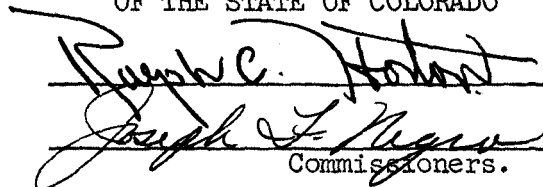
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-9031 should be, and the same hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86679-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HALL FIXTURE COMPANY, INC.,)
2314 MARKET STREET, DENVER,)
COLORADO.)

PERMIT NO. M-5465
CASE NO. 86687-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86687-Ins., the Commission entered its Order, revoking Permit No. M-5465 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

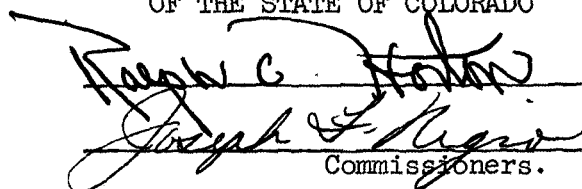
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-5465 should be, and the same hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86687-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RAY T. LANKFORD, 1801 SHEFFIELD)
ROAD, OKLAHOMA CITY, OKLAHOMA.)

PUC NO. 3951-I
PERMIT NO. M-14161
CASE NO. 86700-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86700-Ins., the Commission entered its Order, revoking PUC No. 3951-I and Permit No. M-14161 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

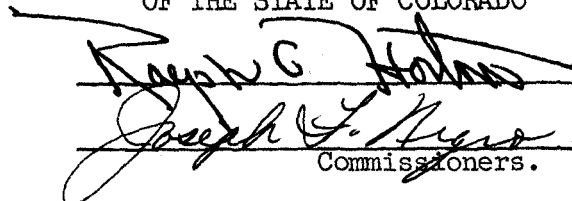
That said certificate should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 3951-I and Permit No. M-14161 should be, and the same hereby are, reinstated, as of September 4, 1958, revocation Order entered by the Commission on said date in Case No. 86700-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT FINER AND ERNEST HAGLER,)
DOING BUSINESS AS "AMERICAN CAN-)
VAS COMPANY," 1130 TWELFTH)
STREET, DENVER, COLORADO.)

PERMIT NO. M-5200
CASE NO. 86717-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86717-Ins., the Commission entered its Order, revoking Permit No. M-5200 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

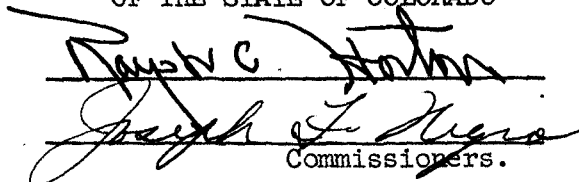
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit.No. M-5200 should be, and the same hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date. In Case No. 86717-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAKE KAUFFMAN, 923 WHITFORD,)
LOVELAND, COLORADO.)

PERMIT NO. B-5008
PERMIT NO. M-7524
CASE NO. 86721-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86721-Ins., the Commission entered its Order, revoking Permits Nos. B-5008 and M-7524 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

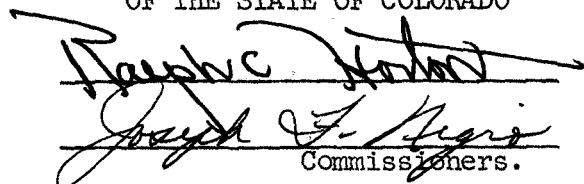
That said permits should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permits Nos. B-5008 and M-7524 should be, and the same hereby are, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86721-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DELFINO CARRILLO, DOING BUSI-)
NESS AS "DEL CARRILLO COAL)
YARD," 1211 SANTA ROSA, PUEBLO,)
COLORADO.)

PERMIT NO. M-158
CASE NO. 86885-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86885-Ins., the Commission entered its Order, revoking Permit No. M-158 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

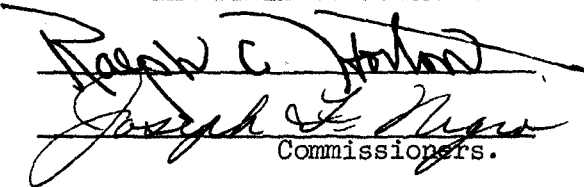
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-158 should be, and the same hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86885-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PETE LOPEZ, 2625 SPRAGUE STREET,)
PUEBLO, COLORADO.)

PUC NO. 3726
CASE NO. 84941-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On March 26, 1958, in Case No. 84941-Ins., the Commission entered its Order, revoking PUC No. 3726 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, carrying a considerable period of lapse. However, upon request of Attorney for said certificate-holder, and upon approval by this Commission and its Insurance Department, said lapsed insurance has been accepted, owing to the fact that said certificate-holder was involved in an accident, lost a leg as the result thereof, and was unable to carry on operations under said certificate.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDER:

That PUC No. 3726 should be, and the same hereby is, reinstated, as of March 26, 1958, revocation order entered by the Commission on said date in Case No. 84941-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Thompson
Joseph C. Thompson
Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.
Dated at Denver, Colorado,
this 17th day of September, 1958.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. H. YATES, JR., AND C. H.)
YATES, SR., DOING BUSINESS AS)
"C. H. YATES COMPANY," P. O.)
BOX 428, ESPANOLA, NEW MEXICO.)

PERMIT NO. M-1749
CASE NO. 86887-INS.

September 17, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86887-Ins., the Commission entered its Order, revoking Permit No. M-1749 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-1749 should be, and the same hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission in Case No. 86887-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. [Signature]
Joseph F. [Signature]
Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of September, 1958.

mls

original

(Decision No. 50957)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RALPH FLESCH, WALDEN, COLORADO, FOR)	
AUTHORITY TO TRANSFER PERMITS NOS.)	
B-4105 AND B-4105-I TO RALPH FLESCH,)	APPLICATION NO. 16264-PP-Transfer
ERNA MAE FLESCH, AND RICHARD FLESCH,)	<u>SUPPLEMENTAL ORDER</u>
CO-PARTNERS, DOING BUSINESS AS)	
"RALPH FLESCH & SON," WALDEN, COLO-)	
RADO.)	

September 19, 1958

Appearances: Ralph Flesch, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On April 30, 1958, the Commission entered its Decision No. 50181, authorizing Ralph Flesch, Walden, Colorado, to transfer all his right, title, and interest in and to Permits Nos. B-4105 and B-4105-I to Ralph Flesch, Erna Mae Flesch, and Richard Flesch, co-partners, doing business as "Ralph Flesch & Son," Walden, Colorado.

Inasmuch as the requirements which are a condition precedent to transfer of said permits upon our records were not complied with, the Commission, on September 15, 1958, entered its Decision No. 50923, setting aside and vacating said Decision No. 50181, and instructing the Secretary of the Commission to change the records of the Commission to show that Ralph Flesch, Walden, Colorado, was the owner of said Permits Nos. B-4105 and B-4105-I.

On September 16, 1958, applicants herein complied with requirements of Decision No. 50181, and now request that Decision No. 50923 be set aside, and said operating rights transferred to transferees herein.

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 Decision No. 50923, of date September 15, 1958, should be, and the same hereby is, vacated, set aside, and held for naught, and the Secretary of the Commission is hereby directed to change the records of the Commission to show that Ralpy Flesch, Erna Mae Flesch, and Richard Flesch, co-partners, doing business as "Ralph Flesch & Son," Walden, Colorado, are the owners of Permits Nos. B-4105 and B-4105-I.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1958.

mls

original

(Decision No. 50958)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PUBLIC SERVICE COMPANY OF COLORADO,)	
900 15TH STREET, DENVER, COLORADO,)	
FOR AUTHORITY TO EXTEND FACILITIES)	APPLICATION NO. 16583-Extension
IN SECTION 36, TOWNSHIP 1-SOUTH,)	<u>AMENDED</u>
RANGE 73-WEST, GILPIN COUNTY, COLO-)	
RADO,)	

September 19, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, Public Service Company of Colorado, filed an application with this Commission, for authority to extend its facilities to serve Mr. Edwin Adler and Kurt O. Linn and the Rollinsville Heights Subdivision near Rollinsville, Colorado, in Section 36, Township 1-South, Range 73-West, Gilpin County, Colorado. The subdivision is plotted for seventy-three (73) building sites.

This application was filed pursuant to the Commission's order in Application No. 13576, Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure of obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

On September 15, 1958, Union Rural Electric Association, Inc., of Brighton, Colorado, filed a protest to the granting of a certificate to Public Service for service to the Rollinsville Heights Subdivision. Union does not protest the service to Mr. Edwin Adler at his location in said subdivision at Lot 46. Mr. Adler is in need

of service immediately for construction power.

Subsequent to the filing of the complaint by Union, the Public Service Company filed an amendment to its application requesting that it be granted a certificate of public convenience and necessity to render service to Mr. Adler at his location on Lot 46 in the Rollinsville Heights Subdivision and also deleting from its original application the request for service to the balance of said subdivision.

The Commission has examined the records and files herein and believes that this matter is one which can be decided without a formal hearing and being fully informed in the matter will issue its order granting the construction as requested in the amended application. As previously stated, Union Rural Electric Association, Inc., does not wish to protest the construction to the home of Mr. Adler to be located on Lot 46 of Rollinsville Heights Subdivision, and Colorado Central Power by letter of September 8, 1958, stated it had no objection to the proposed extension of electric service by the Public Service Company.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074, previously referred to, and there being no objection by interested parties, the authority as requested by the amended application should be issued without hearing.

That public convenience and necessity require the rendering of electric service to the home site of Mr. Edwin Adler located on Lot 46, Rollinsville Heights Subdivision, in Section 36, Township 1-South, Range 73-West, Gilpin County, Colorado.

That Public Service Company of Colorado should be authorized

to render said service.

O R D E R

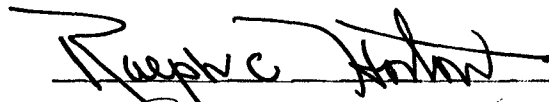

THE COMMISSION ORDERS:

That Public Service Company of Colorado, Denver, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to serve the home site of Mr. Edwin Adler on Lot 46 of the Rollinsville Heights Subdivision located in Section 36, Township 1-South, Range 73-West, Gilpin County, Colorado.

That Public Service Company of Colorado, Denver, Colorado, shall render electric service under the certificate granted herein under the rates, rules and regulations of said Company now or hereafter on file with this Commission, 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



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1958.

mls

original

(Decision No. 50959)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
STANOLIND OIL AND GAS COMPANY,)
TULSA, OKLAHOMA, FOR AUTHORITY TO)
TRANSFER CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY GRANTED IN) APPLICATION NO. 1357-AA
APPLICATION NO. 1357-AA TO UTAH OIL)
REFINING COMPANY, SALT LAKE CITY,)
UTAH.)

IN THE MATTER OF THE APPLICATION OF)
UTAH OIL REFINING COMPANY, A COR-)
PORATION, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY)
AUTHORIZING IT TO CONSTRUCT AN OIL) APPLICATION NO. 6734
PIPE LINE FROM RANGELY FIELD, RIO)
BLANCO COUNTY, COLORADO, TO CRAIG,)
IN MOFFAT COUNTY, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
THE UTAH OIL REFINING COMPANY, A)
UTAH CORPORATION, TO TRANSFER THE)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 14852-Transfer
AND NECESSITY HELD BY SAID CORPORA-)
TION TO THE UTAH OIL REFINING COM-)
PANY, A DELAWARE CORPORATION.)

SUPPLEMENTAL ORDER

September 19, 1958

S T A T E M E N T

By the Commission:

Heretofore, Utah Oil Refining Company, Salt Lake City, Utah,
was granted a certificate of public convenience and necessity in the
above-styled applications, to maintain and operate oil pipe lines in
Moffat County, State of Colorado (Decisions Nos. 22976, 22977 and
46766).

The Commission is now in receipt of a communication from A.
J. Badger, President of said Utah Oil Refining Company, of date August

15, 1958, as follows:

"Please be advised that this Company has discontinued its pipe line operations in the State of Colorado, and the aforesaid certificates issued by your Commission are no longer required. Consequently, will you please cancel same."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

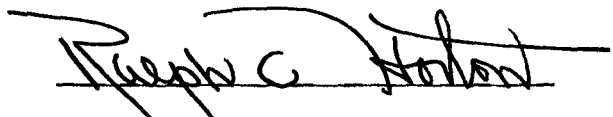

O R D E R

THE COMMISSION ORDERS:

That certificates of public convenience and necessity heretofore issued to Utah Oil Refining Company, Salt Lake City, Utah, in Applications Nos. 1357-AA, 6734, and 14852, by Decisions Nos. 22976, 22977, and 46766, should be, and the same hereby are, cancelled and revoked, as required by A. J. Badger, President of said Utah Oil Refining Company.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MILK TRANSPORT, INC., P. O.)
BOX 141, ROUTE 1, BROOMFIELD, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 16554-PP

September 19, 1958

Appearances: Paul M. Hupp, Esq., Denver,
Colorado, for Applicant;
H. D. Hicks, Denver, Colo-
rado, for Centennial
Truck Line;
Dewey W. Beach, Denver,
Colorado, for North East-
ern Motor Freight, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of liquid lard, tallow, and other shortenings, between all points within the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 11, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Kenneth M. Martin, President of Applicant herein, testified as to applicant's equipment and as to its financial qualifications. He stated applicant has received many requests from shippers for delivery of liquid lard, tallow, and other shortenings.

Leonard Braddock, of Swift and Company, stated his company

had contacted applicant herein, requesting them to file an application authorizing transportation of liquid lard, tallow, and other shortenings.

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

The operating experience and financial responsibility of applicant were established to the satisfaction of the Commission. It also appears that applicant has suitable equipment, and has customers who desire the service proposed; that the granting of authority herein sought will not impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That authority herein sought should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Colorado Milk Transport, Inc., Broomfield, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of liquid lard, tallow, and other shortenings, between all points within the State of Colorado.

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

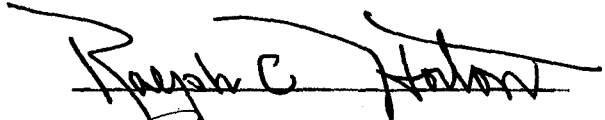

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of its customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

That the right of applicant to operate hereunder shall de-

pend upon its 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.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
NORTH EASTERN MOTOR FREIGHT, INC.,)	
5231 MONROE STREET, DENVER, COLO-)	
RADO, FOR A CERTIFICATE OF PUBLIC)	APPLICATION NO. 16553-Extension
CONVENIENCE AND NECESSITY, AUTHORIZ-)	
ING EXTENSION OF OPERATIONS UNDER)	
PUC NO. 374.)	

September 19, 1958

Appearances: Dewey W. Beach, Denver,
Colorado, for Appli-
cant;
Harold Hicks, Denver,
Colorado, for Centen-
nial Truck Lines;
Raymond B. Danks, Esq.,
Denver, Colorado, for
Colorado Transfer and
Warehousemen's Associ-
ation.

S T A T E M E N T

By the Commission:

By the above-styled application, North Eastern Motor Freight, Inc., Denver, Colorado, owner and operator of PUC No. 374, seeks authority to extend operations under said certificate, to include the right to transport freight, in pick-up and delivery service, from and to all points within a radius of five miles of the City and County of Denver, State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 11, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, J. R. Arnold, General Manager of North East-

ern Motor Freight, Inc., testified as to the need for pick-up and delivery service in the Denver Metropolitan Area.

Wendall Hicks, of Empire Irrigation District, stated that his company needed deliveries from points outside the City and County of Denver and within a five-mile radius thereof; that his company had occasioned delays, due to transfer of shipments; that, in his judgment, they needed a direct service.

A. B. Alverson, of Bowling Supply Company, testified that they also received shipments from the five-mile radius of Denver, and that they needed a direct service to Sterling; that he felt that the granting of the instant application would be in the public interest.

Richard Lane, of Englewood Transfer and Storage Company, testified that his company also needed the services herein proposed by applicant.

No one appeared in opposition to the granting of authority herein sought, so long as said authority was restricted to pick-ups of freight destined to points on the line of applicant, and all deliveries originate along said line of 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 public convenience and necessity require applicant's proposed extended 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 public convenience and necessity require the extended motor vehicle common carrier call and demand transportation of North Eastern Motor Freight, Inc., Denver, Colorado, under PUC No. 374, to

include the right to transport freight, in pick-up and delivery service, from and to points and places within a five-mile radius of Denver, provided that all pick-ups of freight shall be destined to points on the line of applicant, and all deliveries shall originate along said line of applicant herein, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

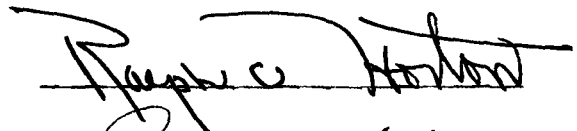

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate its 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.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
T. J. LIVERINGHOUSE, WAYNE,)
NEBRASKA.)

PUC NO. 2316-I
CASE NO. 86335-INS.

September 19, 1958

S T A T E M E N T

By the Commission:

On July 22, 1958, in Case No. 86335-Ins., the Commission entered its Order, revoking PUC No. 2316-I for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

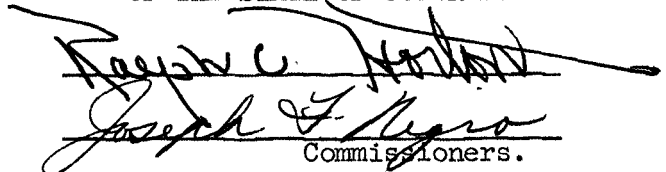
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 2316-I should be, and the same hereby is, reinstated, as of July 22, 1958, revocation order entered by the Commission on said date in Case No. 86335-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES W. INGLEHART, DOING)
BUSINESS AS "INGLEHART MILL,")
FRUITA, COLORADO.)

PERMIT NO. M-10113
CASE NO. 79836-INS.

September 19, 1958

S T A T E M E N T

By the Commission:

On March 20, 1957, in Case No. 79836-Ins., the Commission entered its Order, revoking Permit No. M-10113 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

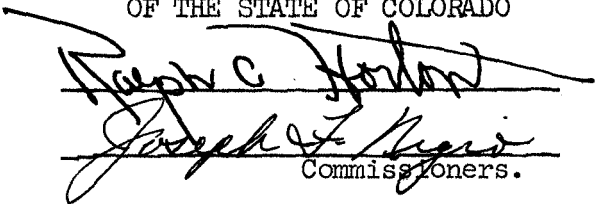
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-10113 should be, and the same hereby is, reinstated, as of March 20, 1957, revocation order entered by the Commission on said date in Case No. 79836-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER P. VIGIL, 3217 QUIVAS STREET,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16160

September 22, 1958

Appearances: L. C. Preston, Esq., Denver,
Colorado, and
George Garner, Denver, Colo-
rado, for Applicant;
Kripke & McLean, Esqs., Den-
ver, Colorado, for Asso-
ciated Rubbish Removal
Association.

S T A T E M E N T

By the Commission:

This matter came on for hearing, after appropriate notice to all parties in interest, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 12, 1958, where it was heard and taken under advisement.

This is an application for a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of trash, from point to point within the City and County of Denver, State of Colorado.

The applicant has been engaged as an ash hauler intermitently for a period of some twenty years, but without license or authority from the City and he concedes that he has been in the business continuously for a period of but two years.

The applicant operates two trucks, consisting of a 1951 Dodge, and a 1949 2½-ton pickup, under a commercial carrier authority. The

applicant indulges in a part time service as a yard cleaner and trash remover, being regularly employed at Gates Rubber Company.

Several customer witnesses supported the application, testifying about the need for the applicant's service and the type of service he has rendered in the past.

The most significant thing about all the testimony adduced on behalf of the applicant was that all of his customers are domestic customers who do not require regular service, but who, in fact, require periodic service, which also includes labor that is not involved in transportation, but is more properly characterized as yard cleaning and other allied types of service.

The matter was strongly protested by members of the Associated Rubbish Removal Association in the Denver area. This is an organization of certified carriers who are directly engaged in the industry business of moving ashes and trash, especially from commercial and industrial customers.

Considering the nature of the service rendered and the type of demand therefor, it would appear that the service to be offered by the applicant is something of a dual nature; one which consists of yard work, not under the jurisdiction of the Commission, and the other involves the transportation of ashes, trash and rubbish on a call and demand basis for customers who do not require regular service. In the light of the record as developed, it is our opinion that a type of limited authority should be granted to this applicant.

The net worth of applicant was established to the satisfaction of the Commission.

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, as limited in the following Order.

O R D E R

THE COMMISSION ORDERS:

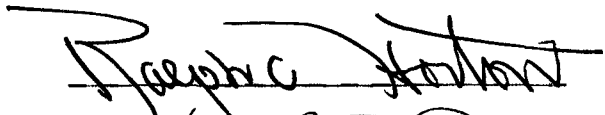


That public convenience and necessity require the proposed common carrier motor vehicle, call and demand, service of Walter P. Vigil, Denver, Colorado, for the transportation of ashes, trash and rubbish, from point to point within the City and County of Denver, State of Colorado; provided, however, that the applicant's operation shall be restricted to the use of two trucks of no greater capacity than one one-ton truck and one one-half-ton pickup; and it is further provided that the applicant is hereby restricted to service to domestic customers, only, to the exclusion of commercial and industrial customers, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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 22nd day of September, 1958.

mls

original

(Decision No. 50965)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLINTON BROOKS, 3422 HIGH STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16382-PF
AMENDED

September 22, 1958

Appearances: Clinton Brooks, Denver, Colo-
rado, pro se;
Kripke & McLean, Esqs., Den-
ver, Colorado, for Asso-
ciated Rubbish Removal
Association.

S T A T E M E N T

By the Commission:

This matter came on for hearing, after appropriate notice to all interested parties, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 12, 1958, where it was heard and taken under advisement.

This is an application for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of trash and refuse, from various telephone sub-stations within Denver, Lakewood, Littleton, and Aurora, Colorado, to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

The applicant was the sole witness supporting his application. He testified that he hauls wire, drop cord, bolts and other salvage material from Telephone Company sub-stations in Lakewood, Littleton, and Arapahoe County, and in parts of Denver, for dumping or resale. He also seeks authority to haul ashes and trash for this same customer.

The application, in so far as it pertains to ashes and trash, was strongly opposed by members of the Associated Rubbish Removal Association, particularly those who are already supplying the service to this customer. In view of the adequacy of existing service, and the lack of any other witnesses to support the applicant's contentions on the ash and trash haul phase of the application, it is our opinion that it should be denied. With respect to hauling of wire, drop cord, bolts, and other salvage material for the Telephone Company only, it is our opinion that the permit should be granted.

The net worth of the applicant was established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That authority should be granted as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Clinton Brooks, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of wire, drop cord, bolts, and other salvage material, from various telephone sub-stations within Denver, Lakewood, Littleton, and Aurora, Colorado, to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of 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

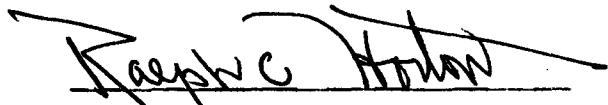


terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 in all other respects said application be, and the same is hereby, 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 22nd day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER R. VANNOY, JACK VANNOY, AND)
ERNIE VANNOY, CO-PARTNERS, DOING)
BUSINESS AS "WALTER VANNOY AND)
SONS," ROUTE 1, AXTELL, NEBRASKA.)
-----)

PERMIT NO. M-13281
CASE NO. 86672-INS.

September 23, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86672-Ins., the Commission entered its Order, revoking Permit No. M-13281 for failure of Respondents herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondents, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

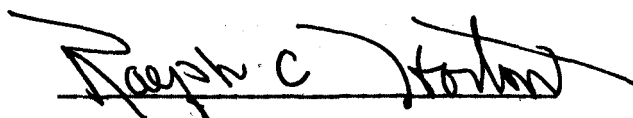

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-13281 should be, and the same hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86672-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.
Dated at Denver, Colorado,
this 23rd day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN CADY, 5023 ZUNI STREET,) PUC NO. 3389
DENVER, COLORADO.) CASE NO. 86576-INS.
-----)

September 23, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, the Commission entered its Order in Case No. 86576-Ins., revoking PUC No. 3389 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

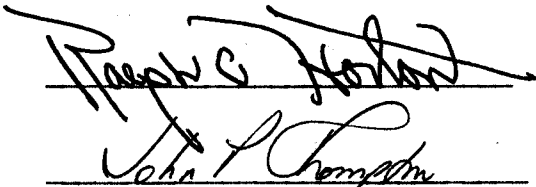
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 3389 should be, and hereby is, reinstated, as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86576-Ins., being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 23rd day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROCKY MOUNTAIN JEEP, INC., 319-327)
SOUTH BROADWAY, DENVER 9, COLORADO.)
)
)
-----)

PERMIT NO. M-2828

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Rocky Mountain Jeep, Inc.
requesting that Permit No. M-2828 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2828, heretofore issued to _____
Rocky Mountain Jeep, Inc. _____ be,
and the same is hereby, declared cancelled effective September 12, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
COOPERATIVE SERVICE INC., HAXTUN,)
COLORADO.)

PERMIT NO. Me3414

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Cooperative Service Inc.

requesting that Permit No. M-3414 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3414, heretofore issued to _____
Cooperative Service Inc. _____ be,
 and the same is hereby, declared cancelled effective April 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Thibault
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES F. KNOX, OAK CREEK, COLORADO.)

PERMIT NO. M-6843

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
James F. Knox
requesting that Permit No. M-6843 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6843, heretofore issued to _____
James F. Knox _____ be,
and the same is hereby, declared cancelled effective September 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FOSTER B. AND EUNA B. PUTNEY, DOING)
BUSINESS AS "PUTNEY'S HOME SUPPLIES,")
9735 EAST COLFAX, AURORA 8, COLORADO.)
-----)

PERMIT NO. M-8834

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Foster B. and Euna B. Putney DBA Putney's Home Supplies
requesting that Permit No. M-8834 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8834, heretofore issued to _____
Foster B. and Euna B. Putney DBA Putney's Home Supplies _____ be,
and the same is hereby, declared cancelled effective September 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph S. Negro

Joseph S. Negro

Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PHILIP B. SHORT, DOING BUSINESS AS)
"SHORT MOTOR SALES," 233 EAST COLFAX,)
DENVER, COLORADO.)
-----)

PERMIT NO. M-9023

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Philip B. Short DBA Short Motor Sales
requesting that Permit No. M-9023 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9023, heretofore issued to _____
Philip B. Short DBA Short Motor Sales _____ be,
and the same is hereby, declared cancelled effective September 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

David C. Johnson

John J. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAWICKI DESIGNS, INC., 508 EAST)
HAMPDEN, ENGLEWOOD, COLORADO.)
-----)

PERMIT NO. M-9304

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Sawicki Designs, Inc.

requesting that Permit No. M-9304 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9304, heretofore issued to _____

Sawicki Designs, Inc. _____ be,

and the same is hereby, declared cancelled effective July 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Brown
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS L. DERROUGH, 6829 RENO DRIVE,)
ARVADA, COLORADO.)

PERMIT NO. M-10364

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Thomas L. Derrough

requesting that Permit No. M-10364 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10364, heretofore issued to _____

Thomas L. Derrough _____ be.

and the same is hereby, declared cancelled effective September 9, 1958.

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

John Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
INDUSTRIAL MOLASSES CORP., 304)
BURNS BUILDING, COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. M-10996

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Industrial Molasses Corp.
requesting that Permit No. M-10996 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10996, heretofore issued to _____
Industrial Molasses Corp. _____ be,
and the same is hereby, declared cancelled effective March 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

V. L. AND JOE MOSER, DOING BUSINESS)
AS "MOSER WHOLESALE PRODUCE," 140)
OAK STREET, COLORADO CITY, TEXAS.)
-----)

PERMIT NO. M-11190

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

V. L. and Joe Moser DBA Moser Wholesale Produce _____

requesting that Permit No. M-11190 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11190, heretofore issued to _____

V. L. and Joe Moser DBA Moser Wholesale Produce _____ be,

and the same is hereby, declared cancelled effective April 30, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. [Signature]
John F. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FORDYCE DYER, 2330 WEST PIKES PEAK,)
COLORADO SPRINGS, COLORADO.)

PERMIT NO. M-11453

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Fordyce Dyer _____
requesting that Permit No. M-11453 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11453, heretofore issued to _____
Fordyce Dyer _____ be,
 and the same is hereby, declared cancelled effective September 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. S. Belmont
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 24th day of September, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE A. OHRMAN, ROUTE 1, COLBY,)
KANSAS.)
-----)

PERMIT NO. M-12759

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

George A. Ohrman

requesting that Permit No. M-12759 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12759, heretofore issued to _____

George A. Ohrman _____ be,

and the same is hereby, declared cancelled effective September 16, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [unclear]
John F. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALFRED A. WILKINS, DOING BUSINESS AS)
"AL WILKINS," 3021 SOUTH FOREST,)
DENVER 22, COLORADO.)
-----)

PERMIT NO. M-13576

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Alfred A. Wilkins DBA Al Wilkins
requesting that Permit No. M-13576 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13576, heretofore issued to _____
Alfred A. Wilkins DBA Al Wilkins _____ be,
and the same is hereby, declared cancelled effective August 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert S. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

GRANT E. COSTELLO, 2915 MOORHEAD
AVENUE, BOULDER, COLORADO.

PERMIT NO. M-14599

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Grant E. Costello

requesting that Permit No. M-14599 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14599, heretofore issued to _____

Grant E. Costello

be,

and the same is hereby, declared cancelled effective September 21, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALEX SNYDER, 1225 YORK, DENVER 6,)
COLORADO.)

PERMIT NO. M-15120

September 24, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Alex Snyder

requesting that Permit No. M-15120 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15120, heretofore issued to _____

Alex Snyder _____ be,

and the same is hereby, declared cancelled effective September 17, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John C. Thompson
Joseph L. Negro
Commissioners

Dated at Denver, Colorado,

this 24th day of September, 195 8.

ma

original

(Decision No. 50982)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF)	
TEMPORARY CERTIFICATES OF PUBLIC)	
CONVENIENCE AND NECESSITY UNDER)	
CHAPTER 80, SESSION LAWS OF COLO-)	APPLICATION NO. 16461
RADO, 1951, FOR EMERGENCY MOVE-)	<u>SUPPLEMENTAL ORDER</u>
MENT OF UNPROCESSED AGRICULTURAL)	
PRODUCTS.)	
-----)	

September 19, 1958

S T A T E M E N T

By the Commission:

On July 9, 1958, the Commission entered its Decision No. 50625 in the above-styled matter, authorizing issuance of temporary certificates of public convenience and necessity for emergency movement of unprocessed agricultural products, from fields to loading points, sheds, and storage places in the Counties of Adams, Larimer, Boulder, Weld, Morgan, and Mesa, State of Colorado, effective July 20, 1958, to and including August 20, 1958.

Thereafter, on August 14, 1958, Supplemental Order was issued by the Commission in said matter, being Decision No. 50780, extending time of issuance of said temporary certificates of public convenience to and including September 20, 1958.

Report has now been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that said emergency will continue to exist in the matter of trucks for transportation of unprocessed agricultural products in the aforementioned counties, and that said emergency will probably continue for an additional period of approximately thirty days.

Request is made for an Order of the Commission relative to continued issuance of temporary certificates of public convenience

and necessity for seasonal transportation of said unprocessed agricultural products in said counties.

F I N D I N G S

THE COMMISSION FINDS:

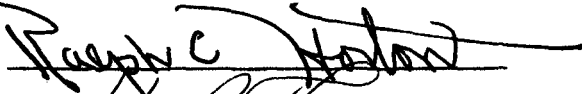
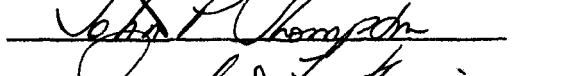

That an emergency exists because of shortage in certificated trucks for transportation of unprocessed agricultural products in the Counties of Adams, Larimer, Boulder, Weld, Morgan, and Mesa, State of Colorado, and that public convenience and necessity require that temporary certificates should issue for operation of motor vehicles for transportation of said unprocessed agricultural products, from fields to loading points, sheds, and storage places, as provided by Chapter 80, Session Laws of 1951, said certificates to become effective September 21, 1958, and to continue in force up to and including October 20, 1958.

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 continued operation of motor vehicles, for the transportation of unprocessed agricultural products, from fields to loading points, sheds, and storage places in the Counties of Adams, Larimer, Boulder, Weld, Morgan, and Mesa, State of Colorado, said certificates to become effective September 21, 1958, and to continue in force up to and including October 20, 1958, no such certificate to issue for transportation of such products 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 19th day of September, 1958.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED RAEI, 671 GALAPAGO STREET,)
DENVER, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 16561-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO.)
B-3401.)

September 24, 1958

Appearances: Donald G. Brotzman, Esq.,
Boulder, Colorado, for
Pherson Trucking Company;
Howard Yelverton, Denver,
Colorado, for Goldstein
Transportation & Storage,
Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to extend operations under Permit No. B-3401, to include the right to transport clay, feldspar, and flourspar, from pits and supply points in the State of Colorado, to points within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 18, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

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

Thereupon, protestants herein moved that said application be dismissed for failure to prosecute.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said motion of protestants should be granted, and the above-styled application dismissed for lack of prosecution.

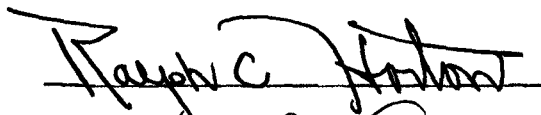

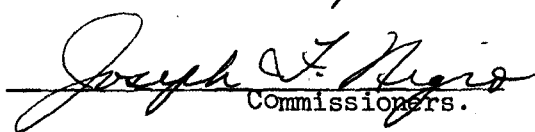
O R D E R

THE COMMISSION ORDERS:

That Application No. 16561-PP should be, and the same hereby is, dismissed, for failure to prosecute.

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 September, 1958.

mls

agreed

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SANGRE DE CRISTO ELECTRIC ASSOCIA-)
TION, INC., SALIDA, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 15790-Amended
AND NECESSITY FOR TERRITORY LOCATED)
IN CHAFFEE, CUSTER, FREMONT, AND)
LAKE COUNTIES, STATE OF COLORADO.)
- - - - -)

- - - - -
September 25, 1958
- - - - -

Appearances: Rush and Rush,
by Robert P. Rush, Esq.,
Salida, Colorado,
for Applicant;
Preston & Altman,
by J. W. Preston, Esq.,
Pueblo, Colorado,
for Southern Colorado
Power Company;
Lee, Bryans, Kelly and
Stansfield, by
Bryant O'Donnell, Esq.,
Denver, Colorado, for
Public Service Company
of Colorado;
Edwin R. Lundborg, Esq.,
Denver, Colorado,
for the Commission.

S T A T E M E N T

By the Commission:

Sangre De Cristo Electric Association, Inc. (hereinafter referred to as "Applicant"), is a rural electric cooperative association engaged in the business of purchasing, transmitting, distributing and selling electrical energy to its member and non-member consumers in Lake, Chaffee, Fremont, and Custer Counties in Colorado.

Applicant filed its original application October 9, 1957, and it was set for hearing November 5, 1957. The hearing was vacated at the request of the interested parties and was reset

for January 13, 1958, and again was vacated at the request of Attorney for Applicant. On May 16, 1958, Applicant filed its amended application, which was finally set for hearing on August 22, 1958, and was heard in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at eleven o'clock A. M., after due notice to all interested parties.

By its revised application, Applicant seeks from this Commission to be declared a public utility within the meaning of the Public Utilities Act of the State of Colorado, and for an extension of its certificate of public convenience and necessity to furnish electric service for light, heat, and power and other purposes in the applied for territory.

Petitions of intervention were filed prior to the hearing by Mt. Massive Lakes, Inc. and by Southern Colorado Power Company (hereinafter referred to as "Southern"). No representative of Mt. Massive Lakes appeared at the hearing in support of its protest.

Sangre De Cristo Electric Association, Inc. is a Colorado corporation, organized and existing by virtue of the laws of the State of Colorado as they pertain to cooperative corporations. A copy of its Articles of Incorporation, as amended to date, certified by the Secretary of State of the State of Colorado, was filed as an exhibit with its application.

Counsel for Applicant requested the Commission's permission to amend its amended application: (1) by supplying a revised map of the territory sought to be certificated; (2) a revised written description by metes and bounds of said territory; (3) by the addition at the end of the paragraph IX the words: "and Public Service Company of Colorado" and (4) a further amendment of the above-amended map and description by removing from its requested exclusive territory and adding to the non-exclusive territory to be served jointly with Public Service Company of Colorado, the North Half ($N\frac{1}{2}$) of Sections 1 to 6 inclusive in Range 79-West and Range 80-West, and the North Half ($N\frac{1}{2}$) of Section 1, Range 81-West

of the Sixth Principal Meridian, all in Township 11-South.

There being no objections to any of these amendments, permission was granted by the Commission.

Applicant's witness, Mr. Wesley Pound, Manager of Applicant's system, testified that Applicant supplies approximately 600 consumers in the Town of Buena Vista, Colorado, wherein Applicant presently holds a certificate of public convenience and necessity, acquired from the Mountain Utilities Corporation, the transfer of which was approved by this Commission in its Decision No. 24003, dated January 11, 1945. In the remainder of the system approximately 700 consumers are served. Its source of power is from the Bureau of Reclamation and the Arkansas Valley Generating and Transmission Cooperative of which it is a member. Approximately 500 consumers are served in the area in which the extended exclusive certificate is being sought in the instant application. Applicant is a borrower from the Rural Electrification Administration and presently has available to it funds in amounts sufficient to construct additions to its existing distribution system to serve applicants who may request service.

Witness identified Exhibit "A" as a metes and bounds description of the area sought to be served exclusively by Applicant and of the areas to be served non-exclusively by Applicant with Public Service Company of Colorado (hereinafter called "Public Service"), and by Applicant with Southern. Exhibit "B" is a map of the areas to be served herein. Both Exhibits "A" and "B" are subject to the amendment requested by Attorney for Applicant at the opening of the hearing.

Mr. Paul Huntley, a rancher and consumer of Applicant, President of its Board of Directors for the past three years, testified Applicant would be willing to amend its Articles of Incorporation to provide for service to member and non-member consumers alike and without discrimination, and to provide that the Board of Directors shall establish the rates for electric

service by Applicant subject to acceptance by or approval of this Commission. Four additional witnesses for Applicant testified they were consumers and also members of the Board of Directors and had lived in the area for many years (one for fifty-seven years) and in the territory sought exclusively by Applicant, Applicant is the only source of electricity for consumers and that to their own knowledge, Southern had not served any customers within the area sought exclusively by Applicant. The office manager of Applicant testified that in Fremont and Custer Counties, 380 customers are now being served in the area sought exclusively and 55 customers are being served in the area sought for non-exclusive service. He further stated that construction funds are available to satisfy demands of new applicants for service and Applicant had been operating in the "black" for the past three years. Another witness for Applicant who lives in the Twin Lakes area stated he has lived there for forty-four years; that no other source of power was available within his locality to serve either himself or 40 additional consumers who reside in the same area.

Witness for Public Service testified Public Service was in agreement with the application of Applicant as to territory sought exclusively and the territory sought non-exclusively with Public Service. It was agreed between Applicant and Public Service that any industrial load which might develop within the exclusive territory would be served by Public Service from its 115 KV transmission line running generally north and south through the area sought.

Witness for Protestant, Southern, who is President and General Manager of Southern, testified that Southern had served in Fremont County since 1890, and in Custer County since 1898, and that it held certificates of public convenience and necessity for the communities of Canon City, Florence, Rockville, Coal Creek, Westcliffe, and Silvercliff in said counties, and had been serving these communities prior to the enactment of the

Public Utilities Act. He further testified that service had always been available within the area in the period of his knowledge, and was offered by Southern in accordance with its extension policies and such policies were on file with the Commission. Other arguments were advanced against the granting of an exclusive certificate to Applicant but no proof was offered in support thereof. The fact remains Southern had not extended its distribution lines into the area now sought by Applicant who has been providing electric service therein since the early 1940s. Southern has no objection to Applicant being found to be a public utility but does object to the granting of an exclusive certificate in the Counties of Fremont and Custer. It does not object to the granting of a non-exclusive certificate.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the subject matter of the instant application and is fully advised in the premises.

That the above Statement, by reference, should be made a part of these Findings.

That public convenience and necessity require, and will require Applicant be declared to be a public utility.

That the Commission has jurisdiction over the Applicant herein.

That the issuance of a certificate of public convenience and necessity is consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

That Applicant is and will be performing the functions of a public utility in providing electric service in the area sought, and it should be granted an exclusive certificate of public convenience and necessity in a part and a non-exclusive certificate of public convenience and necessity in the remainder of the area as set forth in the Order to follow.

That Public Service is an electric public utility operating in, among other locations, Lake and Chaffee Counties and subject to the jurisdiction of this Commission.

That Southern is an electric public utility operating in, among other locations, Fremont and Custer Counties and is subject to the jurisdiction of this Commission.

That Southern did not provide substantive proof it would be injured if Applicant is granted an exclusive certificate of public convenience and necessity in parts of Fremont and Custer Counties as requested in its application.

That when hereafter agreement between Applicant and Public Service, or Applicant and Southern, cannot be reached as to which utility should supply requested electric service to a customer in the non-exclusive territories sought herein, the Commission shall retain control of the orderly expansion of electric plant and electric service in the manner to be provided in the Order to follow.

That Public Service should be permitted to serve industrial loads from its 115 Kv transmission line in that part of the territory sought by Applicant as exclusive territory in Lake and Chaffee Counties, as agreed between Applicant and Public Service.

That Applicant should set up and maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That Applicant should complete or revise its rate schedules now on file with this Commission to show the rates, rules and regulations effective throughout its entire certificated area.

That it should maintain its operations as an electric public utility in accordance with the Rules Regulating the Service of Gas and Electric Utilities, as prescribed by this Commission now in effect and as they may hereafter be amended.

O R D E R

THE COMMISSION ORDERS:

That Sangre De Cristo Electric Association, Inc., be, and hereby is, declared to be a public utility authorized to distribute electricity exclusively in a certain area set forth herein and also non-exclusively in certain areas set forth herein in conjunction with Public Service and Southern.

That the public convenience and necessity requires and will continue to require the exclusive operation of Applicant's electric distribution system as it now exists and as it may be extended from time to time within the territory described below, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor:

An area generally in Lake, Chaffee, Fremont and Custer Counties, Colorado, more particularly described as:

Beginning at a point on the Lake-Chaffee County line which point is the SW Cor. Sec. 25, T. 11-S, R. 81-W, 6 PM; thence northerly to the West Quarter Cor. Sec. 1, T. 11-S, R. 81-W; thence easterly to the East Quarter Cor. Sec. 2, T. 11-S, R. 79-W, which is the intersection with the Lake-Park County Line; thence southerly along the Lake-Park County line to the Chaffee-Park County line; thence along the Chaffee-Park County line southerly to the Chaffee-Park-Fremont County line; thence along the Chaffee-Fremont County line southerly to the south line of T. 51-N, NMPM; thence easterly along the south line of said T-51-N, NMPM to the Northeast Cor. Sec. 4, T. 50-N, R. 12-E, NMPM; thence southerly to the West Quarter Cor. Sec. 15, T-49-N, R. 12-E, NMPM; thence easterly to the Southwest Cor. Sec. 6, T. 18-S, R. 73-W, 6 PM; thence easterly to the Southeast Cor. Sec. 1, T. 18-S, R. 73-W; thence southerly along the east line of R. 73-W to the Northwest Cor. Sec. 31, T. 22-S, R. 72-W; thence easterly to the Northeast Cor. Sec. 33, T. 22-S, R. 70-W; thence southerly to the Southeast Cor. said Sec. 33; thence westerly along the North line of T. 23-S, to the Northwest Cor. T. 23-S, R. 70-W; thence southerly along the West line of Range 70-West to the Custer-Huerfano County line; thence westerly along the Custer-Huerfano County line to the Saguache-Custer County Line; thence northwesterly along the Saguache-Custer County line to the Saguache-Fremont County line; thence northwesterly along the Saguache-Fremont County line to a point on the west line, Sec. 25, T. 48-N. R. 9-E, NMPM; thence northerly to the

Northwest Cor. Sec. 1, T. 48-N, R. 9-E; thence westerly along south line Sec. 36, T. 49-N, R. 9-E, to the SW Cor. of said Sec. 36; thence northerly to a point on the west line of Sec. 12, T. 49-N, R. 9-E, and the Chaffee-Fremont County line; thence northeasterly along the Chaffee-Fremont County line to the SE Cor. Sec. 8, T. 50-N, R. 10-E, NMPM; thence westerly along the south line said Secs. 8 and 7, Secs. 12, 11, 10, 9, 8, and 7, T. 50-N, R. 9-E, Secs., 12, 11, 10, 9, 8, and 7, T. 50-N, R. 8-E, NMPM to the west line of R. 8-E, NMPM; thence northerly along said west line of R. 8-E, NMPM, to the northwest Cor. T. 50-N, R. 8-E, NMPM; thence westerly along the north line T. 50-N, NMPM, to the Chaffee-Gunnison County line; thence northerly along the Chaffee-Gunnison County line to the SW Cor. Sec. 10, T. 13-S, R. 80-W, 6 PM; thence northerly to the NW Cor. Sec. 34, T. 11-S, R. 80-W, 6 PM, being on the Lake-Chaffee County line; thence westerly along the Lake-Chaffee County line to the point of beginning,

excepting therefrom, however, the right of Public Service to serve "industrial" loads from its 115 Kv transmission line as it now exists or may be extended, and which now runs in a southerly direction from Leadville to Salida.

That public convenience and necessity requires and will continue to require the operation of Applicant's electric distribution system as it now exists and as it may be extended from time to time within the territory described below on a non-exclusive basis with Public Service, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor:

(1) An area in Lake County, Colorado, beginning at a point on the Lake-Pitkin County line on the south line of Sec. 29, T. 11-S, R. 82-W, 6 PM; thence northerly along the Lake-Pitkin County line to the south line of T. 9-S, 6 PM; thence easterly along the south line of T. 9-S, 6 PM to Lake-Park County line; thence southerly along said Lake-Park County line to the East Quarter Cor. of Sec. 2, T. 11-S, R. 79-W, 6 PM; thence westerly to the West Quarter Cor. Sec. 1, T. 11-S, R. 81-W, 6 PM; thence southerly to the SW Cor. Sec. 25, T. 11-S, R. 81-W, 6 PM, being on the Lake-Chaffee County line; thence westerly along Lake-Chaffee County line to the point of beginning; less the NE $\frac{1}{4}$ of Sec. 9, T. 10-S, R. 80-W, 6 PM, which is exclusive territory of others.

(2) An area in Chaffee County, Colorado, beginning at a point which is the northwest Cor. Sec. 18, T. 50-N, R. 8-E, NMPM, thence easterly along the north line of Secs. 18, 17, 16, 15, 14, and 13, T. 50-N, R. 8-E, Secs. 18, 17, 16, 15, 14, and 13, T. 50-N, R. 9-E, Secs. 18 and 17, T. 50-N, R. 10-E, NMPM, to the NE Cor. of said Sec. 17, and the Chaffee-Fremont County line; thence southwesterly along the Chaffee-Fremont County line to the East Quarter Cor. Sec. 30, T. 50-N, R. 10-E; thence westerly along the $\frac{1}{4}$ line of said Sec. 30, 25, 26, 27, 28, and 29, T. 50-N, R. 9-E, to the West Quarter Cor. of said Sec. 29; thence southerly along west line of said Sec. 29 to the NE Cor. $SE\frac{1}{4}$, $SE\frac{1}{4}$, $SE\frac{1}{4}$, $SE\frac{1}{4}$, Sec. 30, T. 50-N, R. 9-E; thence westerly to the NW Cor. $SW\frac{1}{4}$ $SW\frac{1}{4}$ $SW\frac{1}{4}$, $SW\frac{1}{4}$ said Sec. 30; thence northerly to the NW Cor. of $SW\frac{1}{4}$, $SW\frac{1}{4}$ of said Sec. 30; thence northwesterly to the NW Cor. of $SW\frac{1}{4}$, $NE\frac{1}{4}$, $NW\frac{1}{4}$ of Sec. 25, T. 50-N, R. 8-E; thence southerly to the NE Cor. $NW\frac{1}{4}$, $SW\frac{1}{4}$, said Sec. 25; thence westerly to the West Quarter Cor. said Sec. 25; thence southerly along the east line of Secs. 26, and 35, T. 50-N, R. 8-E, to the SE Cor. $NE\frac{1}{4}$, $NE\frac{1}{4}$, said Sec. 35; thence westerly to the NW Cor. $NE\frac{1}{4}$, $SW\frac{1}{4}$, $NE\frac{1}{4}$, Sec. 34, T. 50-N, R. 8-E; thence southerly to the SE Cor. $NW\frac{1}{4}$, $SW\frac{1}{4}$, $SE\frac{1}{4}$ said Sec. 34; thence westerly to the SW Cor., $NW\frac{1}{4}$, $SW\frac{1}{4}$, $SW\frac{1}{4}$, Sec. 33, T. 50-N, R. 8-E; thence northerly along the west line of said Secs. 33 and 28, to the NW Cor. of said Sec. 28; thence westerly along north line Sec. 29, T. 50-N, R. 8-E, NMPM, to the northwest Cor. said Sec. 29; thence northerly along west line Sec. 20, T. 50-N, R. 8-E, NMPM to the NW Cor. said Sec. 20; thence westerly along the south line Sec. 18, T. 50-N, R. 8-E, to the SW Cor. said Sec. 18; thence northerly along the west line of said Sec. 18 to the point of beginning.

That public convenience and necessity requires and will continue to require the operation of Applicant's electric distribution system as it now exists and as it may be extended from time to time within the territory described below on a non-exclusive basis with Southern, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor:

An area in Fremont and Custer Counties, beginning at a point which is the northwest Cor. Sec. 30, T. 19-S, R. 72-W, 6 PM; thence easterly along north lines of Secs. 30, 29, 28, 27, 26, and 25, T. 19-S, R. 72-W, 6 PM, and along north line of Secs. 30, 29, 28, 27, 26, and 25, T. 19-S, R. 71-W, 6 PM, and along north lines of Secs. 30, 29, 28, 27, 26, and 25, T. 19-S, R. 70-W, 6 PM to the northeast Cor. said Sec. 25; thence southerly along the east line of R. 70-W, 6 PM, to the southeast Cor. Sec. 12, T. 22-S, R. 70-W, 6 PM; thence westerly along the south line Secs. 12, 11, and 10, T. 22-S, R. 70-W, 6 PM to the southwest Cor. said Sec. 10; thence southerly along the east line of

Secs. 16, 21, and 28 to the southeast Cor. said Sec. 28, all in T. 22-S, R. 70-W, 6 PM; thence westerly along the south line of Secs. 28, 29, and 30, T. 22-S, R. 70-W, 6 PM, and along the south line of Secs. 25, 26, 27, 28, 29, and 30, T. 22-S, R. 71-W, 6 PM, and along the south line of Secs. 25, 26, 27, 28, 29, and 30, to the southwest Cor. of Sec. 30, all in T. 22-S, R. 72-W, 6 PM; thence northerly along the west line of R. 72-W, 6 PM, to the northwest Cor. Sec. 30, T. 19-S, R. 72-W, 6 PM, which is the point of beginning; less an area in Custer County more particularly described as:

beginning at a point, which point is the North Quarter Cor. Sec. 19, T. 21-S, R. 72-W, 6 PM; thence easterly along the north line of said Sec. 19, 20 and 21 to the northeast Cor. Sec. 21, T. 21-S, R. 72-W, 6 PM; thence southerly along the east line of Secs. 21, 28, and 33, T. 21-S, R. 72-W, 6 PM, and along the east line of Secs. 4 and 9, T. 22-S, R. 72-W, 6 PM, to the northeast Cor. $SE\frac{1}{4}$, $SE\frac{1}{4}$ said Sec. 9; thence easterly through Secs. 10 and 11, T. 22-S, R. 72-W, 6 PM, to the northeast Cor. $SE\frac{1}{4}$, $SE\frac{1}{4}$ said Sec. 11; thence southerly along the east line of Secs. 11, 14 and 23 to the southeast Cor. $NE\frac{1}{4}$, $NE\frac{1}{4}$ Sec. 23, all in T. 22-S, R. 72-W, 6 PM; thence westerly across Secs. 23, 22, 21, 20, and 19 to the southwest Cor. $NW\frac{1}{4}$, $NE\frac{1}{4}$ Sec. 19, all in T. 22-S, R. 72-W, 6 PM; thence northerly through Secs. 19, 18, 7 and 6, all in T. 22-S, R. 72-W, and across Secs. 31, 30, and 19, T. 22-S, R. 72-W, 6 PM, to the North Quarter Cor. said Sec. 19, which point is the point of beginning; the above area being exclusive territory of others.

That if and in the event Applicant and Public Service, or Applicant and Southern, fail to agree on the right to serve any customer, or customers, within the non-exclusive territories as described above, either interested utility, or both, shall apply to this Commission, by formal application, for a determination of said right to serve.

That service by Applicant shall be available to members and non-members alike and without discrimination.

That Applicant shall within eight (8) months from the effective date of this Order, or sooner in the event Applicant holds a special meeting for its stockholders, amend its Articles of Incorporation:

(1) to provide that service shall be available to members and non-members alike and without discrimination; and

(2) to provide that the Board of Directors is authorized to establish the rates for electric service to be provided by Applicant, subject to acceptance by or approval of the Public Utilities Commission of the State of Colorado.

That Applicant shall set up and maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

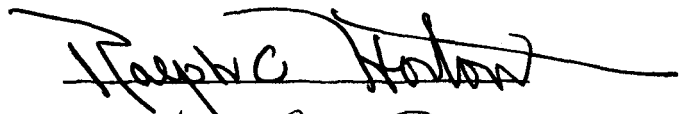


That Applicant shall continue to apply its rates, rules and regulations as now on file with this Commission or as they may be amended from time to time in accordance with the law and the rules and regulations of this Commission.

That within sixty (60) days from the effective date of this Order, Applicant shall file with this Commission the necessary amendments to its rates, rules and regulations now on file so as to provide rates, rules and regulations to be effective throughout its entire exclusive and non-exclusive territory.

That it shall maintain its operations as a public utility in accordance with the Rules Regulating the Service of Gas and Electric Utilities promulgated by this Commission now in effect and as they may hereafter be amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 25th day of September, 1958.

ea

original

(Decision No. 50985)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY J. SEABORN, JR., 2800 EAST)
BOULDER, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 16548-PP

September 25, 1958

Appearances: Robert M. Laura, Esq., Colo-
rado Springs, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein testified he is the owner of a 1955 Ford Dump Truck, with which he proposes to conduct his operations; that he has a net worth of \$2,750; that he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he has had many requests for his proposed operations.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Henry J. Seaborn, Jr., Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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; operations hereunder to be limited to the use of dump trucks, only.

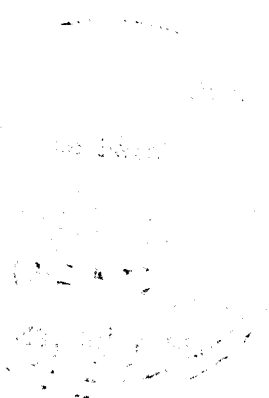
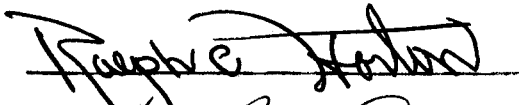

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 25th day of September, 1958.

mls

original

(Decision No. 50986)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
KENNETH J. STREBEL, DOING BUSINESS)	
AS "ROCKY MOUNTAIN TRANSPORT," 1228)	
NEWTON STREET, DENVER, COLORADO, FOR)	APPLICATION NO. 16563-PP-Extension
AUTHORITY TO EXTEND OPERATIONS UNDER)	
PERMIT NO. B-5094.)	
-----)	

September 26, 1958

Appearances: Kenneth J. Strebel, Denver,
Colorado, pro se;
Howard Yelverton, Denver,
Colorado, for Goldstein
Transportation & Storage,
Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend operations under Permit No. B-5094, so that said permit, as extended, will authorize him to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of plaster board, together, from time to time, with a few pieces of lumber, from lumber yards situated within a twenty-mile radius (rather than a fifteen-mile radius) of Colfax and Broadway, in Denver, Colorado, and including the City and County of Denver, Colorado, to building construction jobs within the same area, for Barnett Lumber Company, of Denver, Colorado, (rather than for University Park Lumber Company, Santa Fe Lumber Company, and Barr Lumber Company), only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 18, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, J. Goldberg appeared in support of the application, representing Barnett Lumber Company, stating his company had requested applicant to file the instant application; that common carrier service was not adequate to take care of their needs, inasmuch as they needed a trucker on hand at all times; that if authority herein sought is granted, his company will use applicant's services.

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

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

It does not appear that applicant's proposed extended services will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to extend operations under Permit No. B-5094, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Kenneth J. Strebel, doing business as "Rocky Mountain Transport," Denver, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-5094, so that said permit, as extended, shall authorized him to operate as a private carrier by motor vehicle for hire, for the transportation of:

plaster board, together, from time to time, with a few pieces of lumber, from lumber yards situated within a twenty-mile radius of Colfax and Broadway, in Denver, Colorado, and including the City and County of Denver, to building construction jobs within the same area, for Barnett Lumber Company, of Denver, Colorado, only.

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

Ralph C. Holm
John P. Thompson
Joseph F. Rigio
Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN A. LAURO, 4048 NAVAJO STREET,)	
DENVER, COLORADO, FOR A CLASS "B")	APPLICATION NO. 16559-PP
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

September 26, 1958

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, of Jones and
Meiklejohn, Esqs., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.;
Howard Yelverton, Denver, Colo-
rado, for Goldstein Trans-
portation & Storage, Inc.

S T A T E M E N T

By the Commission:

Applicant herein 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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 points within a radius of fifty miles of said mines; brick, from brick yards in

Denver and in Golden, Colorado, to Denver, Colorado, and to points within a radius of twenty-five miles of Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 18, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

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

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

At the hearing, protestants stated they had no objection to the granting of authority herein sought, if operations were limited to the use of dump trucks, but protested the granting of authority to transport brick.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That John A. Lauro, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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; 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; 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; 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 points within a radius of fifty miles of said mines, operations hereunder to be limited to the use of dump trucks, only.

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 authority sheets.

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, in all other respects, Application No. 16559-PP should be, and the same is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. [Signature]
John P. Thompson
Joseph F. [Signature]
Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE MARQUEZ, 2356 COURT PLACE, DEN-)
VER, COLORADO, FOR A CLASS "B" PER-) APPLICATION NO. 16560-PP
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-----)

September 26, 1958

Appearances: Joe Marquez, Denver, Colo-
rado, pro se;
Leslie R. Kehl, Esq., Denver,
Colorado, of Jones and
Meiklejohn, Esqs., Denver,
Colorado, for R.B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a
Class "B" private carrier by motor vehicle for hire, for the
transportation of sand, gravel, and other road-surfacing
materials 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; 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; 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;
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, and requests that in the event authority herein
sought is granted, operating rights be known as "Permit No.
.B-3877," being the number of a permit formerly held by him.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 18, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that it was agreeable that any authority granted herein be limited to the use of dump trucks.

As limited by applicant's testimony, no objections were interposed to the granting of authority herein sought.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Joe Marquez, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel and other 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; 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;

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; 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, operations hereunder to be limited to the use of dump trucks, only.

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

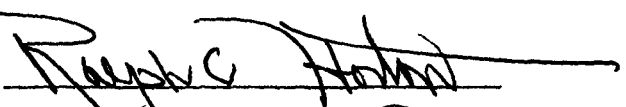


That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 operating rights herein granted shall be known as "Permit No. B-3877."

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 26th day of September, 1958.

ea

original

(Decision No. 50989)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILLIAM W. RICHARDS, 152 SOUTH)	
DOWNING STREET, DENVER, COLORADO,)	APPLICATION NO. 16562-PP
FOR A CLASS "B" PERMIT TO OPERATE)	
AS A PRIVATE CARRIER BY MOTOR VE-)	
HICLE FOR HIRE.)	
-----)	

September 26, 1958

Appearances: Mert C. Reese, Esq., Denver,
Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, of Jones and
Meiklejohn, Esqs., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, William W. Richards, Denver, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 18, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant's net worth is \$10,000; that he is the owner of a dump truck, with which he proposes to conduct his operations if authority herein sought is granted; that he is agreeable that authority be limited to the use of dump trucks.

As limited by applicant's testimony, there were no objections interposed to the granting of authority herein sought.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That William W. Richards, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highway, 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; 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; 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; 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, operations hereunder to be limited to the use of dump trucks, only.

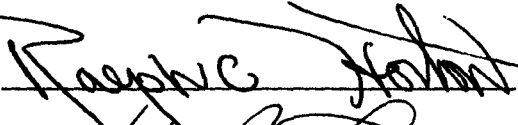


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 26th day of September, 1958.

ea

original

(Decision No. 50990)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TERRY D. EVANS, 1219 NORTH FRANKLIN,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 16546-PP

September 26, 1958

Appearances: Terry D. Evans, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

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

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicant testified he is the owner of a 1951 Chevrolet Dump Truck, which he proposes to use in the conduct of his operations; that his net worth is \$8,000; that he has received many requests for his proposed operations.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Terry D. Evans, Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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; operations hereunder to be limited to the use of dump trucks, only.

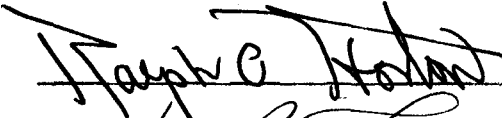

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERLE G. CLARK, 614 LYNN, COLORADO)
SPRINGS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16544-PP

September 26, 1958

Appearances: Verle G. Clark, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

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

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicant herein testified he is the owner of a 1958 Chevrolet tandem dump truck, which he proposes to use in the conduct of his operations; that his net worth is \$10,000; that he has received many requests for the services proposed by him.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and

foregoing Findings should be, and the same hereby is, approved.

That Verle G. Clark, Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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; operations hereunder to be limited to the use of dump trucks, only.

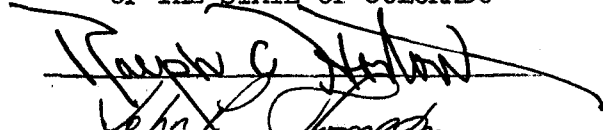
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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


Verle G. Clark
Commissioner

COMMISSIONER NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of September, 1958.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
MAX A. SHARP, 1907 SOUTH HANCOCK,
COLORADO SPRINGS, COLORADO, FOR A
CLASS "B" PERMIT TO OPERATE AS A
PRIVATE CARRIER BY MOTOR VEHICLE
FOR HIRE.

APPLICATION NO. 16549-PP

September 26, 1958

Appearances: Max A. Sharp, Colorado
Springs, Colorado,
pro se.

S T A T E M E N T

By the Commission:

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

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein testified that he is the owner of a 1952 G.M.C. tandem dump truck, which he proposes to use in the conduct of his operations; that his net worth is \$4,000; that he is presently transporting sand and gravel under Temporary Authority issued by this Commission; that he has received many requests for his proposed service.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Max A. Sharp, Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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; operations herein authorized to be limited to the use of dump trucks, only.

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

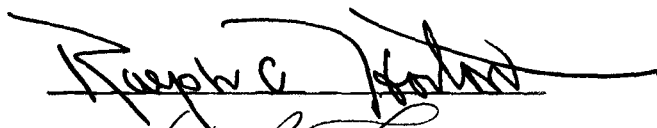

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of September, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ATCHISON, TOPEKA, AND SANTA FE)
RAILWAY COMPANY, DENVER CLUB BUILD-)
ING, DENVER, COLORADO, FOR PERMIS-)
SION TO CONSOLIDATE ITS PASSENGER)
TRAINS NOS. 190 AND 201 WITH THE)
COLORADO AND SOUTHERN RAILWAY COM-)
PANY, (509 17TH STREET, DENVER,)
COLORADO), TRAINS NOS. 28 AND 27)
BETWEEN PUEBLO, COLORADO, AND)
DENVER, COLORADO.)
-----)

APPLICATION NO. 16476

September 24, 1958

Appearances: Grant, Shafroth, Toll and
McHendrie, Esqs., Denver,
Colorado, for Applicants;
Henry S. Sherman, Esq., Denver,
Colorado, for Protestants.

S T A T E M E N T

By the Commission:

On July 21, 1958, the above-styled application was filed with the Commission.

Said matter was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 13, 1958, at ten o'clock A. M., at which time and place said matter was heard, and continued for further hearing on October 1, 1958, at the Hearing Room of the Commission, at ten o'clock A. M.

On September 15, 1958, request for continuance of the hearing of said matter set for October 1, 1958, was filed with the Commission by Henry S. Sherman, Attorney for Protestants herein.

On September 16, 1958, objection to the granting of continuance of said hearing was filed with the Commission by Grant, Shafroth, Toll and McHendrie, Attorneys for Applicants herein.

The Commission has carefully considered said petitions filed herein, and is of the opinion that continuance of said hearing set for October 1, 1958, should not be granted, inasmuch as decision cannot be rendered by this Commission until said further hearing is held, and the fact that said continued hearing has been set since August 13, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That request for continuance of hearing of the above-styled matter, presently set for October 1, 1958, should be denied.

O R D E R

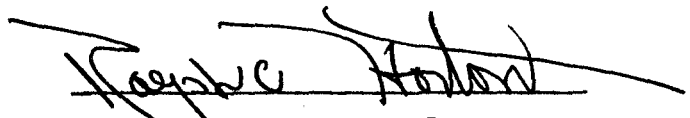


THE COMMISSION ORDERS:

That request for continuance of further hearing of Application No. 16476, presently set for October 1, 1958, filed by Henry S. Sherman, Attorney for protestants herein, should be, and the same hereby is, denied.

That said Application No. 16476 will come before the Commission for further hearing, as heretofore set, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, October 1, 1958, at ten o'clock A. M.

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 24th day of September, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HORACE SHARP, 210 EAST JACKSON,)
PHOENIX, ARIZONA.)
-----)

PUC NO. 3072-I

September 29, 1958

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____

Horace Sharp, Phoenix, Arizona,

requesting that Certificate of Public Convenience and Necessity No. 3072-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. 3072-I heretofore issued to _____

Horace Sharp, Phoenix, Arizona,

be, and the same is hereby declared cancelled effective September 7, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ray C. [Signature]
John P. Thompson
Joseph F. [Signature]
Commissioners

Dated at Denver, Colorado,
this 29th day of September, 1958

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LEASED TRUCKS, INC., 3112)
HIGHWAY NORTH, SIOUX CITY,)
IOWA.)

PUC NO. 4093-I

September 29, 1958

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Leased Trucks, Sioux City, Iowa,

requesting that Certificate of Public Convenience and Necessity No. 4093-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. 4093-I heretofore issued to

Leased Trucks, Sioux City, Iowa.

be, and the same is hereby, declared cancelled effective September 6, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Handwritten signatures of Commissioners]
Commissioners

Dated at Denver, Colorado,
this 29th day of September, 1958

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ED AND ROBERT YOST AND W. R. GREGORY,)
DOING BUSINESS AS "YOST AND GREGORY)
TRUCKING", ROUTE 2, BOX 298, LOVELAND,)
COLORADO.)
-----)

PERMIT NO. M-1723

SEPTEMBER 29, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ed and Robert Yost
and W. R. Gregory, d/b/a "Yost and Gregory Trucking," Loveland, Colorado,
requesting that Permit No. M-1723 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1723, heretofore issued to Ed and Robert Yost
and W. R. Gregory, d/b/a "Yost and Gregory Trucking," Loveland, Colorado, be,
and the same is hereby, declared cancelled effective September 21, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ray C. [Signature]
John Thompson
Joseph S. Negro
Commissioners

Dated at Denver, Colorado,

this 29th day of September, 195 8

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ED AND ROBERT YOST AND W. R.)
GREGORY, DOING BUSINESS AS)
"YOST AND GREGORY TRUCKING",)
ROUTE 2, BOX 298, LOVELAND,)
COLORADO.)
- - - - -)

PUC NO. 3238-I

- - - - -
September 29, 1958
- - - - -

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-holders requesting that their PUC No. 3238-I be suspended for six months from September 21, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

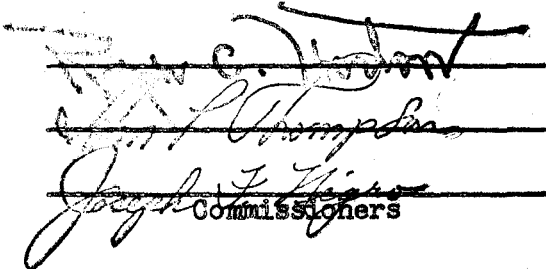
O R D E R

THE COMMISSION ORDERS:

That Ed and Robert Yost and W. R. Gregory, d/b/a
Yost and Gregory Trucking, Loveland, Colorado,
be, and they are hereby, authorized to suspend operations under PUC No. 3238-I until March 21, 1959.

That unless said certificate-holders 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


Commissioners

Dated at Denver, Colorado,
this 29th day of September 1958

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 50998)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL L. ODLE, 825 DELAWARE)
STREET, DENVER 4, COLORADO.)
-----)

PERMIT NO. B-4865

September 29, 1958

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-4865 be suspended for six months from June 1, 1958.

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 Carl L. Odle, Denver, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-4865 until December 1, 1958.

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

Robert C. Gordon
John J. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 29th day of September, 1958

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 50999)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LESTER D. COX, OLNEY SPRINGS,)
COLORADO.)
-----)

PERMIT NO. B-4616

September 29, 1958

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-4616 be suspended for six months from September 17, 1958.

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 Lester D. Cox, Olney Springs, Colorado.

be, and he is hereby, authorized to suspend his operations under Permit No. B-4616 until March 17, 1959.

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

[Signature]
[Signature]
[Signature]
Commissioners

Dated at Denver, Colorado,
this 29th day of September, 1958

mjm

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED J. SHANK, DOING BUSINESS AS)
"AAA TRANSFER," 1210 WEST COSTILLO)
STREET, COLORADO SPRINGS, COLORADO,) APPLICATION NO. 16291-Extension
FOR A CERTIFICATE OF PUBLIC CONVEN-) Amended
IENCE AND NECESSITY, AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 3345.)

September 26, 1958

- Appearances: C. Lee Goodbar, Esq., Colo-
rado Springs, Colorado,
and
Paul V. Evans, Esq., Colo-
rado Springs, Colorado,
for Applicant;
R. Geo. Silvola, Esq., Colo-
rado Springs, Colorado,
for Dalby Transfer and
Storage, Inc.;
H. D. Hicks, Denver, Colo-
rado, for Centennial
Truck Lines, Inc.;
J. C. Reinhard, Colorado
Springs, Colorado, for
Weicker Transfer and
Storage Co.;
I. C. Stringer, Colorado
Springs, Colorado, for
Goldstein Transportation
& Storage, Inc.;
Barry, Hupp & Dawkins, Esqs.,
Denver, Colorado, by John
R. Barry, Esq., for McCann
Brothers Transfer Co.,
Cowen Transfer & Storage
Co., Wandell & Lowe Trans-
fer & Storage Co., Nicoll
Warehousing Co., Inc.

S T A T E M E N T

By the Commission:

The applicant presently holds authority to operate as a
motor vehicle common carrier pursuant to PUC No. 3345, for the
transportation of household goods, baggage and freight, from point

to point within the City of Colorado Springs, Colorado, operations to be limited to the use of one one-ton truck, having acquired this authority from Thomas W. Gallo in 1956, pursuant to our Decision No. 46168.

In 1957, the applicant applied to have this authority enlarged territorially to permit him to serve the area within twenty-five miles of Colorado Springs and to remove the limitation upon the number of trucks. Upon due notice, that application was heard in Colorado Springs in September, 1957. The applicant adduced a good deal of evidence, reviewed in our Decision No. 48807, and then voluntarily amended his application so as to restrict it to points within ten miles of Colorado Springs, limited to the use of not to exceed three vehicles. By that Decision, we denied the application.

On March 19, 1958, the present application was filed, again seeking authority within a ten mile radius of Colorado Springs, and again asking the use of three trucks.

Upon due notice, hearing on this application commenced in Colorado Springs, Colorado, May 16, 1958, and was concluded September 10, 1958. The matter now stands submitted for decision.

After six public witnesses and the applicant had testified in support of the application, the applicant voluntarily restricted his application still further by amendment so as to request authority only within the City Limits of Colorado Springs, carrying the presently authorized commodities, but authorizing the use of three trucks instead of the present one, the three trucks to be a one-half-ton truck, a one-ton truck, and a one and one-half-ton truck. Upon hearing this amendment, all of the protestants withdrew their protests and the matter now stands uncontested.

In these circumstances, it would appear that we could with justification approve the application without further discussion, there being no one to complain. In view of the past history of this

applicant, however, it appears to us desirable to review the present application.

Among the public witnesses who testified this time was the operator of Elgas Piano and Gift Shop, who has used the applicant's service inside the City and needs it outside the City, he said. The applicant no longer wishes to provide this service. The service he requires is emergency service only, but nevertheless is of such a nature that it is expensive to Mr. Elgas not to have the applicant's service available.

Mr. William Carroway, Chamber of Commerce Industrial Development Director, submitted extensive data concerning the population growth of the Colorado Springs area. The applicant can serve the City now, and has abandoned his application for authority outside.

Mr. Jess Young, a real estate property manager, has found the applicant's service inside the City excellent and feels they are required outside the City.

Mr. Robert Burger, of Security, had occasion to have furniture moved outside the City Limits and was unable to obtain other service within a reasonable time from existing carriers, he said.

Mr. Al Belleau, a real estate property manager, has never used any one else's services, but has found the applicant's service quite satisfactory inside the City and would like to see it approved outside.

Mr. Leslie Neppel, formerly a trailer court operator, would have used the applicant's service outside the City while in that business, for the transportation of building materials, had the applicant been authorized to carry these commodities. We note that the applicant does not seek authority to carry these commodities, even in his present application.

The applicant's testimony was generally to the effect that

he is qualified financially and by experience to perform the service inside the City but finds it inconvenient to do so with the limited amount of equipment he now possesses. His business has increased and he is receiving requests to transport larger loads, with the result that he now wants more and larger equipment. He says that he can make a living now, but he wants to make a better one.

We are disposed to grant the application as restricted. However, in order that the applicant may not be lulled into believing that he will be permitted to continue, step by step, by successive applications, to encroach upon the business and revenue of long established carriers adequately serving the area, we feel that the time has now come when we and this applicant should take a frank look at this applicant's situation. This authority was not originally issued on the basis of any public need for the service in that area, but only on the basis of the constitutional right of the former owner Gallo to continue the small operation he was conducting inside the City Limits of Colorado Springs at the time this Commission acquired regulatory authority in that City, pursuant to Constitutional Amendment. At the time the present applicant bought this authority, it was specifically brought to his attention that the authority was quite limited in nature; we presume that he paid a price accordingly. Within a very short time after making his purchase, the applicant became dissatisfied with it, and filed his first extension application mentioned above. At the hearing of that application, a number of witnesses appeared who indicated they might desire his service outside the City Limits, or in larger equipment. The local household goods and various commodity carriers serving the area vigorously protested that application. The applicant retreated from his position under the brunt of this protest, after putting on his case. That application was denied.

Within only a few months, the applicant filed the present application, seeking substantially the same authority. As before, he proceeded to a full scale hearing, again putting the protestants to considerable trouble and expense to defend. The witnesses he produced, if they are to be believed, testified only because they felt a need for his service outside the City Limits. No one desired any additional service inside the City. By making his present restrictive amendment, the applicant has abandoned every one of these witnesses. He has no witnesses whatsoever having any need for expanded service inside the City Limits, and now refuses to pursue the only authority the public witnesses support. This hearing extended over more than a day, however, before the applicant collapsed his application.

No law brought to our attention requires that we require existing business men adequately serving their area to go to the expense of defending repeated applications largely abandoned on two occasions, merely because this applicant sees fit to file them. Moreover, it must be recognized that in most Cities there is an actual need for the small "hot shot" pickup and delivery service which is entirely independent and separate from the need for household goods carriers. It is not correct to assume that such a speedy delivery carrier will grow, or indeed ought to grow into any other type carrier. Quite the contrary. If the speedy delivery carrier becomes a household goods carrier, he then abandons his speedy delivery and the public is left without the service they require.

We point out to this applicant that the present authority is restricted in a manner which he has voluntarily sought; it is a condition entirely of his own making; that at no time, including the present application, has he ever shown any public need for any additional household goods or general freight transportation within or outside the City Limits of Colorado Springs. He must not expect that

he will be permitted to continue his erosion of the business of other legitimate authorized carriers who have shown a need for their service, merely because he finds it inconvenient to operate on a limited scale. The present authority is a situation entirely of his own voluntary creation and we do not expect to entertain applications for its extension. We feel that at two thorough hearings the applicant has been offered a full opportunity to establish any point he feels capable of establishing and accordingly that the present Decision makes a final resolution of the service offered under this authority.

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 public convenience and necessity require the proposed extended service of applicant under PUC No. 3345, as amended, and as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier call and demand service of Alfred J. Shank, doing business as "AAA Transfer," Colorado Springs, Colorado, under PUC No. 3345, as amended, so that as amended it will authorize motor vehicle common carrier operations for the:

transportation of household goods, baggage, and freight, from point to point within the corporate limits of the City of Colorado Springs, Colorado, as now or hereafter existing; all operations hereunder being limited to the use of a total of three trucks, which are to be a single one-half-ton truck, a single one-ton truck, and a single one and one-half-ton truck,

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.

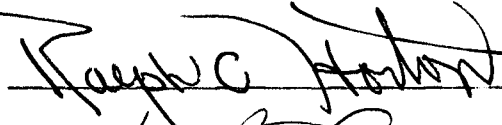

That this Order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

That as of the day and date of this Order all previous descriptions of this authority be, and the same hereby are, cancelled.

That in all other respects the above-styled application 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



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of September, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WM. E. BRAZIER, JR., 23 NORTH WAH-)
SATCH, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 16543-PP

September 29, 1958

Appearances: William E. Brazier, Jr.,
Colorado Springs, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

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

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicant herein testified he is the owner of a 1958 Chevrolet tandem dump truck, with which he proposes to conduct his operations; that his net worth is \$5,000; that he is presently engaged in transportation of sand and gravel under a Temporary Authority issued by this Commission; that he has received many requests for his proposed services.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to on the above and foregoing Findings should be, and the same hereby is, approved.

That Wm. E. Brazier, Jr., Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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; operations hereunder to be limited to the use of dump trucks, only.

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

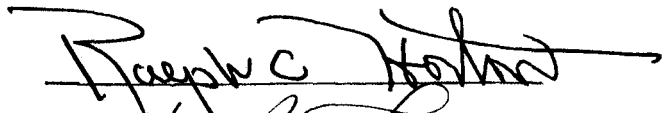

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

mls

original

(Decision No. 51002)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ORVAL WEESNER, DOING BUSINESS AS)
"ORVAL WEESNER LANDSCAPE GARDENERS,")
2907 WEST BOULDER, COLORADO SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16551-PP

September 29, 1958

Appearances: Orval Weesner, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

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

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicant testified that he is the owner of a 1948 Chevrolet Dump Truck and a 1952 Chevrolet flat bed truck, which he proposes to use in the conduct of his operations; that he has a net worth of \$40,000; that he is presently operating under a Temporary Authority issued by this Commission; that he has received many requests for his proposed operations.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Orval Weesner, doing business as "Orval Weesner Landscape Gardeners," Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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; operations hereunder to be limited to the use of dump trucks, only.

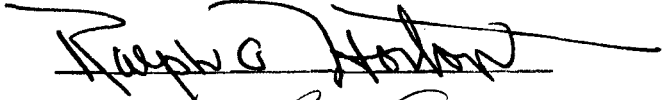

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

mls

original

(Decision No. 51003)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DENVER & RIO GRANDE WESTERN)
RAILROAD COMPANY, RIO GRANDE BUILD-)
ING, DENVER, COLORADO, TO CLOSE THE)
RAILROAD STATION AT CREEDE, COLORADO.)

APPLICATION NO. 16558

At a General Session of The
Public Utilities Commission
of the State of Colorado,
held at its offices in Den-
ver, Colorado, September 24,
1958.

INVESTIGATION AND SUSPENSION DOCKET NO. 416

September 25, 1958

S T A T E M E N T

By the Commission:

On August 21, 1958, The Denver & Rio Grande Western Railroad Company, by W. C. Horner, Superintendent of Transportation, filed its petition under Rule No. 6 of the Commission's Rules and Regulations Pertaining to Railroads Operating in the State of Colorado.

Request was made by petitioner for an order authorizing the withdrawal of its agent from the Station at Creede, Mineral County, Colorado, effective September 25, 1958, and thereafter to maintain Creede, Colorado, as a non-agency Station. Agency service at Creede is now provided by an agent on duty from 9:00 A. M., until 6:00 P. M., Monday through Friday.

As indicated by petitioner, practically all of the carload business at Creede has been for the account of the Imperious Mining Company; that a few months ago the Imperious Mining Company closed down its mining operations at Creede, and since that time there have been no carload shipments from or to Creede; that in the event there

should be any carload shipments from or to Creede in the future, the billing for such shipments can be handled satisfactorily and conveniently for all concerned by the petitioner's agent at Del Norte, Colorado. As a matter then, of more efficient and economical management, it is proposed to close the agency Station at Creede, Colorado.

Applicant reports that there is very little less-than-carload business from and to Creede, Colorado, and that for several years all less-than-carload shipments have been, and now are being handled in substituted truck service with pick-up and delivery service being furnished consignors and consignees at Creede.

Creede is located near the end of petitioners Creede branch which extends between Alamosa, Colorado, and a point located approximately 1-1/10 miles northwest of the Town. Creede is also situated approximately 38 miles northwesterly from the agency station of Del Norte, Colorado, and is served by a good surfaced all weather highway.

Applicant states that during the past several years no mail has been handled from or to Creede, nor has any express, milk, or cream shipments or passengers been handled over the rail line. Hence, withdrawal of the petitioner's agent at Creede will have no adverse effect upon the service in this respect to the people of Creede, Colorado.

The intention of Applicant having been properly publicized by the posting of public notice at its Station in Creede, the Commission has received numerous protests indicating that discontinuance of the agency service will cause great inconvenience to the residents of Creede and adjacent area.

It appears then that all residents of the Creede area are not in accord with the proposed Station closing; therefore, in order to obtain a full understanding of this situation, it is necessary to suspend the effective date of the proposed closing so that a more complete investigation may be had. The application and file in this matter

will, therefore, be transferred to Investigation and Suspension Docket No. 416 on the Commission's Docket.

F I N D I N G S

THE COMMISSION FINDS:

That the application of The Denver & Rio Grande Western Railroad Company to withdraw its agency station at Creede, Colorado, should be suspended pending a more complete investigation of the matter.

O R D E R

THE COMMISSION ORDERS:

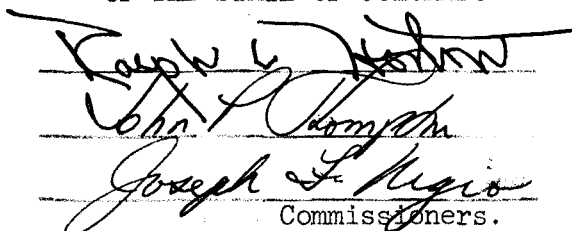
That the effective date of the proposed station closing at Creede, Colorado, by The Denver & Rio Grande Western Railroad Company, Denver, Colorado, be, and it hereby is, suspended for a period of one hundred twenty (120) days from September 25, 1958, or until January 23, 1959, unless otherwise ordered.

That Application No. 16558, originally assigned to the instant proceedings, be, and it is hereby, closed, and all records and files of said application be transferred to Investigation and Suspension Docket No. 416.

That a copy of this Order be filed with Application No. 16558 and with Investigation and Suspension Docket No. 416 and copies be served on T. A. White, Esq., Rio Grande Building, Denver, Colorado, Attorney for Applicant; and the following protestants herein: W. M. Epstein, General Chairman, The Order of Railroad Telegraphers, 633 Cooper Building, Denver 2, Colorado; Gordon E. Hasselkus, Chairman, Board of County Commissioners of The County of Mineral, Creede, Colorado; Richard E. Conour, Esq., Del Norte, Colorado; Paul J. Snyder, Sublet Mining Company, Creede, Colorado; and Mrs. Hester Wilhelm, Creede, Colorado (for Petitioners).

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 29th day of September, 1958.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ALSON W. STEELE, BOX 48, LA PORTE,) PERMIT NO. B-4852
COLORADO.)

September 26, 1958.

S T A T E M E N T

By the Commission:

On April 28, 1958, the Commission authorized Alson W. Steele to suspend operations under his Permit No. B-4852 until October 21, 1958.

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

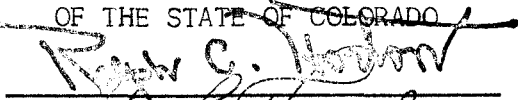
THE COMMISSION FINDS:

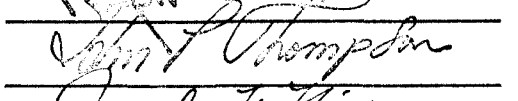
That the request should be granted.

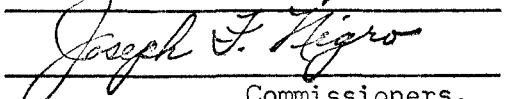
O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4852 should be, and the same hereby is, reinstated as of September 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 26th day of September, 1958.

original

(Decision No. 51005)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DON SMITH, DOING BUSINESS AS "DON'S)	
TRUCKING," 802 BONITA, COLORADO)	
SPRINGS, COLORADO, FOR A CLASS "B")	APPLICATION NO. 16545-PP
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
- - - - -)	

- - - - -
September 29, 1958
- - - - -

S T A T E M E N T

By the Commission:

By the above-styled application, Don Smith, doing business as "Don's Trucking," Colorado Springs, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to

conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing said application, applicant failed to appear, either in person or by counsel.

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

Report of the Examiner further states that the files of the Commission disclose that applicant is well qualified, financially and by experience, to conduct the proposed operations; that he has been operating under a Temporary Authority heretofore issued by this Commission; that proper insurance filing has been made with the Commission covering such operations.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority sought be granted.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above

and foregoing Findings should be, and the same hereby is, approved.

That Don Smith, doing business as "Don's Trucking," 802 Bonita, Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, all operations hereunder to be restricted to the use of dump trucks, only.

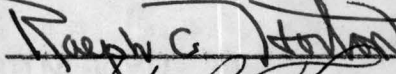
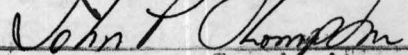
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO

NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

es

original

(Decision No. 51006)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE W. GARNEY AND FLORENCE A.)
GARNEY, CO-PARTNERS, 631 KIMNI-)
KINNIK, COLORADO SPRINGS, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 16547-PP

September 29, 1958

S T A T E M E N T

By the Commission:

By the above-styled application, George W. Garney and Florence A. Garney, Colorado Springs, Colorado, seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; insulreck, 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 was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing said application, applicants failed to appear, either in person or by counsel.

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

Report of the Examiner further states that the files of the Commission disclose that applicants are well qualified, financially and by experience, to conduct the proposed operations; that they have been operating under a Temporary Authority heretofore issued by this Commission; that proper insurance filing has been made with the Commission covering such operations.

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

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

It does not appear that applicants' proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicants.

Report of the Examiner recommends that authority sought be granted.

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 Report of the Examiner referred to therein should be approved.

That applicants herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That George W. Garney and Florence A. Garney, co-partners, Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; and 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; 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; 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, all operations hereunder being restricted to the use of dump trucks, only.

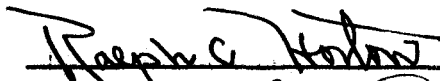
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.


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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

ea

original.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARVEY BRAGG, 503 EAST WILLAMETTE,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A) APPLICATION No. 16542-PP
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

September 29, 1958

Appearances: Harvey Bragg, Colorado Springs,
Colorado, pro se.

S T A T E M E N T

By the Commission:

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

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, applicant herein testified he is presently engaged in transportation of sand and gravel, under a Temporary Authority issued by this Commission; that he is the owner of a Ford Dump Truck and a G.M.C. Dump Truck; that his net worth is \$40,000; that he has received many requests for his proposed service.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Harvey Bragg, Colorado Springs, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, all of said operations being restricted to the use of dump trucks, only.

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 authority sheets.

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. Holm
Carl P. Thompson
Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

original

(Decision No. 51008)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROSE V. KERRIGAN, PENROSE, COLORADO,) APPLICATION NO. 16537-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-4960.)

September 29, 1958

Appearances: Mrs. Rose V. Kerrigan, Pen-
rose, Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, Rose V. Kerrigan, Penrose, Colorado, was author-
ized to operate as a Class "B" private carrier by motor vehicle for
hire, for the transportation of:

sand, gravel, dirt, stone, rock, and other
road-surfacing materials, from pits and
supply points in the State of Colorado, to
road and building construction jobs, and
to mixer and processing plants within a
radius of seventy-five miles of said pits
and supply points,

said operating rights being known as "Permit No. B-4960."

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-4960, to in-
clude the right to transport clay, from pits within a radius of
twenty miles of Penrose, Colorado, to brick yards, supply points, and
railroad loading points within a radius of seventy-five miles of Pen-
rose, Colorado.

Said application was regularly set for hearing before the
Commission, at the Court House, Pueblo, Colorado, September 2, 1958,
at ten o'clock A. M., due notice thereof being forwarded to all
parties in interest.

On August 15, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, 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 Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Rose V. Kerrigan testified she is the owner and operator of Permit No. B-4960; that she has suitable and ample equipment with which to perform her proposed extended services; that her net worth is \$20,000; that she has received many requests for her proposed extended services.

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

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

It does not appear that applicant's extended operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant herein.

Report of the Examiner recommends that authority sought should be granted.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to extend operations under Permit No. B-4960, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

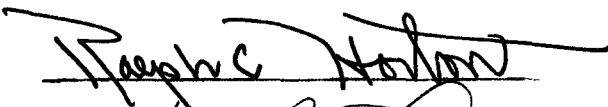

That Report of the Examiner referred to in the above and

foregoing Findings should be, and the same hereby is, approved.

That Rose V. Kerrigan, Penrose, Colorado, should be, and she hereby is, authorized to extend operations under Permit No. B-4960, to include the right to transport clay, from pits and supply points within a radius of twenty miles of Penrose, Colorado, to brick yards, supply points, and railroad loading points within a radius of seventy-five miles of Penrose, 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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

mls

original

(Decision No. 51009)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LOUIS B. SANTISTEVAN, BOX 1,)	
CROWLEY, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A PRIVATE CAR-)	APPLICATION NO. 16538-PP
RIER BY MOTOR VEHICLE FOR HIRE.)	

September 29, 1958

Appearances: Louis B. Santistevan,
Crowley, Colorado,
pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of grain, hay, ensilage, and sugar beets, from point to point within a radius of fifteen miles of Ordway, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Pueblo, Colorado, September 2, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 15, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant testified he is the owner of a 1958 Chevrolet Truck, which he

proposes to use in the conduct of his operations; that his net worth is \$5,000; that he has received many requests for his proposed services.

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

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

It does not appear that applicant's operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought should be granted.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Louis B. Santistevan, Crowley, 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 grain, hay, ensilage, and sugar beets, between points within a radius of fifteen miles of Ordway, Colorado.

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amend-

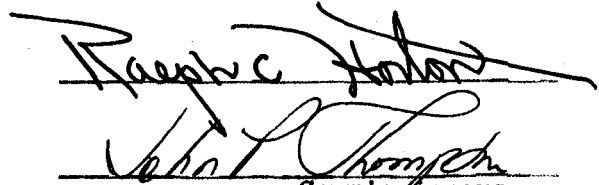
ments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

mls

original

(Decision No. 51010)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DALE F. CURTIS, 2513 NORTH MAIN,)
PUEBLO, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16535-PP

September 29, 1958

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said matter was regularly set for hearing before the Commission, at the Court House, Pueblo, Colorado, September 2, 1958, due notice thereof being forwarded to all parties in interest.

On August 15, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a re-

port of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel; that thereupon, the files were made a part of the record, and the matter was heard and taken under advisement; that the files disclose applicant is qualified, financially and by experience, to conduct his proposed operations; that he has been operating under Temporary Authority issued by this Commission; that he has proper Certificate of Insurance on file with the Commission.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of services of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Dale F. Curtis, Pueblo, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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.

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 authority sheets.

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 twentieth-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holm
John P. Thompson
Joseph V. Nigro
Commissioners.

Dated at Denver, Colorado,
this 29th day of September, 1958,

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
R. E. TAGUE, 828 SOUTH CASCADE,)	
COLORADO SPRINGS, COLORADO, FOR)	
AUTHORITY TO TRANSFER PERMIT NO.)	APPLICATION NO. 16550-PP-Transfer
B-5130 TO ELMER B. TAGUE, 828 SOUTH)	
CASCADE, COLORADO SPRINGS, COLO-)	
RADO.)	
-----)	

September 29, 1958

Appearances: Elmer B. Tague, Colorado
Springs, Colorado,
pro se.

S T A T E M E N T

By the Commission:

Heretofore, R E. Tague, Colorado Springs, Colorado, was
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, mixer and processing plants within
a radius of fifty miles of said pits and
supply points; 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;
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; insulrock, from pits and sup-
ply 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 Fremont County, to points within a
radius of fifty miles of Colorado Springs,
Colorado; firewood, from point to point
within a radius of fifty miles of Colorado
Springs, Colorado,

said operating rights being known as "Permit No. B-5130."

By the above-styled application, said permit-holder seeks authority to transfer said Permit No. B-5130 to Elmer B. Tague, Colorado Springs, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September 3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, transferee testified that he is the owner of a 1955 Chevrolet Dump Truck, and a 1954 Dodge Dump Truck; that he has a net worth of \$3,000; that there is no consideration for transfer of said permit; that there is no outstanding unpaid operating indebtedness against said permit; that he has been operating under Temporary Authority issued by this Commission; that he will obey the rules and regulations of the Commission, in the event authority herein sought is granted; that neither transferor nor transferee has any financial or proprietary interest in any other operating right issued by this Commission.

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

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

Report of the Examiner recommends that transfer herein sought be authorized.

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 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 outstanding indebtedness against said operation, if any there be.

O R D E R

THE COMMISSION ORDERS:

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

That R. E. Tague, Colorado Springs, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-5130 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference to Elmer B. Tague, Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

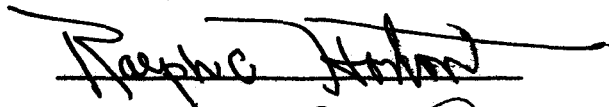

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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 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 days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of September, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DANIEL HARDRICK, 1109 WEST 18TH,)	
PUEBLO, COLORADO, FOR A CLASS "B")	APPLICATION NO. 16536-PP
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

September 29, 1958

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Court House, Pueblo, Colorado, September 2, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 12, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel; that thereupon, the files were made a part of the record, and the matter was heard and taken under advisement; that the files disclose applicant is qualified, financially and by experience, to conduct his proposed operations; that he has been operating under Temporary A uthority issued by this Commission; that he has proper Certificate of Insurance on file with the Commission.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of services of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Daniel Hardrick, Pueblo, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, all of said operations to be limited to the use of dump truck, only.

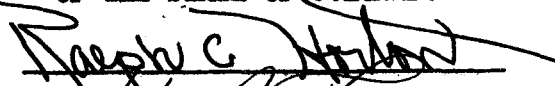


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 29th day of September, 1958.

ea

original

(Decision No. 51013)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BETTY POPAS, WIDOW OF BILL POPAS,)
DECEASED, ROUTE 3, BOX 324, PUEBLO,)
COLORADO, FOR AUTHORITY TO TRANSFER) APPLICATION NO. 16533-Transfer
PUC NO. 3940 TO JOSEPH WARD BITNER,)
2012 EAST 14TH, PUEBLO, COLORADO.)
-----)

September 29, 1958

S T A T E M E N T

By the Commission:

Heretofore, Bill Popas, Pueblo, Colorado, was granted 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:

trash, ashes, rubbish, dirt, junk, and any other waste matter, from and around the City of Pueblo, Colorado, and a fifteen-mile radius thereof, to dumps and disposal places designated for this purpose,

said operating rights being known as "PUC No. 3940."

Said Bill Popas, having departed this life, Betty Popas, Widow of Bill Popas, Deceased, Pueblo, Colorado, by the above-styled application, seeks authority to transfer said operating rights to Joseph Ward Bitner, Pueblo, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Pueblo, Colorado, September 2, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 15, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicants herein failed to appear, either in person or by counsel; that thereupon the files herein were made a part of the record, and the matter was heard and taken under advisement; that the files herein disclose that transferee is a fit and proper person to carry on said operation; that he has sufficient equipment with which to conduct said operations; that the County Court of Pueblo County, State of Colorado, on July 2, 1958, in Estate No. 14567, authorized the Administrator of the Estate of Bill Popas to transfer PUC No. 3940 to Betty Popas, Widow of said Bill Popas; that she has entered into an agreement to sell said PUC No. 3940 to Joseph Ward Bitner for the sum of \$50.00; that there are no outstanding unpaid operating obligations against said certificate.

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 authority herein sought.

Report of said Examiner recommends that authority herein sought should be granted.

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 Report of the Examiner referred to therein should be approved.

That the proposed transfer is compatible with the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Betty Popas, Widow of Bill Popas, Deceased, Pueblo, Colorado, should be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3940 -- with authority as set forth in the preceding Statement, which is made a part herof by reference -- to Joseph Ward Bitner, Pueblo, 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

Joseph C. Hoban
John P. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,
this 29th day of September, 1958
ss

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VEARL WILLIAMS, DOING BUSINESS AS)
"DIAMOND TRUCK LINE," 133 EAST)
SACKETT STREET, SALIDA, COLORADO,) APPLICATION NO. 16522-Extension
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY, AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 1250 AND PUC NO. 1250-I.)
-----)

September 30, 1958

Appearances: Broadstreet and Trainor, Esqs.,
Salida, Colorado, for
Applicant;
Rush and Rush, Esqs., Salida,
Colorado, for Salida Transfer
Company;
Boyle and Witty, Esqs., Salida,
Colorado, for Eveready Freight
Service, Inc.;
T. A. White, Esq., Denver, Colo-
rado, for Rio Grande Motor
Way, Inc.;
R. E. Turano, Denver, Colorado,
for Rio Grande Motor Way,
Inc.;
John Hanssen, Westcliffe, Colo-
rado, for Hanssen Truck Line.

S T A T E M E N T

By the Commission:

Heretofore, Vearl Williams, doing business as "Diamond
Truck Line," Salida, Colorado, was granted a certificate of public
convenience and necessity, being PUC Nos. 1250 and 1250-I, author-
izing him to operate as a common carrier by motor vehicle for hire,
for the transportation, on call and demand, of:

fish and farm products, including livestock,
into, out of, and between points within a
25-mile radius of Salida, Colorado, however
excepting from said territory all that part
of the described Salida area lying west of
the Continental Divide, now authorized to be
served by George Andreatta, Jr., and excepting
the solicitation of any business in all that
part of said area lying north of Centerville,
in competition with H. D. Flowers;

freight, interstate, between all points in the State of Colorado, and the Colorado State Boundary Lines, where all highways cross same, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the above-styled application, said certificate-holder seeks authority to extend operations under said PUC No. 1250 and PUC No. 1250-I to include the right to transport logs, rough and finished lumber, sawmill products, crude ores and crushed limestone for use as fertilizer, into, out of, and between points within a twenty-five-mile radius of Salida, Colorado, with no town-to-town service in competition with scheduled carriers; building materials, from point to point within a radius of twenty-five miles of Salida, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Salida, Colorado, August 20, 1958, at 10:30 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 8, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting said hearing, he thereafter submitted a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein testified he is owner and operator of PUC Nos. 1250 and 1250-I; that he has been in the trucking business since 1940; that his net worth is \$38,275; that he has sufficient equipment to render the extended service proposed; that many people have approached him seeking service, especially for transportation of logs and lumber, for the reason that he has special equipment, and the fact that other carriers in the Salida area do not care to perform this type of service.

Five shipper-witnesses from Salida, Colorado, and surrounding territory appeared in support of a portion of applicant's proposed extended service. Of five witnesses appearing, testimony of four witnesses was limited to need for transportation of logs and rough lumber.

One shipper-witness appeared, testifying in support of the need for transportation of building materials, stating he would use applicant's extended service, but admitting that he was presently being adequately served by existing common carrier services.

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

Report of the Examiner states that public convenience and necessity were established only for the transportation of rough lumber sought by the instant application, inasmuch as applicant did not produce witnesses to testify for need of transportation of other commodities sought by said application, and his report recommends that certificate of public convenience and necessity issue to applicant herein for extended operations under PUC No. 1250 and PUC No. 1250-I for the transportation of logs and rough lumber, only.

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 Report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's extended motor vehicle common carrier call and demand transportation service, 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 Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service of Vearl Williams, doing business as "Diamond Truck Line," Salida, Colorado, under PUC No. 1250 and PUC No. 1250-I, to include the right to transport logs and rough lumber, from point to point within a radius of twenty-five miles of Salida, Colorado, excluding the right to perform town-to-town service, 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.

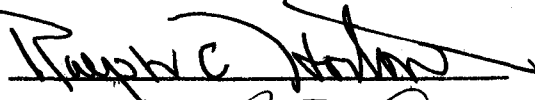

That applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

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

That 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



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of September, 1958.

ea

original

(Decision No. 51015)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
M. L. YOUNGMAN AND A. HANSEN, CO-)
PARTNERS, DOING BUSINESS AS "M. L.)
YOUNGMAN," 3791 SOUTH HURON STREET,)
ENGLEWOOD, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE)
-----)

APPLICATION NO. 16582-PP

IN THE MATTER OF THE APPLICATION OF)
M. L. YOUNGMAN, 3791 SOUTH HURON)
STREET, ENGLEWOOD, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE)
-----)

APPLICATION NO. 16582-PP-Amended

September 30, 1958

Appearances: William G. Berge, Esq., Denver,
Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

On June 18, 1958, M. L. Youngman and A. Hansen, co-partners, doing business as "M. L. Youngman," 3791 South Huron Street, Englewood, Colorado, filed application with the Commission for authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, Attorney for Applicants requested an amendment to said application, to show "M. L. Youngman" as applicant herein, in lieu of the co-partnership of M. L. Youngman and A. Hansen.

There being no objection thereto, said amendment was allowed.

Report of said Examiner further states that at the hearing, Jake Youngman testified he is father of applicant herein; that his son is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that applicant is the owner of a 1955 Mack Truck, ten-ton capacity, a 1956 Mack ten-ton truck, a 1957 Ford ten-ton Truck, two trailer houses, and a 1955 Ford Station Wagon; that applicant's net worth is \$30,000; that he has received many requests for his proposed operations; that it is agreeable to have transportation of road-surfacing materials limited to the use of dump trucks, only.

No one appeared in opposition to the granting of authority herein sought, as limited by the testimony of applicant's father.

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

It does not appear that applicant's proposed operations, as limited by the following Order, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That amendment of the above-styled application should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That amendment of Application No. 16582-PP, to show "M. L. Youngman" as applicant, in lieu of the co-partnership of M. L. Youngman and A. Hanzen, should be, and hereby is, approved.

That said M. L. Youngman, Englewood, 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, mixer and processing plants within a fifty mile radius of said pits and supply points; 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; 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; 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, equipment to be used under authority herein granted to be restricted from the use of tank trucks.

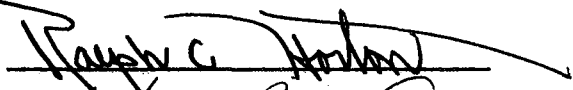

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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, thenecessary tariffs, required insurance, and has secured authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of September, 1958.

original

(Decision No. 51016)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES W. STRAIT, 170 SOUTH JAY)	
STREET, DENVER, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 16581-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

September 30, 1958

S T A T E M E N T

By the Commission:

By the above-styled application, James W. Strait, Denver, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A.M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel.

Report of said Examiner recommends that said matter be continued, to be later re-set for hearing.

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 Report of the Examiner referred to therein should be approved.

That the above-styled application should be later re-set for hearing, with notice to all parties in interest.

ORDER

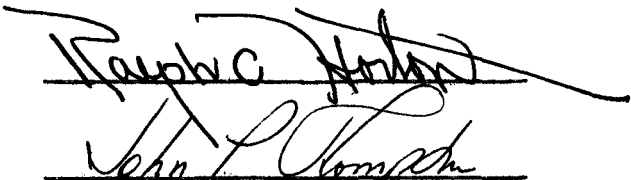
THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Application No. 16581-PP should be, and the same hereby is, continued, said matter to be later re-set for hearing before 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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of September, 1958.

ea

original

(Decision No. 51017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WALTER HUNZIKER, 17190 MT. VERNON)	
DRIVE, GOLDEN, COLORADO, FOR A)	APPLICATION NO. 16574-PP
CLASS "B" PERMIT TO OPERATE AS A)	
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	

September 30, 1958

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel.

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

Report of the Examiner further states that at the time and place designated for hearing, counsel appearing for protestant, stated there would be no objection to issuance of authority to applicant herein, if transportation of road-surfacing materials were limited to the use of dump trucks, only.

The files of the Commission disclose that applicant is qualified to carry on his proposed operations; that he is presently operating under Temporary Authority issued by this Commission; that he has proper insurance filing on file with the Commission.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicant herein, as set forth in the Order following.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Walter Hunziker, Golden, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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

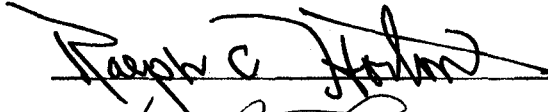
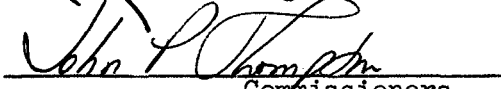
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

That the right of applicant to operate hereunder shall de-

pend 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.

COMMISSIONER JOSEPH F. NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of September, 1958.

mls

original

(Decision No. 51018)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ERIC G. SIMMONS, 755 CLARKSON)	
STREET, DENVER, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	<u>APPLICATION NO. 15680-PP</u>
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	

September 30, 1958

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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. Applicant requests that in the event authority herein sought is granted operating rights be known as "Permit No. B-3485," being the number of a permit formerly held by him.

Said application was regularly set for hearing before the Com-

mission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel.

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

Report of said Examiner further states that at the hearing, attorney for protestant herein stated there would be no objection to issuance of authority herein sought, provided transportation of road-surfacing materials would be limited to the use of dump trucks, only.

The files disclose that applicant is qualified, financially and by experience, to conduct the operations herein proposed by him.

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permis issue to applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is made a part hereof, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in

the Order following.

That operating rights herein granted to applicant should be known as "Permit No. B-3485," being the number of a permit formerly held by applicant.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Eric G. Simmons, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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

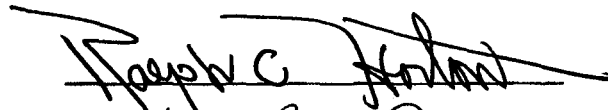

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 operating rights herein granted shall be known as "Permit No. B-3485."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of September, 1958.

mls

original

(Decision No. 51019)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE BECKER, JR., 466 SOUTH LAMAR)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 16567-PP

September 30, 1958

Appearances: George Becker, Jr., Denver,
Colorado, pro se;
Leslie R. Kehl, Esq., Den-
ver, Colorado, for R. B.
"Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks auth-
ority 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, mixer and process-
ing plants within a radius of fifty miles of said pits and supply points;
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; 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; 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 points within a radius of five
miles of Denver, Colorado; peat moss, from points within a radius of one
hundred miles of Denver, to points within a radius of five miles of Den-

ver; fertilizer, from points within a radius of fifty miles of Denver, to points within a radius of five miles of Denver, Colorado; clay, from points within a radius of fifty miles of Denver, to points within a radius of ten miles of Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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.

Report of said Examiner states that at the hearing, applicant testified that he is the owner of a 1952 G.M.C. four-ton truck and two 1951 Mercuries; that he owns his home, and has a net worth of \$20,000; that he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he has received many requests for his proposed services; that he is agreeable to have transportation of road-surfacing materials limited to the use of dump trucks, only.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That George Becker, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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; 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; 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; 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 points within a radius of five miles of Denver, Colorado; peat moss, from points within a radius of one hundred miles of Denver, to points within a radius of five miles

of Denver, Colorado; fertilizer, from points within a radius of fifty miles of Denver, to points within a radius of five miles of Denver, Colorado; clay, from points within a radius of fifty miles of Denver, to points within a radius of ten miles of Denver, Colorado, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

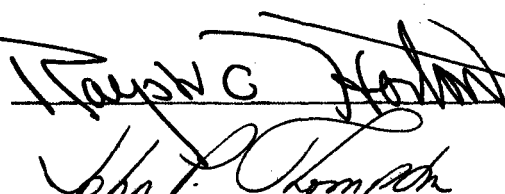
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of September, 1958.

mls

original

(Decision No. 51020)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO MILK TRANSPORT, INC., P. O.)
BOX 141, ROUTE 1, BROOMFIELD, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 16554-PP
SUPPLEMENTAL ORDER

October 1, 1958

Appearances: Paul M. Hupp, Esq., Denver,
Colorado, for Applicant;
H. D. Hicks, Denver, Colo-
rado, for Centennial Truck
Line;
Dewey W. Beach, Denver, Colo-
rado, for North Eastern
Motor Freight, Inc.

S T A T E M E N T

By the Commission:

On September 19, 1958, the Commission entered its Decision No. 50960 in the above-styled matter, granting to applicant herein a Class "B" permit, authorizing operation as a private carrier by motor vehicle for hire, for the transportation of:

liquid lard, tallow, and other shortenings,
between all points within the State of Colo-
rado.

On September 25, 1958, "Petitions for Rehearing" were filed herein, by J R. Arnold, on behalf of North Eastern Motor Freight, Inc., and by H D. Hicks, on behalf of Centennial Truck Lines, Inc.

The Commission has carefully considered said Petitions for Rehearing, and we are unable to see wherein the restriction asked for by Centennial Truck Lines and North Eastern Motor Freight, Inc., has any practical application, for the reason that the authority is for the transportation of liquid lard, tallow, etc However, inasmuch as

the application is only for a Class "B" private carrier permit and that the parties stipulated to the restriction and its omission was merely an oversight, we have determined that we will not put the parties to this application to any additional trouble.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 50960 should be amended, as set forth in the Order following.

O R D E R

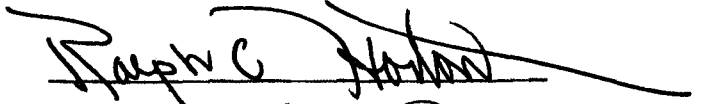


THE COMMISSION ORDERS:

That Decision No. 50960, of date September 19, 1958, should be, and the same hereby is, amended, nunc pro tunc, as of said 19th day of September, 1958, by striking therefrom the first paragraph of the Order contained in said Decision, appearing on Page 2 thereof, and substituting in lieu thereof, the following:

"That Colorado Milk Transport, Inc., Broomfield, Colorado, should be, and hereby is, authorized to operate as a Class 'B' private carrier by motor vehicle for hire, for the transportation of liquid lard, tallow, and other shortenings, between all points within the State of Colorado, in bulk, in tank vehicles, only."

That, except as herein amended, said Decision No. 50960 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 1st day of October, 1958

mls

original

(Decision No. 51021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PETE PUSEDE AND HAROLD D. BROPHY,)
CO-PARTNERS, 2510 ONEIDA STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16578-PP

October 1, 1958

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner States that at the time and place designated for hearing, applicants failed to appear, either in person or by counsel.

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

Report of the Examiner further states that at the time and place designated for hearing, counsel appearing for protestant, stated there would be no objection to issuance of authority to applicants herein, if transportation of road-surfacing materials were limited to the use of dump trucks, only.

The files of the Commission disclose that applicants are qualified to conduct the operations proposed by them; that proper insurance filing has been made with the Commission by said applicants.

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

It does not appear that applicants' proposed operation, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicants herein, as set forth in the Order following.

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 Report of the Examiner referred to therein should be approved.

That applicants herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in

the Order following:

O R D E R

THE COMMISSION ORDERS:

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

That Pete Pusede and Harold D. Brophy, co-partners, Denver, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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

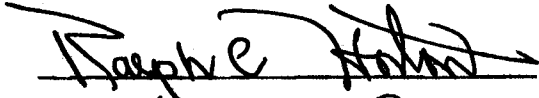

That this Order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required, insurance, and has secured authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

mls

original

(Decision No. 51022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PETE J. MOYA, 3137 WEST LONGFELLOW)
PLACE, DENVER, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16576-PP

October 1, 1958

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel.

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

Report of the Examiner further states that at the time and place designated for hearing, counsel appearing for protestant, stated there would be no objection to issuance of authority to applicant herein, if transportation of road-surfacing materials were limited to the use of dump trucks, only.

The files of the Commission disclose that applicant is qualified to conduct the operations proposed by him in the instant application; that proper insurance filing has been made with the Commission by said applicant.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicant herein, as set forth in the Order following.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Pete J. Moya, Denver, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

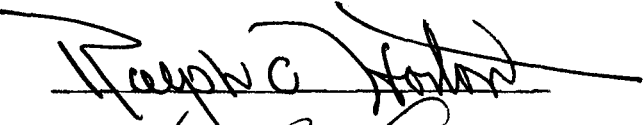

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD C. HARRIS, 2303 WEST OXFORD,)
LITTLETON, COLORADO, FOR A CLASS "B") APPLICATION NO. 16572-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE)
-----)

October 1, 1958

Appearances: Leslie R. Kehl, Esq.,
Denver, Colorado, for
R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, applicant failed to appear, either in person or by counsel.

Thereupon, the files were made part of the record, and the matter was heard and taken under advisement.

Report of the Examiner further states that at the time and place designated for hearing, counsel appearing for protestant, stated there would be no objection to issuance of authority to applicant herein, if transportation of road-surfacing materials were limited to the use of dump trucks, only.

The files of the Commission disclose that applicant is qualified to carry on the operations herein proposed; that no good purpose would be served by denying said application, as there is a need for the services applicant proposes to furnish.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit should issue to applicant herein, as set forth in the Order following.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth

in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Donald C. Harris, Littleton, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

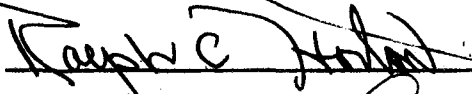

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DAN DRIETH, 6821 WARREN DRIVE,)	
DENVER, COLORADO, FOR A CLASS "B")	APPLICATION NO. 16570-PP
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
- - - - -)	

- - - - -
October 1, 1958
- - - - -

Appearances: Mrs. Rachel Drieth, Denver,
Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, for R. B.
"Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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; clay, from points within a radius of fifty miles of Denver, Colorado, to points within a radius of ten miles of Denver, Colorado; peat moss, from points within a radius of seventy-five miles of Denver, Colorado, to points within a radius of ten miles of Denver;

natural fertilizer, between points within a radius of twenty-five miles of Denver, Colorado. Applicant requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-3082," being the number of a permit formerly held by him.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A.M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, Mrs. Rachel Drieth stated she is wife of applicant herein; that her husband was working, and was unable to attend said hearing; that he is the owner of a 1953 White two-ton truck, a 1953 Oldsmobile pick-up truck, a 1953 Chevrolet, and a 1954 Ford; that he owns their home, and has a net worth of \$20,000; that he has received many requests for his proposed operations; that it would be agreeable to have transportation of road-surfacing materials limited to the use of dump trucks, only.

No one appeared in opposition to the granting of authority herein sought, as limited by the testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

That operating rights herein granted shall be known as "Permit No. B-3082," being the number of a permit formerly held by applicant.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Dan Drieth, Denver, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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; clay, from points within a radius of fifty miles of Denver, Colorado, to points within

a radius of ten miles of Denver, Colorado; peat moss, from points within a radius of seventy-five miles of Denver, Colorado, to points within a radius of ten miles of Denver, Colorado; natural fertilizer, between points within a radius of twenty-five miles of Denver, Colorado, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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 authority sheets.

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 operating rights herein granted shall be known as "Permit No. B-3082," being the number of a permit formerly held by applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

revised.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERNON W. BARNARD AND VERA J. BAR-)
NARD, CO-PARTNERS, 237½ EAST FIRST)
AVENUE, DENVER, COLORADO, FOR A) APPLICATION NO. 16566-PP
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
- - - - -)

- - - - -
October 1, 1958
- - - - -

Appearances: Vernon W. Barnard, Denver,
Colorado, for Applicants;
Leslie R. Kehl, Esq., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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. Applicants request that in the event authority herein sought is granted, operating rights be known as "Permit No. B-3534," being the number of a permit formerly held by them.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A.M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, Vernon W. Barnard, one of applicants herein, testified applicants are presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that they are the owners of a 1953 G.M.C. two-ton Dump Truck, and a 1955 Pontiac Station Wagon; that their net worth is \$5,000; that they have received many requests for their proposed services; that it is agreeable to have transportation of sand and gravel limited to the use of dump trucks, only.

No one appeared in opposition to the granting of authority herein sought, as limited by the testimony.

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

It did not appear that applicants' proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicants.

Report of the Examiner recommends that permit issue to applicants herein.

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 Report of the Examiner

referred to therein should be approved.

That applicants herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

That operating rights herein granted shall be known as "Permit No. B-3534, being the number of a permit formerly held by applicants.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Vernon W. Barnard and Vera J. Barnard, co-partners, Denver, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump truck, only.

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


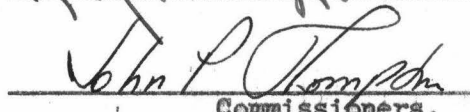
their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

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 operating rights herein granted shall be known as "Permit No. B-3534," being the number of a permit formerly held by applicants herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

ea

original

(Decision No. 51026)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
OSCAR REED, 2512 CLARKSON STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE) APPLICATION NO. 16579-PP
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

October 1, 1958

Appearances: Oscar Reed, Denver, Colo-
rado, pro se;
Leslie R. Kehl, Esq.,
Denver, Colorado, for
R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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; scrap iron, from points within a radius of ten miles of Denver, to foundries in Denver and in Englewood, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State

Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, applicant amended his application by deleting request to transport scrap iron, and testified he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he is the owner of a 1951 Ford one and one-half-ton Dump Truck; that his net worth is \$2,000; that he has received many requests for his proposed services; that he is agreeable to have transportation of road-surfacing materials limited to the use of dump trucks, only.

No one appeared in opposition to the granting of authority sought herein, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of said Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Oscar Reed, Denver, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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

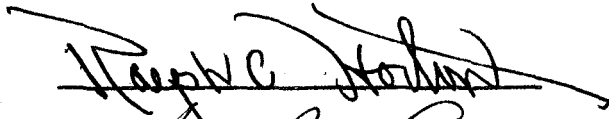
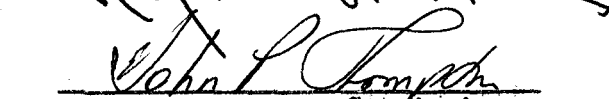
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING

Dated at Denver, Colorado,
this 1st day of October, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THOMAS W. OVERHULTZ, 6337 FEDERAL)	
BOULEVARD, DENVER, COLORADO, FOR A)	APPLICATION NO. 16577-PP
CLASS "B" PERMIT TO OPERATE AS A)	
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

October 1, 1958

Appearances: Thomas W. Overhultz, Denver,
Colorado, pro se;
Leslie R. Kehl, Esq., Denver,
Colorado, for R. B.
"Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the hearing room of the Commission, 330 State Office

Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, applicant testified he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he is the owner of a 1949 Chevrolet two-ton dump truck, a 1951 three-ton flat bed, a 1957 Chevrolet wrecker, a 1951 Ford wrecker, a 1950 one-half-ton Chevrolet pickup, a 1955 Chevrolet, and a 1950 and 1951 Cadillac; that he is the owner of "Tom's Auto Service;" that he has had many requests for his proposed operation; that he has a net worth of \$50,000; that he is agreeable to have transportation of road-surfacing materials limited to the use of dump trucks.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner

referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Thomas W. Overhultz, Denver, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

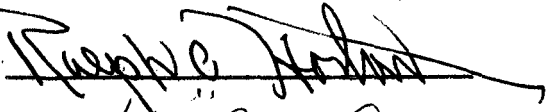
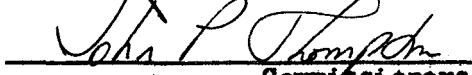
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

ea

original

(Decision No. 51028)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) L. J. LARGE, 2630 WEST HARVARD) AVENUE, DENVER, COLORADO, FOR A) CLASS "B" PERMIT TO OPERATE AS A) PRIVATE CARRIER BY MOTOR VEHICLE) FOR HIRE.) -----)	<u>APPLICATION NO. 16575-PP</u>
--	---------------------------------

October 1, 1958

Appearances: L. J. Large, Denver,
Colorado, pro se;
Leslie R. Kehl, Esq.,
Denver, Colorado, for
R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State

Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, applicant testified he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he is the owner of a 1951 one and one-half-ton Ford Dump Truck; that he owns his home, and has a net worth of \$7,500; that he is agreeable to have transportation of sand and gravel limited to the use of dump trucks, only.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth

in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That L. J. Large, Denver, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

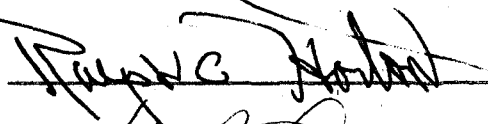

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

ea

original

(Decision No. 51029)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM O. HAVEN, DOING BUSINESS AS)
"HAVEN EXCAVATING," 6780 WEST 68TH)
AVENUE, ARVADA, COLORADO, FOR A) APPLICATION NO. 16573-PP
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

October 1, 1958

Appearances: Vincent Cristiano, Esq.,
Denver, Colorado, for
Applicant;
Leslie R. Kehl, Esq.,
Denver, Colorado, for
R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B: private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, applicant testified he owns an excavating company in Arvada, Colorado; that he is using trucks in excavating; that he has been in said business for three years; that he is the owner of a 1953 Ford Dump Truck, a 1958 Ford Dump Truck, and excavating equipment; that he owns his home, a 1956 Buick automobile, and has a net worth of \$60,000; that he is presently operating under Temporary Authority issued by this Commission; that he has received many requests for the type of service proposed; that he is agreeable to have transportation of road-surfacing materials limited to the use of dump trucks.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That William O. Haven, doing business as "Haven Excavating," Arvada, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

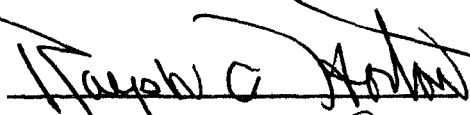

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

ea

original

(Decision No. 51030)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MICHAEL J. GANNON, DOING BUSINESS AS)
"JACK GANNON," 99 SOUTH LAMAR STREET,)
LAKEWOOD, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16571-PP

October 1, 1958

Appearances: Michael J. Gannon, Lakewood,
Colorado, pro se;
Leslie R. Kehl, Esq., Denver,
Colorado, for R. B. "Dick"
Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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; 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; 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; 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.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due

notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, applicant stated that "Michael J. Gannon" and "Jack Gannon" are one and the same person; that he is presently engaged in transportation of sand and gravel, under Temporary Authority issued by this Commission; that he is the owner of a 1958 Ford two and one-half-ton Truck, which he proposes to use in the conduct of his operation; that he owns his home, and has a net worth of \$25,000; that he has received many requests for his proposed operations; that he is agreeable to have transportation of road-surfacing materials limited to the use of dump trucks.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Michael J. Gannon, doing business as "Jack Gannon," Lakewood, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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

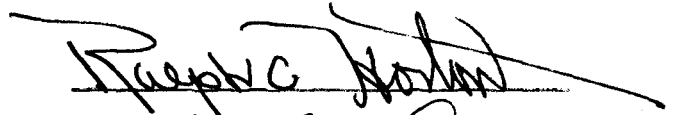

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their

terms, the necessary tariffs, required insurance, and has secured authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

mls

original

(Decision No. 51031)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
VIRGIL DEAN CARPENTER AND FRANCES)	
CARPENTER, CO-PARTNERS, BOX 8, c/o)	APPLICATION NO. 16568-PP
W. CALHOON, MONUMENT, COLORADO, FOR)	
A CLASS "B" PERMIT TO OPERATE AS A)	
PRIVATE CARRIER BY MOTOR VEHICLE FOR)	
HIRE.)	

October 1, 1958

Appearances: Virgil Carpenter, Monument,
Colorado, for Applicants;
Leslie R. Kehl, Esq., Den-
ver, Colorado, for R. B.
"Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-sur-
facing 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; 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; 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; 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.

Said application was regularly set for hearing before the

Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, Virgil Carpenter, one of applicants herein, testified that he and Frances Carpenter, his wife, are the applicants in the above-styled application; that they are now engaged in transportation of sand and gravel under Temporary Authority issued by this Commission; that they own a trailer home, a 1958 Ford two-ton truck, and a 1956 Mercury automobile; that they are agreeable to have transportation of road-surfacing materials limited to the use of dump trucks.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

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

It did not appear that applicants' proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicants.

Report of the Examiner recommends that permit issue to applicants herein.

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 Report of the Examiner referred to therein should be approved.

That applicants herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Virgil Dean Carpenter and Frances Carpenter, co-partners, Denver, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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

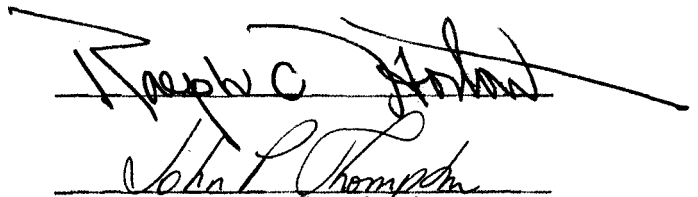
That this Order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their

terms, the necessary tariffs, required insurance, and have secured authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WARREN E. DEMONEY, GENERAL DELIVERY,)
BENNETT, COLORADO, FOR A CLASS "B") APPLICATION NO. 16569-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

October 1, 1958

Appearances: Warren E. Demoney, Bennett,
Colorado, pro se;
Leslie R. Kehl, Esq., Den-
ver, Colorado, for R. B.
"Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks author-
ity 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, mixer and process-
ing plants within a radius of fifty miles of said pits and supply points;
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; 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; insul-
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 was regularly set for hearing before the
Commission, at the Hearing Room of the Commission, 330 State Office
Building, Denver, Colorado, September 19, 1958, at ten o'clock A. M.,

due notice thereof being forwarded to all parties in interest.

On September 2, 1958, 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.

Report of said Examiner states that at the hearing, applicant testified he is presently engaged in transportation of sand and gravel under Temporary Authority issued by this Commission; that he is the owner of a 1957 Chevrolet two-ton truck and a Ford Ranch Wagon, which he proposes to use in the conduct of his operations; that he owns his home, and has a net worth of \$15,000; that he has received many requests for the services proposed; that he is agreeable to have transportation of road-surfacing materials limited to the use of dump trucks.

No one appeared in opposition to the granting of authority herein sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as limited by the Order following, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

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 Report of the Examiner referred to

therein should be approved.

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Warren D. Demoney, Bennett, 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, mixer and processing plants within a radius of fifty miles of said pits and supply points; 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; 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; 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, transportation of road-surfacing materials to be limited to the use of dump trucks, only.

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

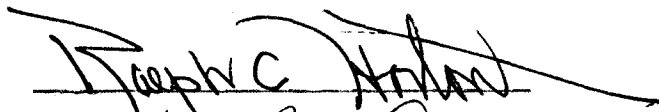
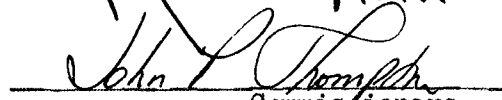
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured

authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION
OF COLORADO CENTRAL POWER COMPANY,
A CORPORATION, ENGLEWOOD, COLO-
RADO, FOR AUTHORITY TO ISSUED AN
ADDITIONAL 10,000 SHARES OF COMMON
STOCK FOR ITS INCENTIVE STOCK
OPTION PLAN.

APPLICATION 16637-Securities

S T A T E M E N T

By the Commission:

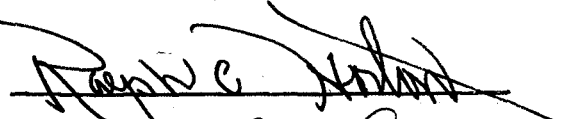

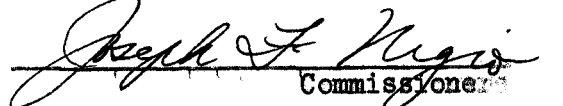
Upon consideration of the application filed September 29,
1958, by Colorado Central Power Company, a Corporation, in the above-
styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on October 14,
1958, at 10:00 o'clock A. M., 330 State Office Building, Denver, Colo-
rado, respecting the matters involved and the issues presented in this
proceeding. Any interested municipality or any representative of
interested consumers or security holders of applicant corporation, and
any other person whose participation herein is in the public interest,
may intervene in said proceedings. Intervention petitions should be
filed with the Commission on or before October 8, 1958, and should
set forth the grounds of the proposed intervention and the position
and interest of the petitioners, in the proceeding and must be sub-
scribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

Dated at Denver, Colorado,
this 1st day of October, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. O. ELLIOTT, 515 GRANT AVENUE,)
LA JUNTA, COLORADO.)
_____))

PERMIT NO. M-386

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
J. O. Elliott
requesting that Permit No. M-386 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-386, heretofore issued to _____
J. O. Elliott _____ be,
and the same is hereby, declared cancelled effective September 7, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Walter C. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 3rd day of October, 1958.
ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LLOYD E. WING, DOING BUSINESS AS)
"WING OIL COMPANY, 2203 EAST)
BOULDER, COLORADO SPRINGS, COLORADO.)

PERMIT NO. M-1462

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Lloyd E. Wing DBA Wing Oil Co.

requesting that Permit No. M-1462 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1462, heretofore issued to _____

Lloyd E. Wing DBA Wing Oil Co. _____ be,

and the same is hereby, declared cancelled effective September 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hinton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FURNITURE, INCORPORATED, 1000 SOUTH)
COLORADO BLVD., ENGLEWOOD, COLORADO.)
-----)

PERMIT NO. M-1963

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Furniture, Inc.

requesting that Permit No. M-1963 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1963, heretofore issued to _____
Furniture, Inc. _____ be,
and the same is hereby, declared cancelled effective September 23, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John F. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

MAX MOSKO AUTO WHOLESALE INC.,)
10400 WEST COLFAX AVENUE, LAKEWOOD,)
COLORADO.)
-----)

PERMIT NO. M-2059

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Max Mosko Auto Wholesale Inc.

requesting that Permit No. M-2059 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2059, heretofore issued to _____

Max Mosko Auto Wholesale Inc.

be,

and the same is hereby, declared cancelled effective September 13, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD T. GILL, ROUTE 1, AVONDALE,)
COLORADO.)
)
)
-----)

PERMIT NO. M-4235

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Donald T. Gill

requesting that Permit No. M-4235 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4235, heretofore issued to _____
Donald T. Gill
_____ be,
and the same is hereby, declared cancelled effective October 5, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. [Signature]
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,
this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

ELMER BEDFORD AND SIDNEY SMITH,)
DOING BUSINESS AS "ELMER BEDFORD)
CO.," BOX 154, EVERGREEN, COLORADO.)
-----)

PERMIT NO. M-5234

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Elmer Bedford and Sidney Smith, DBA Elmer Bedvord Co.

requesting that Permit No. M-5234 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5234, heretofore issued to _____

Elmer Bedford and Sidney Smith DBA Elmer Bedford Co. _____

be,

and the same is hereby, declared cancelled effective August 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

MT. WILSON MINES, INC., 3355 SOUTH)
ASH, DENVER 22, COLORADO.)

PERMIT NO. M-8594

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Mt. Wilson Mines, Inc.

requesting that Permit No. M-8594 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8594, heretofore issued to _____

Mt. Wilson Mines Inc.

be,

and the same is hereby, declared cancelled effective September 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John P. Thompson
Joseph F. Higo
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

GENE EVANS, DOING BUSINESS AS)
"MODERN ART LANDSCAPE COMPANY,")
760 CLARKSON, DENVER 18, COLORADO.)
-----)

PERMIT NO. M-9104

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Gene Evans DBA Modern Art Landscape Company

requesting that Permit No. M-9104 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9104, heretofore issued to _____

Gene Evans DBA Modern Art Landscaping Company _____ be,

and the same is hereby, declared cancelled effective September 18, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John P. [Signature]
Joseph F. [Signature]
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

BEMIS JOHNSTON, DOING BUSINESS AS)
"JOHNSTON APPLIANCE COMPANY," 1624)
HIWAY 50, GRAND JUNCTION, COLORADO.)

PERMIT NO. M-9900

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Bemis Johnston, DBA Johnston Appliance Co.

requesting that Permit No. M-9900 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9900, heretofore issued to _____

Bemis Johnston DBA Johnston Appliance Co. _____ be,

and the same is hereby, declared cancelled effective May 3, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holden
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES W. AND EVELYN L. SELEE, 2181)
SOUTH YATES, DENVER 19, COLORADO.)
)
)
-----)

PERMIT NO. M-10568

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

James W. and Evelyn L. Selee

requesting that Permit No. M-10568 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10568, heretofore issued to _____

James W. and Evelyn L. Selee _____ be,

and the same is hereby, declared cancelled effective September 22, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. [Signature]
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

WALTER A. AND DAISY L. CHAPMAN,)
DOING BUSINESS AS "CHAP'S TV SERVICE,")
ROUTE 1, BOX 99-A, PINE, COLORADO.)

PERMIT NO. M-10761

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Walter A. and Daisy L. Chapman DBA Chap's TV Service

requesting that Permit No. M-10761 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10761, heretofore issued to _____

Walter A. and Daisy L. Chapman DBA Chap's TV Service

be,

and the same is hereby, declared cancelled effective September 26, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John T. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LA RUE LEEK, 2040 4TH AVENUE,
GREELEY, COLORADO.

PERMIT NO. M-12049

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

LaRue Leek

requesting that Permit No. M-12049 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12049, heretofore issued to _____

LaRue Leek

be,

and the same is hereby, declared cancelled effective October 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

GEORGE C. AND DOLORES M. LISCUM,)
DOING BUSINESS AS "KARMELCORN SHOP,")
1501 EAST ASH, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-12225

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

George C. and Dolores M. Liscum DBA Karmelcorn Shop

requesting that Permit No. M-12225 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12225, heretofore issued to _____

George C. and Dolores M. Liscum DBA Karmelcorn Shop _____ be,

and the same is hereby, declared cancelled effective August 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BERNARD LINDBLAD, 920 SOUTH HARLAN,)
DENVER 14, COLORADO.)
-----)

PERMIT NO. M-12820

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Bernard Lindblad

requesting that Permit No. M-12820 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12820, heretofore issued to _____

Bernard Lindblad _____ be,

and the same is hereby, declared cancelled effective September 9, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

C. S. SPORLEDER, JR., DOING BUSINESS)
AS "SIG SPORLEDER FEEDS," P. O.)
BOX 642, WALSENBURG, COLORADO.)
-----)

PERMIT NO. M-13097

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

C. S. Sporleder, Jr. DBA Sig Sporleder Feeds

requesting that Permit No. M-13097 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

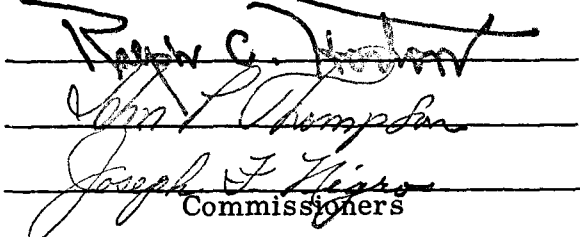
THE COMMISSION ORDERS:

That Permit No. M-13097, heretofore issued to _____

C. S. Sporleder, Jr. DBA Sig Sporleder Feeds _____ be,

and the same is hereby, declared cancelled effective September 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

DAVE PELAN, DOING BUSINESS AS "MUD)
SERVICE & SUPPLY COMPANY," 205)
PETROLEUM BUILDING, GRAND JUNCTION,)
COLORADO.)

PERMIT NO. M-13694

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Dave Pelan DB^A Mud Service & Supply Company

requesting that Permit No. M-13694 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13694, heretofore issued to _____

Dave Pelan DBA Mud Service & Supply Company

be,

and the same is hereby, declared cancelled effective September 27, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hooten
John P. Thompson
Joseph F. Tigro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

RAYMOND B. AND ADA MAY JOHNSON,
DOING BUSINESS AS "JOHNSON PUBLISH*
ING COMPANY," 829 PEARL STREET,
BOULDER, COLORADO.

PERMIT NO. M-14612

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Raymond B. and Ada May Johnson DB Johnson Publishing Co.

requesting that Permit No. M-14612 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14612, heretofore issued to _____

Raymond B. and Ada May Johnson DBA Johnson Publishing Co.

be,

and the same is hereby, declared cancelled effective September 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Higgs
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELMER LOWRANCE AND CHARLES C.)
MC CLANAHAN, DOING BUSINESS AS)
"LOWRANCE AND MC CLANAHAN," 842 A)
STREET, DELTA, COLORADO.)
-----)

PERMIT NO. M-14994

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Elmer Lowrance and Charles C. McClanahan DBA Lowrance & McClanahan
requesting that Permit No. M-14994 be cancelled.

FINDINGS

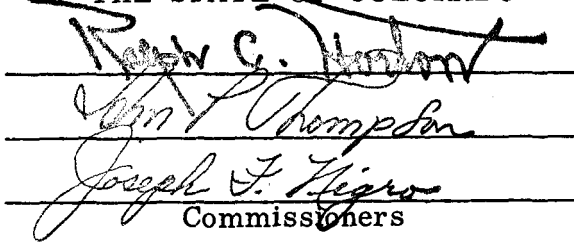
THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14994, heretofore issued to _____
Elmer Lowrance and Charles C. McClanahan DBA Lowrance and McClanahan be,
and the same is hereby, declared cancelled effective September 17, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 3rd day of October, 195 8.
ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHESTER H. DUFF, DOING BUSINESS AS)
"BOULDER SPRINKLER CO.," 640)
ARAPAHOE STREET, BOULDER, COLORADO.)
-----)

PERMIT NO. M-15004

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Chester H. Duff DBA Boulder Sprinkler Co.
requesting that Permit No. M-15004 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15004, heretofore issued to _____
Chester H. Duff DBA Boulder Sprinkler Co. _____ be,
and the same is hereby, declared cancelled effective September 30, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Holman
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 3rd day of October, 195 8.
ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAMUEL BRUNTZ AND ROBERT NORRIS,)
DOING BUSINESS AS "BRUNTZ & NORRIS,")
BOX 312, GREELEY, COLORADO.)
-----)

PERMIT NO. M-15059

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Samuel Bruntz and Robert Norris DBA Bruntz & Norris
requesting that Permit No. M-15059 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15059, heretofore issued to _____
Samuel Bruntz and Robert Norris DBA Bruntz & Norris be,
and the same is hereby, declared cancelled effective September 27, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holm
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

D. L. MC GUIRE, 2061 EAST 74TH
AVENUE, DENVER 16, COLORADO.

PERMIT NO. M-15467

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

D. L. McGuire

requesting that Permit No. M-15467 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15467, heretofore issued to _____

D. L. McGuire _____ be,

and the same is hereby, declared cancelled effective August 24, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hooten
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

OLIVER D. RAY, CHEYENNE MOUNTAIN,)
COLORADO SPRINGS, COLORADO.)
)
)
)
-----)

PERMIT NO. B-5126

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Oliver D. Ray

requesting that Permit No. B-5126 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

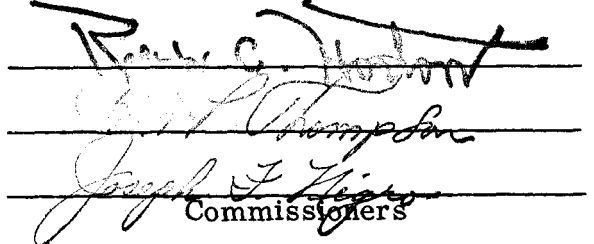
That Permit No. B-5126, heretofore issued to _____

Oliver D. Ray

be,

and the same is hereby, declared cancelled effective August 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LEON B. PARKERSON, 548 SPARN,
GRAND JUNCTION, COLORADO.

PERMIT NO. B-5422

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Leon B. Parkerson

requesting that Permit No. B-5422 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5422, heretofore issued to _____

Leon B. Parkerson be,

and the same is hereby, declared cancelled effective September 6, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
Walter Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RALPH LEON SMITH, ROUTE 1, CORNING,)
ARKANSAS.)
)
)
)
)
-----)

PERMIT NO. B-5581-I

October 3, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Ralph Leon Smith

requesting that Permit No. B-5581-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5581-I, heretofore issued to _____

Ralph Leon Smith be,

and the same is hereby, declared cancelled effective October 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson

John V. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 3rd day of October, 195 8.

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, FOR EMERGENCY MOVE-)
MENT OF SORGHUM CROPS IN THE)
COUNTIES OF PROWERS, CHEYENNE, KIT)
CARSON, AND KIOWA, STATE OF COLO-)
RADO.)

APPLICATION NO. 16628

September 29, 1958

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 exists in the matter of trucks for transportation of sorghum crops from fields to storage points, in the Counties of Prowers, Cheyenne, Kit Carson, and Kiowa, State of Colorado, and that said emergency will probably continue for a period of approximately thirty days.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said sorghum crops in the above mentioned Counties.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for transportation of sorghum crops in the Counties of Prowers, Cheyenne, Kit Carson, and Kiowa, State of Colorado, and that public convenience and necessity require that temporary certificates

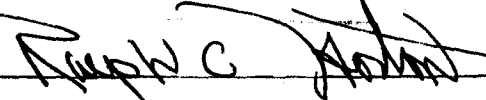


should issue for the operation of motor vehicles for transportation of sorghum crops from fields to places of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty days, or from September 29, 1958, to and including October 28, 1958.

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 transportation of sorghum crops, from fields to storage places, in the Counties of Prowers, Cheyenne, Kit Carson, and Kiowa, State of Colorado, said certificates to become effective September 29, 1958, and to continue in force up to and including October 28, 1958, no such certificate to issue for the transportation of such crops 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 29th day of September, 1958.

mls

original

(Decision No. 51059)

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, FOR EMERGENCY MOVE-)
MENT OF ONIONS, IN THE COUNTIES)
OF PUEBLO, OTERO, AND CROWLEY,)
STATE OF COLORADO.)

APPLICATION NO. 16629

September 24, 1958

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 exists in the matter of trucks for the transportation of onions, from fields to loading points, sheds, and storage places in the Counties of Pueblo, Otero, and Crowley, State of Colorado, and that said emergency will probably continue for a period of approximately thirty days.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of onions in the Counties above mentioned.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for transportation of onions in the Counties of Pueblo, Otero, and Crowley, State of Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of onions from fields to

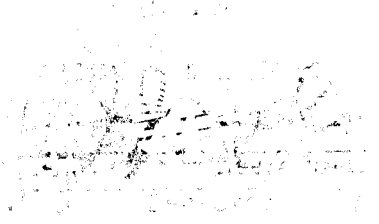
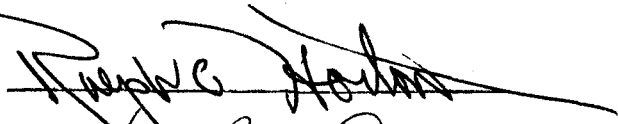


loading points, sheds, and storage places in said Counties, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty days, or from September 25, 1958, to and including October 24, 1958.

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 transportation of onions, from fields to loading points, sheds, and storage places in the Counties of Pueblo, Otero, and Crowley, State of Colorado, said certificates to become effective September 25, 1958, and to continue in force up to and including October 24, 1958, no such certificate to issue for transportation of such 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 24th day of September, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KANSAS-NEBRASKA NATURAL GAS COMPANY,)
INC., 300 NORTH ST. JOSEPH AVENUE,)
HASTINGS, NEBRASKA, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY FOR EXISTING AND PROPOSED)
CONSTRUCTION COVERING NATURAL GAS)
TRANSMISSION FACILITIES IN LOGAN,)
WASHINGTON AND MORGAN COUNTIES,)
COLORADO, AND GATHERING SYSTEMS)
CONNECTING THERETO FROM WELD AND)
MORGAN COUNTIES, COLORADO.)

APPLICATION NO. 16590-Amended

October 3, 1958

- Appearances: E. J. Jackson, Esq., Hastings,
Nebraska, and
L. M. Poe, Esq., Colorado
Springs, Colorado, for
Natural Gas Producers, Inc.,
Protestant;
B. T. Mac Cannon, Denver, Colo-
rado, for Public Service
Company of Colorado, Pro-
testant;
E. R. Thompson, Denver, Colo-
rado, and
J. M. McNulty, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

On September 8, 1958, Kansas-Nebraska Natural Gas Company, Inc., filed an application with this Commission for a certificate of public convenience and necessity for certain existing and proposed natural gas transmission facilities in Logan, Washington, and Morgan Counties, Colorado, and for gathering systems connecting thereto from Weld and Morgan County, Colorado.

This application was set for hearing, after due notice to all interested parties, on Friday, September 19, at 2:00 o'clock P. M.,

330 State Office Building, Denver, Colorado.

Applicant filed its amended application in the above-numbered docket on September 19, 1958, just prior to the hearing on this matter. A request was made by counsel at the hearing that the hearing be held on the amended application. Parties in interest were forthwith served copies of the amended application. There being no objection to the request by Applicant, the Commission granted leave to withdraw the original application and to substitute the amended application, and the hearing proceeded on said amended application.

A written protest to the amended application was filed at the hearing by Natural Gas Producers, Inc., and said protest was amended at the hearing to delete from the protest, Natural's opposition to Paragraph 4 of the application as amended. In other words, Natural did not wish to protest granting of the certificate sought for the transmission line connecting Kansas-Nebraska's present system between Akron and Atwood, Colorado, which transmission line has already been constructed. The protest opposed the granting of the certificate to Kansas-Nebraska for a 39 mile line from Section 1, Township 4-North, Range 60-West, in Morgan County, Colorado, to connect with Kansas-Nebraska system in Logan County, Colorado.

After three hours of testimony, the hearing was continued to Monday, September 22, at the same location and the hearing was concluded on said date. At the conclusion of the hearing, the Commission took the matter under advisement.

Kansas-Nebraska Natural Gas Company, Inc., Applicant herein, is a Kansas corporation authorized to do business in the State of Kansas, Nebraska, Colorado, and Oklahoma. A copy of its Articles of Incorporation, together with all amendments thereto, and a certificate of authority from the Secretary of State authorizing said company to do business in the State of Colorado, is presently on file with this

Commission.

Applicant is a public utility and is engaged in the gathering, transmission, and distribution of natural gas in the States previously mentioned. Applicant presently holds certificates of public convenience and necessity from this Commission to distribute natural gas at retail in twelve communities located in northeastern Colorado. In addition, Applicant holds a certificate from the Commission for the gathering and transmission of natural gas for sale at wholesale and retail in Logan County, Colorado, which it acquired, by purchase, from Natural Gas Producers, Inc.

Testimony at the hearing, revealed that under the application as originally filed herein, Applicant desired a certificate of public convenience and necessity authorizing the construction of a new pipe line which it has built to connect its Akron-Wray transmission and distribution system with its facilities in the Atwood-Sterling area. Applicant advised this Commission prior to the building of this line of its intentions. As first constructed, this line served as a gathering line, but Applicant now desires to have it certificated in order that it may be classed as a part of Applicant's transmission system so that in the future the flow of gas may be reversed to supply the Akron-Wray area, a formerly isolated section of Applicant's system, with gas from its central system. This portion of Applicant's application is the same in the original and in the amended filing. No protest as to the certification of this line has been filed with the Commission, nor was there any opposition at the hearing in regard to the granting of the authority sought for this portion of the Application.

In the original application, Kansas-Nebraska proposed to build a short segment of pipe line which would interconnect its facilities with Natural Gas Producers, a wholly-owned subsidiary of Colorado Interstate Gas. Kansas-Nebraska and Colorado Interstate

propose to exchange gas on a Btu basis, Kansas-Nebraska to deliver gas to Natural in Morgan County, Colorado, for the account of CIG and in turn receive gas from Interstate on an exchange basis in Kearney County, Kansas. Natural was to transport the gas through its facilities from Morgan County to interconnect with Colorado Interstate with Colorado Interstate's main transmission line in Elbert County, Colorado. This gas would then be transported to Denver and its environs for sale to Public Service Company of Colorado. A witness for Kansas-Nebraska explained that final agreement with Colorado Interstate was not reached and this plan for an interchange of gas was abandoned. Upon the failure to reach an agreement, Applicant changed its plans and amended its application to transport its gas into its northeast Colorado system for use in its Colorado communities and its central system generally.

Further testimony revealed that the cost of the line from the Akron-Wray to the Atwood-Sterling area amounted to \$305,000. The proposed construction from the Goodrich Gasoline plant being constructed in Section 1, Township 4-North, Range 60-West to its Logan County facilities would cost approximately \$545,000. The money needed to complete the construction contemplated herein is available to Applicant from its current funds.

Excelsior Oil Corporation, a wholly-owned subsidiary of Kansas-Nebraska, and N. C. Ginther are presently constructing a gasoline plant (Goodrich) located in the southwest quarter of Section 1, Township 4-North, Range 60-West. When this plant is completed, it will process natural gas obtained from fields in the general area of said plant and will sell at the tail gate of the plant the gas so processed to Kansas-Nebraska. A copy of the gas Purchase Contract by and between Ginther and Excelsior and Kansas-Nebraska was filed as Exhibit No. 7 in this proceeding. A copy of the independent producers contract, N. C. Ginther operator et al, for a temporary authorization and for a certif-

icate of public convenience and necessity from the Federal Power Commission was filed as Exhibit No. 4. Also filed as Exhibits Nos. 8, 9 and 10 were contracts involving the purchase and sale either directly by Kansas-Nebraska at the well head or at the tail gate of the gaso-line plant, the gas which Applicant testified to as being the estimated reserves available to it in the area. These reserves according to Applicant's estimate, amounted to 40,500,000 MCF as of September 1, 1958. Applicant further stated that if the pipe line is authorized, it would undoubtedly be an incentive for further drilling in the area since it would provide an outlet for gas that might not otherwise be available. Based on present consumption, Applicant estimated its central system reserves are sufficient to last for a period of thirty years. At such time as gas produced in Colorado would no longer be available to Kansas-Nebraska, it would continue to supply its Colorado customers from its central system reserves. The obtaining of additional reserves at this time is beneficial to all of Applicant's customers.

No change in rates at this time is contemplated by Applicant because of the construction proposed herein. According to the feasibility study made by Applicant, the gas from these additional fields can be placed into Applicant's present system at a price comparable to its existing cost.

Gas is being flared in the Orchard-Bijou area because there is no outlet for gas. Applicant testified that the Colorado Oil and Gas Conservation Commission has held hearings and issued an order reducing the amount of flare gas pending the construction of a pipe line to alleviate this waste. Applicant, in times past, has endeavored to obtain gas not only to augment its reserves, but also in the interest of preventing waste. It has pursued a policy of endeavoring to get Colorado gas reserves and at the same time building gas distribution facilities in towns in Colorado to make this gas available in

areas where it is produced.

Natural Gas Producers and the Public Service Company of Colorado protested the granting of the certificate to Kansas-Nebraska as it applied to the construction of the facilities to transport gas from the gasoline plant and fields in the Orchard-Bijou area to its Logan County facilities. Natural Gas Producers, a wholly owned subsidiary of Colorado Interstate Gas Company, presently holds a certificate for gathering and transmission lines in Morgan County and claims that it is ready, willing and able to build facilities to take this gas. According to the testimony of the Public Service Company witness, there will be a deficiency in the availability of gas to this company for the winter season of 1959-1960 based on minus 5° F. Natural Gas Producers and its parent Colorado Interstate Gas presently supply Public Service and its subsidiary with practically all its natural gas. Apparently, this deficiency in gas for Public Service Company needs is not based on the lack of gas reserves, but upon the facilities to deliver it to this area at the time of peak usage. As far as reserves and availability of gas, Colorado Interstate, by its own admission, is in a very advantageous position when compared with other gas transmission companies. We do not doubt the need for peak-day gas by Public Service Company. However, the fact is that in an area where Natural Gas Producers was certificated, Kansas-Nebraska obtained gas purchase contracts which it acquired on its own initiative. No one knows better than the Commission what it means to have competition between public utilities in the same area. We, nevertheless, recognize that public convenience and necessity require a public utility to provide service for its customers and this apparently is what Kansas-Nebraska is endeavoring to do in securing additional gas. What Kansas-Nebraska has done is an accomplished fact. What may have to be done by Natural Gas Producers or Colorado

Interstate Gas to take care of the needs of the Public Service Company for the winter of 1959-1960 is still to be determined. It is not our intent herein to foreclose Kansas-Nebraska in the exercise of its business judgment the means whereby it can augment gas service to its customers. Perhaps it is unfortunate that the agreement between Kansas-Nebraska and Colorado Interstate Gas could not be consummated. Agreements between parties are only finalized when there is a "meeting of the minds." The gas involved herein will still be available to Colorado consumers with the resulting benefits.

After a review of the evidence and testimony in this matter, we believe that Kansas-Nebraska should be permitted to carry out its intent of obtaining additional gas for its Colorado customers as testified to under its amended application. We will grant the certificate of public convenience and necessity as requested by Applicant in its said amended application.

F I N D I N G S

THE COMMISSION FINDS:

That the Applicant, Kansas-Nebraska Natural Gas Company, Inc., is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction of said Company and of the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the above Statement be made a part of these Findings, by reference.

That public convenience and necessity require the granting of the instant application in accordance with our Order to follow.

That a certificate of public convenience and necessity should be granted to Applicant to operate and maintain the gas pipe line already built between the Akron-Wray area and Atwood-Sterling area and that said pipe line as already constructed should be rati-

fied and approved.

That Applicant should be granted a certificate of public convenience and necessity to build, operate and maintain a gas transmission line from the Orchard-Bijou area to connect with its Logan County facilities, as set forth in our Order to follow.

That the certificates of public convenience and necessity as issued should also include gas service to customers along the lines of said transmission system in accordance with the rates and extension policy of Applicant presently on file with the Commission or as said tariffs may be changed according to law and the rules and regulations of this Commission.

That the motion to dismiss the application made by counsel for Natural Gas Producers at the hearing and joined in by the Public Service Company, should be denied.

O R D E R

THE COMMISSION ORDERS:

That this Order shall be taken, deemed and held to be a certificate of public convenience and necessity to Kansas-Nebraska Natural Gas Company, Inc., to maintain and operate a gas transmission line as it presently exists, extending from a point on Applicant's Atwood-Sterling line in the Northeast Quarter (NE $\frac{1}{4}$) of Section 26, Township 7-North, Range 53-West, Logan County, Colorado, approximately 26.5 miles to a point on the Akron-Wray line of Applicant in the Southeast corner of Section 32, Township 3-North, Range 52-West, Washington County, Colorado, and that the construction of said line be, and it hereby is, ratified and approved.

That this Order shall be taken, deemed and held to be a certificate of public convenience and necessity to Kansas-Nebraska Natural Gas Company, Inc., to construct, install, maintain and operate a gas transmission line, approximately 39 miles in length, beginning at a point in the Southwest Quarter, Section 1, Township 4-

North, Range 60-West, Morgan County, Colorado, to a point on Applicant's existing system, in Section 11, Township 7-North, Range 55-West, Logan County, Colorado, all as more fully shown on Applicant's Exhibit A, being a map attached to the amended application, which, by reference, is made a part hereof.

That a certificate of public convenience and necessity be, and it hereby is, granted to Kansas-Nebraska Natural Gas Company, Inc., to construct such gathering facilities as are necessary to bring gas into the two transmission lines certificated herein.

That a certificate of public convenience and necessity be, and it hereby is, granted to Kansas-Nebraska Natural Gas Company, Inc., to supply gas service to customers adjacent to the gathering and transmission lines authorized herein.

That Kansas-Nebraska Natural Gas Company, Inc., shall render gas service to its present and future customers under its rate, rules and regulations presently on file with this Commission until changed according to law and the rules and regulations of this Commission.

That as to the transmission line between the Akron-Wray and Atwood-Sterling area, Applicant shall file with the Commission within sixty (60) days of the effective date of this Order the "as constructed map" of said line, together with cost thereof as itemized in accordance with the Uniform System of Accounts as prescribed by this Commission.

That ninety (90) days after construction of the line from the Orchard-Bijou area to Logan County, Applicant shall file with the Commission the "as constructed map", together with the cost of said construction, itemized in accordance with the Uniform System of Accounts, as prescribed by this Commission.

That Applicant shall notify the Commission in writing the date of the start of construction of the Orchard-Bijou to Logan County


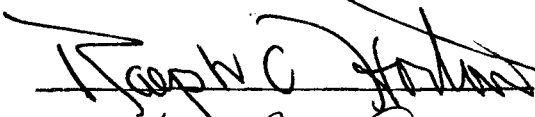


line.

That Applicant shall continue to keep its books and accounts in accordance with the Uniform Classification of Accounts for Gas Utilities, as prescribed by this Commission, and said books and accounts shall, as nearly as possible, show separately the Colorado equipment and plant, income and expenses, applicable to said system in the State of Colorado, and shall continue to operate in accordance with the Rules and Regulations for Gas Utilities, as prescribed by this Commission.

That the Commission shall retain jurisdiction of the instant matter to make such further Order, or Orders, as may be required in the premises.

That 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 3rd day of October, 1958.

mls

original

(Decision No. 51061)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERNON DOTSON, EATON, COLORADO, FOR)
A CLARIFICATION OF PUC NO. 1371 & I.)

APPLICATION NO. 5277
SUPPLEMENTAL ORDER

October 6, 1958

S T A T E M E N T

By the Commission:

On August 7, 1940, the Commission made and entered its Order, being Decision No. 15767, granting to Vernon Dotson Certificate of Public Convenience and Necessity No. 1371, and in said Order described the territory to be served by said applicant to be as follows, to-wit:

"transportation on call and demand of farm products, including livestock, farm equipment and supplies, including used household goods, between points within, and into and out of, an area described as follows:

extending south from Eaton, Colorado, to a line drawn east and west midway between Greeley and Eaton, west to the Weld County Line, north to the Colorado-Wyoming State Line, and east a distance of 20 miles from U. S. Highway 85;

and the transportation of cement from the plant at Boettcher, plaster from the factory near Loveland, and coal from the northern Colorado coal fields to customers residing in the described Eaton area; PROVIDED, however, that no service will be rendered to any part of the above described area falling within a five-mile radius of Windsor, Colorado; and further provided, that no service will be rendered from town to town on the line of scheduled common carriers, except for the transportation of livestock, coal, cement, plaster, dried beet pulp, and bulk farm products."

The territory set out is that of an area for which the north boundary line is only partially described and there is no description of the east and south boundaries. Mr. Vernon Dotson is now requesting

a clarification of his authority.

After reading both the application of Vernon Dotson and Decision No. 15767, it would appear that the territory sought and the territory intended to be granted by the Commission should have been described as follows:

"beginning at a point midway between Greeley and Eaton; thence west to the Weld County Line; thence north along said line to the Colorado-Wyoming State Line; thence east along said Colorado-Wyoming State Line to a point 20 miles east of the intersection of the Colorado-Wyoming State Line and U. S. Highway No. 85; thence south to a point due east of the beginning point herein; thence west to the place of beginning."

That Vernon Dotson is now seeking a correction so that the territory and area to be served under Certificate No. 1371 be definite and correct.

F I N D I N G S

THE COMMISSION FINDS:

That in this proceeding no new territory is involved and no other carriers will be affected. That the only matter involved is one of correcting an apparent mistake.

O R D E R

THE COMMISSION ORDERS:

That the description of the area or territory to be served under Certificate No. 1371 shall be as follows:

"beginning at a point midway between Greeley and Eaton; thence west to the Weld County Line; thence north along said line to the Colorado-Wyoming State Line; thence east along said Colorado-Wyoming State Line to a point 20 miles east of the intersection of the Colorado-Wyoming State Line and U. S. Highway No. 85; thence south to a point due east of the beginning point herein; thence west to the place of beginning."

That in all other matters Decision No. 15767 remain as is.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Dotson
John P. Thompson
Joseph F. Higin
Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1958.
mls

revised

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE GREAT WESTERN RAILWAY COMPANY,)
A COLORADO CORPORATION, TO ABANDON)
FACILITIES FOR THE LOADING AND UN-) APPLICATION NO. 16592
LOADING OF LIVESTOCK AT WELTY, COLO-)
RADO.)
-----)

October 7, 1958

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; The Great Western Railway Company, by Frank A. Kemp, President, did on August 29, 1958, file its petition requesting authority to remove its stockyard pens located at Welty in Weld County, Colorado, said removal to be effective on October 1, 1958. In conformance with Commission Rule No. 6, a public notice of the proposed removal was also posted at the stockpens.

Welty is also a beef loading dump and is located at the west end of a six-mile spur line extending southwest from Johnstown, Colorado.

According to the instant application, facilities for the loading and unloading of livestock have been maintained by Applicant at Welty, Colorado, as set forth in the Official List of Open and Prepay Stations Tariff No. 73, effective April 15, 1958. In the past six years the only shipments have been inbound, yielding a minor revenue of some \$20.00 per car during the months of October and November. Three cars were handled in 1953; maximum of fifteen in 1955; none in 1957, and four in 1958. It appears now that there are no indications of substantial increase in livestock movements

and request is made to remove the pens and eliminate the maintenance expense involved. It is proposed that with removal of the pens, the land will then be leased to a substantial shipper of agricultural commodities.

Upon investigation of this matter by the Commission, it is noted that the Welty trackage consists of both a beet-siding and the stockyard track; that the spur track is crossed by North Washington Road (Colorado Highway No. 185) and other graveled County roads. At four miles to the southwest, other rail service is also available at Berthoud, Colorado, including stockyard facilities.

Principal occupation in the area is livestock feeding, sugar beet raising and irrigated farming. Good roads offer a network of access routes and defense highway construction is being extended into the region. With the minor use that is being made of the instant stockpens, it becomes apparent that the usage is for convenience rather than necessity.

Other investigation has revealed that many of the details of loading and transportation of livestock are covered by uniform interstate tariff regulations as issued by the Western Trunk Lines in Freight Tariff 236-S as follows:

"Item 530-

Subject: Loading and Unloading Livestock where facilities are not provided. From or to stations where there are no facilities for the handling of carloads of Livestock in either single or double deck cars, as case may be, rates apply only where shippers or consignees furnish the necessary appliances for loading and unloading, such appliances to be provided by shippers or consignees at their own expense and risk."

We must therefore conclude that in this case there are ample facilities to meet the public needs of the region; that under the prevailing tariff customs, the absence of stockyards as a standard facility is recognized and alternate methods in the form of portable chutes can be used where the need would develop.

As a matter of public information, a notice of the proposed removal was posted in a conspicuous location at Welty, wherein it was indicated that any protests to the proposal should be forwarded to the Commission. No protests having been submitted and since none appear in the files of this matter, 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 insufficient public demand or usage exists to properly justify continued operation and maintenance of the stockpens now located at Welty, 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.

That the Great Western Railway Company be, and it hereby is, authorized to discontinue the maintenance of stockpen facilities at Welty, Colorado.

That reference shall be made to this decision in the affected tariffs as required to show the closing of the station and as authority for said action.

That authority is hereby granted The Great Western Railway Company to remove the stockpens located at Welty, Weld County, Colorado; 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

Ralph C. Horton
John P. Thompson
Joseph T. Kiro
Commissioners.

Dated at Denver, Colorado,
this 7th day of October, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLIFFORD M. SULLIVAN, ALSO KNOWN AS)
"C. M. SULLIVAN," DOING BUSINESS AS)
"SULLY'S TRANSFER & STORAGE COM-) APPLICATION NO. 16534-Extension
PANY," 300 SOUTH MAIN STREET,)
PUEBLO, COLORADO, FOR AN ORDER)
ESTABLISHING "GRANDFATHER RIGHTS")
IN THE TRANSPORTATION OF GENERAL)
CARTAGE WITHIN THE CITY OF PUEBLO,)
STATE OF COLORADO, UNDER PUC NO.)
2288.)
-----)

October 7, 1958

Appearances: Merritt L. Gordon, Esq.,
Pueblo, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, establishing "Grandfather Rights" in the transportation of general cartage within the City of Pueblo, State of Colorado, under PUC No. 2288.

Said matter was regularly set for hearing before the Commission, at the Court House, Pueblo, Colorado, September 2, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 15, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that a hearing was held on said matter and that the Commission, on January 28, 1958, entered its Decision No. 49520, establishing applicant's "Grandfather Rights" for the transportation of only certain commodities, and not general commodities, as sought by applicant.

Report of the Examiner further states that at the hearing, applicant testified he was engaged in transportation of general cartage or freight, except commodities which, because of size or weight, require special equipment, between all points within the City of Pueblo, Colorado, on, and prior to, January 1, 1955, as a common carrier, on call and demand, and that he has been so engaged continuously since that time, producing City Licenses granted to applicant by the City of Pueblo, for the Years 1951 and 1955, for general cartage business, and a list of general commodities hauled by him, as taken from his bills of lading, since June, 1952. Applicant testified his net worth is \$60,000; that he has suitable equipment to render said service.

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

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

It appears that applicant was actively engaged in transportation of general cartage within the City of Pueblo, Colorado, on January 1, 1955, being the effective date of Constitutional Amendment, giving The Public Utilities Commission of the State of Colorado jurisdiction over common carriers by motor vehicle operating in home-rule cities, thereby establishing "Grandfather Rights."

Report of the Examiner recommends that certificate of public convenience and necessity issue to applicant herein.

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 Report of the Examiner

referred to therein should be approved.

That public convenience and necessity require applicant's extended motor vehicle common carrier call and demand transportation service, under PUC No. 2288, and that his certificate of public convenience and necessity should be extended therefor, as set forth in the Order following.

That the new authority here sought is sought instead of the existing "Grandfather" authority, which should accordingly be cancelled.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service of Clifford M. Sullivan, also known as "C. M. Sullivan," doing business as "Sully's Transfer & Storage Company," Pueblo, Colorado, under PUC No. 2288, for the transportation of general cartage, between all points within the City of Pueblo, State of Colorado, excluding, however, the right to transport any commodity which, because of size or weight, requires special equipment, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor; the authority granted by our Decision No. 49520 is cancelled as of the date this Order becomes final, and therefore shall be null and void.

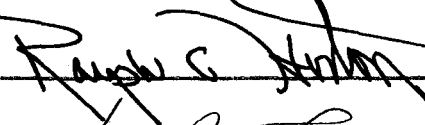


That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 7th day of October, 1958.

ca

original

(Decision No. 51064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ALFRED S. WAHLBORG, RURAL ROUTE 3,)
BOX 104, COLORADO SPRINGS, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
2217 TO KENNETH W. PIERCE, KENNETH)
N. PIERCE, AND THOMAS E. PIERCE, CO-)
PARTNERS, DOING BUSINESS AS "PIERCE)
AND SONS," MONUMENT, COLORADO.)

APPLICATION NO. 14085-Transfer
SUPPLEMENTAL ORDER

RE MOTOR VEHICLE OPERATIONS OF)
ALFRED S. WAHLBORG, RURAL ROUTE 3,)
BOX 104, COLORADO SPRINGS, COLORADO.)

PUC NO. 2217

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH W. PIERCE, KENNETH N.)
PIERCE, AND THOMAS E. PIERCE, CO-)
PARTNERS, DOING BUSINESS AS "PIERCE)
& SONS," BOX 357, MONUMENT, COLORADO.)

CASE NO. 86357-INS.
PUC NO. 2217

IN THE MATTER OF THE APPLICATION OF)
KENNETH W. PIERCE, KENNETH N.)
PIERCE, AND THOMAS E. PIERCE, CO-)
PARTNERS, DOING BUSINESS AS "PIERCE)
AND SONS," P. O. BOX 357, MONUMENT,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE. (APPLICANTS RE-)
QUEST THAT IN THE EVENT AUTHORITY)
HEREIN SOUGHT IS GRANTED, OPERATING)
RIGHTS BE KNOWN AS "PUC NO. 2217."))

APPLICATION NO. 16541

October 7, 1958

Appearances: Kenneth W. Pierce, Monument,
Colorado, for Pierce and
Sons.

S T A T E M E N T

By the Commission:

By Decision No. 45357, of date February 21, 1956, in Applica-
tion No. 14085, Alfred S. Wahlborg, Colorado Springs, Colorado, was au-
thorized to transfer PUC No. 2217 to Kenneth W. Pierce, Kenneth N.

Pierce, and Thomas E. Pierce, co-partners, doing business as "Pierce and Sons," Monument, Colorado.

Inasmuch as the requirements which are a condition precedent to transfer of said certificate upon our records were never complied with, the Commission, on May 7, 1957, entered its Supplemental Order in said matter, being Decision No. 47849, setting aside said Decision No. 45357, and restoring said PUC No. 2217 to Alfred S. Wahlborg, Colorado Springs, Colorado.

Thereafter, the following communication was received by the Commission, signed by said Alfred S. Wahlborg:

"To Whom It May Concern:

"This is to certify that I transferred my P.U.C. Permit No. 2217 to Kenneth W., Thomas E. and Kenneth N. Pierce, doing business as 'Kenneth Pierce & Sons,'

"I have not used this permit since I transferred it to Pierce & Sons.

"I will not be wanting to use this permit in the future."

Subsequently, the Commission, in Case No. 86357-Ins., revoked said PUC No. 2217 for failure of Respondents to keep effective insurance on file with the Commission.

On July 28, 1958, Kenneth W. Pierce, Kenneth N. Pierce, and Thomas E. Pierce, co-partners, doing business as "Pierce and Sons," Monument, Colorado, filed their application with the Commission, being Application No. 16541, seeking a certificate of public convenience and necessity, authorizing them to operate as a common carrier by motor vehicle for hire, for the transportation of milk, cream, and dairy products, from points within a radius of fifteen miles of Monument, Colorado, to creameries at Colorado Springs, Colorado, and requesting that said operating rights bear the number PUC No. 2217."

Said application was regularly set for hearing before the Commission, at the Court House, Colorado Springs, Colorado, September

3, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 18, 1958, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Kenneth W. Pierce testified in behalf of applicants, stating that the partnership applicants herein have a net worth of \$10,000; that they are presently operating under Temporary Authority issued by this Commission; that they are presently serving five customers, and have had other requests for service; that insurance is on file with the Commission covering said operations; that they are the owners of suitable and adequate equipment with which to conduct said operations.

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.

Report of said Examiner recommends that certificate of public convenience and necessity issue to applicants herein.

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 Report of the Examiner referred to therein should be approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of appli-

cants herein, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

That operating rights herein granted shall be known as "PUC No. 2217."

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation services of Kenneth W. Pierce, Kenneth N. Pierce, and Thomas E. Pierce, co-partners, doing business as "Pierce and Sons," Monument, Colorado, for the transportation of milk, cream, and dairy products, from points within a radius of fifteen miles of Monument, Colorado, to creameries at Colorado Springs, Colorado, 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.

That operating rights herein granted shall be designated "PUC No. 2217."

That 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
Joseph L. Nigro
Commissioners.

Dated at Denver, Colorado,
this 7th day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KAIBAB LUMBER COMPANY, P. O.)
BOX 1468, FREDONIA, ARIZONA.)

PERMIT NO. M-5549
CASE NO. 86650-INS.

October 7, 1958

S T A T E M E N T

By the Commission:

On September 4, 1958, in Case No. 86650-Ins., the Commission entered its Order, revoking Permit No. M-5549 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

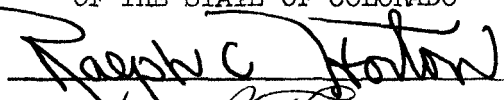
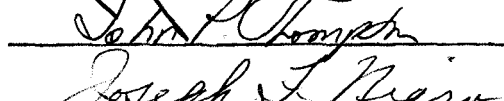
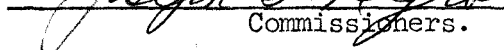
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-5549 should be, and the same hereby is, reinstated as of September 4, 1958, revocation order entered by the Commission on said date in Case No. 86650-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 7th day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DONALD V. VENDRA, DOING BUSI-)
NESS AS "PIONEER SERVICE," 2655)
BROADWAY, BOULDER, COLORADO.)

PERMIT NO. M-13480
CASE NO. 87117-INS.

October 7, 1958

S T A T E M E N T

By the Commission:

On September 25, 1958, in Case No. 87117-Ins., the Commission entered its Order, cancelling Permit No. M-13480 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

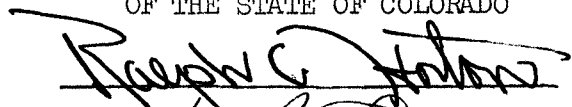
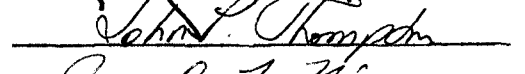
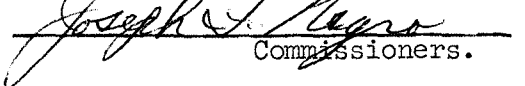
O R D E R

THE COMMISSION ORDERS:

That Permit No. M-13480 should be, and the same hereby is, reinstated, as of September 25, 1958, revocation Order entered by the Commission on said date in Case No. 87117-Ins. being hereby vacated, set aside, and held for naught.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 7th day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
R. E. PRYOR AND JOHN PRYOR, DO-)
ING BUSINESS AS "R. E. PRYOR)
AND SON," 2730 "B" ROAD, GRAND)
JUNCTION, COLORADO.)

PERMIT NO. M-2210
CASE NO. 87217-INS.

October 7, 1958

S T A T E M E N T

By the Commission:

On September 25, 1958, in Case No. 87217-Ins., the Commission entered its Order, revoking Permit No. M-2210 for failure of Respondents herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondents, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

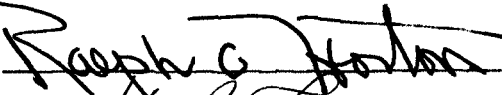
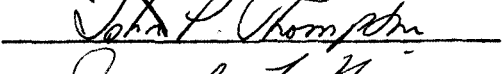
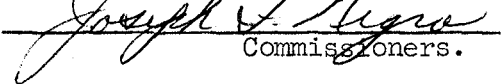
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-2210 should be, and the same hereby is, reinstated, as of September 25, 1958, revocation Order entered by the Commission on said date in Case No. 87217-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 7th day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND E. WILSON, ROUTE 1,)
BOX 700, BOULDER, COLORADO.)

PERMIT NO. M-9331
CASE NO. 87299-INS.

October 7, 1958

S T A T E M E N T

By the Commission:

On September 25, 1958, in Case No. 87299-Ins., the Commission entered its Order, revoking Permit No. M-9331 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing is now on file with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

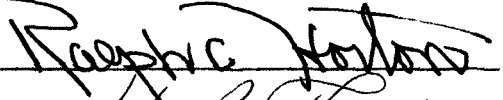
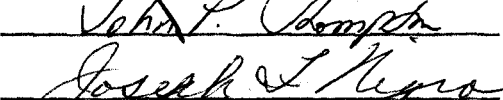
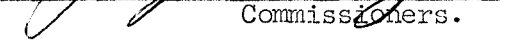
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-9331 should be, and the same hereby is, reinstated, as of September 25, 1958, revocation order entered by the Commission on said date in Case No. 87299-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 7th day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD WESTLEY, DOING BUSINESS)
AS "K & B PLUMBING AND HEATING,")
RURAL ROUTE 1, GLENWOOD SPRINGS,)
COLORADO.)

PERMIT NO. M-9678
CASE NO. 87324-INS.

October 7, 1958

S T A T E M E N T

By the Commission:

On September 25, 1958, in Case No. 87324-Ins., the Commission entered its Order, revoking Permit No. M-9678 for failure of Respondent herein to keep effective insurance on file with the Commission.

Proper insurance filing has now been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

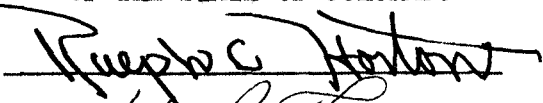
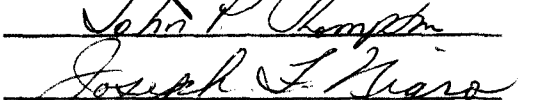

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-9678 should be, and the same hereby is, reinstated, as of September 25, 1958, revocation Order entered by the Commission on said date in Case No. 87324-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 7th day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF PUB-)
LIC CONVENIENCE AND NECESSITY)
UNDER CHAPTER 80, SESSION LAWS)
OF COLORADO, 1951, FOR EMERGENCY)
MOVEMENT OF SUGAR BEETS.)

APPLICATION NO. 16647

October 3, 1958

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 exists in the matter of trucks for transportation of sugar beets from fields to storage, in the Counties of Boulder, Jefferson, Larimer, Logan, Morgan, Weld, Adams, Washington, Delta, Pueblo, Sedgwick, Mesa, Montrose, Alamosa, Conejos, Bent, Crowley, Las Animas, Otero, Prowers, and Garfield, State of Colorado, and that said emergency will probably continue until approximately November 4, 1958.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for seasonal transportation of sugar beets in the Counties above mentioned.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of shortage in certificated trucks for transportation of sugar beets in the Counties above set forth, and that public convenience and necessity require that temporary certificates should issue for operation of motor vehicles for transport-

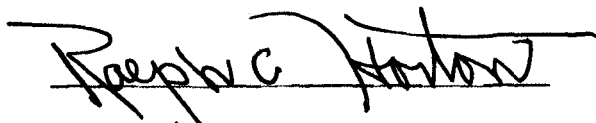


ation of sugar beets from fields to storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period from October 3, 1958, to and including November 4, 1958.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and hereby are, authorized to be issued for operation of motor vehicles, for the transportation of sugar beets, from fields to storage, in the Counties of Boulder, Jefferson, Larimer, Logan, Morgan, Weld, Adams, Washington, Delta, Pueblo, Sedgwick, Mesa, Montrose, Alamosa, Conejos, Bent, Crowley, Las Animas, Otero, Prowers, and Garfield, State of Colorado, said certificates to become effective October 3, 1958, and to continue in force up to and including November 4, 1958, no such certificate to issue for transportation of sugar beets 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 3rd day of October, 1958.

mls

original

(Decision No. 51071)

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, FOR EMERGENCY MOVEMENT)
OF CORN, IN LOGAN COUNTY, COLORADO.)

APPLICATION NO. 16648

October 3, 1958

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 exists in the matter of trucks for transportation of corn from fields to storage in Logan County, State of Colorado.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of corn in said County.

F I N D I N G S

THE COMMISSION FINDS:

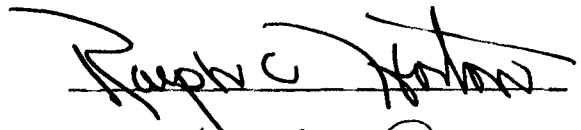


That an emergency exists because of the shortage in certificated trucks for transportation of corn in Logan County, Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of corn from fields to storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty (30) days, or from October 3, 1958, to and including November 1, 1958.

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 operation of motor vehicles, for the transportation of corn, from fields to storage, in the County of Logan, State of Colorado, said certificates to become effective October 3, 1958, and to continue in force up to and including November 1, 1958, no such certificate to issue for transportation of corn 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 3rd day of October, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK FALSETTO, DOING BUSINESS AS)
"CITY BUS COMPANY," 723 SAN JUAN)
STREET, TRINIDAD, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE A MOTOR)
BUS SERVICE FOR THE TRANSPORTATION)
OF PERSONS WITHIN THE CITY LIMITS)
OF TRINIDAD, COLORADO, INCLUDING)
FISHER'S PEAK AND ALLENDALE ADDI-)
TIONS TO SAID CITY AND THE HOME FOR)
THE AGED AND MR. SAN RAFAEL HOSPITAL.)

APPLICATION NO. 15865-Extension
AMENDED

IN THE MATTER OF THE APPLICATION OF)
RUDOLPH MAZZA AND FRANK FALSETTO,)
DOING BUSINESS AS "PICKETWIRE BUS)
CO.," 730 STONEWALL AVENUE, TRINI-)
DAD, COLORADO, FOR AUTHORITY TO)
TRANSFER A PORTION OF PUC NO. 2430)
TO THE PEAK BUS CO., 904 ROBINSON)
AVENUE, TRINIDAD, COLORADO.)

APPLICATION NO. 16594-Transfer

October 8, 1958

Appearances: Carmel Garlutz, Esq.,
Trinidad, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

These applications were regularly set for hearing after appropriate notice to all interested parties, at ten o'clock A. M., September 22, 1958, in the District Court Room, Court House, Trinidad, Colorado, where they were heard and taken under advisement by the Commission.

The Applicant Transferors and Transferees, respectively, are co-partners who are the holders of PUC No. 2430, providing for:

By Decision No. 37012, 7-3-51: Transportation of passengers, on schedule, between Trinidad Colorado, and Stonewall, Colorado, and inter-

mediate points on Colorado Highway No. 12, which said highway runs in an easterly and westerly direction from Trinidad, Colorado, to Stonewall, Colorado;

By Decision No. 46917, 12-3-56: Transportation, on schedule, of miners, only, employed at Allen Mine, located near Stonewall, Colorado, from Walsenburg, Colorado, serving intermediate points along U. S. Highway No. 85-87 via Trinidad, and westerly, over Colorado Highway No. 12, to the Allen Mine, and return, service being authorized only for the purpose of transporting miners to and from their work in the Allen Mine.

The co-partners are desirous of dissolving their partnership and of dividing the assets thereof, including existing certificates. It was agreed between the parties that there should be a severance of PUC No. 2430 to authorize the transfer of that part of said certificate that provides transportation of miners only, employed at the Allen Mine located near Stonewall, Colorado, from Walsenburg, Colorado, serving intermediate points along U. S. Highway No. 85-87 via Trinidad, and westerly, over Colorado Highway No. 12, to the Allen Mine, and return, service being authorized only for the purpose of transporting miners to and from their work in the Allen Mine, to Rudolph Mazza, doing business as "The Peak Bus Co.," Trinidad, Colorado.

The balance of the certificate, providing for the transportation of passengers, on schedule, between Trinidad, Colorado, and Stonewall, Colorado, and intermediate points on Colorado Highway No. 12, which said highway runs in an easterly and westerly direction from Trinidad, Colorado, to Stonewall, Colorado, is to be transferred to Frank Falsetto. In addition, Frank Falsetto becomes the sole applicant for a certificate of public convenience and necessity for bus service in Trinidad, Colorado.

With respect to the severance of a portion of the existing PUC No. 2430, both of the parties testified that they realize any such

transfer is subject to all existing indebtedness that may be outstanding, if any. The respective partners have made provision for discharging said indebtedness, as well as for the division of the equipment to operate their respective certificates they will have.

With respect to the application for bus service in Trinidad, this service has been operating under temporary authority for over a year. The success of mass transportation in cities of this size is often questionable, but after experience of operation, the applicant Frank Falsetto, who succeeds to the right to operate by virtue of a contract with his partner, established that it is a feasible operation and that the lack of any other mass transportation facilities in the city, and the use thereof, certainly indicate a definite public convenience and necessity.

The training, experience and financial ability of the respective parties were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the severance of PUC No. 2430, providing for the transportation, generally, from Walsenburg to the Allen Mine west of Trinidad, Colorado, and the transfer of this authority to Rudolph Mazza, doing business as "The Peak Bus Co.," Trinidad, Colorado, and the transfer of the balance of the authority under said certificate providing for the transportation of passengers from Trinidad to the Allen Mine to Frank Falsetto, is in the public interest and should be granted.

That public convenience and necessity require the granting of a certificate of public convenience and necessity to operate a bus service for transportation of persons within the city limits of Trinidad, Colorado, including Fisher's Peak and Allendale Additions to said city and the Home for the Aged and Mt. San Rafael Hospital, to Frank Falsetto, Trinidad, Colorado.

O R D E R

THE COMMISSION ORDERS:

That the severance of PUC No. 2430 is hereby authorized, as follows:

That Rudolph Mazza and Frank Falsetto, doing business as "Picketwire Bus Co.," 730 Stonewall Avenue, Trinidad, Colorado, be, and are hereby authorized to transfer a portion of PUC No. 2430, viz.:

Transportation, on schedule, of miners, only, employed at the Allen Mine located near Stonewall, Colorado, from Walsenburg, Colorado, serving intermediate points along U. S. Highway No. 85-87, via Trinidad, and westerly, over Colorado Highway No. 12, to the Allen Mine, and return, service authorized only for the purpose of transporting miners to and from their work in the Allen Mine,

to Rudolph Mazza, doing business as "The Peak Bus Co.," 904 Robinson Avenue, Trinidad, Colorado, the following authority to be retained by Frank Falsetto:

Transportation of passengers, on schedule, between Trinidad, Colorado, and Stonewall, Colorado, and intermediate points on Colorado Highway No. 12, which said highway runs in an easterly and westerly direction from Trinidad, Colorado, to Stonewall, Colorado.

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 portion of PUC No. 2430 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 portion of said certificate.

That public convenience and necessity require the granting of a certificate of public convenience and necessity to Frank Falsetto, doing business as "City Bus Company," 723 San Juan Street, Trinidad, Colorado, to operate a bus service for the transportation of persons within the city limits of Trinidad, Colorado, including Fisher's Peak and Allendale Additions to said city and the Home for the Aged and Mt. San Rafael Hospital, a new certificate number to be issued for this operation, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.


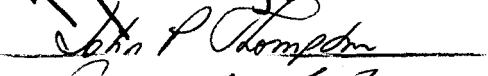

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 8th day of October, 1958.

mls

original

(Decision No. 51073)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CIPRIANO GURULE, DOING BUSINESS AS)
"GURULE TRUCK LINE," TRINIDAD, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC) APPLICATION NO. 16593-Transfer
NO. 708 TO IDA B. COUEY AND J. R.)
COUEY, CO-PARTNERS, DOING BUSINESS)
AS "COUEY STORAGE & TRANSFER," 427)
NORTH CHESTNUT, TRINIDAD, COLORADO.)

October 8, 1958

Appearances: Carmel Garlutz, Esq.,
Trinidad, Colorado,
for Transferor and
Transferees;
Howard Hicks, Denver,
Colorado, for copy
of Order.

S T A T E M E N T

By the Commission:

This application was regularly set for hearing after appropriate notice to all interested parties, at the District Court Room, Court House, Trinidad, Colorado, on September 22, 1958, at ten o'clock A. M., where it was heard and taken under advisement by the Commission.

Cipriano Gurule, doing business as "Gurule Truck Line," Trinidad, Colorado, is the owner and operator of PUC No. 708, which authorizes the following:

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 (10) miles of Hoehne, Colorado, to Morley, Valdez, and Weston, Colorado; coal from Morley to points upon and along said "line haul."

By the instant application, said certificate-holder seeks authority from this Commission to transfer the operating rights under said PUC No. 708 to Ida B. Couey and J. R. Couey, co-partners, doing business as "Couey Storage & Transfer," 427 North Chestnut, Trinidad, Colorado.

It appears that transferees own and operate PUC No. 349 and I, and are therefore familiar with the laws and rules and regulations of this Commission. They are operating under a co-partnership agreement and have ample equipment with which to carry on their operations and are financially able to continue to render these transportation services.

No one appeared in opposition to the granting of the proposed transfer.

The operating experience, equipment and financial stability of transferees were established to the satisfaction of the Commission, and it appears to be in the public interest to grant the application for transfer.

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 Cipriano Gurule, doing business as "Gurule Truck Line," Trinidad, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 708 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Ida B. Couey and J. R. Couey, co-partners, doing business as "Couey Storage & Transfer," 427 North Chest-

nut, Trinidad, Colorado, subject to the payment of outstanding indebtedness if any there be, whether secured or unsecured.

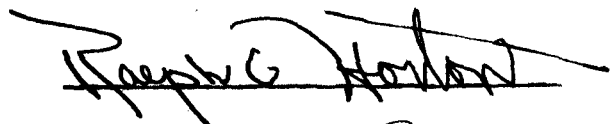

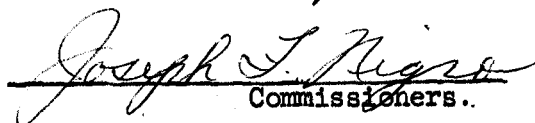
That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners..

Dated at Denver, Colorado,
this 8th day of October, 1958.

mls

original

(Decision No. 51074)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDWARD GARCIA AND MANUEL MARTINEZ,)
JR., CO-PARTNERS, DOING BUSINESS AS)
"GARCIA & MARTINEZ," BOX 507, CENTER,) APPLICATION NO. 16607-PP
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

October 8, 1958

Appearances: Edward Garcia, Center,
Colorado, pro se;
Manuel Martinez, Center,
Colorado, pro se;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class
"B" private carrier by motor vehicle for hire, for the trans-
portation of potatoes, from and to points within a radius of
twenty-five miles of Center, Colorado.

Said application, pursuant to prior setting, after
appropriate notice to all parties in interest, was heard at the
Court House, Alamosa, Colorado, September 30, 1958, and at the
conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicants testified they were the
owners of suitable equipment with which to conduct their pro-
posed operations.

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

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

It does not appear that any common carrier service operating in the territory herein sought to be served by applicants would be impaired by the granting of authority herein sought.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicants herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Edward Garcia and Manuel Martinez, Jr., co-partners, doing business as "Garcia & Martinez," Center, 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 potatoes, from point to point within a radius of twenty-five miles of Center, Colorado.

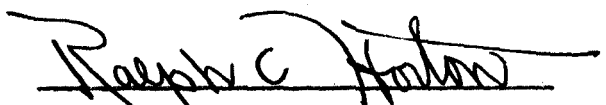
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

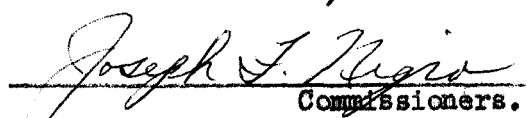
That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

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 8th day of October, 1958.
ea

original

(Decision No. 51075)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLAYTON L. CROMWELL AND GLEN L.)
ADAMS, CO-PARTNERS, DOING BUSINESS)
AS "MOB HILL FEED & SUPPLY COMPANY,")
2523 NORTH MAIN, COLORADO SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 16603-PP

October 8, 1958

Appearances: Clayton L. Cromwell, Colorado
Springs, Colorado, for
Applicants;
Conour and Conour, Esqs.,
Del Norte, Colorado,
for James E. Ashton.

S T A T E M E N T

By the Commission:

Applicant herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of baled hay, from points in Saguache County, Colorado, to Pueblo, to Colorado Springs, and to Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Clayton L. Cromwell, one of applicants herein, testified applicants are presently operating under Temporary Authority issued by this Commission.

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

No evidence was introduced on behalf of protestants.

It does not appear that applicant's proposed operations will impair the efficiency of service of any common carrier

operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicants herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Clayton L. Cromwell and Glen L. Adams, co-partners, doing business as "Nob Hill Feed & Supply Company," Colorado Springs, 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 baled hay, from points in Saguache County, to Pueblo, Colorado Springs, 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 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 authority sheets.

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

Ralph C. Horton

John P. Thompson

Joseph I. Riggs
Commissioners.

Dated at Denver, Colorado,
this 8th day of October, 1958.

replied

(Decision No. 51076)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. A. ONSTOTT, SOUTH FORK, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 16604-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

October 8, 1958

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for Applicant;
Marion Snyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
John Able, Durango, Colo-
rado, for Montezuma Truck
Line.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of freight and logs, from point to point within a radius of one hundred miles of South Fork, Colorado.

Said application was regularly set for hearing, and heard, at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Attorneys for Applicant herein requested amendment of said application, by striking the word "Freight" from authority sought, so that operating rights herein sought would be:

"Transportation of logs, from point to point within a radius of one hundred miles of South Fork, Colorado."

There being no objection thereto, said amendment was permitted.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier service now operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That E. A. Onstott, South Fork, 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 logs, from forests to sawmills, storage places, and loading points within a radius of one hundred miles of South Fork, Colorado, for Hallack and Howard Lumber Company, of South Fork, Colorado, only.

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 statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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. Horton
John P. Thompson
Joseph F. Harris
Commissioners.

Dated at Denver, Colorado,
this 8th day of October, 1958.

ea

original

(Decision No. 51077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
A. J. HULSE, BOX 145, DEL NORTE,)	
COLORADO, FOR A CLASS "B" PERMIT)	<u>APPLICATION NO. 16601-PP</u>
TO OPERATE AS A PRIVATE CARRIER)	
BY MOTOR VEHICLE FOR HIRE.)	
-----)	

October 8, 1958

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, from point to point within a radius of twenty-five miles of South Fork, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by him.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That A. J. Hulse, Del Norte, 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 logs, from point to point within a radius of twenty-five miles of South Fork, Colorado.

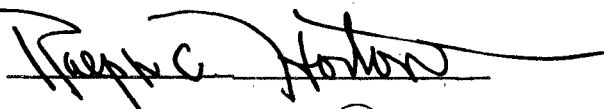
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 8th day of October, 1958.

ea

original

(Decision No. 51078)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EUGENE HUTT, MERINO, COLORADO, FOR)	
AUTHORITY TO TRANSFER PERMITS NOS.)	
B-610 AND B-610-I TO H & H TRUCK)	APPLICATION NO. 16609-PP-Transfer
LINES, INC., MERINO, COLORADO.)	<u>AMENDED</u>

October 8, 1958

Appearances: Karl C. Falch, Esq.,
Sterling, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Eugene Hutt, Merino, Colorado, is the owner and operator of
Permits Nos. B-610 and B-610-I with authority as follows:

transportation of all commodities originat-
ing at any point within the Counties of
Logan, Washington, Sedgwick, Phillips, Yuma,
and Morgan, to any other point within said
Counties; all commodities originating at or
destined to any point within the Counties of
Logan, Washington, Sedgwick, Phillips, Yuma,
and Morgan from and to any point within the
State of Colorado; sawdust, grain and emi-
grant moveables, including used farm machin-
ery, from any point in the State of Colorado
to any other points in the State of Colorado;

between all points in Colorado and the Colo-
rado State boundary lines where all highways
cross same in interstate commerce only, sub-
ject to the provisions of the Federal Motor
Carrier Act of 1935, as amended.

By application filed August 21, 1958, said permittee seeks
authority to transfer said Permits Nos. B-610 and B-610-I to H & H
Truck Lines, Inc., Merino, Colorado.

Eugene Hutt, transferor, testified in support of the appli-
cation and stated that he, his father and wife are the incorporators
and that it is a family corporation; that all reports are current;

that no change in management or equipment is contemplated; that the office of the Company has always been in the six Counties which it is authorized to serve, and none is planned anywhere else; their financial statement is attached to the application, and shows a net worth of \$33,266.40.

No one appeared in opposition to the granting of the proposed transfer.

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.

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

O R D E R

THE COMMISSION ORDERS:

That Eugene Hutt, Merino, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permits Nos. B-610 and B-610-I, as hereinbelow restricted, to H & H Truck Lines, Inc., Merino, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That the authority should be, and it hereby is, amended, so that as amended it will read as follows:

transportation of all commodities originating at any point within the Counties of Logan, Washington, Sedgwick, Phillips, Yuma, and Morgan, to any other point within said Counties; all commodities originating at or destined to any point within the Counties of Logan, Washington, Sedgwick, Phillips, Yuma, and Morgan from and to any point within the State of Colorado; sawdust, grain and emi-

grant moveables, including used farm machinery, from any point in the State of Colorado to any other points in the State of Colorado;

between all points in Colorado and the Colorado State boundary lines where all highways cross same in interstate commerce only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

provided, that the transferee herein shall not be permitted, without further authority from this Commission, to establish a branch office or have any agent employed in any other County than the Counties of Logan, Washington, Sedgwick, Phillips, Yuma, and Morgan, for the purpose of developing business.

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 its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

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

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

That 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
Joseph A. Mero
Commissioners.

Dated at Denver, Colorado,
this 8th day of October, 1958.

mls

Original

(Decision No. 51079)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ORAN P. NORTHROP, ANTONITO, COLO-)	
RADO, FOR A CLASS "B" PERMIT TO OP-)	
ERATE AS A PRIVATE CARRIER BY MOTOR)	<u>APPLICATION NO. 16438-PP</u>
VEHICLE FOR HIRE.)	

October 8, 1958

Appearances: W. W. Myers, Esq., Alamosa,
Colorado, for Applicant;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of rough lumber and sawmill equipment, from point to point within a radius of fifty miles of Antonito, Colorado, over Highways Nos. 285, 160, or 285, 142, 159, and requests that in the event said authority is granted, operating rights be known as "Permit No. B-5367," inas- much as he presently is the owner and operator of Permit No. B-5367-I.

Said application, pursuant to prior setting, after appro- priate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Attorney for Applicant testified that his client was stranded in the mountains in New Mexico, and it was im- possible for him to attend the hearing; that he was representing applicant and the customer for whom applicant would haul, and had been requested by applicant and the customer to ask for continuance

of said matter, to be re-set for hearing at a later date.

There being no objection thereto, said request was granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled matter should be continued, to be re-set for hearing at a later date, upon request of Attorney for Applicant herein.

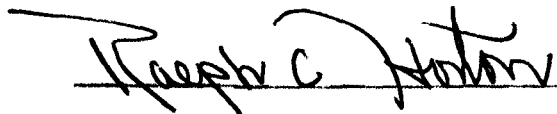

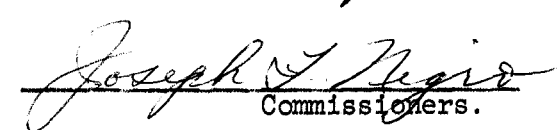
O R D E R

THE COMMISSION ORDERS:

That Application No. 16438-PP should be, and the same hereby is, continued, to be re-set for hearing at a later date, 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.

Dated at Denver, Colorado,
this 8th day of October, 1958.

mls

original

(Decision No. 51080)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD P. GREIL, 425 DAVIS STREET,)
MONTE VISTA, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16599-PP

October 8, 1958

Appearances: Richard P. Greil, Monte Vista,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, from Wolf Creek Pass, via U. S. Highway No. 160, to Monte Vista, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant herein testified his net worth is \$25,000; that he has ample equipment with which to conduct his proposed operations.

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

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

It does not appear that applicant's proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Richard P. Greil, Monte Vista, 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 logs, from Wolf Creek Pass, via U. S. Highway No. 160, to Monte Vista, Colorado.

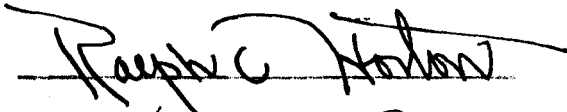


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 8th day of October, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DANIEL LOOS, DOING BUSINESS AS "DL)
TRANSFER," 1952 CHAMPA STREET, DEN-)
VER, COLORADO, FOR A CLASS "B" PER-) APPLICATION NO. 16608-PP
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-----)

October 6, 1958

Appearances: Robert McIlhenny, Esq.,
Denver, Colorado, for
Applicant;
Raymond B. Danks, Esq.,
Denver, Colorado, for
Colorado Transfer and
Warehousemen's Association.

S T A T E M E N T

By the Commission:

By the above-styled application, Daniel Loos, doing
business as "DL Transfer," Denver, Colorado, seeks a Class "B"
permit to operate as a private carrier by motor vehicle for hire,
for the transportation of foundry or machine products, from point
to point within the City and County of Denver, State of Colorado,
for National Lead Company, of Denver, Colorado, only.

Said application was regularly set for hearing before
the Commission, at the Hearing Room of the Commission, 330 State
Office Building, Denver, Colorado, October 3, 1958, at ten o'clock
A. M., due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, no appear-
ance was made on behalf of applicant, either in person or by counsel.

Thereupon, protestant moved that said application be dis-
missed for lack of prosecution, which motion was taken under advise-
ment.

Thirty minutes later, Attorney for Applicant appeared,
stating applicant had advised him said hearing was set for 10:30

o'clock A. M., rather than for 10:00 o'clock A. M., and requesting that said matter be later re-set for hearing.

F I N D I N G S

THE COMMISSION FINDS:

That protestant's motion should be denied, and the above-styled application continued, said matter to be re-set for hearing, as set forth in the Order following, with notice to all parties in interest.

O R D E R

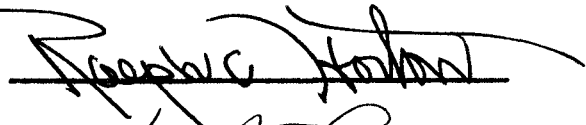


THE COMMISSION ORDERS:

That motion of protestants herein to dismiss the above-styled application for lack of prosecution should be, and the same hereby is, denied.

That Application No. 16608-PP should be, and the same hereby is, re-set for hearing before the Commission, at 10:00 o'clock A. M., Thursday, October 16, 1958, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of October, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE L. CLEMENTI, DOING BUSINESS AS)
"CLEMENTI & SON TRUCK LINE," ROUTE)
4, BOX 168, PUEBLO, COLORADO, FOR) APPLICATION NO. 14699-PP-Transfer
AUTHORITY TO TRANSFER PERMIT NO.)
A-655 TO GEORGE P. MC LAUGHLIN,)
DOING BUSINESS AS "CLEMENTI & SONS)
TRUCK LINE," 1529 SARATOGA ROAD,)
PUEBLO, COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
GEORGE P. MC LAUGHLIN, DOING BUSI-)
NESS AS "CLEMENTI & SONS TRUCK)
LINE," P. O. BOX 1256, PUEBLO,) APPLICATION NO. 15448-PP-Transfer
COLORADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. A-655 TO RED WING FREIGHT)
WAY, INC., P. O. BOX 1256, PUEBLO,)
COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
RED WING FREIGHT WAY, INC., P. O.)
BOX 1256, PUEBLO, COLORADO, FOR AU-) APPLICATION NO. 15449-PP-Extension
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. A-655.)
-----)

RE MOTOR VEHICLE OPERATIONS OF)
JOE L. CLEMENTI, DOING BUSINESS)
AS "CLEMENTI & SON TRUCK LINE,") PERMIT NO. A-655
ROUTE 4, BOX 168, PUEBLO, COLO-)
RADO.)
-----)

SUPPLEMENTAL ORDER

October 1, 1958

Appearances: Preston and Altman, Esqs.,
Pueblo, Colorado, for
Joe L. Clementi;
Harold C. Rudolph, Esq.,
Pueblo, Colorado, for
Joe L. Clementi;
A. J. Fregeau, Denver, Colo-
rado, for Welcker Transfer
and Storage Company;
John R. Barry, Esq., Denver,
Colorado, for George P.
McLaughlin;
Ernest Gottula, Pueblo, Colo-
rado, for Gottula Trucking
and Transportation, Inc.;

Walter Lynch, Denver, Colorado, for Goldstein Transportation and Storage, Inc.

S T A T E M E N T

By the Commission:

Heretofore, Joe L. Clementi, doing business as "Clementi & Son Truck Line," Pueblo, Colorado, was granted a Class "A" permit to operate as a private carrier by motor vehicle for hire, for the transportation of:

general freight, Pueblo to Denver and return, via U. S. Highway No. 85; general freight, on U. S. Highway No. 50, between Pueblo and Avondale, and between Avondale and Pueblo and all intermediate points, as well as between Denver and these points, and these points and Denver, Colorado,

said operating rights being known as "Permit No. A-655."

Thereafter, the following decisions were entered by the Commission in the above-styled matters:

Decision No. 46655, of date October 11, 1956, in Application No. 14699-PP, authorizing said Joe L. Clementi, doing business as "Clementi & Son Truck Line," Pueblo, Colorado, to transfer Permit No. A-655 to George P. McLaughlin, doing business as "Clementi & Sons Truck Line," Pueblo, Colorado.

Decision No. 48361, of date July 15, 1957, in Application No. 15448-PP, authorizing George P. McLaughlin, doing business as "Clementi & Sons Truck Line," Pueblo, Colorado, to transfer Permit No. A-655 to Red Wing Freight Way, Inc., Pueblo, Colorado, it being therein provided that ownership of said operating rights was to be retained by Joe L. Clementi until payment in full had been made by transferee, at which time application would be made to this Commission for formal transfer of said operating rights.

Decision No. 48362, of date July 16, 1957, in Application No. 15449-PP, authorizing Red Wing Freight Ways, Inc., Pueblo, Colorado, to extend operations under Permit No. A-655, to include the right to transport general freight, from point to point within the City of Pueblo, Colorado.

Petition has now been filed with this Commission by Preston and Altman, Attorneys for Joe L. Clementi, stating that the terms and conditions of Contract entered into between said Joe L. Clementi and George P. McLaughlin (copy of which is on

file with this Commission), for sale and purchase of said Permit No. A-655, provide:

"Complete ownership of the Permit shall be retained by the Seller and said Permit shall not become the property of the Buyer until payment in full has been made;"

that said George P. McLaughlin has failed to make the payments due under said contract, and as a result thereof, Joe L. Clementi filed Civil Action No. 40248 in the District Court for Pueblo County, Colorado, to secure payment of the balance due under said contract of \$20,000, plus interest; that said action was tried on August 12, 1958, and a judgment and decree was entered therein, awarding Joe L. Clementi a judgment in the sum of \$23,851.89, and decreeing:

"That Public Utilities Commission Permit No. A-655 is the property of Plaintiff pursuant to the terms of the contract referred to herein."

Certified copy of said Judgment and Decree have been filed with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. A-655 should be restored to Joe L. Clementi, as directed by the District Court of Pueblo County, State of Colorado, in Civil Action No. 40248.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 46655, of date October 11, 1956, entered by the Commission in Application No. 14699-PP, Decision No. 48361, of date July 15, 1957, entered by the Commission in Application No. 15448-PP, and Decision No. 48362, of date July 16, 1957, entered by the Commission in Application No. 15449-PP, should be, and the same hereby are, vacated, set aside, and held for naught.

That the Secretary of the Commission is hereby directed to change the records of the Commission to show that Joe L. Clementi, doing business as "Clementi & Son Truck Line," Pueblo, Colorado,

is the owner and operator of Permit No. A-655, with authority as set forth in the first paragraph of the preceding Statement, which is made a part hereof, by reference.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Reginald C. Horton
Robert P. Thompson
Joseph F. Sigro
Commissioners.

Dated at Denver, Colorado,
this 1st day of October, 1958.

ea

original

(Decision No. 51083)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
G. L. GATES, DOING BUSINESS AS)
"GATES CESSPOOL CLEANING SERVICE,")
MONTE VISTA, COLORADO, FOR A CERTIF-)
ICATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY TO OPERATE AS A COMMON CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16597

October 9, 1958

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

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 of sewage and cesspool refuse, from point to point within a radius of one hundred miles of Monte Vista, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified he has ample equipment with which to conduct his proposed operation; that he presently is serving 1,180 customers, under Temporary Authority issued by this Commission.

No one appeared in opposition to the granting of authority herein 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 public convenience and necessity require the proposed motor vehicle common carrier call and demand transportation service of applicant herein, 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 public convenience and necessity require the motor vehicle common carrier call and demand transportation service of G. L. Gates, doing business as "Gates Cesspool Cleaning Service," Monte Vista, Colorado, for the transportation of sewage and cesspool refuse, from point to point within a radius of one hundred miles of Monte Vista, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

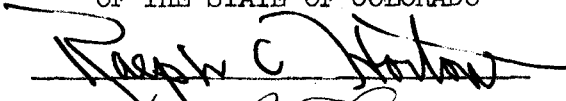
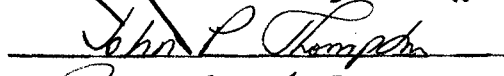

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 9th day of October, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BEN H. LANDIS, 4915 EAST EARLL)
DRIVE, PHOENIX, ARIZONA, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16598

October 9, 1958

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

By the above-styled application, Ben H. Landis, Phoenix, Arizona, seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, for the transportation of sewage and cess pool refuse in various counties in Southwestern Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified he would keep one piece of equipment in Colorado; that the proposed operation is of a seasonal nature, during the summer and fall months; that he is presently operating under Temporary Authority issued by this Commission.

No one appeared in opposition to the granting of authority herein 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 public convenience and necessity require the proposed motor vehicle common carrier call and demand transportation service of applicant herein, 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 public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Ben H. Landis, Phoenix, Arizona, for the transportation of sewage and cess pool refuse, from point to point within the Counties of Montezuma, La Plata, Archuleta, Conejos, Costilla, Huerfano, Alamosa, Rio Grande, Mineral, Hinsdale, San Juan, Saguache, Custer, Chaffee, and Gunnison, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

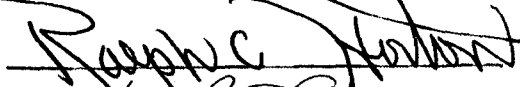
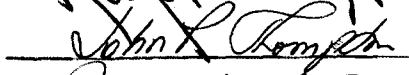

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 9th day of October, 1958.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RALPH NORMAN, 2738 MARION)
STREET, DENVER, COLORADO.)

PUC NO. 3385
CASE NO. 79132-INS.

October 9, 1958

S T A T E M E N T

By the Commission:

On December 19, 1956, in Case No. 79132-Ins., the Commission entered its Order, revoking PUC No. 3385 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that said Respondent ceased operation on said date, but did not so advise the Commission. In order that the Commission can have a clear record, it was agreed to set aside the revocation order, provided an affidavit was filed with the Commission that no accidents occurred resulting in loss, damage, or injury. Such affidavit has now been filed.

F I N D I N G S

THE COMMISSION FINDS:

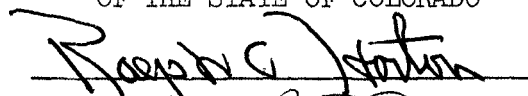


That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 3385 should be, and the same hereby is, reinstated, as of December 19, 1956, revocation Order entered by the Commission on said date in Case No. 79132-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 9th day of October, 1958.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARION H. OWENS, DOING BUSINESS AS)
"OWENS FREIGHT LINES," c/o SAN JUAN)
LUMBER COMPANY, PAGOSA SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16605-PP

October 9, 1958

Appearances: Marion H. Owens, Pagosa
Springs, Colorado, pro se;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
John Able, Durango, Colorado,
for Montezuma Truck Line.

S T A T E M E N T

By the Commission:

On July 25, 1958, Marion H. Owens, doing business as "Owens Freight Lines," filed his application with the Commission for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of rough and finished lumber, from San Juan Lumber Company, at Pagosa Springs, Colorado, to all points within the State of Colorado, in intrastate commerce, and to all Colorado State Boundary Lines, in interstate commerce, hauling to be limited to San Juan Lumber Company, only; logs, from forests within a radius of seventy-five miles of Pagosa Springs, to Pagosa Springs, Colorado, and to Bayfield, Colorado, excluding that portion lying east of the top of Wolf Creek Pass.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Alamosa, Colorado, September 30, 1958, and at the conclusion of the evi-

dence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant, until recently, was a resident of Prineville, Oregon; that he was contacted by the President of San Juan Lumber Company, and was brought to Colorado for the purpose of transporting logs and rough and finished lumber in their Pagosa Springs, Colorado, operation.

Application for private carrier authority was filed with the Commission on July 25, 1958. On the same date, Temporary Authority was issued to applicant for:

"transportation of rough and finished lumber from San Joaquin Lumber Company, at Pagosa Springs, Colorado, to all points in the State of Colorado, in intrastate commerce, and to all Colorado boundary lines, in interstate commerce. Hauling to be limited to San Joaquin Lumber Company, only."

On August 27, 1958, said Temporary Authority was extended for a period of ninety days.

On September 4, 1958, John Able, of Montezuma Truck Line, domiciled in Durango, Colorado, filed his protest to issuance of said Temporary Authority, and on October 6, 1958, the Law Enforcement Division of this Commission ordered applicant's Temporary Authority be picked up, and, by letter, notified applicant to cease operating:

"until such time as you have received a permit from this Commission."

On September 9, 1958, applicant leased his equipment to San Juan Lumber Company, and applicant became an employee of said company. His trucks are now used in transporting lumber and logs for said San Juan Lumber Company, and applicant acts in a supervisory capacity, as an employee of said company, over a portion of its truck operations.

Applicant stated he desired to operate as a private carrier by motor vehicle for hire, and be subject to the rules, regulations, and tariffs of this Commission; that he has operated under regulation in the State of Oregon, and feels it is a more satisfactory operation.

Applicant further stated his equipment is now leased to San Juan Lumber Company, and, in reality, is duplicating the service he would perform under a Class "B" private carrier permit.

Protestants, Rio Grande Motor Way, Inc., and Montezuma Truck Line, vigorously protested the granting of the application, contending that if said authority is denied, they will have an opportunity to solicit business from the San Juan Lumber Company.

There is nothing in the record that would indicate that protestants will, in the future, receive any or all of this transportation business. However, we cannot say from the record before us that the San Juan Lumber Company desires the services of applicant as a private carrier. True, there is some evidence that they desire the use of applicant's trucks and his individual service, as they have placed applicant upon the payroll, and have leased his equipment.

The Commission does not know -- nor does the evidence definitely indicate -- which two services the San Juan Lumber Company desires.

It therefore appears under the record made at the hearing, that the Commission has no other alternative than to deny the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be denied, for the reasons set forth in the Statement preceding, which is made a part hereof, by reference.

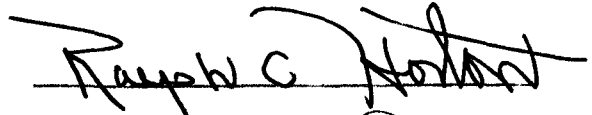


O R D E R

THE COMMISSION ORDERS:

That Application No. 16605-PP 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




Commissioners.

Dated at Denver, Colorado,
this 9th day of October, 1958.

mls

original

(Decision No. 51087)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILLIAM R. BRUMFIELD AND OLIVET AT-)	
WOOD BRUMFIELD, CO-PARTNERS, DOING)	
BUSINESS AS "ATWOOD TRUCK LINES,")	APPLICATION NO. 16524-PP-Amended
FORT MORGAN, COLORADO, FOR A CLASS)	
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

October 9, 1958

Appearances: Jones and Meiklejohn, Esqs.,
Denver, Colorado, for
Applicants;
Stanley Blunt, Canon City,
Colorado, for copy of
Order.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of crushed, powdered, or pulverized limestone, between all points within the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, October 3, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicants are presently common carriers, located in Fort Morgan, Colorado, but the common carrier authority does not authorize transportation of commodities sought by the instant application.

It also appeared that applicants are well qualified, financially and by experience, to carry on their proposed operation.

Applicants herein are asking for state-wide authority. It does not appear, however, to the Commission that they should have a roving authority, wherein they can establish offices for solicitation of business at all points within the State of Colorado. The Commission does feel, however, that applicants should have state-wide authority, so long as business is solicited in Fort Morgan, Colorado, only.

It does not appear that applicants' proposed operations will impair the efficiency of any common carrier service operating in the territory sought to be served by applicants, as limited by the Order following.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicants herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That William R. Brumfield and Olivet Atwood Brumfield, co-partners, doing business as "Atwood Truck Lines," Fort Morgan, Colorado, should be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of crushed, powdered, or pulverized limestone, between all points within the State of Colorado, limited to maintenance of an office in Fort Morgan, Colorado, for the purpose of operation and development of business.

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

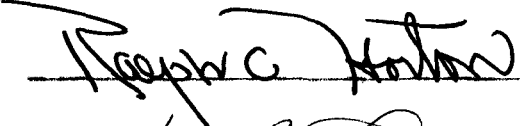


That this Order is the permit herein provided for, but it shall not become effective until applicants have filed a statement

of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

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 9th day of October, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES)
AND REGULATIONS IN THE COLORADO)
MOTOR CARRIERS' ASSOCIATION, AGENT,)
LOCAL AND JOINT FREIGHT TARIFF NO.)
12-A, COLORADO P.U.C. NO. 11, AND)
MOTOR FREIGHT TARIFF NO. 14, COLO-)
RADO P.U.C. NO. 13, ISSUED BY)
J. R. SMITH, CHIEF OF TARIFF BUREAU,)
4060 ELATI STREET, DENVER 16, COLO.)

CASE NO. 1585

October 8, 1958

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 less than statutory notice and on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective October 11, 1958, for amendments to Tariff No. 12-A, and October 14, 1958, for Tariff No. 14, respectively, 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.

The Rate Department's investigations and letters received from the carriers in support of these changes developed the following information:

Amendments to Local & Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11

For the account of North Eastern Motor Freight, Inc., under a recent Decision No. 50961, dated September 19, 1958, its authority under Certificate of Convenience and Necessity No. 374 was extended to include the right to transport freight, in pick-up and delivery service, from and to points and places within a five-mile radius of Denver, provided that all pick-ups of freight shall be to points on the line of applicant, and all deliveries shall originate along said line of applicant.

This carrier has been added as an exception for the above extension as shown in the attached appendix, wherein points beyond the city limits and within the five-mile radius of Denver will be accorded the same privileges as provided for pick-ups and/or deliveries within the City and County of Denver. Similar tariff provisions have been instituted by other carriers for like extensions which have been granted to their authorities.

Amendments to Motor Freight Tariff No. 14, Colorado P.U.C. No. 13

For the account of Rio Grande Motor Way, Inc., and jointly with Orville Dunlap & Son, Item No. 280, covering brick, fire and/or fire clay, is being amended to provide in addition to the present point of Canon City, Colorado, rates from Pueblo, Colorado, to the same points on the Western Slope as provided in the attached appendix.

Ralph H. Knull, Assistant Traffic Manager of Rio Grande Motor Way, Inc., states in his letter that this addition is being established to provide rates for the shipper in Pueblo, Colorado, competitive to the Canon City rates. The Commission is in receipt of a communication from Orville Dunlap of his concurrence in this matter.

This change will result in a reduction in the charge over the present mileage scale.

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, appear to represent just, fair and reasonable rates and charges and should be authorized and an order 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 11, 1958, for amendments to Tariff No. 12-A, and October 14, 1958, for Tariff No. 14, be the prescribed rates, rules, regulations and provisions of the Commission.
4. On and after October 11, 1958, and October 14, 1958, the carriers affected by the transportation of the aforesaid commodity shall cease and desist from demanding, charging and collecting rates greater or less than those herein prescribed.
5. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
6. 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.
7. On and after October 11 and 14, 1958, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent, for amendment to Tariff No. 12-A, Colorado P.U.C. No. 11.

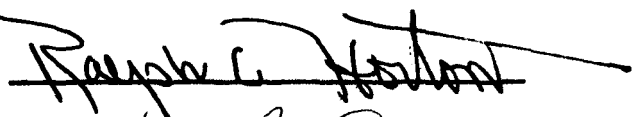

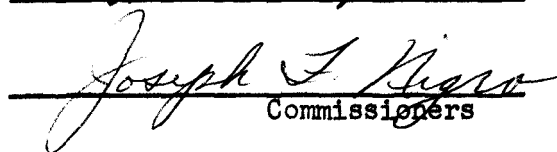
8. On and after October 11 and 14, 1958, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent, for amendments to Tariff No. 12-A, Colorado P.U.C. No. 11.

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 and 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 and effect until 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 8th day of October, 1958.

mem

APPENDIX "A"

Amendments to Colorado Motor Carriers' Association, Agent,
Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11:

For account of North Eastern Motor Freight, Inc.

Add to Item No. 970 (Pick-up and Delivery Service), 4th

Revised Page No. 94:

Exception: Pick-up and delivery service within the city limits of Denver, Colorado, when shipment is moving via North Eastern Motor Freight, Inc., will also include free pick-up and delivery service in an area extending five miles beyond and contiguous to the city limits of Denver, Colorado, on shipments having a prior or subsequent movement over the lines of North Eastern Motor Freight, Inc.

Amendments to Colorado Motor Carriers' Association, Agent,
Motor Freight Tariff No. 14, Colorado P.U.C. No. 13:

Add to Item 280, 3rd Revised Page No. 43:

Rates are in Cents per 100 Pounds

COMMODITY	FROM	TO	RATES
Brick, fire and/or fire clay (High temperature bonding mortar)	Pueblo, Colorado	(1) Durango, Colo.	65
		(2) Naturita, Colo.	81
		(2) Uravan, Colo.	82

Palletized, minimum weight 35,000 pounds.
Subject to shipper's load and count and consignee's unload and count.

(1) Rio Grande Motor Way, Inc.
(2) Rio Grande Motor Way, Inc., jointly with Orville Dunlap & Son.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BENNIE GOLDSTEIN, DOING BUSI-)
NESS AS "GOLDSTEIN REFRIGER-) PERMIT NO. B-1590
ATOR LINE," 3434 WALNUT STREET,)
DENVER, COLORADO.)
-----)

October 9, 1958

S T A T E M E N T

By the Commission:

Heretofore, the Commission, at the request of the above-styled permit-holder, has entered the following decisions, authorizing suspension of operations under Permit No. B-1590:

- Decision No. 45110, of date January 9, 1956,
- Decision No. 46006, of date June 18, 1956,
- Decision No. 47071, of date January 2, 1957,
- Decision No. 48017, of date May 29, 1957.

On January 3, 1958, the Commission entered its Decision No. 49362, authorizing said permit-holder to further suspend operations under said Permit No. B-1590 until July 3, 1958, it being provided in said suspension order that:

"unless said permit-holder shall, prior to expiration of said suspension period, make a request, in writing, for 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 stand revoked, without right to reinstate."

The Commission is now in receipt of a communication from said permit-holder, requesting reinstatement of said operating rights, and authority to further suspend operations thereunder for an additional period of six months.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be reinstated, and the

owner thereof authorized to further suspend operations thereunder, until January 3, 1959; that suspension of operating rights herein granted shall be the last continuous authority to suspend operations under said Permit No. B-1590.

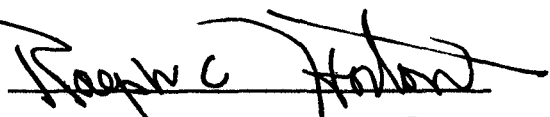
O R D E R

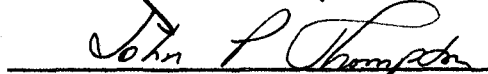
THE COMMISSION ORDERS:


That Permit No. B-1590 should be, and hereby is, reinstated, nunc pro tunc as of July 3, 1958, and that Bennie Goldstein, doing business as "Goldstein Refrigerator Line," Denver, Colorado, should be, and he hereby is, authorized to further suspend operations, nunc pro tunc, under said Permit No. B-1590, from July 3, 1958, until January 3, 1959.

That unless said permit-holder shall, prior to expiration of said suspension period, make a request, in writing, for 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 stand revoked, without right to reinstate, and without the right to request further suspension of operations thereunder.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






_____ Commissioners.

Dated at Denver, Colorado,
this 9th day of October, 1958.