

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PACKAGE DELIVERY SERVICE COM-)
PANY, 2127 ARAPAHOE STREET,) PERMIT NO. B-413
DENVER, COLORADO.)
-----)

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Package Delivery Service Company, Denver, Colorado, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under Permit No. B-413.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"No private carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than \$2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

Inasmuch as the financial statement of applicant is satisfactory,

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 Package Delivery Service Company, Denver, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 25 of the Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under Permit No. B-413.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph H. Regier
Frederic C. Horton
Samuel J. Carlucci
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea

original

(Decision No. 54851)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
PACKAGE DELIVERY SERVICE COM-)	
PANY, 2127 ARAPAHOE STREET,)	<u>PUC NO. 572, PUC NO. 572-I</u>
DENVER, COLORADO.)	
-----)	

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Package Delivery Service Company, Denver, Colorado, requesting a written waiver from the Commission, in lieu of filing a bond covering payment of C.O.D. collections to shippers.

Rule 24 (a) of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"Unless such carrier shall have secured a written waiver from the Commission, no Common Carrier by motor vehicle, except motor vehicle carriers supplemental to railroad transportation and on railroad bills of lading, shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to any consignor, or render any C.O.D. service, unless such carrier has published, posted, and filed with this Commission tariffs which contain rates, charges, and rules governing such service (which rules shall conform to this Rule), and unless such carrier shall have on file with this Commission cash or a surety bond in an amount not less than \$2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor."

The financial statement of applicant attached to said communication is satisfactory.

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 Package Delivery Service Company, Denver, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 24 of the Rules and Regulations Governing Common Carriers by Motor Vehicle, effective June 1, 1960, and not be required to file with this Commission cash or surety bond referred to in said Rule, in its operations under PUC No. 572 and PUC No. 572-I.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Kugler
Ralph C. Horton
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea

original

(Decision No. 54852)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
LEON GOLDFOGEL, 935 WEST 45TH)	
AVENUE, DENVER, COLORADO.)	<u>PERMIT NO. B-5951</u>
-----)	

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Leon Goldfogel, Denver, Colorado, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under Permit No. B-5951.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than \$2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

Inasmuch as the financial statement of applicant is satisfactory,

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 Leon Goldfogel, Denver, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 25

of the Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under Permit No. B-5951.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Faint, illegible handwritten notes]

Joseph F. Nigro
Ralph O. Norton
Shirley Zarlund
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea

original

(Decision No. 54853)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
JEFFRIES-EAVES, INC. OF COLORADO,)	
328 PATTERSON BUILDING, DENVER,)	
COLORADO.)	<u>PERMIT NO. B-819</u>
-----)	

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Jeffries-Eaves, Inc. of Colorado, Denver, Colorado, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under Permit No. B-819.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a surety bond in an amount not less than \$2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

Inasmuch as the financial statement of applicant is satisfactory,

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 Jeffries-Eaves, Inc. of Colorado, Denver, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a)

of Rule 25 of the Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under Permit No. B-819.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Meyer
Ralph C. Hahn
Harry J. Kline
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea

original

(Decision No. 54854)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GERALD M. GISI, YUMA, COLORADO.) PERMIT NO. A-837
-----)

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Gerald M. Gisi, Yuma, Colorado, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under Permit No. A-837.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than \$2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owed by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

Inasmuch as the financial statement of applicant is satisfactory,

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 Gerald M. Gisi, Yuma, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 25 of the Rules and Regulations Governing Private Carriers by Motor

Vehicle, effective June 1, 1960, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under Permit No. A-837.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry G. Bullock
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea

original

(Decision No. 54855)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KIOWA INVESTMENT COMPANY, INC.,)
31 NORTH CASCADE, COLORADO)
SPRINGS, COLORADO.)

PUC No. 132
PUC No. 618

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kiowa Investment Company, Inc., Colorado Springs, Colorado, owner and operator of PUC No. 132 and PUC No. 618, requesting authority to do business under the trade name and style: "National Tours."

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 Secretary of the Commission is hereby directed to change the records of the Commission to show PUC No. 132 and PUC No. 618 to be owned and operated by:

"Kiowa Investment Co., Inc.,
doing business as 'National
Tours,'"

in lieu of:

"Kiowa Investment Co., Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Kohn
James G. Miller
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.
mls

original

(Decision No. 54856)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DAVID L. BEAGLE, ROUTE 1, BOX 729,)
GOLDEN, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17819-PP
SUPPLEMENTAL ORDER

August 15, 1960

Appearances: David L. Beagle, Golden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On July 6, 1960, the Commission entered its Decision No.
54629, granting to applicant herein a Class "B" private carrier per-
mit for the transportation of:

peat moss, from Grant, Blackhawk, and Neder-
land, Colorado, and a ten-mile radius of each
of said towns, to points within a ten-mile
radius of Colfax and Broadway, in the City
and County of Denver; natural fertilizer,
from farms, ranches, and feed lots within a
fifty-mile radius of Denver, to points within
a ten-mile radius of Colfax and Broadway, in
the City and County of Denver; coal, from
Boulder Valley Coal Fields, to points within
the City and County of Denver, Colorado.

The Commission is now in receipt of a communication from
said applicant, stating he does not desire authority to transport
peat moss from Grant, Colorado, and requesting that such authority
be stricken from operating rights granted by said Decision No. 54629.

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 operating rights granted to David L. Beagle, Golden, Colorado, by Decision No. 54629, of date July 6, 1960, be, and hereby are, amended and restricted, as requested by said David L. Beagle, by striking therefrom authority to transport peat moss from Grant, Colorado, so that said operating rights, as amended, shall authorize:

transportation of peat moss from Blackhawk and Nederland, Colorado, and a ten-mile radius of each of said towns, to points within a ten-mile radius of Colfax and Broadway, in the City and County of Denver; natural fertilizer, from farms, ranches, and feed lots within a fifty-mile radius of Denver, to points within a ten-mile radius of Colfax and Broadway, in the City and County of Denver; coal, from Boulder Valley Coal Fields, to points within the City and County of 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 15th day of August, 1960.

mls

original

(Decision No. 54857)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JACOB J. SCHAEFER, BOX 23, WIND-)
SOR, COLORADO.)

PUC NO. 432
PUC NO. 432-I

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Jacob J. Schaefer, Windsor, Colorado, owner and operator of PUC No. 432 and PUC No. 432-I, requesting authority to do business under the trade name and style "J. J. Schaefer Livestock Hauling," in the conduct of operations under said certificates.

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 Secretary of the Commission is hereby instructed to change the records of the Commission to show PUC No. 432 and PUC No. 432-I to be owned and operated by:

"Jacob J. Schaefer, doing business
as 'J. J. Schaefer Livestock Hauling,'"

in lieu of:

"Jacob J. Schaefer."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Regio
Public Utility
Commissioners

Dated at Denver, Colorado,
this 15th day of August, 1960.
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,)
ISSUED BY J. R. SMITH, CHIEF OF TARIFF)
BUREAU, 4060 ELATI ST., DENVER 16, COLORADO.)

CASE NO. 1585

August 12, 1960

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 August 20, 1960, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision 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.

In justification of the following changes the Commission has been informed by letter from carriers and others involved, that:

For the account of the carriers shown in Item No. 340, Appendix "A" attached, this item is being cancelled. Mr. Ralph H. Knull, Traffic Manager, Rio Grande Motor Way, Inc., states:

"It is now found that in the A-4 Classification, concrete forms, *K.D., carry a Class 50 #L.T.L. rating which is lower than this Exception." (*K.D. Denotes Knocked Down--#L.T.L. Denotes Less-than-truckload)

Item No. 375, covering automobile glass, is being further amended by adding a description to fit the packing of an additional shipper. The carton as described, in the addition to Note 2 Appendix attached, according to Mr. M. B. Glassman, Safelite Glass Corporation, has been used successfully by his company for the past five years in Denver, Colorado and Wichita, Kansas. This carton has been shipped throughout their entire trade territory.

Item No. 400, household goods and office furniture, used, second-hand, is being amended to delete the participation of certain named household goods

carriers from the application of this item.

Heretofore these carriers made no exception to the application of Item 400, which item provides a basis of one-twentieth (1/20) of the 2,000 pound rate published in Section No. 3 of the Colorado Motor Carriers' Association, Motor Freight Tariff No. 14, Colo. P.U.C. No. 13, on shipments weighing less than 2,000 pounds. All of these carriers except Bailey Storage and Moving Co. (who is a party to another tariff) have been cancelled from the application of Section No. 3 of said tariff, and refer to Colorado Motor Carriers' Tariff No. 1, Colo. P.U.C. No. 9 for rates, rules and regulations. The said Tariff No. 1 does not make any exception for shipments weighing less than 2,000 pounds.

Due to this fact, it is contended by some that the charge for 2,000 pounds is the correct charge to apply on any and all shipments weighing less than 2,000 pounds. With this contention we do not agree.

It is true that the rates in Section No. 3 of Tariff No. 14 will not apply in connection with the carriers herein involved as well as other named carriers. However, Item 400 of Tariff No. 12-A provides a basis for rates on shipments weighing less than 2,000 pounds, viz.: one-twentieth of the rates published in Section 3 of Tariff No. 14.

The fact that Section 3 excludes the application of the rates published therein to certain named carriers does not exclude the use of Item 400 in arriving at the basis under said Section for determination of the applicable rates on less-truckload shipments.

The carriers being removed from the application as shown in Item No. 400 are also participating carriers to CMCA, Agent, Tariff No. 1, Colorado P.U.C. No. 9. In this tariff rates are provided (See Item 325), for less than 2,000 pound shipments for distances of 30 miles or less at: 10 miles and under, 200; 20 miles and over 10, 225; and 30 miles and over 20, 250. For distances over 30 miles the charge is computed by using 1/20 of the rate for 2,000 pounds. The rates are in cents per 100 pounds. Formerly this item applied only via Centennial Truck Line, Inc., which restriction now has been removed and is open for general application.

The shippers have the privilege under Item 325 of Tariff No. 1, or Item 400 of Tariff 12-A, of using scheduled carriers for 2,000 pounds or less to obtain a lesser charge. See example below.

POUND- AGE	ONE WAY PRE- SCRIBED MILES	BETWEEN EXAMPLED POINTS	CMCA, AGT. TARIFF 12-A, PUC 11, LESS THAN 2,000 LBS. PRE- SCRIBED MILES USED	CMCA, AGT. TARIFF 1, PUC 9, 1ST 2,000 LBS. ACTUAL MILES USED		CMCA, AGT. TARIFF 14, PUC 13, 1ST 2,000 LBS. ACTUAL MILES USED
					1/20	
500	52	Greeley-Denver	\$14.65*\$17.58	\$65.	\$16.25	\$58.50
1000	52	" "	29.30 *35.16	65.	32.50	58.50
1600	52	" "	46.88 *56.26	65.	52.00	58.50
1900	52	" "	55.67 *66.80	65.	61.75	58.50
500	125	" -Colo. Spgs.	22.50 *27.00	95.	23.75	90.00
1000	125	" " "	45.00 *54.00	95.	47.50	90.00
1600	125	" " "	72.00 *86.40	95.	76.00	90.00
1900	125	" " "	85.50*102.60	95.	90.25	90.00
<p>* - Denotes call and demand carrier rates</p> <p>CMCA - Denotes Colorado Motor Carriers' Association.</p>						

Tariff 12-A, PUC No. 11 (Exception 400) rates are predicated on released value of 15¢ per pound at 1/20 of the 2,000 lb. rate provided in Colorado Motor Carriers' Association, Tariff No. 14, Colorado PUC No. 13 for 100 pounds, also for released valuation greater than 15¢ are provided with penalties.

Tariff No. 1, PUC No. 9 rates are predicated on a released value of 30¢ per pound and penalties for released valuation greater than 30¢ per pound.

Tariff 14, PUC No. 13 rates are predicated on a released value of 15¢ per pound and penalties for released valuation greater than 15¢ per pound.

For the account of Rio Grande Motor Way, Inc., and Garrett Freightlines, Inc., further specific class rates between Pueblo, Colorado and points served by Garrett in Southwestern Colorado in joint-line operation are being added to this tariff. Special Permission No. 14496, dated July 22, 1960, has been authorized to the publishing agent of this tariff to correct the spelling of Index No. 21683, to read "Arriola" from "Arriola".

also, to delete Index No. 22475, Egnar, Colorado, as carrier does not possess authority to this point.

In the Commission's Decision No. 53532, dated December 16, 1959, the Garrett Freightlines, Inc., withdrew from participation in Motor Tariff Service, Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3, and became a party to the Colorado Motor Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11. By 63rd Revised Page No. 9 to Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3, effective April 23, 1960, the Rio Grande Motor Way, Inc., withdrew its participation also from this tariff. It now appears from spot checking the Colorado Motor Freight Tariff No. 1-A that there are considerable other rates from origin points of Colorado Springs, Denver, Monte Vista, Pueblo, Trinidad and Walsenburg to points served by Garrett Freightlines, Inc., wherein if these rates are allowed to remain in this tariff, confusion will exist in the future for application via private carriers. It is therefore essential that carriers involved correct this matter immediately. The tariffs involved should be scrutinized and corrected all at one time and not on a piece-meal method leaving rates to dissipate because of a transfer to another tariff association.

Mr. Ralph H. Knull states in a letter received by the Commission that:

"Since the time that Garrett Freightlines joined Colorado Motor Carriers' Association and had their rates published in the Bureau Tariffs, we have had no published point to point class rates between Pueblo and the above points. The only rates in effect were the class rates arrived at by use of the mileage section. The rates shown above are the rates which were published in Colorado Motor Freight No. 1-A issued by John Beck plus the 10% increase which was granted in January, 1959."

In the above quoted paragraph "the above points and above rates" are those as appearing in the attached Appendix.

Garrett Freightlines, Inc., concur in the joint rates as proposed.

Item No. 1370 is being amended by eliminating the wording "bottle or can carrying" and adding "boxes other than corrugated." This will broaden the item so as to allow any type of fibreboard box, flat or folded flat, to be transported. No change in rate is being made.

Item No. 2245 is new covering fresh meats between Denver, Colorado and Greeley, Colorado. Mr. Paul Ramadan, Traffic Manager, Capitol Packing Company, states:

"Recently Greeley Capitol Packing, Inc., started its operation in Greeley, Colorado. This in its turn has created a fairly active meat traffic movement between Greeley and Denver. We estimate that these movements will be as many as twelve to fourteen truckloads per week."

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, on the basis of the facts presented and in our best judgment, are 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 August 20, 1960, be the prescribed rates, rules, regulations and provisions of the Commission.
4. 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.
5. 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.

6. On and after August 20, 1960, 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.


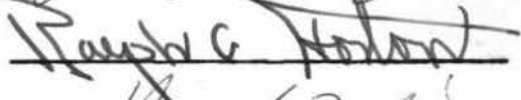
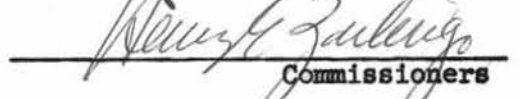
7. On and after August 20, 1960, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. 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.

9. 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.

10. 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 12th day of August, 1960.

mem

APPENDIX "A"

Changes effective August 20, 1960:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
LOCAL AND JOINT FREIGHT TARIFF NO. 12-A
COLO. P.U.C. NO. 11

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION		
ITEM NO.	ARTICLES	CLASS RATING
340	Forms or Molds, N.O.I., concrete construction, iron, KD, or flat, or nested, volume minimum weight 10,000 pounds. (This item applies only via Harp Transportation Line; Ray Hume, DBA Ray Hume Trucking; Larson Transportation Company; Ringsby Truck Lines, Inc., and Rio Grande Motor Way, Inc.)	55 (E)(R)
375	Glass, automobile, cut to shape, bent, not nested, in boxes, not packed in accordance with the provisions of NOTE 2 below: Released to value not exceeding 20¢ per pound The released valuation shall be entered on the shipping order and bill of lading in the following form: "The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding 20¢ per pound for each article."	100
	Value of the property not declared or released (See NOTE 1) ...	300
	Glass, automobile, cut to shape, bent, not nested, in boxes, packed in accordance with the provisions of NOTE 2 below (Not subject to NOTE 1).	125
	NOTE 1: Subject to a minimum charge for 100 pounds at the class 300 rate.	
	NOTE 2: Bent windshield must be packed in fibreboard boxes testing not less than 200 pounds. Glass must be held immovable and no less than two inches from the inside ends of the outer container and no less than one inch from all other inside edges of outer container by die-cut interior parts of 350 pound test fibreboard bonded to the glass by double faced pressure sensitive tape, stapled to the top and bottom flaps of the container. OR (R) Bent windshield must be packed in fibreboard boxes testing not less than 200 pounds. Glass must be held immovable and never less than two inches from the inside ends of the outer container and never less than one inch from all other inside edges of the outer container by two end-trays, one at each end of container, and two saw-toothed triangle pads on the bottom of the container holding the glass at both ends and one saw-toothed triangle pad holding the glass in the center from the top of the container.	

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION

Item No.	ARTICLES	CLASS RATING
400	<p>Household Goods and Office Furniture (used, second-hand), not crated nor packed, as described in Item No. 1000 of the Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colo. P.U.C. No. 13, (The Motor Truck Common Carriers' Association, Agent, Series), in less-than-truckload lots.</p> <p>(Less-than-truckload lots, as used herein, will mean less than 2,000 pounds.)</p> <p>Released value 15 cents per pound The rate per 100 pounds will be one-twentieth (1/20) of the 2,000 pound rate published in Section No. 3 of the above-described tariff.</p> <p>Released value exceeding 15 cents per pound but not exceeding 30 cents per pound The rate to charge per 100 pounds will be 10% greater than the charge for shipments the released value of which is 15 cents per pound.</p> <p>Released value exceeding 30 cents per pound but not exceeding 50 cents per pound The rate to charge per 100 pounds will be 25% greater than the charge for shipments the released value of which is 15 cents per pound.</p> <p>Released value exceeding 50 cents per pound ... Not taken.</p> <p>On shipments not packed nor crated, weighing 2,000 pounds or over, the rates shown in Section No. 3 of the Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colo. P.U.C. No. 13, (The Motor Truck Common Carriers' Association, Agent, Series), will apply.</p> <p>Charges must be prepaid or guaranteed.</p> <p>This item is subject to all of the rules, regulations and accessorial charges provided in Section No. 3 of the above-described tariff except Item No. 1010.</p> <p>On shipments moving under the provisions of this item, the minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day shall be for 100 pounds at the applicable rate, but not less than \$2.50.</p> <p>The provisions of this item will not apply via / (A) (R) Ivan Bailey and Belva Bailey, DBA Bailey Storage and Moving Co.; Centennial Truck Lines, Inc.; / (A) (R) Dalby Transfer & Storage, Inc.; / (A) (R) W. R. Hall Transportation and Storage; / (A) (R) King Van Lines, Inc.; / (A) (R) Howard J. Lafferty, DBA Lafferty Transfer Co., or / (A) (R) Nicoll Warehousing Co., Inc. For provisions to apply, see the Colorado Motor Carriers' Association, Agent, Local Household Goods Tariff No. 1, Colo. P.U.C. No. 9, (The Motor Truck Common Carriers' Association, Agent, Series).</p>	See body of Item

SECTION NO. 1

CLASS RATE BASES

FOR APPLICATION, SEE ITEM NO. 927.

FOR CLASS RATES, SEE PAGES 101 TO 124.

INDEX NO.	BETWEEN AND	MILES	PUEBLO, COLORADO				ROUTE NO.
			LESS-THAN- TRUCKLOAD	MINIMUM WEIGHT--POUNDS			
				2,000	5,000	10,000	
/21590	ACKMEN	348	351	- -	290	231	172
/21683	ARRIOLA	- -	351	- -	287	229	172
/21975	CAHONE	355	351	- -	290	231	172
/22385	DOLORES	343	341	- -	278	221	172
/22395	DOVE CREEK	365	351	- -	290	231	172
/23285	LEWIS	341	351	- -	290	231	172
/23605	NORTHDALE	372	367	- -	298	241	172
/23865	PLEASANT VIEW	350	351	- -	290	231	172
/24880	YELLOW JACKET	344	351	- -	290	231	172

SECTION NO. 2 COMMODITY RATES (FOR APPLICATION, SEE PAGE NO. 190 OF TARIFF) RATES ARE IN CENTS PER 100 POUNDS					
ITEM NO.	COMMODITY	BETWEEN	AND	RATES	ROUTE NO.
	Commodities in the same item may be shipped in straight or mixed truck loads.				
1370	Boxes, (R), corrugated fibre-board, flat or folded flat, in packages; /(R) Boxes, fibreboard, other than corrugated, flat or folded flat, in packages. Minimum weight 20,000 pounds. Subject to shipper loading and consignee unloading. Two hours' free loading time and two hours' free unloading time will be allowed. All delay in excess of the free time allowed will be charged for at a rate of \$5.50 per hour or fraction thereof.	Denver, Colorado	Golden, Colorado	13	43
/ 2245 (R)	Meat, fresh, hanging or in in packages, or frozen, in packages. (3) Minimum weight 5,000 lbs. (4) Minimum weight 10,000 lbs. (5) Minimum weight 15,000 lbs. (6) Minimum weight 25,000 lbs. (7) Minimum weight 30,000 lbs. (Subject to Item No. 770.)	Denver, Colorado	Greeley, Colorado	(3) 50 (4) 30 (5) 26 (6) 24 (7) 20	47
		(Subject to loading by shipper and unloading by consignee.)			

- / - Denotes addition
 (R) - Denotes reduction
 (A) - Denotes increase
 (E) - Denotes elimination

Route No. 43 - Westway Motor Freight, Inc. - direct
 Route No. 47 - Centennial Truck Lines, Inc. - direct
 Route No. 172 - Rio Grande Motor Way, Inc., Durango, Colorado, Garrett Freightlines, Inc.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THEO R. WILSON, 3105 TENTH)
STREET, GREELEY, COLORADO.)

PERMIT NO. M-1029
CASE NO. 1554-INS.

August 15, 1960

S T A T E M E N T

By the Commission:

On July 27, 1960, in Case No. 1554-Ins., the Commission entered its Order, revoking Permit No. M-1029 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-1029 be, and the same hereby is, reinstated, as of July 27, 1960, revocation order of said date entered by the Commission in Case No. 1554-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Wm. J. H. H. H.
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN'S, INC., 6740 EAST COLFAX,)
AVENUE, DENVER, COLORADO.)

PERMIT NO. M-4944
CASE NO. 1431-INS.

August 15, 1960

S T A T E M E N T

By the Commission:

Heretofore, the Commission entered its Order in Case No. 1431-Ins., revoking Permit No. M-4944 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-4944 be, and the same hereby is, reinstated, as of July 27, 1960, revocation order of the Commission of said date, entered in Case No. 1431-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Nigro
Rueben C. Horton
Philip J. Pauling
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
B AND L INDUSTRIES, INC., 102)	PERMIT NO. M-7753
SOUTH FOREST, DOUGLAS, KANSAS.)	CASE NO. 1645-INS.
-----)	

August 15, 1960

S T A T E M E N T

By the Commission:

On July 27, 1960, in Case No. 1645-Ins., the Commission entered its Order, revoking Permit No. M-7753 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-7753 be, and the same hereby is, reinstated, as of July 27, 1960, revocation order entered by the Commission on said date in Case No. 1645-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph O. Holm
Henry Spaulding

Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
JIMMIE M. FORREST AND WILLIAM)	
G. DUNOW, DOING BUSINESS AS)	PERMIT NO. M-11566
"J. B. GRAIN AND BEAN COMPANY,")	CASE NO. 1443-INS.
BOX 835, MONTICELLO, UTAH.)	
-----)	

August 15, 1960

S T A T E M E N T

By the Commission:

On July 27, 1960, in Case No. 1443-Ins., the Commission entered its Order, revoking Permit No. M-11566 for failure of Respondent herein to keep effective insurance on file with this 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-11566 be, and the same hereby is, reinstated, as of July 27, 1960, revocation order entered by the Commission on said date in Case No. 1443-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Nigro
Joseph C. Kohn
Henry J. Palusz

Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

original

(Decision No. 54863)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUEBLO ORDNANCE TRANSIT COMPANY,)
217 SOUTH GRAND AVENUE, PUEBLO,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY) APPLICATION NO. 18006
TO OPERATE AS A COMMON CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-----)

August 12, 1960

Appearances: Petersen, Evensen and Evans,
Esqs., Pueblo, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Heretofore, the above-styled application was set for hearing before the Commission, at the Court House, Pueblo, Colorado, August 16, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

The Commission is now in receipt of a communication from Attorneys for Applicant herein, requesting that said hearing be vacated, inasmuch as key witnesses are out of the city, and will not be available to testify on August 16, 1960.

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 hearing of Application No. 18006, presently set for 10:00 o'clock A. M., August 16, 1960, at the Court House, Pueblo, Colorado, be, and the same hereby is, vacated, upon request of Attorneys for Applicant herein, 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

Joseph F. Higin
Ralph C. Hinton
Henry G. Hinton
Commissioners.

Dated at Denver, Colorado,
this 12th day of August, 1960.

ea

original

(Decision No. 54864)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
LEON MULDER, GENERAL DELIVERY,)	
BENNETT, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A PRIVATE)	<u>APPLICATION NO. 18001-PP</u>
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

August 12, 1960

S T A T E M E N T

By the Commission:

Applicant herein, by the above-styled application, sought 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, 532 State Services Building, Denver, Colorado, August 15, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

The Commission is now in receipt of a communication from said applicant, stating he no longer desires to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said requests should be granted.

O R D E R

THE COMMISSION ORDERS:

That hearing of Application No. 18001-PP, presently set for August 15, 1960, be, and the same hereby is, vacated.

That said Application No. 18001-PP be, and the same hereby is, dismissed, upon request of applicant herein.

This Order shall become effective as of the day and date

hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regis
Joseph C. Holman
Henry E. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 12th of August, 1960.

ea

original

(Decision No. 54865)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
JEMIMA L. WATTERS, CHERAW,)	
COLORADO.)	
-----)	<u>PERMIT NO. B-859</u>

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of an application from
Jemima L. Watters, Cheraw, Colorado, owner and operator of Permit
No. B-859 requesting a written waiver from the Commission in lieu
of filing a bond covering payment of C.O.C. collections to shippers,
in operations under said Permit No. B-859.

Rule 25 (a) of the Rules and Regulations Governing Private
Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"No Private Carrier shall accept any C.O.D.
shipments or otherwise collect money from any
consignee to be paid to the consignor, unless
such carrier shall have on file with the Com-
mission cash or a Surety Bond in an amount not
less than \$2,000, in such form as the Commission
may prescribe, conditioned upon the true and
prompt payment of any such C.O.D. or other
collections by the carrier to the consignor.
Said Surety Bond shall authorize the Commission
summarily to apply any part or all of the amount
thereof to the payment of any C.O.D. or other
collection account owed by the carrier to any
consignor, which the carrier has not paid within
ten (10) days after the receipt thereof."

Inasmuch as the financial statement of applicant is
satisfactory,

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 Jemima L. Watters, Cheraw, Colorado, be, and hereby is,

granted a written waiver of the provisions of Section (a) of Rule 25 of the Rules and Regulations Governing Private Carriers by Motor Vehicle for Hire, effective June 1, 1960, and shall not be required to file with the Commission cash or surety bond referred to in said Rule, in operations under Permit No. B-859.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Paul G. Arden
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea

(Decision No. 54866)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
DENVER, COLORADO, FOR APPROVAL OF)
METHOD OF ACCOUNTING FOR THE FEDERAL)
INCOME TAX RESULTS FROM ACCELERATED)
DEPRECIATION OF DEPRECIABLE PROPERTY)
PURSUANT TO THE PROVISIONS OF SECTION)
167 OF THE INTERNAL REVENUE CODE OF)
1954.)
-----)

APPLICATION NO. 13856
SUPPLEMENTAL

August 12, 1960

S T A T E M E N T

By the Commission:

Public Service Company of Colorado, on August 11, 1960, applied to this Commission for an order authorizing it, as of August 1, 1960, to reflect in its accounts the Federal income taxes resulting from accelerated depreciation of depreciable property pursuant to the provisions of Section 167 of the Internal Revenue Code of 1954 by the "flow through" method consistent with the order of this Commission in Decision No. 54367, Application No. 17406, rather than by the "normalization" method currently in use.

On January 5, 1956, Applicant, by Commission Order and Decision No. 45097, Application No. 13856, was authorized to adopt certain accounting procedures for the accounting of Federal Income Tax results from taking accelerated depreciation on depreciable property for tax purposes pursuant to the provisions of Section 167 of the Internal Revenue Code of 1954. The accounting procedures applied for at that time by Applicant and granted by this Commission, were those generally described as the "normalization" method. This method provided that an amount equal to the reduction in Federal income taxes by virtue of taking accelerated depreciation in lieu of depreciation theretofore used is charged to an income deduction

account entitled "Provision for Deferred Federal Income Taxes" and a similar amount is credited to a special balance sheet account entitled "Earned Surplus Restricted for Future Federal Income Taxes." Also, the accounting method provided that during the period when the allowance for accelerated depreciation of property under Section 167 of Internal Revenue Code of 1954 is less than the deduction that would be allowable under the tax depreciation theretofore used, Applicant would charge to "Earned Surplus Restricted for Future Federal Income Taxes" until such account is exhausted and credit to a special operating deduction account entitled "Federal Income Taxes Deferred in Prior Years" a corresponding amount equal to the resulting increase in Federal taxes payable for the year.

The Commission's Order and Decision No. 45097, Application No. 13856, provides "that the Commission shall retain jurisdiction of this matter."

As provided in the Internal Revenue Code of 1954, Applicant has taken accelerated depreciation for tax purposes on certain properties constructed or acquired since December 31, 1953, and has complied in all respects with said Order of the Commission authorizing such accounting as described above.

On May 27, 1960, by its Order and Decision No. 54367, Application No. 17406, the Commission determined for rate making purposes, the reasonable value of Applicant's electric and gas property devoted to public use, the fair rate of return thereon, and the gross revenue to which it was entitled, determined upon the doctrine of "flow through" in respect to the Federal income tax results of accelerated depreciation taken under Section 167 of Internal Revenue Code of 1954. The "flow through" doctrine requires that only the Federal income taxes actually currently paid be charged as operating revenue deductions and does not permit any "normalization" of such income taxes. Therefore, the provisions in Commission's Order and Decision No. 54367, Application No. 17406 having, among other things, to do with the "flow through" doctrine of treating the results of taking accelerated depreciation for tax

purposes require that the Commission's Order and Decision No. 45097, Application No. 13856 be supplemented so that the accounting procedures effective August 1, 1960, at which time the new rates to consumers go into effect, will permit the accounting for Federal income taxes in accordance with the "flow through" doctrine, i. e., only actual Federal income taxes accrued for the current year will be charged to operating expense.

In view of the fact that Applicant's restricted surplus resulting from taking accelerated depreciation under the normalization method stands as a credit balance to be applied in later years as provided in the above mentioned account called "Federal Income Taxes Deferred in Prior Years," Commission's Order and Decision No. 45097, Application No. 13856, dated January 5, 1956 remains in full force and effect except for such modifications as set forth in the Order to follow herein.

The Commission is of the opinion that the Order sought herein by Applicant should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Statement above is hereby included by reference.

That the Commission is fully advised in the premises.

That the method of accounting to reflect the results of taking accelerated depreciation for tax purposes under the "flow through" method described herein is in the public interest and should be approved, and that such accounting should commence as of August 1, 1960.

That the procedures for the accounting of results of taking accelerated depreciation for tax purposes under the normalization method as authorized in Commission's Decision and Order No. 45097, Application No. 13856 should be modified as set forth in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado be, and it is hereby, authorized to account for the results of taking accelerated depreciation

for tax purposes under the "flow through" doctrine as described herein, beginning as of August 1, 1960.


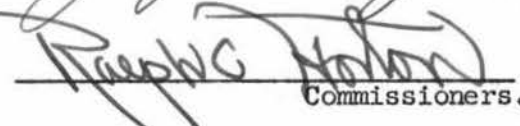
That the Commission Order and Decision No. 45097, Application No. 13856 setting out the precise manner for the accounting of results of taking accelerated depreciation for tax purposes (Section 167 of the Internal Revenue Code of 1954), under the normalization method, be, and it is hereby, modified so that only actual Federal taxes accrued for the current year shall be charged to operating expense.

That no amount of reduction in Federal taxes resulting from the taking of accelerated depreciation (Section 167 of the Internal Revenue Code of 1954) shall be charged to the income deduction account entitled "Provision for Deferred Federal Income Taxes" and that no corresponding amount shall be credited to the account entitled "Earned Surplus Restricted for Future Federal Income Taxes."

That the Commission shall retain jurisdiction of this matter.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR A. TRUJILLO, WESTON, COLORADO.)

PERMIT NO. M-6321

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur A. Trujillo,
Weston, Colorado

requesting that Permit No. M-6321 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6321, heretofore issued to Arthur A. Trujillo,
Weston, Colorado be,
and the same is hereby, declared cancelled effective May 31, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zupke
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
C. D. SPIKING, DOING BUSINESS AS,)
"SPIKES COFFEE", P. O. BOX 666,)
SALIDA, COLORADO.)
-----)

PERMIT NO. M-10090

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. D. Spiking,
doing business as, "Spikes Coffee", Salida, Colorado
requesting that Permit No. M-10090 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10090, heretofore issued to C. D. Spiking, doing
business as, "Spikes Coffee", Salida, Colorado be,
and the same is hereby, declared cancelled effective July 29, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Nigro
Ralph C. Hobson
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
A. W. VICKERS, DOING BUSINESS AS,)
"A-1 EGG COMPANY", 6781 HOLLY STREET,)
DERBY, COLORADO.)
-----)

PERMIT NO. M-2738

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. W. Vickers,
doing business as, "A-1 Egg Company", Derby, Colorado
requesting that Permit No. M-2738 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2738, heretofore issued to A. W. Vickers, doing
business as, "A-1 Egg Company", Derby, Colorado be,
and the same is hereby, declared cancelled effective August 2, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Henry E. Zalkow
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DALE G. KRUEGER, 2548 - 17TH AVENUE,)
GREELEY, COLORADO.)
_____)

PERMIT NO. M-9470

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dale G. Kreuger,
Greeley, Colorado

requesting that Permit No. M-9470 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9470, heretofore issued to Dale G. Kreuger,
Greeley, Colorado be,
and the same is hereby, declared cancelled effective August 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
James C. Norton
Wm. E. Zuley
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VINCENT VRENON, DOING BUSINESS AS,
"VRENON DISTRIBUTING COMPANY", 365
EAST SECOND STREET, RENO NEVADA.
-----)

PERMIT NO. M-11711

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Vincent VreNon, doing
business as, "VreNon Distributing Company", Reno, Nevada
requesting that Permit No. M-11711 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11711, heretofore issued to Vincent VreNon, doing
business as "VreNon Distributing Company", Reno, Nevada be,
and the same is hereby, declared cancelled effective January 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LYLE VIRGIL MC KEE, 501 BROADWAY,)
CORTEZ, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-13344

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lyle Virgil Mc Kee,
Cortez, Colorado
requesting that Permit No. M-13344 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13344, heretofore issued to Lyle Virgil Mc Kee,
Cortez, Colorado be,
and the same is hereby, declared cancelled effective July 15, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Johnson
Wm. E. Zink
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD GRIFFIN, DOING BUSINESS AS,)
"GRIFF'S MOBILE HOMES", NORTH TOWN-)
SEND, MONTROSE, COLORADO.)
-----)

PERMIT NO. M-15188

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold Griffin, doing
business as, "Griff's Mobile Homes", Montrose, Colorado
requesting that Permit No. M-15188 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15188, heretofore issued to Harold Griffin, doing
business as, "Griff's Mobile Homes", Montrose, Colorado be,
and the same is hereby, declared cancelled effective August 4, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Wm. E. Zuckert
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT MESTAS, ROUTE 1 BOX 162,)
MANZANOLA, COLORADO.)

PERMIT NO. M-2599

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Albert Mestas,
Manzanola, Colorado

requesting that Permit No. M-2599 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2599, heretofore issued to Albert Mestas,
Manzanola, Colorado be,
and the same is hereby, declared cancelled effective August 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Francis C. Horton
Wm. E. Zwickler
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 197 60.

PERMIT NO. M-4274

STATEMENT

FINDINGS

ORDER

Joseph F. Nigro
 Ralph C. Horton
 Henry E. Zullings
 Commissioners

hc

original

(Decision No. 54876)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: INVESTIGATION AND SUSPENSION)	
OF TARIFF COLORADO P.U.C. NO. 8)	
OF THE LEADVILLE WATER COMPANY,)	<u>INVESTIGATION AND SUSPENSION</u>
LEADVILLE, COLORADO.)	<u>DOCKET NO. 438</u>
-----)	

August 15, 1960

S T A T E M E N T

By the Commission:

The Commission, by its Decision No. 54708 dated July 19, 1960 in Application No. 17531 of The Leadville Water Company (Leadville), for, inter alia, the determination of a fair rate of return on the properties of said water company, permitted Leadville to file with this Commission a new schedule of rates, rules and regulations to produce a total annual gross revenue of \$119,215. These rates, rules and regulations were permitted to become effective on not less than three days' notice to the public and the Commission subsequent to the effective date of the order.

Leadville filed on August 12, 1960 its Colorado P.U.C. No. 8, Original Sheet 1, 1A, 2, 3, 4, and 5, cancelling the same series of sheets in its tariff Colorado P.U.C. No. 7. It would appear the ultimate intent of Leadville is to file revised sheets to its Tariff, Colorado P.U.C. No. 6, cancelling the corresponding existing sheets in its Tariff Colorado P.U.C. No. 6.

The sheets filed as Leadville Tariff Colorado P.U.C. No. 7, on April 25, 1960, were to become effective June 1, 1960, after thirty days' notice to the public and the Commission. Said tariff sheets were suspended and made the subject of an investigation by the Commission in its Decision No. 54316, dated as of May 17, 1960. The disposition of I & S Docket No. 434 will be the subject of a separate decision of this Commission.

On August 12, 1960, the attorney for the Leadville Water Users Association, by letter, has requested the suspension of the proposed Tariff Colorado P.U.C. No. 8, and further requested the matter be set down for a hearing to determine the justness of said rates. A telegram of protest has been received from Lake County Water Consumers. The staff of the Commission has requested the suspension of the proposed Tariff Colorado P.U.C. No. 8 of the Leadville Water Company and requested a hearing to be held thereon for the purpose of determining whether or not said rates will produce, on an annual basis, \$119,215, as permitted by this Commission in its Decision No. 54708. Therefore, in order to protect the interests of all concerned, the Commission has decided to suspend in its entirety Leadville Water Company Tariff Colorado P.U.C. No. 8.

F I N D I N G S

THE COMMISSION FINDS:

That the effective date of the rates as set forth in Tariff P.U.C. No. 8 of the Leadville Water Company as filed with this Commission on August 12, 1960, should be suspended until further order of this Commission.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed change in the rates as shown in the Leadville Water Company Tariff Colorado P.U.C. No. 8, be, and it hereby is, suspended in its entirety for a period of one hundred and twenty (120) days from August 12, 1960, to December 13, 1960, and that a hearing be held thereon, at a date to be set by the Commission, to determine if the rates are just, reasonable and will produce the revenues as allowed by this Commission.

That a copy of this Order be filed with Leadville Water Company Tariff Colorado P.U.C. No. 8, and copies hereof be forthwith served on Leadville and upon all appearances entered in Application No. 17531.

That the Commission shall retain jurisdiction of this matter to make such further Order or Orders as it may deem necessary.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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Joseph I. Nigro
Ralph C. Hobart
Wm. J. McLaughlin
Commissioners.

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES A. HENRICKSON, DOING BUSINESS)
AS "BROOMFIELD TRANSFER & STORAGE,")
1005 WEST FOURTH AVENUE, BROOMFIELD,)
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY, AUTHOR-)
IZING OPERATIONS AS A COMMON CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 17994

August 15, 1960

Appearances: Stockton, Linville and Lewis,
Esqs., Denver, Colorado, by
John H. Lewis, Esq., for
Applicant;
R. E. Danks, Esq., Denver,
Colorado, for Colorado
Transfer & Warehousemen's
Association, and Weicker
Transfer & Storage Company;
Bernard E. Schilt, Esq., Denver,
Colorado, for Berkeley
Moving & Storage Company;
Donald E. Fitch, Boulder, Colo-
rado, for McMullan Van and
Storage;
Ivan Bailey, Boulder, Colorado,
for Bailey Storage & Transfer
Company;
Raymond L. Pherson, Boulder,
Colorado, for Pherson
Trucking Company;
Hubert Work, Denver, Colorado,
for copy of Order.

STATEMENT AND FINDINGS

By the Commission:

This is an application by Charles A. Henrickson, doing
business as "Broomfield Transfer & Storage," Broomfield, Colorado,
for authority to operate as a common carrier by motor vehicle for
hire, to engage in the transfer, moving and general cartage business
between points within a five-mile radius of Broomfield, Colorado,
including Broomfield, and to transport household goods between
points within a five-mile radius of Broomfield, Colorado, including
Broomfield, and between points in said area on the one hand and all

points in the State of Colorado on the other hand.

The application was regularly set for hearing, and heard, after appropriate notice to all interested parties, at 532 State Services Building, Denver, Colorado, at ten o'clock A. M., on August 12, 1960, and at the conclusion thereof, the matter was taken under advisement.

Mr. Henrickson is the principal stockholder of a family-held corporation, Columbine Moving & Storage, which operates in the City of Denver, and which owns considerable equipment. If this application is granted, he proposes to cause a transfer of certain equipment adequate to meet the requirements of the duties authorized under this application, from Columbine Moving & Storage to Broomfield Transfer & Storage.

It was established by Mr. Henrickson that there is no transfer or moving company now based at Broomfield. As a resident of Broomfield he has received many requests for service during the past several months. His records -- which he admits are fragmentary -- show seven requests over a two-month period, including moves to another part of the State, a move to Denver, several from Aurora, and one to Boulder.

Broomfield is a newly-developed area, unincorporated, of approximately 5,000 inhabitants, situate just over the Boulder Turnpike, some seventeen miles from Denver. There are several unincorporated subdivisions that are separated from the Broomfield area, and several small towns, principally Lafayette and Louisville, which are old coal mining camps. With the development of Broomfield it has become something of a trade center by reason of the establishment of larger stores to serve its inhabitants. The area is primarily a residential district, but some small industries are being developed.

The application was supported by several public witnesses presently engaged in the general contracting business, real estate sales and development, banking, and schools.

The testimony of all of these public witnesses may be succinctly summarized to the effect that there is now no transfer and

moving operation based in Broomfield, and that there is a need for such an operation by reason of the fact that many people move from point to point within the Broomfield area and that often new residents will rent while homes are being constructed for them. At the time they are ready to move into new homes there is no transportation locally available, and these customers must rely upon transportation facilities from Boulder or Denver, which is more expensive because of the dead time going to and from Broomfield, and inconvenient because of the delay.

There also was some evidence that appliances that are purchased in Broomfield for delivery to outlying areas within the area specified in the application require common carrier transportation. It is significant, however, that the witness who testified in regard to this matter admitted that he transported all of his own commodities which he sold except when emergency deliveries are required, at which times he would utilize a common carrier. There also was some evidence that deliveries of material into the area -- especially school books and supplies -- are unloaded at rail loading points either in Lafayette or Louisville, and there is no transportation to haul these commodities to the school.

This application may be divided easily and conveniently into two parts. The first part is that which deals with the transportation of all commodities as a general cartage authority within an area encompassed within a five-mile radius of Broomfield; the second is that which deals with an in-and-out radial authority to all points in the State for the transportation of household furniture which the applicant concedes intends to be used household furniture.

With respect to the local transportation within a five-mile radius of Broomfield, the description of the area outlined in the application is extremely vague and difficult of determination. Broomfield is not an incorporated city, it has no city limits, it consists of platted filings which will continue to increase. Thus, the method

of describing the territory sought is inartistic to say the least. The evidence, however, does disclose a very definite need for local service in the Broomfield area. Certainly, in an area of approximately 5,000 people, some sort of local transportation is essential. The fact that near-by cities, such as Boulder and Denver, can supply service on a more expensive basis, and at the convenience of the carriers rather than at the convenience of the shippers, is indicative of great public need, and we so find. Likewise, with the development of Broomfield and in the vicinity of other populated areas near-by, there naturally will develop a community of interest and an economic exchange between these areas such as transportation of commodities bought in Broomfield and the transportation of other commodities from supply points and railheads in these other communities, to Broomfield. It is our opinion that the evidence adduced at the hearing clearly establishes the community of interest and the need for this type of transportation service in this area, and we so find.

As we indicated before, however, the area description is wholly inartistic, vaporous, vague and indefinite. We believe, however, that such deficiencies in the application should not deprive the people of the area of transportation. We, accordingly, shall take official notice of the geography of the area and fix the area to be described as follows:

"between points within a five-mile radius of the railroad station at Broomfield, Colorado, including Broomfield, excluding any and all types of service into, out of, and between points within the City of Arvada, Colorado, but including the Town of Lafayette."

With respect to transportation of used household goods in and out of said area to and from all points in the State of Colorado, the evidence was less positive and left a great deal to be desired. It is a logical inference upon which we can rely that people moving out of the Broomfield area will desire the services of a local carrier to transport their household goods to some point in the State to where they will move. The evidence, however, that people moving into

the area will require the services of a Broomfield-based carrier is not so persuasive. The evidence on this point disclosed that the transportation would be from populated areas in the vicinity, such as Boulder, Arvada and Denver. Taking official notice of the certificates outstanding in these areas, residents do have the services of a carrier based in their own community who could transport their household goods to Broomfield. In view of the state of the record, we must find ~~that~~ the evidence that there is a need for transportation from the Broomfield area to all points in the State of Colorado is sufficiently persuasive to convince the Commission that public convenience and necessity require such an authority. The evidence that there is a public convenience and necessity for transportation of household goods from points outside the area into Broomfield is not sufficiently persuasive to convince the Commission, and we must find that it has not been proved and must find that in view of the fact that most of this type of business would originate in the populated area surrounding Broomfield, that there is already existing adequate common carrier service available to all customers who would require such a service. Accordingly, it is our conclusion that public convenience and necessity require the granting of the certificate for the authority to engage in the transportation set forth in the Order herein.

The small amount of evidence produced by protestants neither adds nor detracts from our discussion above, but simply indicates the resistance by the existing common carriers to the broad granting of the application.

The financial responsibility, ability to serve, and equipment of applicant were established to the satisfaction of the Commission.

O R D E R

THE COMMISSION ORDERS:

That Charles A. Henrickson, doing business as "Broomfield Transfer & Storage," Broomfield, Colorado, be, and hereby is, authorized to engage as a common carrier by motor vehicle for hire in the

transfer, moving and general cartage business between points within a five-mile radius of the railroad station at Broomfield, Colorado, including Broomfield, excluding any and all types of service into, out of, and between points within the City of Arvada, Colorado, but including the Town of Lafayette, Colorado; and that the said Charles A. Henrickson, doing business as "Broomfield Transfer & Storage," is further authorized to transport used household goods from points in the above-described area to all points within the State of Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That 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 application is denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 15th day of August, 1960.

ea


Joseph F. Nigro
Ralph C. Hobart
Henry E. Paulsen
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRED RANKIN, DOING BUSINESS AS,)
"RANKIN ELECTRICAL COMPANY", 9620)
EAST COLORADO AVENUE, DENVER 20, COLO-)
RADO.)
-----)

PERMIT NO. M-4591

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fred Rankin, doing
business as, "Rankin Electrical Company", Denver 20, Colorado
requesting that Permit No. M-4591 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4591, heretofore issued to Fred Rankin, doing business
as, "Rankin Electrical Company", Denver 20, Colorado be,
and the same is hereby, declared cancelled effective July 28, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE MOJICA, 2166 SOUTH GALAPAGO)
STREET, DENVER 23, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-11763

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clarence Mojica,
Denver 23, Colorado
requesting that Permit No. M-11763 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11763, heretofore issued to Clarence Mojica,
Denver 23, Colorado be,
and the same is hereby, declared cancelled effective July 5, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Raymond C. Hordson
Wm. E. Zank
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LIGGETT SUPPLY AND EQUIPMENT COMPANY,)
INCORPORATED, 2030 SOUTH MAIN STREET,)
ELKHART, INDIANA.)
-----)

PERMIT NO. M-14870

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Liggett Supply and
Equipment Company, Inc., Elkhart, Indiana
requesting that Permit No. M-14870 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14870, heretofore issued to Liggett Supply and
Equipment Company, Inc., Elkhart, Indiana be,
and the same is hereby, declared cancelled effective July 15, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MILTON L. COVERSTON AND CLYDE REN-)
FROW, DOING BUSINESS AS, "C & R FURN-)
ITURE COMPANY (THE)", P. O. BOX 111)
MONTROSE, COLORADO.)
-----)

PERMIT NO. M-15793

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Milton L. Coverston and Clyde Renfrow, dba "C & R Furniture Company (The)", Montrose, Colorado requesting that Permit No. M-15793 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15793, heretofore issued to Milton L. Coverston and Clyde Renfrow, dba "C & R Furniture Company (The)", Montrose, Colorado be, and the same is hereby, declared cancelled effective July 10, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. C. BARKER, ROUTE 4, GRAND JUNCTION,
COLORADO.

PERMIT NO. M-1370

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. C. Barker,
Grand Junction, Colorado
requesting that Permit No. M-1370 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1370, heretofore issued to J. C. Barker,
Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective July 21, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Johnson
Henry L. Zerk
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DAROLD S. SHADRICK AND WILLIAM S.)
SHADRICK, P. O. BOX #263, ENCAMPMENT,)
WYOMING.)
-----)

PERMIT NO. M-4629

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Darold S. Shadrick
and William S. Shadrick, Encampment, Wyoming
requesting that Permit No. M-4629 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4629, heretofore issued to Darold S. Shadrick and
William S. Shadrick, Encampment, Wyoming be,
and the same is hereby, declared cancelled effective July 12, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Robert C. Gordon
Wanda E. Zank
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM S. AND DAROLD S. SHADRICK,)
P. O. BOX #263, ENCAMPMENT WYOMING.)

PERMIT NO. B-5353-I

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William S. and Darold S. Shadrick, Encampment, Wyoming
requesting that Permit No. B-5353-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5353-I, heretofore issued to William S. and Darold S. Shadrick, Encampment, Wyoming be,
and the same is hereby, declared cancelled effective July 12, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Samuel C. Norton
Henry E. Zurlungo
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1957 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MEDFORD OIL COMPANY (A CORPORATION),)
P. O. BOX 599, DURANGO, COLORADO.)
_____))
_____)

PERMIT NO. M-3383

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Medford Oil Company
(A Corporation), Durango, Colorado

requesting that Permit No. M-3383 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3383, heretofore issued to Medford Oil Company
(A Corporation), Durango, Colorado be,
and the same is hereby, declared cancelled effective June 30, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Henry C. Zerkow
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195 60.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MEDFORD OIL COMPANY (A CORPORA-)
TION), P. O. BOX 599, DURANGO,)
COLORADO.)

PERMIT NO. B-5686-I

August 18, 1960

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 their Permit No. B-5686-I be suspended for six months from June 30, 1960.

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 Medford Oil Company (A Corporation), Durango, Colorado

be, and is hereby, authorized to suspend their operations under Permit No. B-5686-I until December 30, 1960.

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 re-instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Tolson
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 18th day of August, 19 60.

original

(Decision No. 54887)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GREELEY GAS COMPANY, A COLORADO COR-)
PORATION, FOR AN ORDER AUTHORIZING)
AND APPROVING THE REFUNDING OF CER-)
TAIN REFUND MONIES TO ITS GAS CUS-)
TOMERS PURSUANT TO ITS GAS REFUND)
PLAN (1960).)
-----)

APPLICATION NO. 16041
SUPPLEMENTAL ORDER

August 16, 1960

Appearances: Lee, Bryans, Kelly and Stans-
field, Esqs., Denver, Colorado,
by Robert F. Thompson, Esq.,
for Applicant;
J. M. McNulty, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

This matter came on for hearing the 8th day of July,
A. D. 1960, at ten o'clock A. M., at the Hearing Room of the Com-
mission, Room 532 State Services Building, 1525 Sherman Street,
Denver, Colorado, upon due and proper notice to all parties in
interest, upon the supplemental application of Greeley Gas Company
(Applicant) for an order authorizing and approving its proposed
Gas Refund Plan (Gas Refund Plan - 1960), covering the distribution
to certain of Applicant's customers of the refund which Applicant
has received or will receive from its wholesale natural gas suppliers.

Applicant is a corporation organized under the laws of
Colorado, and is a public utility operating company subject to the
jurisdiction of this Commission, engaged inter alia in the purchase,
distribution and sale of natural gas at retail to residential, com-
mercial and industrial users in various municipalities, communities
and areas in Weld County, Colorado, herein referred to as Applicant's

"Weld County Service Area," and in Fremont County, Colorado, herein referred to as Applicant's "Fremont Service Area." All such service is rendered in accordance with Applicant's schedules of standard gas rate schedules, classifications, rules and regulations published in Applicant's Tariff, Colo. PUC No. 5--Gas, and in certain instances, under special gas sales contracts, on file with this Commission.

Applicant purchases natural gas for resale to its customers in its Weld County Service Area from Colorado-Wyoming Gas Company (Colorado-Wyoming), and purchases natural gas for resale to its customers in its Fremont County Service Area from Colorado Interstate Gas Company (Interstate). Both Colorado-Wyoming and Interstate are interstate pipeline companies subject to the jurisdiction of the Federal Power Commission (FPC) and under the provisions of the Natural Gas Act, as amended.

Since 1954, Applicant's respective gas suppliers have increased their wholesale rates to the Applicant by prosecution before FPC under the provisions of the Natural Gas Act, as amended, of four separate rate increase proceedings each. Applicant, or its predecessor company, upon receiving information that such increased rates for natural gas were to become effective, in each instance made application to this Commission for authority to place in effect temporary gas rate adjustments increasing its retail gas rates in its Fremont County and Weld County Service Areas to offset the increase in the cost of purchased gas. Such authority was, in substance, granted by this Commission.

The first three rate increase proceedings of Interstate designated as FPC Docket Nos. G-2260, G-2576 and G-11717, were settled by an order issued by FPC on December 30, 1958, terminating such proceedings. The first three rate increase proceedings of Colorado-Wyoming designated as FPC Docket Nos. G-2261, G-2720 and G-11848 were also settled by orders of FPC issued in the respective proceedings. Pursuant to such FPC settlement orders, Interstate and

Colorado-Wyoming were ordered to make certain refunds to their jurisdictional customers, including Applicant. By orders of this Commission in Decision No. 52003, dated April 1, 1959, and in Decision No. 52766, dated July 24, 1959, Applicant was authorized to refund to its customers the monies which were refunded to it by Interstate and by Colorado-Wyoming as a result of the settlement of the above mentioned three FPC rate increase proceedings of each of its suppliers, together with certain additional amounts, but less the cost of making said refund. Such refund operation, hereinafter referred to as the "1959 Refund," is now approaching completion.

Following the pattern established in the settlement of the first three FPC rate increases of Applicant's suppliers, negotiations were held between Interstate, members of the FPC staff, certain customers of Interstate, including Applicant, and a number of intervenors, including this Commission, seeking a settlement of Interstate's fourth rate increase proceeding pending before FPC, designated as Docket No. G-13541. These negotiations culminated in an agreement which included the determination of an amount to be refunded by Interstate to its customers, including Applicant in connection with its Fremont County operations, for overcharges made by Interstate during the period from February 5, 1958 through December 31, 1958, and for the period from January 1, 1959 through Interstate's November 1959 billing month, and fixed Interstate's proper wholesale gas rates for the future. Further, such settlement agreement provided that Interstate would refund, in addition to the refund calculated on said settlement rates, any amounts earned by it during the year 1959 in excess of a 6% rate of return, hereinafter referred to as the "Excess Earnings Refund." Said agreement was approved by FPC by order issued December 31, 1959 directing Interstate to refund to its customers the amount of the overcharges, together with interest thereon, ascertained and computed as set forth in Section II of the Appendix attached to said order.

On March 17, 1960, a conference was held in the FPC offices in Washington, D. C. between Colorado-Wyoming, members of the FPC staff, certain customers of Colorado-Wyoming, and certain intervenors, including a representative of this Commission, seeking a settlement of Colorado-Wyoming's fourth rate increase proceeding pending before FPC designated as Colorado-Wyoming's FPC Docket No. G-13577. As a result of this conference, an agreement was reached in which settlement rates for Colorado-Wyoming were determined for the period from February 5, 1958 through December 25, 1958 and from December 26, 1958 forward. By order issued April 1, 1960 FPC approved the settlement agreed to at such conference and directed Colorado-Wyoming, among other things, to refund to its jurisdictional customers, including Applicant in respect of its Weld County operations, the difference between the rates actually collected from February 5, 1959 and the settlement rates fixed by said order to the date of payment, plus interest thereon at the rate of 6% per annum. In addition, Colorado-Wyoming was directed to refund any amounts to be received by it from Interstate as an Excess Earnings Refund.

In accordance with the FPC order in Docket No. G-13541, Interstate has refunded to Applicant in connection with its Fremont County operations the amount of \$96,122.93 covering both principal and interest for the periods from February 5, 1958 through December 31, 1958 and from January 1, 1959 through November 30, 1959. No final determination had been made at the date of the hearing of the Excess Earnings Refund to be paid by Interstate. Also, in accordance with the FPC Order in Docket No. G-13577, Colorado-Wyoming has refunded to Applicant in connection with its Weld County operations the amount of \$308,310.44 covering both principal and interest for the periods February 5, 1958 through December 25, 1958 and December 26, 1958 through February 25, 1960. The aggregate amount of such refunds received by Applicant total \$404,433.37, and constitute the principal source of funds to be distributed to natural gas customers of Applicant pursuant

to its Gas Refund Plan - 1960. Applicant's Gas Refund Plan - 1960 is substantially the same as its 1959 refund plan heretofore approved by this Commission.

By Decision No. 53659 dated January 11, 1960, and Decision No. 54142 dated April 20, 1960, of this Commission, Applicant was permitted to file and did file downward adjustments of its retail gas tariffs covering the sale of gas in its Fremont County and Weld County Service Areas reducing its retail rates for natural gas sold to its natural gas customers in such areas, as a result of the settlement of the respective fourth FPC rate increase proceedings of Interstate and Colorado-Wyoming. This adjustment in Applicant's Fremont County Service Area became effective with the January 1960 billing period, and such adjustment in Applicant's Weld County Service Area became effective with meter readings of April 22, 1960.

Due to the fact that the decrease in Interstate's rates, which were ordered by FPC in its order issued December 31, 1959 (FPC Docket G-1345) and applicable to Applicant's Fremont County operations, were retroactive to December 1, 1959, Applicant was unable to place its reduced retail rates in its Fremont County Service Area in effect simultaneously with the effective date of the reduction in its wholesale gas rates. Consequently, Applicant will add to the amount refunded to it by Interstate the sum of \$4,019 representing the difference between the retail rates actually charged its customers in its Fremont Service Area and the reduced rates if such reduced rates had been placed in effect with its December 1959 billings. As was the case with the Interstate reduction, Colorado-Wyoming commenced billing its reduced wholesale rates which became effective prior to the effective date of the reduction in Applicant's retail rates in its Weld County Service Area. As a result, Applicant proposes to add to the refund it received from Colorado-Wyoming the amount of \$24,936.79. These additional amounts are referred to in its proposed Gas Refund Plan - 1960 as the "Company Refund."

In addition to the amounts refunded to Applicant by Colorado-Wyoming and Interstate, and the amount of the Company Refund, Applicant proposes to refund to its customers in the appropriate service areas the Excess Earnings Refund, when received, either directly from Interstate or indirectly through Colorado-Wyoming as a result of the aforesaid FPC settlement orders. Pursuant to Applicant's proposed Gas Refund Plan - 1960 Applicant will also include in the refund to be made to its customers in its respective service areas any refund made by Interstate or Colorado-Wyoming resulting from refunds made by field suppliers or producers of natural gas purchased by Interstate. In addition, Applicant proposes that sales taxes paid by its customers and applicable to the principal refund amount which may actually be refunded to Applicant from the appropriate taxing authority or for which the taxing authority has given Applicant advance credit, will be refunded to its customers.

All refund monies received by Applicant prior to the date of the hearing on the instant matter from Interstate and Colorado-Wyoming, together with the amounts representing the Company Refund, have been invested by Applicant in short-term United States securities and will remain so invested until such time as the refunding operation contemplated by Applicant's Gas Refund Plan - 1960 actually commences.

Applicant estimates that the total cost of making the refund will be approximately \$19,300. As was the case in Applicant's 1959 Gas Refund Plan, approved by Commission Decision No. 52003, dated April 1, 1959, Applicant proposes in its Gas Refund Plan - 1960 to reimburse itself for such cost from the interest paid to it by its suppliers and the interest earned from the investment by Applicant of the refund monies in United States Government securities, and that the excess interest, if any, be refunded to its customers. In the administration of the Plan, Applicant proposes to offset delinquent accounts of customers against the amount to be otherwise refunded to each such delinquent customer.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement be incorporated herein and adopted as the Findings of the Commission.

After hearing testimony and examining the exhibits presented at the hearing held on this matter July 8, 1960, the Commission finds that Applicant's proposed Gas Refund Plan - 1960 is in the public interest, is just and equitable, and should be approved by this Commission.

O R D E R

THE COMMISSION ORDERS:

1. That Applicant's Gas Refund Plan - 1960 be, and the same is hereby approved.
2. That Applicant be, and it hereby is, ordered and directed to refund to its various classes of natural gas customers in its Weld County Service Area the sum of \$308,310.44 received from its wholesale gas supplier, Colorado-Wyoming Gas Company, the sum of \$24,936.79 representing the "Company Refund;" any amount received from Colorado-Wyoming as a result of the Excess Earnings Refund of Interstate for the year 1959; any monies received from Colorado-Wyoming as "supplier refunds" resulting from refunds being made to Interstate by its suppliers of natural gas; and the applicable portion of any "sales tax refund" received by Applicant from the various taxing authorities, or the applicable portion of any sales tax credit given by the appropriate taxing authority to Applicant, all in accordance with Applicant's Gas Refund Plan - 1960 as herein approved.
3. That Applicant be, and it hereby is, ordered and directed to refund to its various classes of natural gas customers in its Fremont County Service Area the sum of \$96,122.93 received from its wholesale gas supplier, Interstate; the sum of \$4,019.00 representing the "Company Refund;" any amount received from Interstate as a result of the Excess Earnings Refund of Interstate for the year 1959; any moneys received from Interstate as "supplier refunds"

resulting from refunds being made to Interstate by its suppliers of natural gas; and the applicable portion of any "sales tax refund" received by Applicant from the appropriate taxing authority, or the applicable portion of any sales tax credit given by the appropriate taxing authority to Applicant; all in accordance with Applicant's Gas Refund Plan - 1960, as herein approved.

4. That Applicant be, and it hereby is, ordered and directed to reimburse itself for the reasonable cost of making said refunds, estimated at \$19,300.00, from the interest received from the investment of the aggregate fund in short term United States securities and, so far as necessary, from the interest component of the refund received from its suppliers.

5. That Applicant be, and it is hereby, ordered to proceed forthwith, and without delay, to implement its Gas Refund Plan - 1960 to make refunds to customers entitled thereto promptly in accordance with the provisions of such Plan and this Order and Decision, and that Applicant promptly report by letter to this Commission the amount of all monies received from Interstate and Colorado-Wyoming as a result of the Excess Earnings Refund of Interstate, together with the amount of money received by Applicant from either of said companies as "supplier refunds."

6. That Applicant be, and it hereby is, ordered and directed, within one hundred eighty (180) days after it has mailed the last refund check under said Plan, to account to this Commission for all disbursements made under said Plan in a manner satisfactory to this Commission; to report the aggregate unclaimed funds then in its possession, together with any interest, which is not required to reimburse Applicant for the actual cost of making such refund; to report all unsatisfied claims which Applicant has received in connection with the refunding operation and its analysis of the validity of such respective claims; to submit to the Commission for consideration and review a plan for the equitable settlement or other disposition

of all proper unsatisfied claims; and to carry out any plan or plans for the equitable settlement or other disposition of such unsatisfied claims as may be directed by this Commission by further order entered herein or otherwise; and that upon final disposition of all monies to customers entitled thereto, the balance thereof shall be disposed of by this Commission according to law.

7. That Applicant shall petition this Commission for its approval of all costs incurred by Applicant in making the refund herein authorized in excess of \$19,300, prior to incurring any such additional costs.

8. That jurisdiction is hereby retained by the Commission to enter further order or orders as it may deem necessary and proper in the premises.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Joseph L. Negro
Ralph C. Hobart
Henry H. Zuley
Commissioners.

Dated at Denver, Colorado,
this 16th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
900 FIFTEENTH STREET, DENVER, COLO-)
RADO, FOR AUTHORITY TO EXTEND ELEC-)
TRIC LINES AND FACILITIES TO SERVE)
SECTIONS 2, 11, 12 AND 13, TOWNSHIP)
2-SOUTH, RANGE 68-WEST, AND SECTIONS)
19 AND 20, TOWNSHIP 2-SOUTH, RANGE)
68-WEST, ADAMS COUNTY, COLORADO (TIE)
LINE BETWEEN THE BROOMFIELD SUB-)
STATION BEING CONSTRUCTED NEAR DEN-)
VER-BOULDER TURNPIKE AT APPROXIMATELY)
WEST 116TH AVENUE) AND THE WEST-)
MINSTER SUBSTATION TO BE CONSTRUCTED)
AT ZUNI STREET AND WEST 92ND AVENUE.)
-----)

APPLICATION NO. 17844-Extension

August 17, 1960

Appearances: Lee, Bryans, Kelly and Stans-
field, Esqs., Denver, Colo-
rado, by Bryant O'Donnell, Esq.,
for Public Service Company
of Colorado;
Grant, Shafroth, Toll and McHendrie,
Esqs., Denver, Colorado, by
Erl H. Ellis, Esq., for Union
Rural Electric Association, Inc.;
J. M. McNulty, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On June 3, 1960, Public Service Company of Colorado filed its application to extend a tie line from its Broomfield substation to its Westminster substation. Authorization is sought only for a portion of this line, north of the north line of Section 13, Township 2-South, Range 69-West, and of Sections 17 and 18, Township 2-South, Range 68-West, which north line is the northern boundary of Applicant's Arvada certificate.

On June 30, 1960, Union Rural Electric Association, Inc. filed a protest to the application of Public Service Company requesting that the matter be set for hearing. This matter was set for hearing by the Commission on Friday, July 29, 1960, at ten

o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, after due notice to all interested parties. At said time and place this matter was heard on a joint record with Public Service Company Applications Nos. 17843 and 17896, and Union's Application No. 17810. At the conclusion of the hearing, the matter was taken under advisement.

The procedure being followed in this proceeding was set forth by the Commission in its Decision No. 47074, of January 7, 1957, in Application No. 13576, Case 5108.

Testimony at the hearing revealed that Public Service Company is desirous of constructing a tie line to connect its Broomfield and Westminster substations by means of 13.2 Kv 3-phase line. Part of the area to be traversed by this tie line is located outside the Arvada certificated area in the Appendix A territory, as set forth by Decision No. 47074. The estimated cost of this line is approximately \$50,000 and will be used to provide alternate service between the two substations in the case of an outage of the Public Service Company's 115 Kv transmission line. Some existing pole line will be utilized as well as the construction of new additional pole line. Presently existing circuits will be reconducted to a larger size wire to enable this tie line to carry the load should the larger transmission line go out of service.

Union REA protested this application on the grounds that the Company could utilize for the most part existing pole line rather than constructing this tie line by a new route, which new route would parallel existing lines of Union REA.

No engineering testimony was offered by Union to substantiate its protest.

In view of the record in this matter, we believe that Public Service Company should be authorized to construct the tie line as proposed in its application since it is apparent that it is needed in the conduct of its business to render adequate, reliable electric service.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Public Service Company of Colorado, and of the subject matter in the instant application.

That the Commission is fully advised in the premises.

That the foregoing Statement be made apart hereof by reference.

That the application of Public Service Company to construct a tie line between its Broomfield and Westminster substations should be granted in accordance with the application herein.

That the protest of Union Rural Electric Association, Inc. should be denied.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado be, and hereby is, granted a certificate of public convenience and necessity to extend its facilities by constructing a tie line between its Broomfield and Westminster substations, or as more fully set forth in Exhibit No. 7 introduced by the Applicant at the hearing and, by reference, made a part hereof.

That the protest of Union Rural Electric Association, Inc. be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regis
Ralph G. Watson
Henry E. Cullings
Commissioners.

Dated at Denver, Colorado,
this 17th day of August, 1960.

ea

original

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 AU-
THORITY TO MAKE THREE EXTENSIONS
OF FACILITIES IN THE SOUTHWEST
QUARTER OF SECTION 18, AND IN THE
NORTHWEST QUARTER OF SECTION 19,
TOWNSHIP 1-NORTH, RANGE 66-WEST,
TO SERVE HELMER GETZ AND CHARLES
OCKER.

APPLICATION NO. 17633
EXTENSION

IN THE MATTER OF THE APPLICATION OF
COLORADO CENTRAL POWER COMPANY 3470
SOUTH BROADWAY, ENGLEWOOD, COLORADO,
FOR AUTHORITY TO MAKE EXTENSIONS OF
FACILITIES IN THE SOUTHWEST QUARTER
OF SECTION 18, AND IN THE NORTHWEST
QUARTER OF SECTION 19, TOWNSHIP 1-
NORTH, RANGE 66-WEST.

APPLICATION NO. 17638
EXTENSION

August 17, 1960

Appearances: Allen, Lynch & Rouse, Esqs.,
Denver, Colorado, by
Philip Rouse, Esq., for
Colorado Central Power Company;
Grant, Shafroth, Toll and McHendrie,
Esqs., Denver, Colorado, by
Erl H. Ellis, Esq., for
Union REA;
J. M. McNulty, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On February 17, 1960, Union Rural Electric Association,
Inc. filed an application to render electric service to Helmer Getz
at two pump locations located in the Southwest Quarter of Section 18,
Township 1-North, Range 66-West, and for electric service to Charles
Ocker at his pump location in the Northwest Quarter of Section 19,
Township 1-North, Range 66-West.

On March 1, 1960, Colorado Central Power Company filed a protest to the application of Union REA and also filed application on its own behalf to serve the two irrigating pumps of Helmer Getz.

The above two matters were set for hearing by the Commission on Friday, July 29, 1960, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At the request of the attorney for Colorado Central Power Company these matters were recessed until 3:00 o'clock P. M. on Friday, July 29, 1960. At said time in the afternoon these matters were heard on a joint record and at the conclusion of the hearing, taken under advisement by the Commission.

The procedure being followed in these matters was set forth by the Commission in its Decision No. 47074, of January 7, 1957, in Application No. 13576, Case 5108.

The above decision of the Commission was appealed to the courts and the matter is now before the United States Supreme Court, a stay having been obtained from the Order of the Colorado State Supreme Court. Pending final court order on our original decision, both applicants are proceeding as provided for in Decision No. 47074.

Testimony at the hearing revealed that Union REA has constructed its lines to all the pump locations set forth in its application. These extensions were made because both applicants, Helmer Getz and Charles Ocker, were in need of water to irrigate their crops planted early in the spring. While the application of Union REA was on file prior to the extension of service, Union did not request temporary authority before beginning its construction. We appreciate that Union was anxious to render service to its customers so that no hardship would be suffered, but we also feel it had an obligation to inform the Commission in view of the circumstances. We are not condoning the act of Union, but will overlook it this time.

Further testimony revealed that Union REA has been serving the residences of both Ocker and Gets for a period of years and that the two applicants herein needed an extension of Union's service to

supply pump locations on their respective farms. Colorado Central Power Company was not protesting the service to the Ocker pump since it is located outside of the territory that Colorado Central claims as its service area. Colorado Central, however, objected vigorously to Union's serving the Getz pumps, claiming that it was ready, willing and able to render this service.

Mr. Helmer Getz testified that he has been using REA electric service for approximately three years at his residence. He applied for additional service for his pump to Union REA since he is a member of that organization. He could see no reason why he needed two electric power companies rendering service to his farm. He was satisfied with Union REA service and wanted to continue with it, not only at his house but at his two pump locations. It is apparent from the testimony herein that electric service is needed by both Mr. Getz and Mr. Ocker at the pump locations on their farms. In view of the fact that Union REA is presently rendering adequate service to both of these customers, we believe they should continue to render this service at the additional locations sought by Union REA in its application. Consequently, we will grant the application of Union and deny that of Colorado Central Power Company.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of both Applicants herein, and of the subject matter in said application.

That the Commission is fully advised in the premises.

That the foregoing Statement be made a part hereof by reference.

That public convenience and necessity require that Application No. 17633 of Union Rural Electric Association, Inc. be granted to supply electric service to Helmer Getz at two pump locations in the Southwest Quarter of Section 18, Township 1-North, Range 66-West, and to one pump location of Mr. Charles Ocker located in the Northwest Quarter of Section 19, Township 1-North, Range 66-West, or as

more fully shown on Union REA's Exhibit A, being a map introduced at the hearing and, by reference, made a part hereof.

That Union Rural Electric Association, Inc. is qualified to render said service, and it is apparent from the record that public convenience and necessity would best be served by granting of said application.

That Application No. 17638 of Colorado Central Power Company should, consequently, be denied.

O R D E R

THE COMMISSION ORDERS:

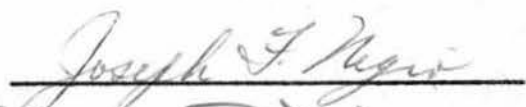
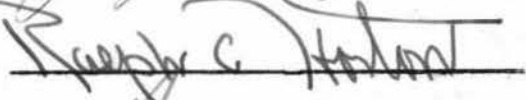

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and hereby is, granted a certificate of public convenience and necessity to extend its facilities to render electric service to two pump locations of Mr. Helmer Getz located in the Southwest Quarter of Section 18, Township 1-North, Range 66-West, and to one pump location of Mr. Charles Ocker located in the Northwest Quarter of Section 19, Township 1-North, Range 66-West, or as more fully shown on Union REA's Exhibit A, being a map introduced at the hearing and, by reference, made a part hereof.

That Union Rural Electric Association, Inc. shall render electric service under the certificate granted herein under the rates, rules and regulations of said utility now and hereafter on file with this Commission, until changed according to law or the rules and regulations of the Commission.

That Application No. 17638 of Colorado Central Power Company be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 17th day of August, 1960

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAKE GONZALES, STARKVILLE, COLORADO.)

PERMIT NO. M-12121

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jake Gonzales,
Starkville, Colorado
requesting that Permit No. M-12121 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12121, heretofore issued to Jake Gonzales,
Starkville, Colorado be,
and the same is hereby, declared cancelled effective June 16, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Gordon
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL E. MATHIS AND CHESTER N. MAAS,)
P. O. BOX 86, BUENA VISTA, COLORADO.)

PERMIT NO. M-7680

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul E. Mathis and
Chester N. Maas, Buena Vista, Colorado
requesting that Permit No. M-7680 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7680, heretofore issued to Paul E. Mathis and
Chester N. Maas, Buena Vista, Colorado be,
and the same is hereby, declared cancelled effective August 5, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Wm. E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT R. WHITE, DOING BUSINESS AS,)
"BOB'S BARGAIN FURNITURE STORE",)
3986 SOUTH BROADWAY, ENGLEWOOD, COLO-)
RADO.)
-----)

PERMIT NO. M-8647

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert R. White, doing
business as, "Bob's Bargain Furniture Store", Englewood, Colorado
requesting that Permit No. M-8647 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8647, heretofore issued to Robert R. White, doing
business as, "Bob's Bargain Furniture Store", Englewood, Colorado be,
and the same is hereby, declared cancelled effective July 17, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Negro
Ralph G. Hobart
Wm. E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EMIL E. AND CAROL S. KOSKI, DOING)
BUSINESS AS, "CHICKEN DELIGHT", 2)
NORTH SPRUCE, COLORADO SPRINGS, COLO-)
RADO.)
-----)

PERMIT NO. M-3142

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Emil E. and Carol S. Koski, doing business as, "Chicken Delight", Colorado Springs, Colorado requesting that Permit No. M-3142 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3142, heretofore issued to Emil E. and Carol S. Koski, doing business as, "Chicken Delight", Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective June 12, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CONTINENTAL COFFEE COMPANY (A CORP-)
ORATION), 1235 MEADOW SWEET ROAD,)
GOLDEN, COLORADO.)
-----)

PERMIT NO. M-7933

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Continental Coffee
Company (A Corporation), Golden, Colorado
requesting that Permit No. M-7933 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7933, heretofore issued to Continental Coffee
Company (A Corporation), Golden, Colorado be,
and the same is hereby, declared cancelled effective August 5, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

PUBLIC SERVICE COMPANY OF COLORADO,
a Colorado Corporation, 900 Fifteenth
Street, Denver, Colorado,

Complainant,

vs.

UNION RURAL ELECTRIC ASSOCIATION, INC.,
a Colorado Corporation, Brighton,
Colorado,

Defendant.

CASE NO. 5184

August 17, 1960

Appearances: Lee, Bryans, Kelly and Stans-
field, Esqs., Denver, Colo-
rado, by Bryant O'Donnell, Esq.,
for Public Service Company of
Colorado;
Grant, Shafroth, Toll and McHendire,
Esqs., Denver, Colorado, by
Erl H. Ellis, Esq., for Union
Rural Electric Association, Inc.;
J. M. McNulty, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

The above case was set for hearing on Friday, July 29, 1960,
at ten o'clock A. M., in the Hearing Room of the Commission, 532 State
Services Building, Denver, Colorado. At said time and place, the
Commission informed both parties that this matter would not be heard
at this time due to the fact that Decision No. 47074, of January 7,
1957, in Application No. 13576-Case 5108, was presently on appeal to
the Supreme Court of the United States.

Since the decision of the Court in regard to Decision No.
47074 would have a bearing on the Commission's action in Case No.

5184, this matter was recessed by the Commission until further notice.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Higin
Ralph C. Hinton
John E. Hinton
Commissioners.

Dated at Denver, Colorado,
this 17th day of August, 1960.

ea

original

(Decision No. 54896)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PUBLIC SERVICE COMPANY OF COLORADO,)	
900 FIFTEENTH STREET, DENVER, COLO-)	
RADO, FOR AUTHORITY TO EXTEND ELEC-)	
TRIC LINES AND FACILITIES IN SECTION)	<u>APPLICATION NO. 17896-Extension</u>
31, TOWNSHIP 1-SOUTH, RANGE 72-WEST,)	
GILPIN COUNTY, COLORADO, TO SERVICE)	
A SWITCH HEATER NEAR THE ROLLINSVILLE)	
DEPOT OF THE DENVER AND RIO GRANDE)	
WESTERN RAILROAD COMPANY.)	
-----)	

August 17, 1960

Appearances: Lee, Bryans, Kelly and Stansfield, Esqs., Denver, Colorado, by Bryant O'Donnell, Esq., for Applicant;
Grant, Shafroth, Toll and McHendrie, Esqs., Denver, Colorado, by Erl H. Ellis, Esq., for Union Rural Electric Association, Inc.;
J. M. McNulty, Denver, Colorado, for the staff of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on June 21, 1960, seeking to extend electric service from the Rollinsville Depot of The Denver & Rio Grande Western Railroad Company to a switch heater approximately 1,000 feet east of said depot. On June 30, 1960, Union Rural Electric Association, Inc. filed a protest to said application.

This application was set for hearing by the Commission on Friday, July 29, 1960, at the Commission's Hearing Room, 532 State Services Building, Denver, Colorado, after due notice to all interested parties. The matter was heard on a joint record with Public Service Company Application Nos. 17843 and 17844, and Union Rural Electric Application No. 17810. At the conclusion of the hearing, the Commission took the matters under advisement.

By this application, Public Service Company of Colorado seeks authority to extend its facilities to serve an electric heater to be installed on a switch of The Denver & Rio Grande Western Railroad Company at a location of approximately 1,000 feet east of the depot at Rollinsville. The Company proposes to extend a single-phase primary line a distance of 1,160 feet at a cost of \$2,100.00. A 25-Kva transformer will be set to take care of an anticipated load of 25 kilowatts. Public Service Company is presently serving the depot at Rollinsville with electric service. It filed its application in accordance with Commission Decision No. 47074 of January 7, 1957, in Application No. 13576-Case 5108.

Union Rural Electric Association, Inc. appeared in protest to the granting of the application to Public Service Company. The evidence at the hearing disclosed that Union has already extended its lines to the vicinity of The Denver & Rio Grande Western Railroad switch proposed to be served, but the service has not yet been connected since the railroad has not finished its installation at the switch.

In the protest filed herein, Union Rural Electric stated that "Protestant is investigating this matter and has the idea that the point of service can be reached within 300 feet of its existing lines. If it is discovered that more than 300 feet of line is necessary, this protestant plans to file application for its own extension to render this service." The evidence at the hearing disclosed that Union built approximately 590 feet of line to the switch. This is over the 300 feet limitation as provided by this Commission's Decision No. 47074. Union did not see fit to file its application in this matter.

Decision No. 47074, which prescribed the procedure to be followed by Public Service Company and Union Rural Electric, as well as Colorado Central Power Company, was appealed to the courts, and in March 1960 the State Supreme Court rendered its decision. The

rehearing on its decision was denied, but a stay of execution was granted by the State Supreme Court pending an appeal by Union Rural Electric to the United States Supreme Court. Since Union was the moving party in regard to the appeal to the United States Supreme Court, it certainly was in the best position to know what procedure to follow as far as application before this Commission was concerned. During the stay of execution of the State Supreme Court decision, the procedure in Decision No. 47074 would still apply, and Union cannot plead ignorance as to procedure. It appears in this record that Union has elected to ignore both this Commission and the State Supreme Court since it followed its own procedure in this matter. Apparently, Union now takes the position that as it has built this line it has a priority. Union elected to build this line without any authority, and therefore we feel it has no standing on this basis. Public Service Company of Colorado has filed its application and is ready, willing and able to serve, and we conclude from the record in this matter that it is best able to serve and, consequently, we will grant the application as requested.

F I N D I N G S

THE COMMISSION FINDS:

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

That the Commission is fully advised in the premises.

That the foregoing Statement be made a part hereof by reference.

That public convenience and necessity require that Application No. 17896 of Public Service Company of Colorado should be granted to supply electric service to a switch heater on The Denver & Rio Grande Western Railroad located approximately 1,000 feet east of the Rollinsville Depot, in Section 31, Township-1-South, Range 72-West, Gilpin County, Colorado, all as more fully shown on Exhibit 5, being a map attached to the application and, by reference, made a part hereof.

That Public Service Company of Colorado is qualified to render said electric service, and it appears from the record that public convenience and necessity would best be served by the granting of said application.

That the protest of Union Rural Electric Association, Inc. should be denied.

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 render electric service at a switch location of The Denver & Rio Grande Western Railroad located approximately 1,000 feet east of the depot at Rollinsville, in Section 31, Township 1-South, Range 72-West, Gilpin County, Colorado, all as more fully shown on Exhibit No. 5, being the map attached to Application No. 17896, and which, by reference, is made a part hereof.

That Public Service Company of Colorado shall render electric service under the certificate granted herein under the rates, rules and regulations of said Company as are now or hereafter on file with this Commission, until changed according to law and the rules and regulations of this Commission.

That the protest of Union Rural Electric Association, Inc. be, and it hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Regis
Joseph C. Hart
Samuel J. Adams
Commissioners.

Dated at Denver, Colorado,
this 17th day of August, 1960.

ea

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 AU-
THORITY TO EXTEND FACILITIES BY
BUILDING A TOTAL OF THREE-QUARTER
MILE OF SINGLE PHASE PRIMARY LINE
TO THE U. S. ARMY HIGH FREQUENCY
RADIO STATION LOCATED IN THE WEST
HALF OF SECTION 27, TOWNSHIP 1-NORTH
RANGE 65-WEST, WELD COUNTY, COLORADO.

APPLICATION NO. 17810-Extension

IN THE MATTER OF THE APPLICATION OF
PUBLIC SERVICE COMPANY OF COLORADO,
900 FIFTEENTH STREET, DENVER, COLO-
RADO, FOR AUTHORITY TO EXTEND
ELECTRIC LINES AND FACILITIES IN
SECTION 27, TOWNSHIP 1-NORTH, RANGE
66-WEST, WELD COUNTY, COLORADO, TO
SERVE U. S. ARMY ENGINEERS, OMAHA
CORPS OF ENGINEERS, NEAR BRIGHTON,
ONE MILE NORTH OF ADAMS COUNTY LINE
AND 2 $\frac{1}{4}$ MILES EAST OF OLD U. S. HIGH-
WAY NO. 85.

APPLICATION NO. 17843-Extension

INTERLOCUTORY ORDER

August 17, 1960

Appearances: Lee, Bryans, Kelly and Stans-
field, Esqs., Denver, Colo-
rado, by Bryant O'Donnell,
Esq., for Public Service
Company of Colorado;
Grant, Shafroth, Toll and
McHendrie, Esqs., Denver,
Colorado, by Erl H. Ellis,
Esq., for Union Rural
Electric Association, Inc.;
J. M. McNulty, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On May 24, 1960, Union Rural Electric Association, Inc.
filed an application with this Commission for authority to extend
its facilities by building a total of three-quarter mile of single-

phase primary line to the United States Army high frequency radio station located on the West Half of Section 27, Township 1-North, Range 65-West, Weld County, Colorado. On June 3, 1960, Public Service Company of Colorado filed a protest to the application of Union and also on said date filed an application to render service to the high frequency radio station. On June 30, 1960, Union Rural Electric Association, Inc. filed its protest to the application of Public Service Company.

The above-entitled applications were set for hearing after due notice to all interested parties, on Friday, July 29, 1960, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. These two applications were heard on a joint record with Public Service Company Applications Nos. 17844 and 17896. At the conclusion of the hearing, the Commission took the matters under advisement.

Both of these applications were filed pursuant to the procedure set forth by the Commission in Decision No. 47074, of January 7, 1957, in Application No. 13576-Case 5108.

Testimony at the hearing revealed that United States Army Engineers are constructing a high frequency radio station that will require electric service. Apparently, Union Rural Electric and Public Service Company contacted the Corps of Engineers in regard to furnishing this service. Union Rural Electric obtained a contract for service, a copy of which was submitted in this matter as Exhibit B. At the hearing, both parties contended they were ready, willing and able to serve and each vigorously opposed the application of the other.

Prior to the hearing in this matter, Union commenced the construction of its line to serve this facility. While the line has not been finished, it can be finished in a very short time by the installation of the remaining portion of the system, which will be underground into the radio station.

No valid reason is given in this record why Union Rural Electric proceeded with the construction of its facilities prior to

obtaining authority to do so from this Commission. The fact that it has on its own initiative proceeded with this construction will not influence our ultimate decision on who will be permitted to serve this installation permanently. The order to issue herein will be interlocutory in nature, and we will authorize Union to extend its facilities temporarily to serve the radio station. As we have stated previously in similar temporary authorities, a final decision of the Commission will be at a later date after due deliberation with the understanding that the Commission may grant authority to the other utility to permanently serve the area. The acceptance of such authority, subject to the above condition, by the utility granted ~~the~~ temporary authority is necessary before the temporary authority will be finally approved.

O R D E R

THE COMMISSION ORDERS:

The Commission hereby enters its interlocutory interim Order authorizing Union Rural Electric Association, Inc., Brighton, Colorado, to extend its facilities to render electric service temporarily to the United States Army high frequency radio station located in Section 27, Township 1-North, Range 66-West, Weld County, Colorado, until the final disposition of the applications of Union Rural Electric Association, Inc. and Public Service Company of Colorado by the Commission and as a condition precedent to the granting of this temporary authority, Union Rural Electric Association, Inc. must file forthwith its letter of acceptance of said temporary authority, with the provision that said authority is subject to the final determination of this Commission of a more permanent authority of either Union Rural Electric Association, Inc. or Public Service Company of Colorado, to serve said radio station.

That a copy of Exhibit "B", being the electric service contract by and between the Department of the Army and Union Rural Electric Association, Inc. shall be placed in the tariffs of Union Rural Electric Association, Inc. on file with this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Hobart
August E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 17th day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
A. J. AND RAY S. AWALT, DOING BUSINESS)
AS, "AWALT BROTHERS CONSTRUCTION",)
P. O. BOX 346, GRANBY, COLORADO.)
-----)

PERMIT NO. M-2209

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. J. and Ray S. Awalt,
doing business as, "Awalt Brothers Construction", Granby, Colorado
requesting that Permit No. M-2209 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2209, heretofore issued to A. J. and Ray S. Awalt,
doing business as, "Awalt Brothers Construction", Granby, Colorado be,
and the same is hereby, declared cancelled effective July 22, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hodson
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES G. CALA, DOING BUSINESS AS,)
"EMPIRE EGG PRODUCTS COMPANY", 5555)
WEST 16TH AVENUE, LAKEWOOD, COLORADO.)
-----)

PERMIT NO. M-5782

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles G. Cala,
doing business as, "Empire Egg Products Company", Lakewood, Colorado
requesting that Permit No. M-5782 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5782, heretofore issued to Charles G. Cala, doing
business as, "Empire Egg Products Company", Lakewood, Colorado be,
and the same is hereby, declared cancelled effective August 9, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HENRY E. WHITCOMB, ROUTE 1 BOX 413,)
CANON CITY, COLORADO.)

PERMIT NO. M-13461

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Henry E. Whitcomb,
Canon City, Colorado
requesting that Permit No. M-13461 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13461, heretofore issued to Henry E. Whitcomb,
Canon City, Colorado be,
and the same is hereby, declared cancelled effective July 13, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry C. Ziegler
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH G. MEYER, 4493 LOGAN STREET,)
DENVER 16, COLORADO.)
)
)
)
)

PERMIT NO. M-13317

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joseph G. Meyer,
Denver 16, Colorado
requesting that Permit No. M-13317 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13317, heretofore issued to Joseph G. Meyer,
Denver 26, Colorado be,
and the same is hereby, declared cancelled effective June 16, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,

this 18th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. L. LAND, ROUTE 2, MANZANOLA,)
COLORADO.)
)
)
)
-----)

PERMIT NO. M-13542

August 18, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. L. Land,
Manzanola, Colorado
requesting that Permit No. M-13542 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13542, heretofore issued to R. L. Land, Manzanola,
Colorado be,
and the same is hereby, declared cancelled effective August 16, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Higgins
Garish C. Holton
Henry L. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 18th day of August, 1960.

original

(Decision No. 54903)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TRANSCONTINENTAL BUS SYSTEM, INC.,)
300 SOUTH BROADWAY, WICHITA, KANSAS,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 1891 AND PUC NO. 1891-I.)
-----)

APPLICATION NO. 17123-Extension

August 18, 1960

Appearances: Barry and Boyle, Esqs.,
Denver, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

By the instant application, Transcontinental Bus System, Inc., 300 South Broadway, Wichita, Kansas, seeks to extend operations under PUC Nos. 1891 and 1891-I.

The application was regularly set for hearing and heard at 532 State Services Building, Denver, Colorado, at ten o'clock A. M., August 8, 1960, due notice of the time and place of hearing being forwarded to all parties in interest.

Applicant is a common carrier of passengers, operating between Pueblo, Colorado, and points east thereof, on U. S. Highway No. 50, serving the Arkansas Valley area of southeastern Colorado.

By this application, the applicant seeks authority to use as an alternative route, for operating convenience only, the newly constructed by-pass which leads out of Pueblo, Colorado, east of 4th Street. Applicant's depot is situated on 4th Street in Pueblo, Colorado, and the testimony revealed that when buses are fully loaded, it is advantageous for them to be dispatched east over the new by-pass on U. S. Highway 50 and Colorado Highway 96, to where this highway joins U. S. Highway 50 proper, at a point east of Avondale,

Colorado.

Applicant indicated that service would be maintained on U. S. Highway 50 and that the granting of this application would result in no diminution of service to the public, but on the other hand, that it would result in faster dispatching of passengers from the congested downtown area of Pueblo. It would have the advantage, also, of taking some bus traffic off South Santa Fe Avenue, which is heavily congested in Pueblo.

No one appeared in opposition to the application.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application of Transcontinental Bus System, Inc., 300 South Broadway, Wichita, Kansas, to extend its certificate of public convenience and necessity authorizing it to operate as a common carrier of passengers, baggage, express and newspapers, between Pueblo, Colorado via U. S. Highway By-Pass 50 and the junction of U. S. Highway 50 and U. S. By-Pass 50, as an alternate route, to its present certificated authority on U. S. Highway 50, serving no intermediate points, should be granted.

O R D E R

THE COMMISSION ORDERS:

That the instant application of Transcontinental Bus System, Inc., 300 South Broadway, Wichita, Kansas, be, and the same is hereby, granted, authorizing it to extend its operations under certificate of public convenience and necessity Nos. 1891 and 1891-I authorizing said applicant to operate over U. S. By-Pass 50 between Pueblo, Colorado, and junction of U. S. Highway 50 and U. S. By-Pass 50, as an alternate route, to applicant's present route in intrastate commerce as a common carrier of passengers, baggage, express and newspapers, serving no intermediate points.

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

That applicant shall operate its carrier system according to the schedule filed except when prevented by Act of God, the public enemy or extreme conditions.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Myers
Rueben C. Horton
Alvin E. Salinger
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. J. MacCORMACK AND EVELYN MacCOR-)
MACK, DOING BUSINESS AS "BROOMFIELD)
CAB COMPANY," 215 FLINTWAY, BROOM-)
FIELD, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)
-----)

APPLICATION NO. 17978

August 18, 1960

Appearances: E. J. MacCormack, Broomfield,
Colorado, pro se;
R. B. Danks, Esq., Denver,
Colorado, for Colorado
Transfer and Warehousemen's
Association, and Package
Delivery Co. Inc.;
Charles E. Williams, Boulder,
Colorado, for Boulder Stage
Lines, Inc.

S T A T E M E N T

By the Commission:

On June 10, 1960, E. J. MacCormack and Evelyn MacCormack, doing business as "Broomfield Cab Company," 215 Flintway, Broomfield, Colorado, filed their application for a certificate of public convenience and necessity authorizing the operation of a taxicab and small package delivery service into and out of Broomfield, Colorado, and a $7\frac{1}{2}$ -mile radius around Broomfield, Colorado, to points and places within a 25-mile radius of Broomfield, Colorado, with no pickup service out of the $7\frac{1}{2}$ -mile radius of Broomfield, Colorado.

The matter was regularly set for hearing, after appropriate notice to all interested parties, at 532 State Services Building, Denver, Colorado, at 11:00 o'clock A. M., August 8, 1960, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, E. J. MacCormack, one of the applicants herein, appeared and testified that he desired to establish a taxicab

service in Broomfield, Colorado, and included in said service he desires to deliver small packages at taxicab rates for the merchants of Broomfield in the area he seeks to serve.

The attorney for Package Delivery Company, Inc., and Colorado Transfer and Warehousemen's Association, stated they had no objection to the granting of a taxicab service for the transportation of passengers if said authority is limited so that such transportation in the carriage of packages by applicant shall be performed in taxicabs only and that no individual item so transported shall exceed 50 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 destination, in addition to any extra charge made for leaving the vehicle to pick up or deliver such item. If said restriction is placed in the authority, Package Delivery Co. Inc. and Colorado Transfer & Warehousemen's Association will withdraw their protests.

Protestant Boulder Stage Line stated if the first paragraph of the application is amended to include "And wherefore said $7\frac{1}{2}$ -mile radius from Broomfield overlaps a 9-mile radius from the city limits of Boulder, that any pickup service within such area of overlap must terminate in Broomfield."

Applicant agrees to said amendment and states that he is willing that if authority is granted that this restriction be included in his authority. After that, the attorney for Boulder Stage Lines withdrew his protest.

Mr. MacCormack further testified as to the type of equipment he would use in his proposed operation and as to the financial statement of himself and wife, the applicants herein who will do business under the name and style of "Broomfield Cab Company." The witness further states he will file tariffs in conformity with those filed by Boulder taxicabs and the Denver and metropolitan Denver taxicab rates.

Three public witnesses appeared in support of the application, being I. J. Hogle, of Broomfield, Colorado, who is engaged in the

banking business and is also a member of the Chamber of Commerce, and is representing the commercial and business places of Broomfield. Mr. Hogle testified as to the need for a locally-domiciled taxicab service in Broomfield. The witness stated he was familiar with Broomfield and that it was his opinion and the opinion of the businessmen he represents that said service is needed in Broomfield.

Mr. George M. Nelson, who is manager of the airport located two miles southwest of Broomfield, testified as to the need for taxicab service between the airport and Broomfield.

Mr. Frank Gibbon, who is President of the Turnpike Land Company, developer of Broomfield, also testified as to the need for a taxicab service at Broomfield and the surrounding area.

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

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

F I N D I N G S

THE COMMISSION FINDS:

1. That applicants are financially responsible, have suitable equipment, and have sufficient business experience to operate taxicabs, as proposed in the application.
2. That public convenience and necessity require the proposed motor vehicle common carrier call and demand transportation service of applicants as hereinafter set forth, and that a certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle common carrier call and demand service of applicants for the transportation of passengers and their baggage in the same vehicle, by means of five-passenger sedan taxicabs, and a small package delivery service, to and from Broomfield, Colorado, and a

7½-mile radius around Broomfield, to points and places within a 25-mile radius of Broomfield, with no pickup service out of the 7½-mile radius of Broomfield, and wherever said 7½-mile radius from Broomfield overlaps a 9-mile radius of the city limits of Boulder, that any pickup service within such area of overlap must terminate in Broomfield, PROVIDED, HOWEVER, that such transportation of packages shall be performed in taxicabs only, and that no individual item so transported shall exceed 50 pounds in weight, and PROVIDED that each delivery from one origin to one destination shall be charged as though the applicants 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, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

That this Order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Harris
George C. Horton
Henry G. Arlengo
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. RUTH E. SNYDER, EXECUTRIX OF)
THE ESTATE OF C. C. SNYDER, DECEASED,)
DOING BUSINESS AS "SNYDER TRUCK LINE,")
JOES, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 414 AND PUC NO.)
414-I TO GLENN BLANK, DOING BUSINESS)
AS "G AND E TRUCK LINE," JOES, COLORADO.)
-----)

APPLICATION NO. 17980-Transfer

August 18, 1960

Appearances: Grutter and Callahan, Esqs.,
Wray, Colorado, for Trans-
eror and Transferee.

S T A T E M E N T

By the Commission:

This is an application for authority to transfer PUC No. 414 and PUC No. 414-I, from Mrs. Ruth E. Snyder, Executrix of the Estate of C. C. Snyder, Deceased, doing business as "Snyder Truck Line," Joes, Colorado, to Glenn Blank, doing business as "G and E Truck Line," Joes, Colorado, the authority thereunder being as follows:

Transportation of freight between Kirk, Joes and Cope, Colorado, and Denver, Colorado, but not between Byers and Denver; also freight in both intrastate and interstate commerce between Denver and other points now authorized to be served by them and points on and in a distance of 6 miles of State Highway No. 102 as it extends east from present eastern terminus of their route to Colorado-Kansas state line near Guernsey, Colorado.

Transportation of farm produce, farm supplies and equipment including livestock to include area lying on either side of route heretofore authorized by said Certificate No. 414 to a distance of 20 miles on each side thereof from a point 10 miles east of Byers, Colorado to Colorado-Kansas state line and for transportation between points in said area of said farm products, livestock, farm supplies and equipment to and from all other points in the State of Colorado save and except that no transportation of freight is to be transported insofar as extension herein granted is concerned that will conflict with motor vehicle common carrier operations of Harry Attebery operating under

Certificate No. 458, Millard Peterson operating under Certificate No. 759, and Elmo Motsinger operating under Certificate No. 600.

By Decision No. 11660 the following is transferred to Leamon Resler: Transportation of freight between Denver and the Colorado-Kansas state line via U. S. Highway No. 36, including intermediate points on said highway east of a point 10 miles east of Byers, Colorado (not including any service to intermediate points between Denver and a point 10 miles east of Byers.)

By Decision No. 16161, above amended nunc pro tunc to read: Transportation of freight by applicant between Kirk, Joes and Cope, Colorado and intermediate points, and Denver, Colorado, but not between Byers and Denver, Colorado.

Said application was regularly set for hearing, and heard, after appropriate notice to all interested parties, at 532 State Services Building, Denver, Colorado, at 2:00 o'clock P. M., August 8, 1960, and at the conclusion thereof, the matter was taken under advisement.

At the hearing, the evidence disclosed that this authority has been under suspension, said suspension to terminate October 13, 1960, unless sooner reinstated.

The evidence further disclosed that transferee is ready, willing and able to carry on the proposed operations. Attached to the application is:

1. Financial Statement showing net worth of transferee in the amount of \$64,500;
2. Letters Testamentary in the Estate of Charles C. Snyder, also known as C. C. Snyder, Deceased;
3. Order Confirming Sale of Personal Property, which includes Common Carrier Certificate No. 414 and 414-I issued by this Commission.

The consideration for the transfer of the Certificate of Public Convenience and Necessity (PUC No. 414 and PUC No. 414-I) is the sum of \$1,400.00 and other valuable consideration, to be paid in cash upon the authorization of the transfer by the 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.

F I N D I N G S

THE COMMISSION FINDS:

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 and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Certificates of Public Convenience and Necessity (PUC No. 414 and PUC No. 414-I) be, and hereby are, reinstated.

That Mrs. Ruth E. Snyder, Executrix of the Estate of C. C. Snyder, Deceased, doing business as "Snyder Truck Line," Joes, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 414 and PUC No. 414-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Glenn Blank, doing business as "G. and E. Truck Line," Joes, 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.

The transfer of interstate operating rights authorized herein is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hinton
Harold E. Zindler
Commissioners.

Dated at Denver, Colorado,
this 18th day of August 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MID-STATES ITALIAN MOTORS, INC-)
ORPORATED, 2830 WHITE SETTLEMENT)
ROAD, FORT WORTH 7, TEXAS.)
-----)

PERMIT NO. M-8544

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mid-States Italian
Motors, Inc., Fort Worth 7, Texas
requesting that Permit No. M-8544 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8544, heretofore issued to Mid-States Italian
Motors, Inc., Fort Worth 7, Texas be,
and the same is hereby, declared cancelled effective August 10, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Hooten
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RODNEY KOENIG, DOING BUSINESS AS,)
"GAMBLES STORE", WRAY, COLORADO.)

PERMIT NO. M-8622

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rodney Koenig, doing
business as, "Gambles Store", Wray, Colorado

requesting that Permit No. M-8622 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8622, heretofore issued to Rodney Koenig, doing
business as, "Gambles Store", Wray, Colorado be,
and the same is hereby, declared cancelled effective April 30, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Norton
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELI DOCK, 1168 JACKSON STREET, DENVER)
6, COLORADO.)

PERMIT NO. M-421

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eli Dock, Denver 6,
Colorado

requesting that Permit No. M-421 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-421, heretofore issued to Eli Dock, Denver 6,
Colorado be,
and the same is hereby, declared cancelled effective July 19, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Henry E. Ziehl
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BERNICE MC LAUGHLIN, 2323 RACE STREET)
DENVER 5, COLORADO.)
)
)
)
-----)

PERMIT NO. B-5487

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bernice Mc Laughlin,
Denver 5, Colorado

requesting that Permit No. B-5487 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5487, heretofore issued to Bernice Mc Laughlin,
Denver 5, Colorado be,
and the same is hereby, declared cancelled effective July 17, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Hobart
Henry L. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 19560.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
OSCAR O. BLANK, P. O. BOX 582,)
WORLAND, WYOMING.)
)
)
)
)
-----)

PERMIT NO. B-5966

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Oscar O. Blank,
Worland, Wyoming
requesting that Permit No. B-5966 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5966, heretofore issued to Oscar O. Blank,
Worland, Wyoming be,
and the same is hereby, declared cancelled effective August 12, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zalkow
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
V. V. OLIVER, DOING BUSINESS AS,)
"OLIVER COAL COMPANY", 528 - 13TH)
STREET, GREELEY, COLORADO.)
-----)

PERMIT NO. M-6141

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from V. V. Oliver, doing
business as, "Oliver Coal Company", Greeley, Colorado
requesting that Permit No. M-6141 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6141, heretofore issued to V. V. Oliver, doing business
as, "Oliver Coal Company", Greeley, Colorado be,
and the same is hereby, declared cancelled effective March 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Negro
Joseph C. Norton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
OTIS SMART, 4114 SOUTH NEVADA, COLO-)
RADO SPRINGS, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-6629

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Otis Smart, Colorado
Springs, Colorado

requesting that Permit No. M-6629 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6629, heretofore issued to Otis Smart, Colorado
Springs, Colorado be,
and the same is hereby, declared cancelled effective August 23, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TOM N. W. BAINBRIDGE, 821 SOUTH LOGAN,
LITTLETON, COLORADO.

PERMIT NO. M-11028

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tom N. W. Bainbridge,
Littleton, Colorado
requesting that Permit No. M-11028 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11028, heretofore issued to Tom N. W. Bainbridge,
Littleton, Colorado be,
and the same is hereby, declared cancelled effective August 18, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Garth C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

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original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TRANSCONTINENTAL BUS SYSTEM, INC.)
FOR ACQUISITION OF CONTROL OF DENVER-)
COLORADO SPRINGS-PUEBLO MOTORWAY,)
INC. AND DENVER-SALT LAKE-PACIFIC)
STAGES, INC., PURSUANT TO RULE 5)
OF THE COMMISSION'S RULES AND REGU-)
LATIONS; AND FOR AUTHORITY FOR)
DENVER-COLORADO SPRINGS-PUEBLO)
MOTORWAY, INC. TO MORTGAGE A PORTION)
OF ITS CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY TO AMERICAN)
BUSLINES, INC.)
-----)

APPLICATION NO. 17977

August 18, 1960

Appearances: Barry and Boyle, Esqs.,
Denver, Colorado, for
Denver-Colorado Springs-
Pueblo Motorway, Inc.,
Denver-Salt Lake-Pacific
Stages, Inc., and Trans-
continental Bus System, Inc.;
I. B. James, Denver, Colorado,
for Colorado Motorway.

S T A T E M E N T

By the Commission:

By the above-styled application, Transcontinental Bus System, Inc. seeks authority from this Commission to obtain control of Denver-Colorado Springs-Pueblo Motorway, Inc. and indirect control of Denver-Salt Lake-Pacific Stages, Inc., pursuant to the Commission's Rule 5 of our Rules and Regulations, and secondly,

Denver-Colorado Springs-Pueblo Motorway, Inc. seeks our authority to mortgage that portion of its certificate of public convenience and necessity (PUC No. 36), heretofore purchased from American Buslines, Inc. and approved by this Commission in Decision No. 52889, of August 17, 1959.

Said application was regularly set for hearing before the Commission on August 8, 1960, at ten o'clock A. M., in the Hearing

Room of the Commission at 532 State Services Building, Denver, Colorado, due notice thereof being forwarded to all parties in interest.

Mr. R. F. Berndt, President of Denver-Colorado Springs-Pueblo Motorway, Inc., testified for the applicants and stated that as a consequence of Denver-Colorado Springs-Pueblo Motorway, Inc. purchasing American Buslines, Inc.'s authority, two related financial transactions evolved.

Transaction No. 1 is as follows: Originally American Buslines, Inc. and Transcontinental Bus System, Inc. each owned one-half or 50% of the common stock of Denver-Colorado Springs-Pueblo Motorway, Inc. In the course of re-financing American Buslines, Inc.'s operations, Transcontinental Bus System has purchased and acquired the capital stock of Denver-Colorado Springs-Pueblo Motorway, Inc. owned by American Buslines, Inc. The result of this transaction is to give Transcontinental Bus System, Inc. 100% stock ownership in Denver-Colorado Springs-Pueblo Motorway and leave American Buslines, Inc. without any ownership in Denver-Colorado Springs-Pueblo Motorway, Inc.

As a part of the same transaction, the stock ownership of Denver-Salt Lake-Pacific Stages, Inc. has been changed in part. At the time that American Buslines, Inc. sold its stock in Denver-Colorado Springs-Pueblo Motorway, Inc. to Transcontinental Bus System, Inc., it was a one-third owner of the common stock of Denver-Salt Lake-Pacific Stages, Inc. The other two-thirds of the stock of Denver-Salt Lake-Pacific Stages, Inc. is owned by Midwest Bus Lines and Denver-Colorado Springs-Pueblo Motorway, Inc. American Buslines, Inc. has sold its one-third ownership in Denver-Salt Lake-Pacific Stages, Inc. to Transcontinental Bus System, Inc., which results in Transcontinental Bus System, Inc. controlling indirectly Denver-Salt Lake-Pacific Stages, Inc. This comes about by reason of the fact that Transcontinental Bus System, Inc. owns Denver-Colorado Springs-Pueblo Motorway, Inc. en toto, and Denver-Colorado Springs-Pueblo Motorway

owns one-third of the common stock of Denver-Salt Lake-Pacific Stages, Inc.

It is these transactions which come under our purview as a result of the adoption of our Rule 5 of our Rules and Regulations effective June 1, 1960.

The second phase of the two related transactions involves the authority to mortgage that portion of Denver-Colorado Springs-Pueblo Motorway, Inc.'s certificate of public convenience and necessity heretofore purchased from American Buslines, Inc. Under the terms of the mortgage the certificate is pledged to American Buslines, Inc. to secure payment of a note in the principal amount of \$280,000.00, payable in ten annual installments. It is to be noted that in conjunction with the mortgage of the authority in Colorado, there is also embodied in the mortgage the rights acquired by Denver-Colorado Springs-Pueblo Motorway, Inc. issued by the Interstate Commerce Commission, the Wyoming Public Service Commission, the Montana Railroad Commission, and the South Dakota Public Service Commission, as well as certain busses.

Mr. I. B. James of Colorado Motorway indicated no objection to the mortgage or the acquisition of control of Denver-Colorado Springs-Pueblo Motorway, Inc. and Denver-Salt Lake-Pacific Stages, Inc., but he is concerned over whether or not Denver-Colorado Springs-Pueblo Motorway will continue with a contract for the optional honoring arrangement which was heretofore approved by this Commission. It is his position that this contract is beneficial to his company and the traveling public. The Denver-Colorado Springs-Pueblo Motorway indicates that the existing contract could be changed somewhat and that certain phases of the contract or operations thereunder are not as beneficial to them as they might be.

This contract with American Buslines, Inc. and Colorado Motorway, and this record, do not indicate that the contract was assigned to Denver-Colorado Springs-Pueblo Motorway, Inc. at the time

it acquired American rights in Colorado. This poses a legal question which we are not authorized to determine since this is an administrative body and not a court of law, and as a consequence, the negotiation of this contract is not a material matter with respect to the instant application.

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 authority sought herein, both as to Transcontinental Bus System, Inc.'s acquisition of control of Denver-Colorado Springs-Pueblo Motorway, Inc. and indirect control of Denver-Salt Lake-Pacific Stages, Inc., and the mortgaging of Denver-Colorado Springs-Pueblo Motorway, Inc.'s authority to American Buslines, Inc., is compatible with the public interest and the transaction should, therefore, be approved.

O R D E R

THE COMMISSION ORDERS:

That Transcontinental Bus System, Inc., of Wichita, Kansas, be, and hereby is, authorized to acquire control of Denver-Colorado Springs-Pueblo Motorway, Inc. by purchasing 50% of the capital stock of that company from American Buslines, Inc.;

That Transcontinental Bus System, Inc. be, and hereby is, authorized to acquire indirect control of Denver-Salt Lake-Pacific Stages, Inc. through the acquisition of one-third of the capital stock of that company from American Buslines, Inc.;

That the chattel mortgage entered into between Denver-Colorado Springs-Pueblo Motorway, Inc. as mortgagor and American Buslines, Inc. as mortgagee, dated the 30th day of June, 1960, which instrument mortgages that portion of P. U. C. No. 36 heretofore transferred from American Buslines, Inc. to Denver-Colorado Springs-Pueblo Motorway, Inc., should be, and hereby is, approved.

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

presented by

FILE

Joseph F. Myers
Harold C. Holton
Henry E. Zaulig
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HUBERT J. MATHERS, DOING BUSINESS)
AS "WILDERNESS TRANSIT COMPANY,")
CRAIG, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 17938-Extension
OF PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 3046.)
-----)

IN THE MATTER OF THE APPLICATION OF)
HUBERT J. MATHERS, DOING BUSINESS)
AS "WILDERNESS TRANSIT COMPANY,")
CRAIG, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 17938
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

August 18, 1960

Appearances: Worth F. Shrimpton, Esq.,
Craig, Colorado, for
Applicant;
James H. Mosley, Esq.,
Craig, Colorado, for
Craig Cab Company;
Barry and Boyle, Esqs.,
Denver, Colorado, by
John R. Barry, Esq.,
for Denver-Salt Lake-
Pacific Stages, Inc.,
and Continental Bus
System, Inc.

S T A T E M E N T

By the Commission:

Hubert J. Mathers, doing business as "Wilderness Transit
Company," Craig, Colorado, is the owner and operator of PUC No.
3046, authorizing:

transportation of passengers and express
between Craig, Colorado, and Grand Junction,
Colorado, together with intermediate points,
over State Highway 13 Craig to Rifle and
over U. S. Highways 6 and 24 between Rifle
and Grand Junction, Colorado, excluding all
service on U. S. Highways 6 and 24 between
Rifle and Grand Junction in direct competition
with the service now offered by Continental
Bus System, Inc., under Certificate 1635.
This restriction does not include passengers
originating at Grand Junction or points
intermediate to Rifle, whose destination

is on State Highway 13 or those originating on State Highway 13 destined to Rifle and Grand Junction and intermediate points.

By the instant application, Hubert J. Mathers, doing business as "Wilderness Transit Company," Craig, Colorado, seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of passengers for unscheduled charter service for hunting, fishing, camping, sightseeing and recreational trips within the Counties of Moffat, Routt, Rio Blanco, and Garfield, State of Colorado, including the area described as follows: bounded at the Northeast corner by the intersection of the States of Utah and Wyoming with the County of Moffat, State of Colorado; thence East along the Colorado-Wyoming border a distance of 130 miles; thence South from said points to Wolcott, Colorado; thence West to include Eagle, Gypsum, and Glenwood Springs by way of Cottonwood Pass, along the Colorado River through Rifle, to a point approximately $2\frac{1}{2}$ miles South of Grand Valley, Colorado; thence West to the Colorado-Utah border at a point on said border $112\frac{1}{2}$ miles from the point of beginning; thence Northwest along the Colorado-Utah border to said point of beginning.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Craig, Colorado, July 26, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Exhibit 1, consisting of a letter from Barry and Boyle, Attorneys for protestants Denver-Salt Lake-Pacific Stages, Inc. and Continental Bus System, Inc., incorporating therein a tentative stipulation to be entered into by the applicant, was introduced and received in evidence, there being no protest.

Hubert J. Mathers testified in support of the application and pursuant to the stipulation set out in the foregoing letter stated that the applicant has no objection to a restriction being incorporated in the authority to the effect that no service would be

rendered where the ultimate destination of the chartering party is a point or points on U. S. Highway 40 and/or U. S. Highway 24 and 6.

Said witness testified that he would have no objection to the authority being restricted to the use of jeeps and station wagons.

Witness Mathers, the applicant, also testified that he has been operating Certificate No. 3046 for some five years; that he has been rendering the services for which this application has been filed under a Temporary Authority; that he has a carry-all and has a leased jeep which he is using in his operations; that camping equipment has been purchased, advertising has been done on a small scale, but nationally, and through the Chamber of Commerce; that he has made application for a guide service license and will have bonded guides; that he has had many requests for the type of service which the authority would permit; that he was raised in the Craig area and that there is a definite need for sightseeing service which can be provided on back and side roads and areas inaccessible to automobile passenger cars; that there has never been nor is there now, a service substantially similar to the one he proposes to render; that he has good credit at the bank and could expand if the demand required it; that if the authority is granted he would like the certificate to be a separate and independent certificate from the certificate which he now holds, to-wit: PUC No. 3046.

It appears from the application that the applicant in his application does ask for a "separate" authority.

Under cross-examination by Mr. Mosley, witness testified that there might be some overlapping of service in competition with common carrier cab service; that Warren Freid, who is now operating the cab of the protestant, Craig Cab Co., has made requests upon him to provide the very services for which he seeks authority under the application.

Alice Robinson, a resident of Craig, Colorado, and full-time employee of the Craig Chamber of Commerce as Secretary for some seven

years, testified that many requests have come to the Chamber for the services which applicant seeks to provide; that at no time, to her knowledge, has Craig Cab Co. solicited the help of the Chamber to obtain the type of business which the applicant seeks to engage in; that at one time, there was a jeep rental service at Craig which is no longer present; that to her knowledge the people do not know about any services available from the Cab Company of the nature which the applicant is seeking to render; that the roads over which the transportation would be provided by the applicant are inaccessible to and cannot be travelled by passenger cars.

E. M. Doke testified in opposition to the application that he is the owner of Certificate No. 1290; that said authority is under contract of sale to Warren Freid who is now operating a cab under said authority; that his interest in the matter is based upon the fact that Certificate No. 1290 for cab service may come back to him and that the authority if granted to the applicant hereunder would create competition to such authority which would decrease needed revenues. He further testified that the buyer for his certificate does not have a jeep and is operating a 1953 Chevrolet Sedan.

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

It does not appear that the proposed service of applicant will impair the efficiency of any common carrier motor vehicle service operating in the territory which applicant seeks to serve.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

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

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed

common carrier motor vehicle, call and demand, service of Hubert J. Mathers, doing business as "Wilderness Transit Company," Craig, Colorado, for the transportation of passengers for unscheduled charter service for hunting, fishing, camping, sightseeing and recreational trips within the Counties of Moffat, Routt, Rio Blanco and Garfield, State of Colorado, including the area described as follows: bounded at the Northeast corner by the intersection of the State of Utah and Wyoming with the County of Moffat, State of Colorado; thence east along the Colorado-Wyoming border a distance of 130 miles; thence south from said point to Wolcott, Colorado; thence west to include Eagle, Gypsum and Glenwood Springs by way of Cottonwood Pass, along the Colorado River through Rifle, to a point approximately $2\frac{1}{2}$ miles south of Grand Valley, Colorado; thence west to the Colorado-Utah border at a point on said border $112\frac{1}{2}$ miles from the point of beginning; thence northwest along the Colorado-Utah border to said point of beginning; this authority is restricted to the use of jeeps and station wagons and no service shall be rendered under the authority where the ultimate destination of the chartering party is a point, or points, on U. S. Highway 40 and/or U. S. Highway 24 and 6, 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

Dated at Denver, Colorado,
this 18th day of August, 1960.

Joseph F. Harris
Joseph C. Holton
Henry E. Milner
Commissioners

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE INCREASE IN RATES ON MILK)
IN CANS AS PUBLISHED IN ITEMS NO.)
3290 AND NO. 3320, COLORADO MOTOR)
CARRIERS' 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 STREET, DENVER,)
16, COLORADO.)
-----)

INVESTIGATION AND SUSPENSION
DOCKET NO. 431
SUPPLEMENTAL ORDER

August 18, 1960

Appearances: A. J. Meiklejohn, Esq.,
Denver, Colorado, for
Colorado Milk Transport,
Inc.;
Mr. Stuart Cochran, Denver,
Colorado, for Denver Milk
Producers;
Mr. Allen Lamb, Rt. 2 Box 232,
Greeley, Colorado, for Dairy
Committee of Weld County
Farm Bureau;
T. S. Wood, Harry Eastlund and
S. J. Philippone, Denver,
Colorado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

By Decision No. 54784, dated August 2, 1960, the Commission notified and required the applicant herein to cancel certain schedules on or before August 10, 1960, upon not less than one day's notice to this Commission and to the general public by filing and posting in the manner prescribed by the Commission under Section 115-3-4 of the Public Utilities Act, and that this proceeding is discontinued.

On August 12, 1960, Petition for Rehearing was filed in said matter by attorney for applicant Colorado Milk Transport, Inc.

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

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by Colorado Milk Transport, Inc. should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter filed by attorney for applicant herein, Colorado Milk Transport, Inc., be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nizio
Ralph C. Hobart
Alvin E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 18th day of August, 1960.

ea

original

(Decision No. 54917)

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 115, SESSION LAWS OF COLO-)
RADO, 1953, FOR EMERGENCY MOVEMENT)
OF GRAIN IN THE SAN LUIS VALLEY,)
COLORADO.)

APPLICATION NO. 18039

August 12, 1960

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, indicating that an emergency exists because of shortage of trucks for transportation of grain in the San Luis Valley, Colorado, and that said emergency will probably continue for a period of ninety days hereafter.

Request is made for an Order of this Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of the grain crop in the territory described.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of shortage in certificated trucks for transportation of grain in the San Luis Valley, 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 said grain, to market or place of storage, as provided by Chapter 115, Article 9, Section 4, Session

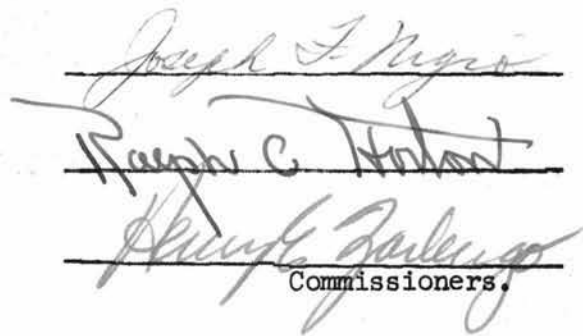
Laws of 1953, said certificates to be effective from August 15, 1960, to and including October 1, 1960.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of grain, to market or place of storage, in that part of the State of Colorado known as the San Luis Valley, said certificates to be effective August 15, 1960, and to continue in force up to and including October 1, 1960, no such certificate to issue for transportation of grain 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 12th day of August, 1960.

mls

original

(Decision No. 54918)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
E. D. KISNER, 1430 SOUTH NAVAJO)	
STREET, DENVER, COLORADO, FOR AU-)	
THORITY TO TRANSFER PUC NO. 3690 TO)	APPLICATION NO. 18009-Transfer
EUGENE H. WEITZEL AND EDWARD KNAUB,)	
CO-PARTNERS, 1321 SOUTH YATES)	
STREET, DENVER, COLORADO.)	

August 17, 1960

S T A T E M E N T

By the Commission:

On July 22, 1960, the above-styled application was filed with the Commission, seeking transfer of PUC No. 3690 from E. D. Kisner, Denver, Colorado, to Eugene H. Weitzel and Edward Knaub, co-partners, Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 18, 1960, at ten o'clock A. M., due notice being forwarded to all parties in interest.

The Commission is now in receipt of a communication from E. D. Kisner, transferor herein, stating neither he nor transferees herein desire to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That hearing of Application No. 18009-Transfer, presently

set for August 18, 1960, be, and the same hereby is, vacated.

That said Application No. 18009-Transfer be, and the same hereby is, dismissed, upon request of applicants herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regier
Ralph C. Hobart
Henry E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 17th day of August, 1960.

mls

original

(Decision No. 54919)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WARREN C. FETTERS AND GENE O'FALLON,)	
JR., CO-PARTNERS, DOING BUSINESS AS)	
"FETTERS & O'FALLON TRUCKING COM-)	APPLICATION NO. 17998-PP
PANY," BOX 25, ELIZABETH, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE)	
AS A PRIVATE CARRIER BY MOTOR VE-)	
HICLE FOR HIRE.)	

August 19, 1960

Appearances: Warren C. Feters, Elizabeth,
Colorado, and
Gene O'Fallon, Jr., Elizabeth,
Colorado, pro se.

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 150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appro-

priate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 15, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant is fit, financially and by experience, to conduct his proposed operations.

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

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 Warren C. Feters and Gene O'Fallon, Jr., co-partners, doing business as "Feters & O'Fallon Trucking Company," Elizabeth, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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 150 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 home and small construction jobs within a radius 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 150 miles of said jobs; insulrock, from pits and supply points in the

State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles.

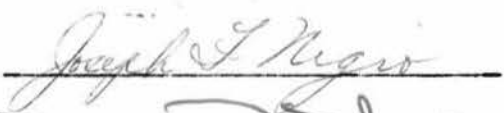

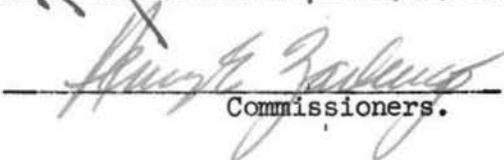
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 19th day of August, 1960.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
E. D. KOONCE, DOING BUSINESS AS)	
"E. D. KOONCE WATER SERVICE," BOX)	
186, FORT MORGAN, COLORADO, FOR RE-)	
INSTATEMENT OF PERMIT NO. B-4763,)	<u>APPLICATION NO. 17946-PP-Transfer</u>
AND FOR AUTHORITY TO TRANSFER SAID)	
OPERATING RIGHTS TO MARVIN E. GREENE,)	
DOING BUSINESS AS "MARVIN E. GREENE)	
WATER SERVICE," ROUTE 2, FORT MORGAN,)	
COLORADO.)	
- - - - -)	

- - - - -
August 19, 1960
- - - - -

Appearances: E. D. Koonce, Fort Morgan,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

Heretofore, E. D. Koonce, doing business as "E. D. Koonce Water Service," Fort Morgan, Colorado, was granted a Class "B" permit (No. B-4763), authorizing operation as a private carrier by motor vehicle for hire, for the transportation of:

drilling mud, crude oil, and water, from one location to another location within a radius of fifty miles of such locations, all for oil-drilling purposes.

On February 17, 1960, upon request of said permit-holder, Decision No. 53861 was entered by this Commission, authorizing suspension of operations under said Permit No. B-4763 from February 1, 1960 to August 1, 1960.

By the above-styled application, said E. D. Koonce, doing business as "E. D. Koonce Water Service," Fort Morgan, Colorado, seeks reinstatement of said Permit No. B-4763, and authority to transfer said operating rights to Marvin E. Greene, doing business as "Marvin E. Greene Water Service," Fort Morgan, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Sterling, Colorado, July 28, 1960,

at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 27, 1960, 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 time and place designated for hearing, E. D. Koonce, transferor herein, appeared and testified in support of the application, stating the consideration for transfer of said operating rights was the sum of \$400, of which \$100 had been paid; that there is no outstanding indebtedness against said Permit No. B-4763; that transferee herein was unable to be present at the hearing; that he knew of his own knowledge that said transferee is the owner of a 1955 G.M.C. Truck, a 1955 International Truck, and a 1956 Lincoln automobile; that he has had operating experience, and is qualified to conduct operations under Permit No. B-4763.

The files disclose that transferee has a net worth of approximately \$9,300; that he has filed with this Commission a Certificate of Insurance, covering his motor vehicle operations; that said transferee is presently operating under Permit No. B-4763, by virtue of a 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 transferee were established to the satisfaction of the Examiner.

Findings of the Examiner are that transferee herein is a fit and proper person to continue operations under Permit No. B-4763; that he has sufficient equipment and is financially able to render

and continue operations under said permit; that there are no outstanding obligations against said operation; that transfer herein sought is in the public interest.

Report of the Examiner recommends that authority herein 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find:

1. That transferee herein is qualified, financially and by experience, to conduct operations under Permit No. B-4763.
2. 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 and foregoing Findings be, and the same hereby is, approved.

That E. D. Koonce, doing business as "E. D. Koonce Water Service," Fort Morgan, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-4763 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Marvin E. Greene, doing business as "Marvin E. Greene Water Service," Fort Morgan, 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

Joseph F. Nye
Ralph C. Horton
Wm. E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.

ea

original

(Decision No. 54921)

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 115, SESSION LAWS OF)	APPLICATION NO. 17923
COLORADO, 1953, FOR EMERGENCY)	<u>SUPPLEMENTAL ORDER</u>
MOVEMENT OF HEAD LETTUCE IN THE)	
SAN LUIS VALLEY, COLORADO.)	
-----)	

August 19, 1960

S T A T E M E N T

By the Commission:

On July 5, 1960, the Commission entered its Decision No. 54642, authorizing issuance of temporary certificates of public convenience and necessity for the operation of motor vehicles, for emergency transportation of head lettuce in the San Luis Valley, effective July 10, 1960, to and including September 10, 1960.

The Commission is now in receipt of a communication from Paul W. Swisher, Commissioner, Colorado Department of Agriculture, requesting that these certificates continue to issue and operate to October 1, 1960.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency continues to exist because of shortage in certificated trucks for transportation of head lettuce and other vegetables in the Counties of Alamosa, Costilla, Rio Grande, Conejos, and Saguache, Colorado, and that public convenience and necessity require that temporary certificates should continue to issue for operation of motor vehicles for transportation of head lettuce and other vegetables in the Counties of Alamosa, Costilla, Rio Grande, Conejos, and Saguache, Colorado, as provided by Chapter 115, Article 9,

Section 4, Session Laws of 1953, said certificates to be effective from September 10, 1960, to and including October 1, 1960.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and hereby are, authorized to continue to be issued for operation of motor vehicles, for transportation of head lettuce and other vegetables, to market or places of storage, in the Counties of Alamosa, Costilla, Rio Grande, Conejos, and Saguache, Colorado, said certificates to be effective September 10, 1960, and to remain in force up to and including October 1, 1960, 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

Joseph F. Nigro

Joseph C. Horton

Joseph E. Zalusky

Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.

ea

original

(Decision No. 54922)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BERKELEY MOVING & STORAGE COMPANY,)	
A COLORADO CORPORATION, 4515 WEST)	
38TH AVENUE, DENVER, COLORADO, FOR)	APPLICATION NO. 17746-Extension
A CERTIFICATE OF PUBLIC CONVENIENCE)	<u>AMENDED</u>
AND NECESSITY, AUTHORIZING EXTENSION)	
OF OPERATIONS UNDER PUC NO. 1366.)	
-----)	

August 19, 1960

Appearances: Bernerd E. Schilt, Esq.,
Denver, Colorado,
for Applicant;
Raymond B. Danks, Esq.,
Denver, Colorado, for
Colorado Transfer and Ware-
housemen's Association, and
Weicker Transfer & Storage
Company;
E. B. Evans, Esq., Denver,
Colorado, for Tiller's.

S T A T E M E N T

By the Commission:

By the instant application, Berkeley Moving & Storage Company seeks authority to extend operations under PUC No. 1366, as set forth in the application herein.

Said application was regularly set for hearing at 532 State Services Building, Denver, Colorado, at ten o'clock on August 12, 1960, due notice of the time and place of hearing being forwarded to all interested parties.

When the application was called up for hearing, applicant requested that the hearing be vacated, to be re-set at some future date at the convenience of the Commission.

There was no objection to this request and the matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the hearing herein should be vacated and continued,

to be re-set at some future date at the convenience of the Commission.

O R D E R

THE COMMISSION ORDERS:

That hearing in Application No. 17746-Extension-Amended,
be, and the same is hereby, vacated and continued, at the request
of applicant, to be reset at some future date at the convenience of
the Commission, with notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph I. Nigro
Ralph C. Horton
Henry E. Zaulings
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MIDLAND SALES CORPORATION, 1863)
WAZEE STREET, DENVER 2, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12420

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Midland Sales
Corporation, Denver 2, Colorado
requesting that Permit No. M-12420 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12420, heretofore issued to Midland Sales Corporation,
Denver 2, Colorado be,
and the same is hereby, declared cancelled effective August 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hodson
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 25th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WESTERN STATES REFINING COMPANY, P. O.)
BOX 175, NORTH SALT LAKE CITY, UTAH.)
)
)
)
-----)

PERMIT NO. M-6273

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Western States
Refining Company, North Salt Lake City, Utah.

requesting that Permit No. M-6273 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6273, heretofore issued to Western States Refining
Company, North Salt Lake City, Utah be,
and the same is hereby, declared cancelled effective August 17, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Garth C. Horton
Henry E. Zwick
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FOUR STATES WESTERN OIL REFINING COM-)
PANY, P. O. BOX 1877, FARMINGTON,)
NEW MEXICO.)
-----)

PERMIT NO. M-5419

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Four States Western
Oil Refining Company, Farmington, New Mexico
requesting that Permit No. M-5419 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5419, heretofore issued to Four States Western
Oil Refining Company, Farmington, New Mexico be,
and the same is hereby, declared cancelled effective August 17, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

(Decision No. 54926)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
A CORPORATION ORGANIZED AND EXIST-)
ING UNDER THE LAWS OF THE STATE OF)
COLORADO, 900 FIFTEENTH STREET,)
DENVER, COLORADO, FOR AN ORDER AU-)
THORIZING THE ISSUANCE OF 150,000)
SHARES OF ITS CUMULATIVE PREFERRED)
STOCK.)

APPLICATION NO. 18050-Securities

August 18, 1960

S T A T E M E N T

By the Commission:

Upon consideration of the application filed August 17, 1960, by
Public Service Company of Colorado, being Application No. 18050-Securities:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on August 29, 1960, at
ten o'clock A. M., at the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado, respecting the matters involved and the issues
presented in this proceeding. Any interested municipality or any representa-
tive of interested consumers or security holders of applicant corporation, and
any other person whose participation herein is in the public interest, may
intervene in said proceedings. Intervention petitions should be filed with
the Commission on or before August 26, 1960, and should set forth the grounds
of the proposed intervention, and the position and interest of the petitioners
in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higgins
Ralph C. Horton
Donald E. Fairbank
Commissioners

Dated at Denver, Colorado,
this 18th day of August, 1960.

original

(Decision No. 54927)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DON HACKNEY, DOING BUSINESS AS)	
"HACKNEY OIL COMPANY," 309 NORTH)	
LYNN, LAMESA, TEXAS, FOR A CLASS)	<u>APPLICATION NO. 17999-PP</u>
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

August 19, 1960

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 wheat, from that part of Colorado lying east of U. S. 85-87 and north of a line running east and west along Highway 24 at Limon, Colorado, and south of a line parallel to the Yuma-Phillips County line, for the Colorado Milling and Elevator Company and any of their subsidiaries, from elevator to elevator.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 15, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, applicant failed to appear, either in person or by counsel.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

O R D E R

THE COMMISSION ORDERS:

That Application No. 17999-PP be, and the same hereby is,

continued, 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

Joseph F. Nigro
Raymond C. Hoban
Henry G. Gaudin
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.

ea

original

(Decision No. 54928)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE BOARD OF COUNTY COMMISSIONERS)
OF THE COUNTY OF ALAMOSA, COLORADO,)
FOR AN ORDER AUTHORIZING A PUBLIC) APPLICATION NO. 17745
CROSSING ACROSS THE CREEDE BRANCH)
OF THE DENVER & RIO GRANDE WESTERN)
RAILROAD COMPANY.)
-----)

August 19, 1960

Appearances: John B. Smith, Esq.,
Alamosa, Colorado,
for Applicant;
J. L. McNeill, Denver,
Colorado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

On April 29, 1960, the County Commissioners of Alamosa County, by John B. Smith, County Attorney, filed an application with this Commission seeking authority to construct the highway-railroad grade crossing as captioned above.

The matter was set for hearing on July 21, 1960, at ten o'clock A. M., in the District Court Room, Court House, Alamosa, Colorado. Appropriate notice of the hearing was forwarded to interested parties, including also the owners of adjacent property. Pursuant to said notice, the matter was heard by the Commission and taken under advisement, with the understanding that Applicant was to submit a fully executed agreement similar to the unsigned copy as offered at the hearing.

In behalf of Alamosa County, Mr. Harold E. Foster stated that as County Commissioner, he knows the roads involved; that he is familiar with the area extending westward from Alamosa and on the south side of the Rio Grande Creede Branch; that recently there

has been some building activity in the area and requests have been made to him for additional crossings over the rail line for access into the area. It is proposed that a crossing be made on the north-south section line common to Sections 5 and 6, Township 37-North, Range 10-East of the New Mexico Principal Meridian. The following exhibits were explained by Mr. Foster to show the situation:

Exhibit No. 1: License Agreement dated July 1, 1960, between Rio Grande Railroad and Alamosa County pertaining to construction of a 32-foot wide public road grade crossing at Railroad Mile Post 254 plus 2900 feet. All expenses to be paid by Alamosa County.

Exhibit No. 2: White print strip map to show line of Rio Grande Creede Branch Railroad, with locations of existing crossings and indication for proposed new crossing.

Mr. Foster pointed out the nearest public crossing is now three-quarters of a mile to the east; and on the west, the distance is one mile. He explained that he had contacted local officials of the Colorado Department of Highways and was informed there would be no objection to the new crossing entrance on to the highway since U. S. Highway No. 160 parallels the rail line at some 83 feet to the north of the track. Proposed crossing will only require a small amount of approach grade construction so that no drain pipe will be necessary on north side approach; standard 'STOP' sign will be placed at the public highway to control entrance thereon. Mr. Foster explained that arrangements were made to raise a low line of telephone wires and ample clearance over the new roadway would be provided. He said rail traffic is light, amounting to an average of one train in each direction, or two rail movements per day over the proposed crossing. Vehicular traffic volumes are now uncertain since only one house is now built at the south of the rail line and that safety protection of two reflectorized crossbucks will now be ample.

Additional testimony was given by Dr. W. L. Leary, Jr., Del Norte, Colorado. Dr. Leary stated he owned the land south of the

rail line and adjoining the crossing; that he was now constructing a combination veterinary hospital and dwelling on the site; that he anticipated patronage from the general public, and the crossing was necessary since he had no other access to his premises.

Estimated cost of the new work is \$350.00; all work will be in accordance with the Agreement-License herein. No objections were made at the hearing, and none appears in the Commission's files.

F I N D I N G S

THE COMMISSION FINDS:

That the public safety, convenience and necessity require the establishment and construction of a new highway-railroad grade crossing on the north-south Section Line common to Sections 5 and 6 where said section line crosses over the Creede Branch Line of The Denver & Rio Grande Western Railroad, Mile Post 254 plus 2900 feet, Alamosa County, Colorado; all as set forth in the preceding Statement, which Statement, by reference, is made a part hereof.

O R D E R

THE COMMISSION ORDERS:

That Alamosa County be, and it hereby is, granted a certificate of public convenience and necessity to authorize the establishment, construction and maintenance of a new highway-railroad grade crossing on the County Road to be extended over Rio Grande Creede Branch Line at Mile Post 254 plus 2900 feet, and located along the north-south section line common to Sections 5 and 6, Township 37-North, Range 10-East, New Mexico Principal Meridian, Alamosa County, Colorado.

That protection devices shall consist of two reflectorized crossbuck signs at the crossing with reflectorized Advance Warning Signs on the county road at each approach in advance of the crossing.

That the work to be done, method of payment and maintenance shall all be in accordance with the various understandings as mentioned in the preceding Statement.

That materials and construction of the proposed new crossing shall conform with standard specifications for quality and workmanship,

with the whole installation to be made as indicated in the preceding Statement; said Statement, the various approvals herein, and Exhibits Nos. 1 and 2, all by reference, being made a part hereof.

That signing and any other pertinent details of traffic control shall be in conformance with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nye
Ralph C. Norton
Harry E. Zaulig
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.

ea

original

(Decision No. 54929)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF)	
TARIFF COLORADO P.U.C. NO. 7 OF)	
THE LEADVILLE WATER COMPANY, LEAD-)	<u>INVESTIGATION AND SUSPENSION</u>
VILLE, COLORADO.)	<u>DOCKET NO. 434</u>
-----)	

August 19, 1960

S T A T E M E N T

By the Commission:

On May 17, 1960, in Decision No. 54316, Investigation and Suspension Docket No. 434, the effective date of The Leadville Water Company Tariff Colorado P.U.C. No. 7 was suspended for a period of one hundred twenty (120) days from its effective date unless otherwise ordered.

In Decision No. 54708, of July 19, 1960, the Commission determined that the allowable gross revenues of Leadville should be in the amount of \$119,215, which amount is less than the revenues that would be produced under Leadville's Tariff Colorado P.U.C. No. 7. On August 12, 1960, Leadville filed its Tariff Colorado P.U.C. No. 8 purportedly to produce the income allowed by this Commission in its Decision No. 54708. Leadville Tariff Colorado P.U.C. No. 8 cancelled its Tariff Colorado P.U.C. No. 7, thereby eliminating any further investigation requirements by this Commission.

F I N D I N G S

THE COMMISSION FINDS:

That Leadville Water Company Tariff Colorado P.U.C. No. 8 cancels and supersedes its Tariff Colorado P.U.C. No. 7, and there is, therefore, no further reason for continuing an investigation.

That this Commission's Decision No. 54708 establishes the revenues to be allowed to Leadville which are at a level substantially

below Leadville Tariff Colorado P.U.C. No. 7.

That Leadville's Tariff Colorado P.U.C. No. 7, the subject of this investigation and suspension docket, is unjust and unreasonable, and should be denied.

O R D E R

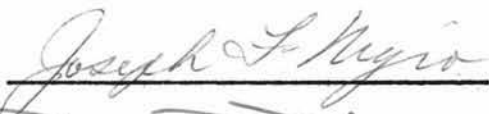
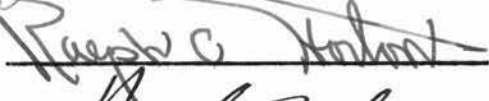

THE COMMISSION ORDERS:

That the Leadville Water Company Tariff Colorado P.U.C. No. 7 is unjust and unreasonable, and it hereby is denied in its entirety.

That there is no further requirement to continue an investigation of Leadville Tariff Colorado P.U.C. No. 7, and Investigation and Suspension Docket No. 434, be, and it hereby is, 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 19th day of August, 1960.

ea

original

(Decision No. 54930)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
J. O. JONES, ROUTE 3, BOX 106,)	
AURORA, COLORADO, FOR A CLASS "B")	APPLICATION NO. 17919-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)	<u>SUPPLEMENTAL ORDER</u>
RIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

August 19, 1960

S T A T E M E N T

By the Commission:

On July 26, 1960, in Application No. 17919-PP, the Commission entered its Decision No. 54743, granting to applicant herein authority to operate as a Class "B" private carrier by motor vehicle for hire, it being the intention of the Commission to restrict transportation of road-surfacing materials thereunder against the use of tank vehicles. Due to typographical error, authority granted by the Order contained in said Decision No. 54743 was erroneously set forth.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 54743, of date July 26, 1960, should be amended, nunc pro tunc, as of said 26th day of July, 1960, to conform to the facts, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 54743, of date July 26, 1960, be, and the same hereby is, amended, nunc pro tunc, as of said 26th day of July, 1960, by striking therefrom the first paragraph of the Order therein contained, appearing on Pages 2 and 3 thereof, and inserting in lieu thereof, the following:

"That J. O. Jones, Aurora, Colorado, 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 home and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from the 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; the transportation of road-surfacing materials being restricted against the use of tank vehicles."

That, except as herein amended, said Decision No. 54743 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Myers
Ralph C. Horton
Henry E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALAMO HOTEL-MONARCH SERVICE, A CO-)
PARTNERSHIP, 126 SOUTH TEJON STREET,)
COLORADO SPRINGS, COLORADO, FOR)
AUTHORITY TO LEASE PUC NO. 102 TO) APPLICATION NO. 17981-Lease
THE KIOWA INVESTMENT COMPANY, INC.,)
A CORPORATION, 31 NORTH CASCADE)
AVENUE, COLORADO SPRINGS, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
ALAMO HOTEL-MONARCH SERVICE, A CO-)
PARTNERSHIP, 126 SOUTH TEJON STREET,)
COLORADO SPRINGS, COLORADO, FOR)
REINSTATEMENT OF PUC NO. 102 AND FOR) APPLICATION NO. 17981-Lease
AUTHORITY TO LEASE SAID PUC NO. 102) Amended
TO THE KIOWA INVESTMENT COMPANY, INC.)
DOING BUSINESS AS "NATIONAL TOURS,")
A CORPORATION, 31 NORTH CASCADE)
AVENUE, COLORADO SPRINGS, COLORADO.)

August 19, 1960

Appearances: Tarter and Tarter, Esqs.,
Colorado Springs, Colo-
rado, by Weldon M. Tar-
ter, Esq., for Appli-
cants.

S T A T E M E N T

By the Commission:

Alamo Hotel-Monarch Service, a co-partnership, Colorado
Springs, Colorado, is the owner and operator of PUC No. 102, author-
izing:

- transportation of passengers from Colorado
Springs to the various scenic attractions
in the Pikes Peak Region, subject to the
following terms and conditions:
- (a) All sightseeing and tourist operations
by the applicant shall be limited to round-
trip operations originating and terminating
at the point of origin of the service;

(b) no one-way transportation of passengers is permitted to any of the points in the Pikes Peak Region;

(c) that the quantity of equipment to be used shall be limited to 15 automobiles.

Decision No. 2331 transferred authority for the use of 2 automobiles from Colorado Springs Sightseeing Co., subject to the terms and conditions in the original certificate.

Decision No. 2291 transferred the authority to use 2 automobiles from the Colorado Touring Company.

Decision No. 2394 transferred the authority to operate 2 cars from the 7 Falls Company, subject to the terms and conditions in the original certificate.

Decision No. 15371 amended Decision No. 1693, sub-division (b-1) reading as follows:

PROVIDED, HOWEVER, that said limitations permitting only round-trip operations and providing that no one-way transportation of passengers is permitted shall not apply to the transportation of passengers from Colorado Springs to the summit of Pikes Peak or from the summit of Pikes Peak to Colorado Springs, when such operations are conducted under tariffs providing for diverse routing with the Manitou and Pikes Peak Railway Company. (Now authorized 19 cars - Colorado Springs).

Extended to include transportation upon the same terms and subject to the same limitations as presently apply to its operation outside the City, the only effect of this Order being to extend the territory described in the present authority so as to include the City of Colorado Springs.

By Decision No. 53656, dated January 4, 1960, said PUC No. 102 was suspended for the calendar Year 1960.

By the instant application, said certificate-holder seeks reinstatement of PUC No. 102 and authority to lease the same to The Kiowa Investment Co., Inc., a corporation, Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, August 9, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

At the outset of the hearing, Attorney for applicant moved that the suspension of the Certificate be removed and said Certificate be reinstated, said Certificate having been suspended at the request of the owner until such time as requested for reinstatement is made.

M. J. Conway and Ralpy E. Layman, lessor and representative of the lessee, respectively, testified in support of the application to the effect that the lessor had no debts; that the copy of the lease filed with the application was the agreement for lease, said lease agreement having been filed June 3, 1960, with the Commission; that the lessee has other authorities from the Commission, all of which are in good standing.

Counsel for the applicants moved that the lessee be permitted to operate said authority under the name and style of The Kiowa Investment Company, Inc., doing business as "National Tours."

No one appeared in opposition to the proposed lease.

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

F I N D I N G S

THE COMMISSION FINDS:

That said PUC No. 102 should be reinstated.

That the lease should be approved.

That the lessee should be permitted to operate under the name and style of The Kiowa Investment Company, Inc., doing business as "National Tours," and that the approval of the lease is in the public interest.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 102 be, and the same hereby is, reinstated.

That Alamo Hotel-Monarch Service, a co-partnership, Colo-

rado Springs, Colorado, be, and hereby is, authorized to lease all right, title, and interest in and to PUC No. 102 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to The Kiowa Investment Company, Inc., doing business as "National Tours," a corporation, Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

The tariff of rates, rules, and regulations of 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 A. Stepien
Ralph C. Horton
Samuel E. Gailings
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.
mls

original

(Decision No. 54932)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELWOOD JEWELL, 2976 SOUTH GRAPE WAY,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18000-PP

August 19, 1960

Appearances: Elwood Jewell, Denver,
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 150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 15, 1960, 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 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 operation serving the territory herein 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 Elwood Jewell, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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 150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

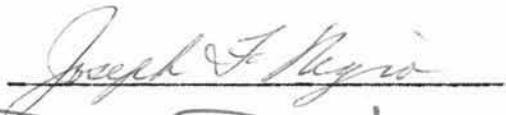
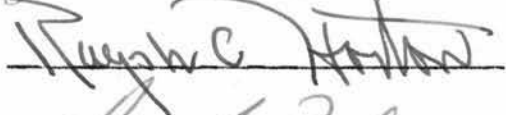
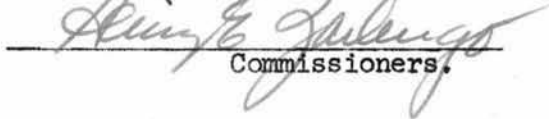
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 19th day of August, 1960.

mls

original

(Decision No. 54933)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) DAVID L. BROWN, 4551 REED STREET,) WHEATRIDGE, COLORADO, FOR A CLASS) "B" PERMIT TO OPERATE AS A PRIVATE) CARRIER BY MOTOR VEHICLE FOR HIRE.)	<u>APPLICATION NO. 17996-PP</u>

August 19, 1960

Appearances: Leslie R. Kehl, Esq., Den-
ver, Colorado, for Denver
Chicago Transport.

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 home 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 restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 15, 1960, at ten o'clock A. M., due

notice thereof being forwarded to all parties in interest.

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

Thereupon, there being no objection thereto, the files were made a part of the record, and the matter was taken under advisement.

The records and files of the Commission disclose that applicant is fit, both by experience and financially, to conduct his proposed operations.

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.

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

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 David L. Brown, Wheatridge, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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 home 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 con-

struction 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 restricted against the use of tank vehicles.

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

Joseph F. Negro
Joseph C. Horton
Henry E. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 19th day of August, 1960.

mls

original

(Decision No. 54934)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLINE E. GREGORY, 5750 EVERETT)
COURT, ARVADA, COLORADO, FOR AUTHOR-)
ITY TO TRANSFER PERMIT NO. B-3431) APPLICATION NO. 17918-PP-Transfer
TO LYDIA GREGORY, 5750 EVERETT)
COURT, ARVADA, COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
LYDIA GREGORY, ADMINISTRATRIX OF THE)
ESTATE OF CLINE E. GREGORY, DECEASED,)
5750 EVERETT COURT, ARVADA, COLORADO,) APPLICATION NO. 17918-PP-Transfer
FOR AUTHORITY TO TRANSFER PERMIT NO.) Amended
B-3431 TO LYDIA GREGORY, 5750)
EVERETT COURT, ARVADA, COLORADO.)

August 22, 1960

Appearances: Lydia Gregory, Arvada,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, Cline E. Gregory, Arvada, Colorado, was granted
a Class "B" private carrier permit, being Permit No. B-3431 and author-
izing:

transportation of sand, gravel and other road
surfacing materials from pits and supply points
in the State of Colorado, to road and building
construction jobs within a radius of 50 miles
of said pits and supply points, excluding ser-
vice in Boulder, Clear Creek and Gilpin Counties;
and coal from mines in the northern Colorado coal
fields to Denver, Colorado;

transportation of sand, gravel, and other road
surfacing materials, from pits and supply points
in the State of Colorado, to mixer and processing
plants within a radius of fifty miles of said
pits and supply points; and the transportation of
sand and gravel from pits and supply points in
the State of Colorado, to railroad loading points
and to homes and small construction jobs within a
radius of fifty miles of said pits and supply

points; and the transportation of insulrock from pits and supply points in the State of Colorado to roofing jobs within a radius of fifty miles of said pits and supply points;

transportation of ore and ore concentrates from the Monte Cristo Mine to smelters within a fifty-mile radius of Alma, Colorado, for the Mack-Don Construction Company, only.

By the instant application, Lydia Gregory, Administratrix of the Estate of Cline E. Gregory, Deceased, Arvada, Colorado, seeks authority to transfer Permit No. B-3431 to Lydia Gregory, Arvada, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, July 18, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

There has been filed with the Commission letters of administration appointing Lydia Gregory, the transferee herein, Administratrix of the Estate of Cline E. Gregory, Deceased.

Lydia Gregory, the transferee herein, appeared in support of the application and stated that Cline E. Gregory, now deceased, was her husband. She presented duly executed letters of guardianship of the two children. She stated the operation would be carried on in the same manner as before the decedent's death, and that only experienced drivers will be used in the operation.

No one appeared in opposition to the proposed transfer.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Lydia Gregory, Administratrix of the State of Cline E. Gregory, Deceased, Arvada, Colorado, be, and she hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-3431 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Lydia Gregory, Arvada, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

The right of transferee to operate under this Order shall depend upon her compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kiger
Ralph C. Johnson
Blair E. Fairbanks
Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.
mls

original

(Decision No. 54935)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND J. HARDRICK, 217 EAST THIRD,)
FLORENCE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17988-PP

IN THE MATTER OF THE APPLICATION OF)
RAYMOND J. HARDRICK, 217 EAST THIRD,)
FLORENCE, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMIT NO.)
B-1912.)

APPLICATION NO. 17988-PP-Extension
Amended

August 22, 1960

Appearances: Raymond J. Hardrick, Florence,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Raymond J. Hardrick, Florence, Colorado, is the owner and
operator of Permit No. B-1912, authorizing:

transportation of (a) coal from mines in
Florence-Canon City coal fields and Huer-
fano County coal fields to Pueblo; (b)
sand and gravel from pits within a radius
of 30 miles of Pueblo to Pueblo and points
in said area and (c) farm products from
farms within a radius of 20 miles of Pueblo
to Pueblo;

transportation of coal only, from coal mines
in Fremont and Huerfano Counties to Colorado
Springs, Camp Carson, Peterson Field, Pueblo
and Pueblo Air Base, Pueblo Ordnance Depot,
and all towns on Highways 50 and 96 not more
than one hundred fifty (150) miles from
Pueblo, Colorado.

By the instant application as amended, said applicant seeks
authority to extend operations under said Permit No. B-1912 to include
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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, August 9, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Raymond J. Hardrick appeared in support of his application and testified that he proposes to use a 1953 Mack diesel tandem trailer; that he has been operating under Temporary Authority heretofore for Peter Kiewitt Company; that he has made arrangements with Hubner Construction Company to perform hauling for said Company.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.


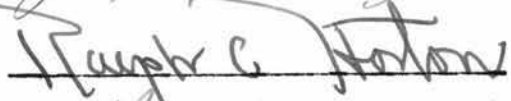

O R D E R

THE COMMISSION ORDERS:

That Raymond J Hardrick, Florence, Colorado, should be, and hereby is, authorized to extend operations under Permit No. B-1912, to include 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 home 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; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.

mls

original

(Decision No. 54936)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH CARESTIA, ROUTE 1, FLORENCE,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17984-PP

IN THE MATTER OF THE APPLICATION OF)
RALPH CARESTIA, ROUTE 1, FLORENCE,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. B-3547.)

APPLICATION NO. 17984-PP-Extension
Amended

August 22, 1960

Appearances: Ralph Carestia, Florence,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Ralph Carestia, Florence, Colorado, is the owner and oper-
ator of Permit No. B-3547, authorizing:

transportation of coal and wood, between points
within a radius of fifty miles of Florence, Colo-
rado, excluding all service from or to points in
Teller County.

By the instant application, as amended, applicant herein
seeks authority to extend operations under said Permit No. B-3547, to
include 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
points; sand and gravel, from pits and supply points in the State of
Colorado, to railroad loading points, and to home and small construc-
tion 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, August 9, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Ralph Carestia appeared in support of his application and testified that he has arrangements to haul for Hubner Construction Company; that he has four tandem trailers, two International trucks, and one Ford truck which he proposes to use in the operation; and that he has been hauling under a Temporary Authority heretofore issued by the Commission.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Ralph Carestia, Florence, Colorado, should be, and

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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, August 9, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Ralph Carestia appeared in support of his application and testified that he has arrangements to haul for Hubner Construction Company; that he has four tandem trailers, two International trucks, and one Ford truck which he proposes to use in the operation; and that he has been hauling under a Temporary Authority heretofore issued by the Commission.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Ralph Carestia, Florence, Colorado, should be, and

hereby is, authorized to extend operations under Permit No. B-3547 to include 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 home 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; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph F. Meier
Ralph C. Horton
Henry E. Zaulings
Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. A. HARDEN, JR., DOING BUSINESS AS,)
"VALLEY VETERINARY SUPPLY", P. O. BOX)
514, FORT COLLINS, COLORADO.)
-----)

PERMIT NO. M-1576

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. A. Harden, Jr.,
doing business as, "Valley Veterinary Supply", Fort Collins, Colorado
requesting that Permit No. M-1576 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1576, heretofore issued to J. A. Harden, Jr., doing
business as, "Valley Veterinary Supply", Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective August 10, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Henry E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOE M. LUCERO, 2220 TREMONT)
STREET, DENVER 5, COLORADO.)

PERMIT NO. B-5795

August 25, 1960

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-5795 be suspended for six months from August 13, 1960.

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 Joe M. Lucero, Denver 5, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-5795 until February 13, 1961.

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 re-instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Jordan
Commissioners

Dated at Denver, Colorado,
this 25th day of August, 19 60.

original

(Decision No. 54939)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NEIL W. SMITH, 408 CANON AVENUE,)
MANITOU SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 17833-PP

August 22, 1960

Appearances: Neil W. Smith, Manitou
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 home 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 Court House, Colorado Springs, Colorado, August 9, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Neil W. Smith appeared in support of the application and testified that he has an "M" permit; that he has one Chevrolet dump

truck which he proposes to use; and has had ten years experience in trucking operations.

No one appeared in opposition to the granting of authority sought if restricted against the use of tank vehicles.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Neil W. Smith, Manitou 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 home 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; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph A. Meyer
Raymond C. Hobart
Henry E. Zuehlke
Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.

ea

original

(Decision No. 54940)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM F. ROBINSON AND E. S. ROB-)
INSON, DOING BUSINESS AS "ROBINSON)
MINING COMPANY," BOX 242, WOODLAND)
PARK, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 17985-PP

August 22, 1960

Appearances: Elijah S. Robinson, Woodland
Park, Colorado, for
Applicants.

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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, August 9, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Elijah S. Robinson appeared in support of the application and testified that the co-partnership has two trucks which it proposes to use in the operation, one being a 1953 GMC, and one being a 1959 Chevrolet; that heretofore the co-partnership has operated an "M" permit; that arrangements have been made with Rocky Mountain Paving Company to perform hauling services and that undoubtedly hauling will be performed for Broderick and Gibbons in the hauling of roofing chips; that the co-partnership has been operating under Temporary Authority.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That William F. Robinson and E. S. Robinson, doing business as "Robinson Mining Company," Woodland Park, 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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry J. Carls
Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.

ea

original

(Decision No. 54941)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FRED M. THOMPSON, 102 WEST POLK,)	
COLORADO SPRINGS, COLORADO, FOR A)	<u>APPLICATION NO. 17987-PP</u>
CLASS "B" PERMIT TO OPERATE AS A)	
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

August 22, 1960

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 seventy-five 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 home and small construction jobs within a radius of seventy-five 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 seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing at the Court House, Colorado Springs, Colorado, August 9, 1960, due notice of the time and place being forwarded to all interested parties.

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

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

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

It did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Fred M. Thompson, 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 seventy-five 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 home and small construction jobs within a radius of seventy-five 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 seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph F. Ryzio
Joseph C. Horton
Alvin E. Ziehl
Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PERRY J. BEAVERS, ROUTE 1 BOX 52,)
CANON CITY, COLORADO.)
)
)
)
)
)

PERMIT NO. M-5853

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Perry J. Beavers,
Canon City, Colorado
requesting that Permit No. M-5853 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5853, heretofore issued to Perry J. Beavers,
Canon City, Colorado be,
and the same is hereby, declared cancelled effective August 22, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1960.

original

(Decision No. 54943)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAY STURBAUM AND STANLEY STURBAUM,)
DOING BUSINESS AS "STURBAUM CON-)
STRUCTION COMPANY," 225 MAIN STREET,)
CANON CITY, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17982-PP

August 22, 1960

Appearances: Ray Sturbaum, Canon City,
Colorado, for Applicants.

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 dolomite from quarry west of Canon City to loading spur of the Denver and Rio Grande Western Railroad Company in Canon City (Distance about 1.8 mile).

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, August 9, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Ray Sturbaum appeared in support of the application and testified that he is one of the partners of the applicant co-partnership; that the partnership has a contract with the C. F. & I; that the applicants have three tandem trucks which they propose to use in the operation.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ray Sturbaum and Stanley Sturbaum, doing business as "Sturbaum Construction Company," Canon City, Colorado, be, and they are hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dolomite from quarry west of Canon City to loading spur of the Denver and Rio Grande Western Railroad Company in Canon City, Colorado, (distance about 1.8 mile).

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

Joseph F. Nease
Rueph C. Horton
John J. Nease
Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.
mls

original

(Decision No. 54944)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
FAIRPLAY MOTOR COMPANY, A CORPORA- }
TION, FAIRPLAY, COLORADO, FOR A }
CLASS "B" PERMIT TO OPERATE AS A }
PRIVATE CARRIER BY MOTOR VEHICLE }
FOR HIRE. }

APPLICATION NO. 17997-PP

August 22, 1960

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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 home 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 restricted against the use of tank vehicles.

Said applicant, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing

Room of the Commission, 532 State Services Building, Denver, Colorado, August 15, 1960, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant, financially and by experience, is qualified and able to conduct its proposed operations.

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

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 Fairplay Motor Company, Fairplay, Colorado, 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 home 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 being restricted against the use of tank vehicles.

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 depend upon its 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

Joseph F. Negro
Walter C. Horton
Samuel H. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 22nd day of August, 1960.

mls

original

(Decision No. 54945)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE RUPPLE, 408 FIFTEENTH STREET,)
GREELEY, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17911

August 22, 1960

Appearances: John W. O'Hagan, Esq., Greeley,
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 operation as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, and junk, in the City of Greeley and an area of ten miles of the radius of the City Limits of Greeley, Weld County, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, July 15, 1960, due notice thereof being forwarded to all parties in interest.

On July 14, 1960, 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 time and place designated for hearing, applicant appeared and testified in support of

his application, stating he has been in the ash and trash business since 1959; that he has ample and suitable equipment with which to conduct his proposed operations, and sufficient net worth; that he is presently operating under Temporary Authority issued by this Commission; that he has received numerous requests for his proposed services; that a definite present need for said service exists.

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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to perform the services sought by the instant application; that there is presently a need for said services; that public convenience and necessity require the proposed services of applicant.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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


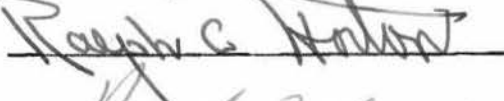

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of George Ruppel, Greeley, Colorado, for the transportation of ashes, trash, and other waste materials, from point to point within the City of Greeley, Colorado, and a ten-mile radius thereof, to regularly-designated and approved dumps and disposal places in Weld County, Colorado, 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.

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 August, 1960.

mls

original

(Decision No. 54946)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ANGELO DI SALLE AND SAMUEL EUGENE)
DI SALLE, DOING BUSINESS AS "ANGELO)
DI SALLE AND SON," 4447 PENNSYLVANIA)
STREET, DENVER, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY, AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 2843.)

APPLICATION NO. 17808-Extension

August 22, 1960

Appearances: Francis R. Salazar, Esq., Den-
ver, Colorado, for Applicants;
Tull, Hays & Thompson, Esqs.,
Denver, Colorado, by John P.
Thompson, Esq., for Douglas
County Rubbish Removal, Ray's
Ash and Trash, Northglenn
Sanitary Service, and Clyde
Persinger;
George W. Harper, Esq., Denver,
Colorado, for Mountain View
Rubbish Removal Co., Lakewood
Disposal Co. Corp., Golden
Disposal, Golden Ash & Trash
Service Co., Cook & Bolger
Disposal Service, Sam's Ash &
Trash Hauling Service, William
F. Malenk, Western Disposal Co.;
Holley & Boatright, Esqs., Wheat-
ridge, Colorado, by Gerald E.
Boatright, Esq., for Roy Witt;
Richard L. Kaylor, Esq., Denver, Colo-
rado, for Associated Rubbish Re-
movers, Aurora and East Denver
Trash Disposal, F and S Sanitary
Carriers, Derby Waste Disposal,
Ruben Lee Trash Service, Aurora
Remover Service, Aurora Ash and
Trash Company.

S T A T E M E N T

By the Commission:

By the above-styled application, applicants herein, owners
and operators of PUC No. 2843, seek authority to extend operations
under said certificate, to include the right to pick up trash, rub-
bish, and ashes, in an area known as a thirty mile radius from the
intersection of Federal Boulevard and West Colfax Avenue, in the City

and County of Denver, State of Colorado, and to dispose of same in the City and County of Denver and State of Colorado, and the Counties of Adams, Arapahoe, and Jefferson, all within the State of Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 3, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

Francis R. Salazar, Attorney for the applicant, at the outset of the hearing stated that Angelo DiSalle, on the day before the hearing, was stricken by illness and had to call a Doctor and was unable to be present for the hearing; that said Angelo DiSalle is, or will be, the most important witness testifying in support of the application; that he realized that a great number of persons would be inconvenienced, but had no efficient way in the short time available to notify them that a continuance would be requested; that a Doctor's statement will be filed with the Commission relative to the inability of Angelo DiSalle to make appearance.

Mr. Richard L. Kaylor, appearing for a number of protestants, objected to the continuance on the grounds that a continuance has heretofore been granted in the application and that many witnesses coming from far distances would be greatly inconvenienced. He asked that the application be dismissed.

Mr. John P. Thompson, appearing for a number of protestants, stated that his clients would not object to the continuance and further stated the reasons therefor.

F I N D I N G S

THE COMMISSION FINDS:

That the applicant having filed a letter from Dr. Louis A. Pollock in support of his grounds for continuance and that considering

the same and other circumstances involved reasonable excuse appears for a continuance and the same should be granted.

That the above-styled application should be continued, to be later re-set for hearing, with notice to all parties in interest.

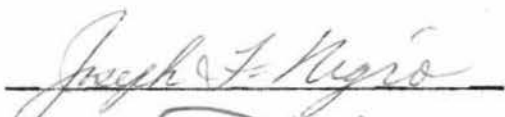
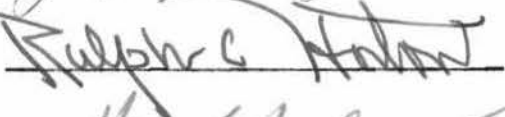
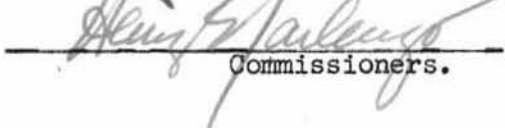
O R D E R

THE COMMISSION ORDERS:

That Application No. 17808-Extension be, and the same hereby is, continued, 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.

Dated at Denver, Colorado,
this 22nd day of August, 1960.

mls

original

(Decision No. 54947)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT J. BURROUGHS AND HARRY)
BURROUGHS, DOING BUSINESS AS)
"BURROUGHS AND SON ASH AND RUBBISH)
REMOVAL," 1367 SOUTH DALE COURT,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3483 TO BENJAMIN)
FREEHLING AND DONALD G. FREEHLING,)
CO-PARTNERS, 4935 ADAMS STREET,)
DENVER, COLORADO.)

APPLICATION NO. 17953-Transfer

- - - - -
August 23, 1960
- - - - -

Appearances: McLean and McLean, Esqs.,
Denver, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, Robert J. Burroughs and Harry Burroughs, doing business as "Burroughs and Son Ash and Rubbish Removal," Denver, Colorado, owners and operators of PUC No. 3483, sought authority to transfer said operating rights to Benjamin Freehling and Donald G. Freehling, Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 24, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

The Commission is now in receipt of a communication from Attorneys for applicants herein, stating said applicants no longer desire to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That hearing of the above-styled application, presently set for August 24, 1960, be, and the same hereby is, vacated.

That said Application No. 17953-Transfer be, and the same hereby is, dismissed, upon request of Attorney for applicants herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Alvin J. Pauling
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

mls

original

(Decision No. 54948)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. A. FRANCISCO, ROUTE 2, MANCOS,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17972-PP

August 23, 1960

Appearances: J. A. Francisco, Mancos,
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 seventy-five 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 home and small construction jobs within a radius of seventy-five 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 seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles; uranium ore, from Joe Dough Mine, six miles west of Egnar, Colorado, to mill at Durango, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Durango, Colorado, August 4, 1960, due

notice thereof being forwarded to all parties in interest.

On July 25, 1960, 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 appeared and testified in support of his application, stating he has ample and suitable equipment with which to render his proposed services; that he has a net worth of approximately \$7,000; that he has received numerous requests for said 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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the services herein sought to be performed; that there is a present need for such service; that the granting of authority herein sought will not impair the efficient public service of any authorized motor vehicle common carrier.

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 the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant herein is qualified, financially, and by experience, to conduct his proposed operations; 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 be, and the same hereby is, approved.

That J. A. Francisco, Mancos, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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 seventy-five 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 home and small construction jobs within a radius of seventy-five 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 seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; uranium ore, from Joe Dough Mine, six miles west of Egnar, Colorado, to mill at Durango, 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

Joseph F. Regio
Ralph C. Horton
Henry E. Spence
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

mls

original

(Decision No. 54949)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE LEADVILLE WATER COMPANY FOR A)
DETERMINATION, FOR RATE-MAKING)
PURPOSES, OF THE REASONABLE VALUE)
OF ITS WATER PLANT AT LEADVILLE,)
COLORADO, DEVOTED TO PUBLIC USE,)
THE FAIR RATE OF RETURN THEREON,)
AND THE GROSS REVENUES TO WHICH IT)
MAY BE ENTITLED.)

APPLICATION NO. 17531
SUPPLEMENTAL ORDER

August 23, 1960

Appearances: Knowles and Shaw, Esqs.,
Denver, Colorado, by
Edward G. Knowles and
Clayton D. Knowles, Esqs.,
and
A. J. Laing, Esq., Lead-
ville, Colorado, for
Applicant;
E. B. Evans, Esq., Denver,
Colorado, for the Lead-
ville Water Users' Asso-
ciation;
Harold A. Grant, Esq.,
Leadville, Colorado, for
the City of Leadville;
Henry E. Jobes, Denver,
Colorado, and
J. M. McNulty, Denver,
Colorado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

On July 19, 1960, the Commission entered its Decision No.
54708 in the above-styled application.

On August 9, 1960, "Application for Rehearing by Leadville
Water Company," was filed with the Commission, by its attorneys,
Knowles and Shaw.

Inasmuch as a formal Order was not entered by the Commis-
sion within twenty (20) days from date of Order complained of,

F I N D I N G S

THE COMMISSION FINDS:

That said Application for Rehearing is denied, by operation of law.

O R D E R

THE COMMISSION ORDERS:

That said Application for Rehearing, filed with the Commission on August 9, 1960, in the above-styled application, by The Leadville Water Company, by its Attorneys, Knowles and Shaw, is denied, by operation of law.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hinton
Philip E. Parley
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM L. YOUNTS, ROUTE 1 BOX 195,)
PLATTEVILLE, COLORADO.)

PERMIT NO. M-1428

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William L. Younts,
Platteville, Colorado

requesting that Permit No. M-1428 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1428, heretofore issued to William L. Younts,
Platteville, Colorado be.

and the same is hereby, declared cancelled effective August 18, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Fortson
Henry E. Zerk
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1957 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ORIN NEUMAN, DOING BUSINESS AS,)
"GOLDEN GATE MARKET", 807 - 13TH)
STREET, GOLDEN, COLORADO.)
-----)

PERMIT NO. M-7018

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orin Neuman, doing
business as, "Golden Gate Market", Golden, Colorado
requesting that Permit No. M-7018 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7018, heretofore issued to Orin Neuman, doing
business as, "Golden Gate Market", Golden, Colorado be,
and the same is hereby, declared cancelled effective August 15, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Nigro
Ralph C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAN MIGUEL NATURAL GAS COMPANY (A)
CORPORATION), P. O. BOX #668, NUCLA,)
COLORADO.)
-----)

PERMIT NO. M-11699

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from San Miguel Natural
Gas Company (A Corporation), Nucla, Colorado
requesting that Permit No. M-11699 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11699, heretofore issued to San Miguel Natural Gas
Company (A Corporation), Nucla, Colorado be,
and the same is hereby, declared cancelled effective August 18, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH G. BLACK, 1019 MARKET STREET,)
COLORADO SPRINGS, COLORADO.)
)
)
)
-----)

PERMIT NO. M-5868

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kenneth G. Black,
Colorado Springs, Colorado

requesting that Permit No. M-5868 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5868, heretofore issued to Kenneth G. Black,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective August 21, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Robert C. Horton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH G. BLACK, 1019 MARKET STREET,)
COLORADO SPRINGS, COLORADO.)
)
)
)
-----)

PERMIT NO. B-5542

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kenneth G. Black,
Colorado Springs, Colorado

requesting that Permit No. B-5542 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5542, heretofore issued to Kenneth G. Black,
Colorado Springs, Colorado be,

and the same is hereby, declared cancelled effective August 21, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph G. Fortson
Henry E. Ziehl
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

hc

original

(Decision No. 54955)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THEODORE GARCIA, 117 13TH STREET,)
GREELEY, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17906

August 23, 1960

Appearances: Theodore Garcia, Greeley,
Colorado, pro se.

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 common carrier by motor vehicle for hire, for the transportation of trash and junk, in Greeley, Colorado, and within a radius of one hundred miles thereof.

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, July 15, 1960, due notice thereof being forwarded to all parties in interest.

On July 14, 1960, 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 commencement of the hearing, applicant amended his application to show that he desired only a ten-mile radius of Greeley, rather than the one-hundred-mile

radius set forth in his application. There being no objection thereto, said amendment was allowed.

Report of the Examiner further states that applicant appeared at the hearing and testified in support of his application, stating that he has ample and suitable equipment with which to conduct his proposed operations, as well as sufficient net worth; that he has had operating experience; that he has received numerous requests for said proposed services; that there is presently a need for said 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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person to conduct his proposed operations; that he has sufficient net worth to render said services; that a definite need exists for said proposed services; that certificate of public convenience and necessity should issue to applicant herein.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

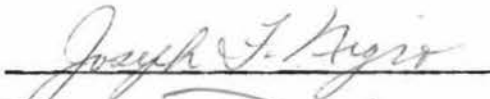
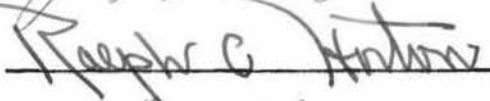

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Theodore Garcia, Greeley, Colorado, for the transportation of ashes, trash, and other waste materials, from point to point within the City of Greeley, Colorado, and a ten-mile radius thereof, to regularly-designated and approved dumps and disposal places in Weld County, Colorado, 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.

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 23rd day of August, 1960.

mls

original

(Decision No. 54956)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK V. QUEZADA, 406 14TH STREET,)
GREELEY, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17909

August 23, 1960

Appearances: John W. O'Hagan, Esq., Greeley,
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 operation as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, and junk in the City of Greeley, Weld County, Colorado, and an area of ten miles thereof.

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, July 15, 1960, due notice thereof being forwarded to all parties in interest.

On July 14, 1960, 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 time and place designated for hearing, applicant herein appeared and testified in

support of his application, stating he has been in the ash and trash business continuously since 1945; that he is presently operating under Temporary Authority issued by this Commission; that he has ample and suitable equipment with which to conduct said operations; that he has sufficient net worth therefor; that he has received numerous requests for said services; that there is a present need for said 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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to perform the services herein sought; that a need exists for said service; that public convenience and necessity require the granting of said authority.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above Findings

be, and the same hereby is, approved.

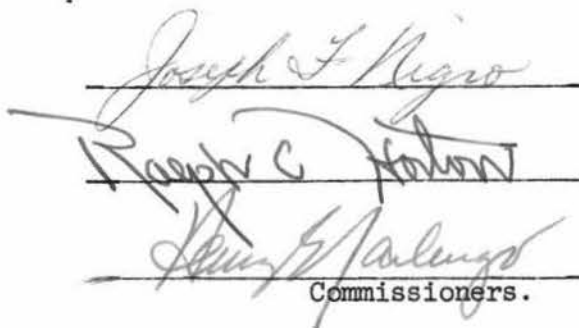
That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Frank V. Quezada, Greeley, Colorado, for the transportation of ashes, trash, and other waste materials, from point to point within the City of Greeley, Colorado, and a ten-mile radius thereof, to regularly-designated and approved dumps and disposal places in Weld County, Colorado, 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.

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 23rd day of August, 1960.

mls

original

(Decision No. 54957)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD ETHRIDGE, DOING BUSINESS AS)
"RICHARD ETHRIDGE TRUCKING," BOX 92,)
DURANGO, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17971-PP

August 23, 1960

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 home 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 restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, at the Court House, Durango, Colorado, August 4, 1960, due notice thereof being forwarded to all parties in interest.

On August 3, 1960, 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. There being no protestants at the hearing, the files were made a part of the record, and the matter was taken under advisement.

The files of the Commission disclose that applicant is qualified, financially and by experience, to conduct the proposed services herein sought; that applicant has on file with the Commission a Certificate of Insurance covering said motor vehicle operations; that he is presently operating under Temporary Authority issued by this Commission, and is using twelve vehicles.

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

Findings of the Examiner are that applicant herein has sufficient equipment, and is financially able to render the services herein sought; that he has filed a Certificate of Insurance with the Commission covering said motor vehicle operations; that he is presently operating under Temporary Authority issued by this Commission; that no good purpose would be served by denying or dismissing said application, as there is a present need for said services, and no protest thereto; that the granting of authority herein sought would not impair the efficient public service of any authorized motor vehicle 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 the granting of authority herein sought will not impair the efficiency of any common carrier operation serving the territory herein sought to be served by applicant; that applicant is qualified, financially and by experience, to conduct said operations; that permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That Richard Ethridge, doing business as "Richard Ethridge Trucking," Durango, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other 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 home 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 being restricted against the use of tank vehicles.

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

Joseph F. Regier
Ralph C. Horton
Henry E. Zaulig
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VIRGIL JENKINS, DOING BUSINESS AS,)
"JENKINS TRUCK LINE", 1805 $\frac{1}{2}$ JACKSON)
AVENUE, KANSAS CITY, MISSOURI.)
-----)

PERMIT NO. M-6839

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Virgil Jenkins, doing business as, "Jenkins Truck Line", Kansas City, Missouri requesting that Permit No. M-6839 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6839, heretofore issued to Virgil Jenkins, doing business as, "Jenkins Truck Line", Kansas City, Missouri be, and the same is hereby, declared cancelled effective August 15, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Henry E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
VIRGIL JENKINS, DOING BUSINESS)
AS "JENKINS TRUCK LINE", 1805½)
JACKSON AVENUE, KANSAS CITY,)
MISSOURI.)

PUC NO. 2973-I

August 25, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Virgil Jenkins,
doing business as, "Jenkins Truck Line", Kansas City, Missouri

requesting that Certificate of Public Convenience and Necessity No. 2973-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. 2973-I heretofore issued to Virgil Jenkins
doing business as, "Jenkins Truck Line", Kansas City, Missouri

be, and the same is hereby, declared cancelled effective August 15, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Johnston
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 19 60.

original

(Decision No. 54960)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EMPIRE AVIATION, INC., COLORADO)	
MUNICIPAL AIRPORT, LA JUNTA, COLO-)	<u>APPLICATION NO. 18007</u>
RADO, FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY.)	
-----)	

August 23, 1960

Appearances: George L. Strain, Esq.,
La Junta, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was filed by Empire Aviation, Inc., of La Junta, Colorado, for a certificate of public convenience and necessity authorizing transportation, by aircraft, of passengers and property, not on schedule, from La Junta, Colorado, to and between all points in the State of Colorado, with base of operations at La Junta, Colorado, and airports within a radius of ten miles thereof.

Public hearing was had in the District A Court Room, Court House, Pueblo, Colorado, on August 16, 1960, after appropriate notice to all parties in interest, and at the conclusion of said hearing, the matter was taken under advisement.

The applicant is a Colorado corporation, doing business under the name and style of "Empire Aviation, Inc." and was incorporated May 13, 1958, with officers and directors all residing in the State of Colorado. The evidence disclosed that applicant, prior to incorporation, operated under the name of "G & K Aircraft Service" and operated out of the La Junta Municipal Airport from June 1953 to the date of incorporation.

Applicant proposes to establish, maintain and operate a service by airplane for the transportation of persons and property, not on schedule but on call and demand. The evidence discloses that applicant has had long years of experience in the maintenance and operation of aircraft and has been and now is, engaged in the use of aircraft owned by the applicant in the instruction of pilots and the operation of aircraft. It further appears that applicant is willing and able to perform the proposed service; that he is financially responsible and has adequate, proper, safe and suitable aircraft equipment which he will use in his proposed operation; that at present he has on file with the Commission liability insurance, which will be carried at all times.

Applicant states that he will file with the Commission his proposed rates for the transportation of persons and property, and said rates will be based on an airline mile charge, all, of course, subject to the approval of this Commission.

Our Aeronautical Inspector has reported that applicant's facilities are adequate; that his aircraft in service are in good condition, and apparently airworthy and suitable for irregular service; that log books and flight records are current; that shop and maintenance facilities available are sufficient for all minor repairs and that applicant is able and qualified to provide an adequate fixed-base operation.

The question of jurisdiction of this Commission to issue, and the propriety and necessity of issuing certificates of public convenience and necessity for "not-on-schedule" or "irregular" common carrier service by air has been fully discussed in our Decision No. 30379, issued April 30, 1948, in Application No. 8734, "In the Matter of the Application of Great Plains Aviation Company, Inc." It is not necessary to review the matter here, and said decision is made a part hereof, by reference.

F I N D I N G S

We therefore find that applicant is a common carrier by airplane of passengers and freight in intrastate commerce, and as such is subject to the jurisdiction of this Commission; that existing means of transportation in the area embraced in this proceeding would be substantially improved by the inauguration of the proposed non-scheduled air service of applicant.

That applicant is fit, willing and able to perform the proposed air transportation properly and agrees to conform to our rules, regulations and requirements, and that certificate of public convenience and necessity should issue therefor.

O R D E R

Upon consideration of the evidence of record, the Commission having issued the foregoing Statement and Findings of Fact, which are hereby referred to and made a part hereof, by reference,

IT IS ORDERED:

That present and future public convenience and necessity require, and will require, the proposed non-scheduled operations of applicant; that it should be, and hereby is, authorized to operate as a common carrier by airplane in interstate and intrastate commerce, for the transportation of passengers and property, not on schedule but on call and demand, in irregular service between all points in the State of Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That applicant shall not establish an office or branch for the purpose of developing business except at La Junta, Colorado, and airports located within a radius of ten miles thereof.

The interstate authority hereby granted is issued as a matter of course, subject to action of Civil Aeronautics Board, it being contemplated that such authority shall become effective only if and when said Board shall authorize such interstate operation by applicant, and only to the extent of such authorization or certificate.

Applicant shall file its tariffs, rate schedules and rules and regulations with, and to be approved by, this Commission, within thirty (30) days from the date hereof, and such rates, so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, and in competition therewith, shall be sufficiently in excess of the per-passenger effective rates of said fixed-route carriers by air so operating on schedule between said points, to be non-competitive therewith.

Jurisdiction is hereby retained of this application and operations under the certificate herein granted, to the end that such further order, or orders, as to the Commission may seem proper in the public interest, may be entered herein by it, if and when deemed advisable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Ralph C. Horvath
Blair E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

ea

original

(Decision No. 54961)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILBUR DEAN JOSEPH, DOING BUSINESS)
AS "GOLD CAMP TOURS," 1616 WEST)
BRITTON ROAD, OKLAHOMA CITY, OKLA-)
HOME, AND P. O. BOX 307, SILVERTON,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 17713

August 23, 1960

Appearances: John M. Distel, Silverton,
Colorado, for Circle
Route Garage;
McKelvey & McKelvey, Esqs.,
Durango, Colorado, for
Canon Ball, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, authorizing transportation of passengers, from train terminal point, on Blair Street, in Silverton, Colorado, for a tour of approximately twenty miles (of two hours duration), from said Blair Street, to Eureka or Gladstone and return to Silverton, with stops at the cemetery, Christ of the Mines Shrine, Congregational Church, Grand Imperial Hotel, and Bent Elbow Saloon.

Said application was regularly set for hearing before the Commission, at the Court House, Durango, Colorado, August 4, 1960, due notice thereof being forwarded to all parties in interest.

On August 3, 1960, 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 herein failed to appear, either in person or by counsel. Thereupon, Attorney for protestant Canon Ball, Inc., moved to dismiss said application, said Motion being taken under advisement.

Report of the Examiner recommends that said application be dismissed for lack of prosecution.

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 dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

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

That Application No. 17713 be, and the same hereby is, dismissed, for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Robert C. Norton
Henry E. Pauling
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

ea

original

(Decision No. 54962)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES E. PARTCH AND JOSEPH E.)	
PARTCH, CO-PARTNERS, DOING BUSI-)	
NESS AS "PARTCH BROTHERS," 303)	APPLICATION NO. 17926-PP-Extension
NORTH MAIN STREET, GUNNISON, COLO-)	
RADO, FOR AUTHORITY TO EXTEND)	
OPERATIONS UNDER PERMIT NO. B-4764.)	
-----)	

August 23, 1960

Appearances: Porter, Klingsmith and
Russell, Esqs., Gunnison,
Colorado, by
Philip C. Klingsmith, Esq.,
Gunnison, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Permit
No. B-4764, authorizing operation as a private carrier by motor
vehicle for hire, for the transportation of:

coal, from the Smith Hill Anthracite Dump,
in Gunnison County, Colorado, to the rail-
road at Salida, Colorado.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-4764, to
include the right to transport sand, gravel, and dirt, for contractors
within a radius of fifty miles of points of use by said contractors,
so that authority under said Permit No. B-4764, as extended, would
read as follows:

transportation of coal, only, from the Smith
Hill Anthracite Dump, in Gunnison County,
Colorado, to railhead at Salida, Colorado;
sand, gravel, and dirt, for contractors
within a radius of fifty miles of points
of use by said contractors.

Said application was regularly set for hearing before the
Commission, at the Court House, Gunnison, Colorado, July 19, 1960,

at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 14, 1960, 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, James E. Partch, one of applicants herein, appeared and testified in support of the application, stating that said applicants are presently operating under Temporary Authority issued by this Commission; that they have sufficient net worth and suitable equipment with which to conduct their proposed extended operations; that they have received numerous requests for said proposed extended services.

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.

Findings of the Examiner are that applicants are fit and proper persons, have sufficient equipment, and are financially able to render their proposed extended services; that there is presently a need for said services; that the granting of authority herein sought will not impair the efficient public service of any authorized motor vehicle common carrier operating in the territory sought to be served by applicants herein.

Report of the Examiner recommends that applicants herein be authorized to extend operations under Permit No. B-4764.

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.

After reviewing the evidence adduced at the hearing,
as reported by the Examiner herein, we find:

That applicants herein are qualified, financially and
by experience, to conduct their proposed extended operations under
Permit No. B-4764; that the granting of such authority will not
impair the efficiency of any common carrier motor vehicle service
operating in the territory sought to be served by applicants; that
applicants herein should be authorized to extend operations under
Permit No. B-4764, 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 be, and the same hereby is, approved.

That James E. Partch and Joseph E. Partch, co-partners,
doing business as "Partch Brothers," Gunnison, Colorado, be, and they
hereby are, authorized to extend operations under Permit No. B-4764,
so that said Permit No. B-4764, as extended, shall in the future
authorize transportation of:

coal, only, from the Smith Hill Anthracite Dump,
in Gunnison, Colorado, to railhead at Salida,
Colorado; sand, gravel, and dirt, for contractors
within a radius of fifty miles of points of use
by said contractors.

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

Joseph F. Negro
Ralph C. Horton
Stanley Zuley
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

ea

original

(Decision No. 54963)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE REICHERT, JR., BOX 855,)
DERBY, COLORADO.)

PUC NO. 2212
PUC NO. 3706

August 24, 1960

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from George Reichert, Jr., Derby, Colorado, owner and operator of PUC No. 2212 and PUC No. 3706, requesting "Jr." be eliminated from his name, and that he be authorized to do business under the trade name and style: "Derby Waste Disposal," in the conduct of operations under said PUC No. 2212 and PUC No. 3706.

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 Secretary of the Commission is hereby directed to change the records of the Commission to show that PUC No. 2212 and PUC No. 3706 are owned and operated by:

"George Reichert, doing business
as 'Derby Waste Disposal,'"

in lieu of:

"George Reichert, Jr."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Meyer
Reuben C. Horton
Wm. E. Zedinger
Commissioners.

Dated at Denver, Colorado,
this 24th day of August, 1960.
mls

original

(Decision No. 54964)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES L. THOMPSON AND HAROLD MEAD,)
CO-PARTNERS, DOING BUSINESS AS)
"THOMPSON-MEAD TIMBER CONTRACTORS,")
GENERAL DELIVERY, PAGOSA SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17974-PP

August 24, 1960

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 logs, poles, and rough lumber, from forests and sawmills, to sawmills and railroad loading points within a radius of seventy-five miles of said forests and sawmills, in the State of Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Durango, Colorado, August 4, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 3, 1960, 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 failed to appear, either in person or by counsel. There being no protestants at the hearing, the files were made a part of the record, and the matter was taken under advisement.

Report of said Examiner further states that the files of the Commission disclose that applicants have ample and suitable equipment and sufficient net worth with which to conduct their proposed operations; that there is a present need for said proposed service.

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 Examiner.

Findings of the Examiner are that applicants have sufficient equipment and financial responsibility to render the services herein proposed; that no good purpose would be served by denying or dismissing the instant application, as there is presently a need for applicants' proposed services; that the granting of authority herein sought will not impair the efficient public service of any authorized motor vehicle common carrier operating in the territory sought to be served by applicants.

Report of said 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 the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicants; that applicants herein are qualified, financially and by experience, to conduct their proposed operations; that permit should issue to applicants, 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 be, and the same hereby is, approved.

That James L. Thompson and Harold Mead, co-partners, doing business as "Thompson-Mead Timber Contractors," Pagosa Springs, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and rough lumber, from forests and sawmills, to sawmills and railroad loading points within a radius of seventy-five miles of said forests and sawmills, in the State of Colorado.

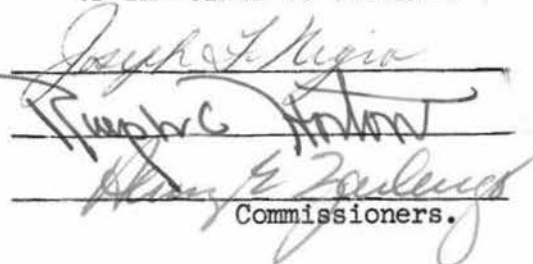
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of 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 24th day of August, 1960.

mls

original

(Decision No. 54965)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
EARL BALL, 1010 TENTH STREET,)
GREELEY, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17905

August 24, 1960

Appearances: Clayton and Gilbert, Esqs.,
Greeley, Colorado, by
William L. West, Esq.,
Greeley, 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 operation as a common carrier by motor vehicle for hire, for the transportation of trash, garbage, and refuse, from point to point within the City of Greeley, Colorado, and within a ten-mile radius thereof.

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, July 15, 1960, due notice thereof being forwarded to all parties in interest.

On July 14, 1960, 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, appli-

cant herein appeared and testified in support of his application, stating he had been in the ash and trash business for more than twenty years; that he has ample and suitable equipment and sufficient net worth with which to conduct said operations; that he has many prominent customers who depend upon him for trash services; that there is presently a need for this 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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to perform the services herein proposed; that there is presently a need for said services; that public convenience and necessity require applicant's proposed services.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

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

That public convenience and necessity require the motor vehicle common carrier call and demand transportation services of Earl Ball, Greeley, Colorado, for the transportation of ashes, trash, garbage, and other waste materials, from point to point within the City of Greeley, Colorado, and a ten-mile radius thereof, and from points within Greeley, Colorado, and said ten-mile radius thereof, to regularly designated and approved dumps and disposal places in Weld County, Colorado, 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Glenn E. Jenkins
Commissioners.

Dated at Denver, Colorado,
this 24th day of August, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARTIN R. CUSTY, ROUTE 1 BOX 102,)
DERBY, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-7742

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Martin R. Custy,
Derby, Colorado
requesting that Permit No. M-7742 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7742, heretofore issued to Martin R. Custy,
Derby, Colorado be,
and the same is hereby, declared cancelled effective June 26, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Johnston
Henry E. Zarlengo
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARTIN G. CUSTY, ROUTE 1 BOX 102,)
DERBY, COLORADO.)
)
)
)
)
-----)

PERMIT NO. B-5807

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Martin G. Custy,
Derby, Colorado
requesting that Permit No. B-5807 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5807, heretofore issued to Martin G. Custy,
Derby, Colorado be,
and the same is hereby, declared cancelled effective June 26, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT A. RICH, DOING BUSINESS AS)
"BOB RICH HEATING AND SHEET METAL)
WORKS," 100 STEVEN DRIVE, SECURITY)
VILLAGE, COLORADO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-3327

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert A. Rich, doing
business as "Bob Rich Heating & Sheet Metal Works," Colorado Springs, Colorado
requesting that Permit No. M-3327 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3327, heretofore issued to Robert A. Rich, doing
business as "Bob Rich Heating & Sheet Metal Works," Colorado Springs, Colorado, be,
and the same is hereby, declared cancelled effective July 28, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. C. ALEXANDER, 407 SOUTH WASHING-)
TON, CASPER, WYOMING.)
)
)
)
)

PERMIT NO. M-12626

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. C. Alexander,
Casper, Wyoming
requesting that Permit No. M-12626 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12626, heretofore issued to R. C. Alexander,
Casper, Wyoming be,
and the same is hereby, declared cancelled effective June 13, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Raymond C. Norton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CALVIN RUMMELL, 7230 EAST 69TH)
PLACE, DERBY, COLORADO.)
)
)
)
)

PERMIT NO. M-11533

August 25, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Calvin Rummell,
Derby, Colorado

requesting that Permit No. M-11533 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11533, heretofore issued to Calvin Rummell,
Derby, Colorado be,
and the same is hereby, declared cancelled effective July 29, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Negro
Joseph C. Horton
King E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ORVILLE E. GAILING, 7560 GREENWOOD)
BOULEVARD, DENVER 21, COLORADO.)

PERMIT NO. B-5518

August 25, 1960.

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orville E. Cailing,
Denver 21, Colorado

requesting that Permit No. B-5518 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5518, heretofore issued to Orville E. Cailing,
Denver 21, Colorado be,

and the same is hereby, declared cancelled effective August 16, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Henry E. Ziehlings
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. RAY MAYFIELD, 2114 EAST 15TH)
STREET, PUEBLO, COLORADO, FOR RE-)
INSTATEMENT OF PERMIT NO. B-4679,) APPLICATION NO. 18004-PP-Transfer
AND FOR AUTHORITY TO TRANSFER SAID)
OPERATING RIGHTS TO CLIFFORD O.)
WHITE, 2632 NORWICH AVENUE, PUEBLO,)
COLORADO.)
-----)

August 24, 1960

Appearances: Petersen, Evensen & Evans,
Esqs., Pueblo, Colorado,
for Transferor and Transferee;
Robert Boyce, Pueblo, Colorado,
for Boyce House Movers.

S T A T E M E N T

By the Commission:

C. Ray Mayfield, Pueblo, Colorado, is the owner and
operator of Private Carrier Permit No. B-4679, which authorizes:

Transportation of houses, dwellings and other
structures to and from Pueblo County and Las
Animas County, State of Colorado, with no
service authorized to or from Huerfano County,
Colorado.

By the instant application, said permit-holder seeks auth-
ority to transfer said operating rights to Clifford O. White, of
Pueblo, Colorado.

The application was regularly set for hearing, and heard,
after due notice to all interested parties, at the Court House, Pueblo,
Colorado, at ten o'clock A. M., August 16, 1960, and at the conclusion
of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that the consideration
for the transfer is the amount of \$250.00 cash; that transferee is
well qualified both by experience and financially, to carry on the
operations under said permit; that the permit has been under suspension

and it is now desired that the permit be reinstated; that there is no indebtedness against said permit; that the net worth of transferee is approximately \$30,000; and that he has ample and suitable equipment with which to carry on the operation.

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

Robert Boyce, representing Boyce House Mover, contends that transferor owes him money by virtue of some service after the suspension of his permit by the Commission. This indebtedness is one of contract and does not justify formal action by the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. B-4679 should be reinstated.

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 and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-4679 be, and it is hereby, reinstated, as of July 1, 1960.

That C. Ray Mayfield, Pueblo, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Private Carrier Permit No. B-4679 -- with authority as set forth in the preceding Statement which is made a part hereof by reference -- to Clifford O. White, 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 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 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 permits.

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

Joseph F. Negro
Francis H. Hobart
Sam E. Pauling
Commissioners.

Dated at Denver, Colorado,
this 24th day of August, 1960.

ea

original

(Decision No. 54973)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
OUTWEST AERO SERVICE, INC., PETERSON)
FIELD, COLORADO SPRINGS, COLORADO,)
FOR AUTHORITY TO TRANSFER TO EMPIRE)
AVIATION, INC., COLORADO MUNICIPAL)
AIRPORT, LA JUNTA, COLORADO, CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NECES-)
SITY TO OPERATE AS A COMMON CARRIER)
BY AIRPLANE, GRANTED BY DECISION NO.)
46860, OF DATE NOVEMBER 26, 1956,)
IN APPLICATION NO. 14756.)
-----)

APPLICATION NO. 18008-Transfer

August 24, 1960

Appearances: George L. Strain, Esq.,
La Junta, Colorado,
for Transferor and
Transferee.

S T A T E M E N T

By the Commission:

Transferor herein is the owner of a certificate of public convenience and necessity issued by this Commission by Decision No. 46860, dated November 26, 1956, authorizing transportation of freight and passengers between all points in the State of Colorado, with base of operations at Colorado Springs, Colorado, and airports located within ten miles thereof.

By the instant application, transferor seeks authority to transfer said operating rights to Empire Aviation, Inc., La Junta, Colorado.

Said application was regularly set for hearing at the Court House in Pueblo, Colorado, at ten o'clock A. M., August 16, 1960, after due notice to all interested parties.

When the matter was called for hearing, and after a part of the evidence had been presented, attorney for transferor and transferee

herein asked that the matter be continued, and re-set at some future time, at the convenience of the Commission, to which request there was no protest.

F I N D I N G S

THE COMMISSION FINDS:

That the request of attorney for transferor and transferee herein, for a continuance of the matter, be granted.

O R D E R

THE COMMISSION ORDERS:

That the request of attorney for transferor and transferee herein, for a continuance of the hearing in Application No. 18008-Transfer be granted, and that the matter be re-set for hearing on some future date, at the convenience of the Commission, with due notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Donald J. Adams
Commissioners.

Dated at Denver, Colorado,
this 24th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE F. KING, 714 EAST THIRD, PUEBLO,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 4075 TO ARTHUR E. BRANCH,) APPLICATION NO. 18003-Transfer
DOING BUSINESS AS "ART'S TRASH)
SERVICE," P. O. BOX 1678, 4000 WEST)
11TH STREET, PUEBLO, COLORADO.)
-----)

August 24, 1960

Appearances: Arthur E. Branch, Pueblo,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Joe F. King, Pueblo, Colorado, is the owner and operator of PUC No. 4075, authorizing the transportation of trash, ashes, rubbish, dirt, junk and other waste materials within a 15-mile radius of the City of Pueblo, Colorado.

By the instant application, said certificate-holder seeks authority to transfer said operating rights to Arthur E. Branch, doing business as "Art's Trash Service," Pueblo, Colorado.

The application was regularly set for hearing, and heard, after due notice to all interested parties, at the Court House in Pueblo, Colorado, at ten o'clock A. M., August 16, 1960, and at the conclusion thereof, the matter was taken under advisement.

Arthur E. Branch, the transferee herein, appeared at the hearing in support of the application, testifying that the consideration for the transfer is the sum of \$100.00; that he has suitable equipment with which to carry on his proposed operations, and has had experience in truck operations.

The evidence disclosed that the transferee is financially responsible and is well qualified by experience to carry on the proposed ash and trash hauling operations.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

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 Joe F. King, Pueblo, Colorado, should be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 4075 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Arthur E. Branch, doing business as "Art's Trash Service," 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 F. Nigro
Ralph C. Holton
Samuel G. Adams
Commissioners.

Dated at Denver, Colorado,
this 24th day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE ELIMINATION OF VARIOUS CEMENT)
COMMODITY RATES AND ADJUSTMENT IN)
RATES IN ITEM NO. 360, COLORADO MOTOR)
CARRIERS' ASSOCIATION, AGENT, MOTOR)
FREIGHT TARIFF NO. 14, COLORADO)
P.U.C. NO. 13, ISSUED BY J. R. SMITH,)
4060 ELATI ST., DENVER 16, COLORADO.)

CASE NO. 1585

August 23, 1960

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 August 26, 1960, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provision 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.

In justification of the changes as appearing in the attached appendix, the carriers involved presented information to the Commission which is in part used herein.

For the account of Barnhill Truck Line and Verl Harvey, Inc., doing business as Don Ward & Company, Item No. 360 is being amended to reduce the rates for bulk cement by two cents under the present rates and add the various towns as shown for bulk shipments and restrict the present rates to bags only. The present rates in bulk apply only from Portland on the one hand to Burlington and Limon on the other hand. The said item is being amended to include a line of rates on bulk cement as shown in Appendix "A".

Mr. G. Barnhill states that "because bulk shipments can be handled with less labor, therefore less cost and this reduction asked for is necessary to prevent the bulk cement business from going to shipper owned or leased vehicles."

Mr. Bud Dodson, Operations Manager for Don Ward & Company, requests the cancellation of the following items or portions of items with reasons as stated:

Item 340 - The movement of cement to Brighton, in bulk, has ceased due to the consumer buying his own tractor and trailer, and movement in the future will be on a fill in or emergency basis.

The movement to Broomfield has ceased due to the closing of the only Ready Mix Plant in the area.

Item 400 - The only movement of bulk cement to Trinidad at this time is on a fill in basis. We do not feel the movement if and when it occurs warrants any rate other than straight mileage.

Item 460 - The movement of bulk cement to Grand Junction is on a fill in basis when the railroads are late. We do not feel that this occasional service warrants any rate other than straight mileage.

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, on the basis of the facts presented and in our best judgment are 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 August 26, 1960, be the prescribed rates, rules, regulations and provisions of the Commission.

4. 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.

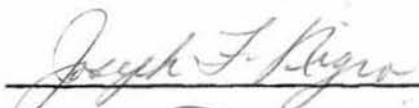
5. All private carriers by motor vehicle to the extent they are affected by the changes involved herein shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

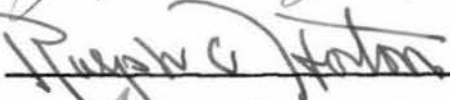
6. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.


7. 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.

8. 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 23rd day of August, 1960.

mem

APPENDIX "A"

Changes effective August 26, 1960:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT

Motor Freight Tariff No. 14

Colo. P.U.C. No. 13

SECTION NO. 1 COMMODITY RATES RATES ARE IN CENTS PER 100 POUNDS (UNLESS OTHERWISE STATED)				
ITEM NO.	COMMODITY	FROM	TO	RATES
	Commodities in the same item may be shipped in straight or mixed truck loads.			
340	Cement, in bulk in tank trucks, minimum weight 40,000 pounds. (1) Don Ward & Co., only (2) Don Ward & Co., and Watson Transport Co.	Boettcher, Colorado	Brighton, Colo., and points within 2 miles of the Brighton City Limits.	(E)(A) (1)15
			(E)(A)Broomfield, Colorado. Denver, Colo., and points within 6 miles of Denver City Limits.	(2)15
			Golden, Colo.	(2)16
360	Cement (C) in bags; Lime, plaster and their products, as described in Item No. 240 of this Tariff. (2) Min. Wt. 25,000 lbs. (3) Min. Wt. 35,000 lbs. (Barnhill Truck Line and Don Ward & Co.)	Portland, Colorado	Colorado	(2) (3)
			Matheson	26 24
			Simla	25 23
			Ramah	25 23
			Calhan	24 22
			Peyton	23 21
		Boettcher, Portland, Wild Spur, Colorado	Burlington	35 32
			Stratton	35 32
			Seibert	35 32
			Flagler	34 31
			Arriba	33 30
	Cement, in bulk in tank vehicles, minimum weight 35,000 pounds. (Barnhill Truck Line and Don Ward & Co.)	Portland, Colorado	Genoa	31 29
			Limon	29 26
			Cheyenne Wells	35 32
			Kit Carson	33 30
			Hugo	31 29
		Boettcher, Portland, Colorado	Deertrail	30 28
			Byers	29 26
			/(R)Calhan	20
			/(R)Matheson	22
			/(R)Peyton	19
			/(R)Ramah	21
			/(R)Simla	21
		/(R)Boettcher, Portland, Colorado	/(R)Arriba	28
			/(R)Burlington	30
			/(R)Byers	24
			/(R)Cheyenne Wells	30
			/(R)Deertrail	26
			/(R)Flagler	29
			/(R)Genoa	27
			/(R)Hugo	27
			/(R)Kit Carson	28
			Limon	24
			/(R)Seibert	30
			/(R)Stratton	30

Section No. 1 - Continued

ITEM NO.	COMMODITY	FROM	TO	RATES
400	Cement, in bulk in tank trucks, minimum weight 35,000 pounds. (Don Ward & Co.)	Portland, Colorado	Trinidad, Colorado	21 (E)(A)
460	Cement, in bulk in tank trucks, minimum weight 40,000 pounds.	Portland, Colorado	Grand Junction, Colorado	48 (E)(A)

- / - Denotes Addition
 (A) - Denotes Increase
 (C) - Denotes a change resulting in neither an increase or a reduction
 (E) - Denotes Elimination
 (R) - Denotes Reduction

original

(Decision No. 54976)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BOB DAVIS, ROUTE 3, BOX 540,)
DURANGO, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17970-PP

August 24, 1960

Appearances: Bob Davis, Durango,
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 hot mix, from Durango, to Mancos, Dolores, Cortez, Silverton, Pagosa Springs, and Wolf Creek, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Durango, Colorado, August 4, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 3, 1960, 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 appeared and testified in support of his application, stating he

has ample and suitable equipment with which to render his proposed services; that he also has sufficient net worth; that he has had operating experience, and has received numerous requests for said 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.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the services herein sought to be performed; that there is a present need for applicant's proposed services; that the granting of authority herein sought will not impair the efficient public service of any authorized motor vehicle 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 granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant herein is qualified, financially and by experience, to conduct his proposed operations; 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 be, and the same hereby is, approved.

That Bob Davis, Durango, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and hot mix, from Durango, Colorado, to Mancos, Dolores, Cortez, Silverton, Pagosa Springs, and Wolf Creek, 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

Joseph T. Regis
Reep C. Horton
Arthur J. Zander
Commissioners.

Dated at Denver, Colorado,
this 24th day of August, 1960.

mls

original

(Decision No. 54977)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES J. GRIEGO AND STELLA GRIEGO,)
CO-PARTNERS, ROUTE 3, DURANGO, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 17973-PP

August 24, 1960

Appearances: James J. Griego, Durango,
Colorado, for Applicants;
McKelvey and McKelvey, Esqs.,
Durango, Colorado, for
Tri-City Transfer and
Storage Company.

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 new and used furniture and appliances, for Ford Auction House and their customers, only, from point to point within the City Limits of Durango, Colorado, and a radius of sixty miles thereof.

Said application was regularly set for hearing before the Commission, at the Court House, Durango, Colorado, August 4, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 3, 1960, 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.

Said Report of the Examiner states that at the hearing, applicants amended their application to show authority sought to be:

transportation of uncrated new and used furniture and appliances, for the Ford Auction House and its customers, only, from point to point within the City Limits of Durango, Colorado, and a radius of fifteen miles thereof, restricted, however, to the use of two vehicles not to exceed one-half-ton capacity.

No objection was made to said amendment; therefore said amendment was allowed.

In view of the foregoing amendment, protestant withdrew objection to the granting of authority herein sought.

At the hearing, James J. Griego, one of applicants herein, appeared and testified in support of the application, stating that applicants herein had filed the instant application upon the request of Ford Auction House; that applicants herein desire to render service which will be specialized in nature, for only said Ford Auction House and its customers; that said partnership has sufficient experience, equipment, and net worth with which to render the services herein proposed.

John Ford, owner and operator of Ford Auction House, appeared and testified in support of the application, stating he needs the services of a carrier who can devote full time and energy to his exclusive use, because of the fact that the service he requires is specialized in nature; that if the instant application is granted, he will use applicants' proposed services, because they have the required equipment and necessary experience to render the needed specialized service of his company.

The operating experience and financial responsibility of applicants were established to the satisfaction of the Examiner.

Findings of the Examiner are that applicants herein have ample and suitable equipment, sufficient operating experience, and

financial net worth with which to conduct operations herein proposed; that there is a present need for said service on the part of Ford Auction House; that the granting of said authority will not impair the efficient public service of any authorized motor vehicle common carrier operating in the territory sought to be served by applicants.

Report of the Examiner recommends that authority herein 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find:

That applicants herein are qualified, financially and by experience, to conduct their proposed operations; that the granting of said authority will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicants; that permit should issue to applicants 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 be, and the same hereby is, approved.

That James J. Griego and Stella Griego, co-partners, Durango, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of uncrated new and used furniture and appliances, only, for the Ford Auction House and its customers, only, from point to point within the City Limits of Durango, Colorado, and a radius of

fifteen miles thereof, restricted, however, to the use of two vehicles, of not to exceed one-half-ton capacity.

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

Joseph F. Regio
Ralph C. Horton
Henry E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 24th day of August, 1960.

mls

(Decision No. 54978)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOME LIGHT AND POWER COMPANY, 810)
NINTH STREET, GREELEY, COLORADO, FOR)
AN ORDER AUTHORIZING IT TO ISSUE A)
MAXIMUM OF 3,153 SHARES OF ITS)
COMMON STOCK TO BE PAID AS A 5%)
STOCK DIVIDEND.)

APPLICATION NO. 18059-Securities

August 24, 1960

S T A T E M E N T

By the Commission:

Upon consideration of the application filed with the Commission on August 19, 1960, by Home Light and Power Company, Greeley, Colorado, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on September 6, 1960, at 9:00 o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, respecting the matter 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 September 2, 1960, and should set forth the grounds of the proposed intervention, and the position and interest of the petitioners in the proceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regan
Ralph C. Norton
Paul E. Ziegler
Commissioners

Dated at Denver, Colorado,
this 24th day of August, 1960.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. L. AUSTIN, DOING BUSINESS AS,)
"LARRY'S TRAILER SALES", P. O. BOX)
36, CORTEZ, COLORADO.)
-----)

PERMIT NO. M-10244

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. L. Austin, doing
business as, "Larry's Trailer Sales", Cortez, Colorado
requesting that Permit No. M-10244 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10244, heretofore issued to J. L. Austin, doing
business as, "Larry's Trailer Sales", Cortez, Colorado be,
and the same is hereby, declared cancelled effective August 30, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of August, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
G. RICHARD GALLEY, DOING BUSINESS AS,)
"GALLEY'S ONE STOP SERVICE", 1801)
EAST PLATTE, COLORADO SPRINGS, COLO-)
RADO.)
-----)

PERMIT NO. M-14233

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from G. Richard Galley,
doing business as, "Galley's One Stop Service", Colorado Springs, Colorado
requesting that Permit No. M-14233 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14233, heretofore issued to G. Richard Galley, doing
business as, "Galley's One Stop Service", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective August 27, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Wm. E. Zuckers
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 1960.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PRE CAST CONCRETE, INCORPORATED,)
2395 WEST HAMPDEN, ENGLEWOOD, COLO-)
RADO.)
)
)
)
)

PERMIT NO. M-14389

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Pre Cast Concrete, Inc.,
Englewood, Colorado

requesting that Permit No. M-14389 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14389, heretofore issued to Pre Cast Concrete, Inc.,
Englewood, Colorado be,

and the same is hereby, declared cancelled effective July 10, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD LEE SCHMIDT, 400 - 16TH)
AVENUE, GREELEY, COLORADO.)

PERMIT NO. M-10464

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard Lee Schmidt,
Greeley, Colorado

requesting that Permit No. M-10464 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10464, heretofore issued to Richard Lee Schmidt,
Greeley, Colorado be,
and the same is hereby, declared cancelled effective August 22, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Hordant
Wm E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 19560.

original

(Decision No. 54983)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)	
TEMPORARY CERTIFICATES OF)	
PUBLIC CONVENIENCE AND NE-)	
CESSITY UNDER CHAPTER 115,)	<u>APPLICATION NO. 18061</u>
SESSION LAWS OF COLORADO, 1953,)	
FOR EMERGENCY MOVEMENT OF)	
ENSILAGE.)	
-----)	

August 23, 1960

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, indicating that an emergency exists because of shortage of trucks for transportation of ensilage from fields to various storage pits and feed lots in the Counties of Weld, Logan, Morgan, Washington, and Boulder, and that said emergency will probably continue for a period of approximately thirty (30) days thereafter.

Request is made for an Order of this Commission relative to issuance of temporary certificates of public convenience and necessity for seasonal transportation of said ensilage in the counties above set forth.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of shortage in certificated trucks for transportation of ensilage in the Counties of Weld, Logan, Morgan, Washington, and Boulder, 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 ensilage from fields to various storage pits and feed lots in said counties, as provided by Chapter 115, Article 9,

Section 4, Session Laws of 1953, said certificates to become effective August 24, 1960, and to continue in force up to and including September 24, 1960.

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 ensilage, from fields to various storage pits and feed lots in the Counties of Weld, Logan, Morgan, Washington, and Boulder, Colorado, said certificates to become effective August 24, 1960, and to continue in force up to and including September 24, 1960, no such certificate to issue for transportation of said ensilage by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph I. Nigro
Ralph C. Horton
Henry E. Zickler
Commissioners.

Dated at Denver, Colorado,
this 23rd day of August, 1960.

ea

original

(Decision No. 54984)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SOUTHERN COLORADO POWER COMPANY,)	
115 WEST SECOND STREET, PUEBLO,)	
COLORADO, FOR A CERTIFICATE OF)	
PUBLIC CONVENIENCE AND NECESSITY)	<u>APPLICATION NO. 17959-Extension</u>
TO EXERCISE RIGHTS UNDER A FRAN-)	
CHISE GRANTED TO IT BY THE CITY)	
OF PUEBLO, IN PUEBLO COUNTY, COLO-)	
RADO.)	
-----)	

August 25, 1960

Appearances: Preston & Altman, Esqs.,
Pueblo, Colorado, by
J. W. Preston, Esq.,
for Applicant;
Paul M. Brown, Denver,
Colorado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

This is an application by Southern Colorado Power Company for a certificate of public convenience and necessity to exercise franchise rights in the City of Pueblo, Pueblo County, Colorado, for the supplying of electric energy for light, power, heating and other purposes in said city.

The matter was set for hearing after due notice to all interested parties, in District "A" Court Room, Court House, Pueblo, Colorado, Tuesday, August 16, 1960, at two o'clock P. M.

At said time and place the Commission called the above-entitled application for hearing, and at the conclusion thereof, the matter was taken under advisement.

No one appeared at the hearing in opposition to the authority sought to be granted in this application.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and is a public

utility subject to the jurisdiction of this Commission, engaged primarily in the generation, transmission, distribution and sale of electric energy at various locations within the Counties of Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller, and Custer in the State of Colorado.

A certified copy of Applicant's Certificate of Incorporation, together with all amendments thereto at May 8, 1959, has heretofore been filed with this Commission. Exhibit No. 1, introduced in this hearing, is an amendment to the then-existing Certificate of Incorporation, as adopted by the Company on May 8, 1959. The Certificate of Incorporation, as amended to the date of the hearing, is now in the files of this Commission.

Applicant showed that on May 9, 1950, the City Council of the City of Pueblo duly passed and adopted Ordinance No. 2559 of the City of Pueblo, entitled as follows:

AN ORDINANCE GRANTING TO SOUTHERN COLORADO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, SUBJECT TO THE APPROVING VOTE OF THE QUALIFIED TAXPAYING ELECTORS OF THE CITY OF PUEBLO, COLORADO, VOTING THEREON, THE RIGHT AND FRANCHISE TO FURNISH SAID CITY AND ITS INHABITANTS ELECTRICITY FOR ILLUMINATING, HEATING, POWER AND ALL OTHER PURPOSES TO WHICH THE SAME MAY BE APPLICABLE, AND FOR SUCH PURPOSES TO ERECT, CONSTRUCT, MAINTAIN, RENEW, REPLACE, AND ADD TO, EXTEND AND OPERATE A PLANT AND SYSTEM THEREFOR, INCLUDING THE EXISTING PLANT AND SYSTEM OF SAID COMPANY, AND GRANTING A RIGHT OF WAY OVER, UPON, ALONG, UNDER AND ACROSS THE STREETS, ALLEYS, BRIDGES, VIADUCTS AND PUBLIC PLACES OF SAID CITY AND ALL FUTURE ADDITIONS THERETO, AS THE SAME NOW OR SHALL HEREAFTER EXIST, FOR THE ERECTION, CONSTRUCTION, MAINTENANCE AND REPLACEMENT OF POSTS, POLES, CONDUITS, MAINS, WIRES, CABLES AND APPURTENANT APPLIANCES THEREFOR, AND CALLING A SPECIAL ELECTION OF SAID QUALIFIED TAXPAYING ELECTORS TO DETERMINE WHETHER SUCH FRANCHISE SHALL OR SHALL NOT BE GRANTED.

The term of the franchise is for a period of twenty-five years. A certified copy of the franchise contained in the Ordinance (Exhibit 2), together with a certificate of the results of the vote of the qualified taxpaying electors of the City of Pueblo, held on July 12, 1960, showing the approval by said electors of the action

of the City Council of the City of Pueblo granting to Southern Colorado Power Company said franchise (Exhibit No. 3), and the Certificate of Acceptance of said Ordinance by the Company on July 18, 1960 (Exhibit No. 5).

Applicant's witness, David B. Hyer, Jr., President of Southern Colorado Power Company, testified Applicant had been distributing electric energy in the above-mentioned counties and in the City of Pueblo and its immediately adjacent territory for many years past.

There is no other utility engaged in the distribution of electric energy in said city or in the areas adjacent thereto.

Applicant has an adequate power supply available from its steam generating stations located in Pueblo, Canon City, and Rocky Ford, and its hydro-generating station located in Skaguay, all made available through interconnecting transmission lines throughout its entire area and to the City of Pueblo. Applicant owns and operates its distribution system within said city. The city at the present time has an estimated population of 90,500, and serves 26,115 customers therein. The suburban population of the City of Pueblo is estimated at 10,500, and the number of customers served in the suburban area is 3,079.

The franchise ordinance contains a provision for the payment by applicant to the city of a 3% franchise tax based on gross revenues received by applicant within the city limits after deducting certain specified exceptions.

Within the area of Pueblo and its suburbs during the term of the franchise, applicant estimated an expenditure of \$50,000,000 to be made. However, within the city limits of the City of Pueblo it is estimated during the term of this franchise an expenditure of \$10,000,000 to \$15,000,000 will be made. The amount of \$10,000,000 will be used as the basis for the issuance fee for the certificate sought herein. These amounts will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

The Commission has reviewed this application and all evidence presented by applicant in support thereof, and believes the authority sought herein should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of applicant herein, Southern Colorado Power Company, and of the subject matter involved in this application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Southern Colorado Power Company, of the franchise rights granted in and by Ordinance No. 2559 of the City of Pueblo approved by the qualified taxpaying electors of said city voting at a special election called and held for this purpose on July 12, 1960, for the generation, transmission, distribution and sale of electricity in said city by Southern Colorado Power Company, and that the permission sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Southern Colorado Power Company, of franchise rights granted in and by Ordinance No. 2559 of the City of Pueblo, State of Colorado, approved July 12, 1960, identified as Exhibit No. 2 herein and, by reference, made a part hereof, to furnish electricity for illuminating, heating, power and other purposes by Southern Colorado Power Company in said city, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Southern Colorado Power Company shall install, operate and maintain its electric system and service supply in the area above

designated in accordance with its schedules of rates, rules and regulations now on file with this Commission or as the same may be changed according to law and the rules and regulations of this Commission.

That Southern Colorado Power Company shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts and shall continue to keep its practices as to the testing of meters, consumers' deposits, operations, records of meters, transformers and complaints in accordance with the requirements of the Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regier
Joseph C. Holman
Samuel J. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 25th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE RYE TELEPHONE COMPANY, RYE, COLO-)
RADO, FOR AUTHORITY TO ACQUIRE ALL)
THE RIGHTS, TITLES, HOLDINGS, PRIV-)
ILEGES, AUTHORITIES, FRANCHISES AND)
CERTIFICATES, OF THE CO-PARTNERSHIP)
OF ROBERT R. MAC CORMACK AND MAXINE)
A. MAC CORMACK, DOING BUSINESS AS)
THE RYE TELEPHONE COMPANY, FOR A)
CERTIFICATE OF CONVENIENCE AND NE-)
CESSITY TO RENDER TELEPHONE SERVICE)
IN THE INCORPORATED COMMUNITY OF)
RYE, COLORADO, AND IN THE AREA CON-)
TIGUOUS THERETO, AND TO EXERCISE ALL)
THOSE RIGHTS AND PRIVILEGES AND AU-)
THORITY AS OUTLINED IN APPLICATION)
NO. 17236 AND DECIDED UNDER DATE OF)
AUGUST 27, 1959, DECISION NO. 52968,)
BY THIS COMMISSION.)
-----)

APPLICATION NO. 17992-Transfer

August 25, 1960

Appearances: Tanquary and Strnad, Esqs.,
Pueblo, Colorado, by
Bert W. Strnad, Esq., and
Robert R. MacCormack, Rye,
Colorado, for applicant,
The Rye Telephone Company;
C. J. McCallister, Denver,
Colorado, for Mountain States
Telephone and Telegraph
Company, as its interest
might appear;
P. M. Brown, Denver, Colorado,
for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

The Rye Telephone Company (Applicant), by this application,
seeks authority to acquire all the rights, titles, holdings, priv-
ileges, authorization, franchises, and certificates of the co-partner-
ship of Robert R. MacCormack and Maxine A. MacCormack, doing business
as The Rye Telephone Company (Co-partnership).

This application was heard on a joint record with Applica-
tion No. 17993, an application by the same applicant to exercise
franchise rights in the Town of Rye, Colorado.

The matter was set for hearing after due notice to all interested parties, on Tuesday, August 16, 1960, at 2:00 o'clock P. M., in the District "A" Court Room, Court House, Pueblo County Colorado, and was heard on said date. At the conclusion of said hearing, the matter was taken under advisement.

No one appeared at the hearing in opposition to the authority sought to be granted by this Commission.

The co-partnership has been engaged in the business of supplying telephone service to subscribers in the Town of Rye, Colorado, and areas adjacent thereto in Pueblo and Custer Counties, Colorado. The co-partnership negotiated with the Rural Electrification Administration for a loan to improve and expand the existing dial telephone system. Inasmuch as the REA will not make loans to individuals, it was deemed advisable to form a corporation. The corporation so formed is the applicant, The Rye Telephone Company.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, to engage primarily in the providing of general telephone business and any business involving the transmission of intelligence by electricity in the Town of Rye and areas adjacent thereto, in Pueblo and Custer Counties, Colorado.

Applicant's witness, Mr. Robert R. MacCormack, President of the corporation, testified that the co-partnership began its operation about the first of October, 1959, and that on the 27th day of November, 1959, The Rye Telephone Company was incorporated. The incorporators and stockholders of The Rye Telephone Company are the same individuals as the co-partnership, with the exception of the addition of Sherrye M. MacCormack and, therefore, the ownership of the corporation is substantially the same as the ownership of the co-partnership. Evidence of the transfer of ownership from the co-partnership to the corporation was presented in Exhibits Nos. 2, 3, and 4, which are, respectively, a Warranty Deed, a Quit Claim Deed, and a Bill of Sale.

The Rural Electrification Administration has approved a loan to applicant in the amount of \$169,000 to improve and expand the present telephone system being operated in Rye, Colorado, and areas adjacent thereto. It appears that the transfer from co-partnership to applicant is consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

F I N D I N G S

THE COMMISSION FINDS:

That applicant, The Rye Telephone Company, is a public utility within the meaning of Chapter 115, CRS, 1953, and is subject to the jurisdiction of this Commission.

That the co-partnership, similarly, is a public utility subject to the jurisdiction of this Commission.

That the improvement and expansion of telephone service in the certificated area now served by the co-partnership can more readily be accomplished by applicant because of its financing ability, and not possessed by the co-partnership.

That the transfer to applicant of its right, titles and holdings, and the privileges, franchises, and certificates granted to the co-partnership by this Commission in its Decision No. 52968, of August 27, 1959, is consistent with the provisions of Chapter 115, C. R. S. 1953.

That the authority sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the transfer by the co-partnership to the applicant herein, of its rights, titles and holdings, and the privileges, franchises and certificates granted to the co-partnership by this Commission in its Decision No. 52968, of August 27, 1959, now held by the co-partnership, and the same is hereby approved.

That applicant shall continue to install, operated and maintain its telephone system in the area heretofore held by the co-

partnership, in accordance with the rules and regulations as prescribed by this Commission.

That applicant shall, within ten days from the effective date of this order, file its adoption notice of the rates, rules and regulations of the co-partnership, The Rye Telephone Company, identified as Colo. P.U.C. #1, now on file with this Commission.

That applicant shall set up and maintain its books and accounts in accordance with the uniform system of accounts, and shall keep its practices in accordance with the rules and regulations as now in effect or as the same may hereafter be adopted by this Commission in accordance with the law.

That the Commission shall retain jurisdiction of the matter to issue such further order or orders as it may deem necessary.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Nizio
Ralph C. Horton
Henry E. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 25th day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOWARD H. HALL, DOING BUSINESS AS)
"FLORAL DELIVERY SERVICE," 3445)
CHERRY STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY, AUTHORIZING EX-)
TENSION OF OPERATIONS UNDER PUC NO.)
3941.)

APPLICATION NO. 18011-Extension

IN THE MATTER OF THE APPLICATION OF)
HOWARD H. HALL, DOING BUSINESS AS)
"FLORAL DELIVERY SERVICE," 3445)
CHERRY STREET, DENVER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 18011-PP-Amended

August 25, 1960

Appearances: Colleen G. VanNocker, Esq.,
Denver, Colorado, for
Applicant;
Raymond B. Danks, Esq., Den-
ver, Colorado, for Colorado
Transfer and Warehousemen's
Association, Package De-
livery Service Company.

S T A T E M E N T

By the Commission:

This is an application for an Order of the Commission,
authorizing extension of operations to include the delivery of
medical and dental laboratory supplies and specimens, drugs,
medicines and printed matter under PUC No. 3941, which presently
authorizes:

floral delivery service, from point to
point in an area within a radius of 25
miles of the City and County of Denver,
Colorado.

Said application, pursuant to prior setting, after appro-

priate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 18, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant, on his own behalf, produced evidence establishing the fact that his present authority provided very limited operations, and that he was expanding and extending said operation, in order to survive as a carrier. He conceded that during the past several months he has engaged in illegal operations, similar to the authority he seeks under this application.

Beyond the fact that he has had several requests for said proposed extended service, the balance of applicant's testimony consisted of broad, sweeping opinions, with little factual foundation in support thereof.

In support of his application, however, applicant adduced several public witnesses. One group consisted of operators of dental laboratories, who established the fact that they are the manufacturers of dental plates and bridges. The forms for this work are sent to them by numerous dentists throughout the city, and pick-ups and deliveries must be made to them. These packages generally are small and of light weight, and are handled as a routine matter, daily. Often there are other incidental supplies that are exchanged between the dental laboratories and the practicing dentists.

It is obvious that these customers require a route service that will give them regular periodical service, which is a demand and necessity of their type of business.

In addition, applicant adduced testimony by a representative of a dental supply house, which, at the present time, is using its own delivery service for dental supplies to the majority of dentists and laboratories in Denver and the suburbs. Its experience in operating its own delivery service has been highly unsatisfactory and expensive.

It desires a cheaper, regular service, again of a route nature. Even if this application is granted, this company would maintain one truck for its special rush orders, but it would use the services of applicant on routine orders of thirty-five to forty per day.

Another witness testified on behalf of Drs. S. K. Kurland, A. W. Freshman, and R. E. Herrmann. These doctors are clinical pathologists, who receive specimens of tissue, blood, etc., from various physicians throughout the area, for immediate testing and diagnosis, while the patient is in the office. This unusually immediate service is required -- either because of emergent conditions involving the patient's health, or because of the fact that such patients are non-residents of the city, and have to come to this area for the particular purpose of diagnosis and treatment.

As clinical pathologists, these physicians must likewise supply to the practicing physicians in the community certain types of laboratory equipment and specimens for the purpose of taking samples required in the diagnostic tests. All of the work of these physicians is referred to them by other doctors, and in the ordinary course of their practice, this type of regular emergency service is required.

The Secretary-Treasurer of Package Delivery appeared in protest to the granting of authority herein sought. He readily conceded that the type of service required by the applicant's public witnesses is a type of service that his company is unable to supply at a rate desired by these customers. His operation is one that is based upon volume traffic, by consolidation of small shipments. It is not one that is geared to emergency service, as that required by most of the public witnesses who appeared in support of the instant application.

According to the statements of counsel for protestants and

the statements of applicant's counsel, it was conceded by all parties that the highly specialized nature of the service proposed herein by applicant was indicative of a Private Carrier authority, rather than a Common Carrier authority, which the applicant seeks. In fact, the applicant himself stated that this was a highly specialized service that would not require the transportation of parcels in excess of twenty-five pounds.

Applicant's attorney orally moved for leave to amend the application to provide for private carrier service, which motion was taken under advisement.

After reviewing all of the evidence, and considering the credibility of the respective witnesses, the Commission is compelled to the conclusion that there does exist a need for a highly specialized, personalized service of an emergency nature, for the dental laboratories and the clinical pathologists who supplied testimony. In the nature of a trained, personalized service that will be required by these customers as to the handling of the commodities transported, the regularity of service in the instances of dental laboratories on a routine basis, the learning of customer routes, of their needs and requirements, and the rendering of emergency service to the clinical pathologists and the requirements of special handling of the samples and specimens for these pathologists, clearly indicates a type of service that is personal to the customer. It is unusual and beyond the ordinary course of common carrier service, and is the type that is rendered best by contract carriers. There can be no question that this type of service is of greater convenience and necessity to the limited customers desiring this service, and that the public at large does not directly require such a service.

In the case of the dental supply company that did support the application, we believe that normally this service could be rendered by a common carrier. This witness, however, did testify that

he would require a route service which would require some specialized attention to the transportation of his merchandise.

In view of this evidence, we must conclude that there are individual customers who require a specialized, personalized service of an emergent or regularly periodical nature that is not normally furnished by common carriers for the specific customers who appeared and testified, for the transportation of these commodities in parcels not exceeding twenty-five pounds.

With this facet of the matter having been established, we must turn our attention to the applicant himself, and his ability to render such a service.

The applicant's blase, bland disregard of the laws of the State of Colorado and the Rules and Regulations of this Commission, in indulging in the transportation of certain commodities beyond the authority contained in his PUC No. 3941, to say the least, did not impress the Commission with this applicant's ability to operate as a for-hire carrier in Colorado.

If the service he sought to render were available from other carriers, it would be our inclination to view this past illegal operation as disqualifying this applicant from obtaining the authority herein sought.

In reviewing the evidence, however, and observing the fact that the only other authorized common carrier geared to the rendering of such service states that he cannot render such service, we believe that a denial of this authority merely would impose a hardship upon prospective customers. Therefore, in imposing such a sanction upon a miscreant carrier, we would be vesting a hardship upon the public, whose interests are paramount.

On the basis of testimony adduced at the hearing, and wholly disregarding the evidentiary value of the prior illegal operation for purposes of proving applicant's case, we are compelled to the conclu-

sion that there is a requirement for a private carrier authority for the specific witnesses who testified, and that applicant's motion to amend his application to conform to proof should be granted, and that said application, as amended, should be granted by this Commission.

In so doing, we, in no wise, are condoning the prior illegal activities of the applicant, and in fact, we condemn such activities. We reiterate that the granting of this authority is solely for the convenience of prospective customers, and we caution the applicant that violation of the Public Utility Act in the future can result only in appropriate punitive measures, and we particularly caution this applicant on the provisions of our Rule 8 of our Rules and Regulations Governing Common Carriers by Motor Vehicle for Hire.

F I N D I N G S

THE COMMISSION FINDS:

1. That all of the evidence adduced at the hearing was of a nature that tended to prove the necessity for a Class "B" private carrier permit, rather than common carrier authority, and that applicant's motion to amend to conform to proof should be granted.

2. That said application, as amended, is compatible with the public interest, and will not impair the ability of existing common carriers to serve the public.

O R D E R

THE COMMISSION ORDERS:

That Application No. 18011-Extension be, and the same hereby is, amended, to Application No. 18011-PP, thereby seeking private carrier, rather than common carrier authority.

That Howard H. Hall, doing business as "Floral Delivery Service," Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of medical and dental laboratory supplies, including dental plates, and specimens, drugs, medicines, and printed matter, from point

to point within the City and County of Denver and a twenty-five mile radius thereof, for Metropolitan Dental Laboratories, Roy E. Evans, Dr. S. K. Kurland, Dr. A. W. Freshman, Dr. R. E. Herrmann, and Turner Dental Laboratory, 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

Joseph L. Nigro
Ralph C. Horton
Alvin E. Zuker
Commissioners.

Dated at Denver, Colorado,
this 25th day of August, 1960.

mls

original

(Decision No. 54987)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARSHALL ANDERSON AND EUNICE ANDER-)
SON, JOINT TENANTS, DOING BUSINESS)
AS "STROH'S CATTLELINERS," 2412 8TH)
AVENUE, GREELEY, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 518 AND)
PUC NO. 518-I TO RAYMOND A. NAUTA)
AND SAMMIE C. NAUTA, CO-PARTNERS,)
DOING BUSINESS AS "NAUTA TRUCKING)
SERVICE," P. O. BOX 405, FORT)
COLLINS, COLORADO.)

APPLICATION NO. 17908-Transfer

August 25, 1960

Appearances: Melvin Dinner, Esq., Greeley,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

Heretofore, Marshall Anderson and Eunice Anderson, joint
tenants, doing business as "Stroh's Cattleliners," Greeley, Colorado,
acquired PUC No. 518 and PUC No. 518-I, being the right to operate as
a common carrier by motor vehicle for hire, for the transportation of:

livestock from point to point within a terri-
tory extending 18 miles north of Greeley, 20
miles east, 20 miles south, and 10 miles west,
and between points within said territory and
other points within the State;

livestock on call and demand from, to and be-
tween points within a radius of 25 miles of
Greeley;

beet pulp from Brighton and Ovid, Colorado,
to farms, ranches, feed lots and feed yards
within a radius of 25 miles of Greeley, Colo-
rado;

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 the above-styled application, said certificate-holders seek authority to transfer said operating rights to Raymond A. Nauta and Sammie C. Nauta, co-partners, doing business as "Nauta Trucking Service."

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, July 15, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 14, 1960, 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, Marshall Anderson, one of transferors herein, appeared and testified in support of the application, stating there is no outstanding indebtedness against PUC No. 518 and PUC No. 518-I; that the consideration for transfer of said operating rights is the sum of \$12,500, all of which is evidenced by Agreement of Purchase and Sale, duly executed by applicants herein, copy of which is on file with the Commission; that the reason for the authority herein sought is the fact that transferors herein desire to retire from the trucking business; that it is the express intention of the parties hereto to make the instant transfer subject to and conditioned upon the full payment of a certain promissory note which was attached to the application and made a part hereof, by reference.

Raymond Nauta, one of transferees herein, also appeared at the hearing and testified in support of the application, stating he is owner and operator of PUC No. 1472 and PUC No. 1472-I, and has operated

thereunder for ten years; that said partnership transferee herein is presently operating under authority herein sought to be transferred by virtue of Temporary Authority issued by this Commission; that the consideration for transfer of said operating rights is the sum of \$12,000; that said partnership concurs in the fact that the instant transfer shall be subject to and conditioned upon full payment of a promissory note, as previously mentioned; that said partnership has sufficient equipment, operating experience, and net worth to conduct said operations.

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

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

Findings of the Examiner are that transfer herein is subject to a condition subsequent; that if default occurs in payment of the promissory note, as executed by the parties hereto, all right, title, and interest in and to said certificates herein involved, shall revert back to transferors herein, upon proper filing of an application, after notice to all parties in interest, with the Commission; that transferees are fit and proper persons, have sufficient operating experience and equipment, and are financially able to render and continue operations under PUC No. 518 and PUC No. 518-I, herein sought to be transferred; that said transfer is in the public interest.

Report of the Examiner recommends that authority herein 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 after reviewing the evidence adduced at the hearing, as

reported by the Examiner herein, we find:

1. That transferees herein are qualified, financially and by experience, to conduct operations under authorities herein sought to be transferred;

2. That said 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 and foregoing Findings be, and the same hereby is, approved.

That Marshall Anderson and Eunice Anderson, joint tenants, doing business as "Stroh's Cattleliners," Greeley, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 518 and PUC No. 518-I, said authority being as follows:

livestock from point to point within a territory extending 18 miles north of Greeley, 20 miles east, 20 miles south, and 10 miles west, and between points within said territory and other points within the State;

livestock on call and demand from to and between points within a radius of 25 miles of Greeley;

beet pulp from Brighton and Ovid, Colorado, to farms, ranches, feed lots and feed yards within a radius of 25 miles of Greeley, Colorado;

providing that transferees shall be restricted to an office in Greeley for the solicitation of business;

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;

to Raymond A. Nauta and Sammie C. Nauta, co-partners, doing business as "Nauta Trucking Service," and subject to payment of outstanding indebtedness against said certificates, if any there be, whether secured

or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said certificates 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 tariff of rates, rules, and regulations of transferors shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this Order shall depend upon the filing by transferors of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

That transfer of operating rights herein authorized is subject to the condition that if a default occurs in payment of the promissory note, as executed by the parties hereto, all right, title, and interest in and to PUC Nos. 518 and 518-I shall revert back to transferors herein, upon filing of proper application, after notice to all parties, with the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Hottel
Henry E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 25th day of August, 1960.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN B. ABLE, DOING BUSINESS AS)
"MONTEZUMA TRUCK LINE," BOX 637,)
DURANGO, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 360 AND PUC NO.)
360-I TO MONTEZUMA TRUCK LINES, INC.,)
BOX 637, DURANGO, COLORADO.)

APPLICATION NO. 17966-Transfer

IN THE MATTER OF THE APPLICATION OF)
JOHN B. ABLE, DOING BUSINESS AS)
"MONTEZUMA TRUCK LINE," BOX 637)
DURANGO, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 848 TO MONTEZUMA)
TRUCK LINES, INC., BOX 637, DURANGO,)
COLORADO.)

APPLICATION NO. 17968-Transfer

IN THE MATTER OF THE APPLICATION OF)
JOHN B. ABLE, DOING BUSINESS AS)
"MONTEZUMA TRUCK LINE," BOX 637,)
DURANGO, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 889 TO MONTEZUMA)
TRUCK LINES, INC., BOX 637, DURANGO,)
COLORADO.)

APPLICATION NO. 17969-Transfer

August 25, 1960

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicants;
Marion R. Smyser, Esq., Den-
ver, Colorado, for Rio
Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

By the above-styled applications, John B. Able, doing business as "Montezuma Truck Line," Durango, Colorado, owner and operator of PUC Nos. 360, 360-I, 848, and 889, seeks authority to transfer said operating rights to Montezuma Truck Lines, Inc., Durango, Colorado, authorities under said certificates being as follows:

PUC No. 360 and PUC No. 360-I:

Transportation of freight, except household goods and office furniture and equipment, between points in the territory bounded on the west by the Colorado-Utah State Line, on the south by the Colorado-New Mexico State Line, and on the north and east by a line running through Dolores and Mancos; provided, however, that he shall not engage in transporting freight between the Towns of Cortez, Mancos, and Dolores, or any of them;

transportation of all commodities, except household goods and office furniture and equipment, into, out of, and between points within a fifty-mile radius of Cortez, Colorado, and from said area to and from other points in the State of Colorado, save and except that no authority is granted applicant to transport commodities between points now served by scheduled motor truck common carriers, with the exception of livestock and farm products, with the further restriction of no service to be performed between points in Cortez, Colorado;

between all points in the State of 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.

PUC No. 848:

Transportation, not on schedule, of farm products, including livestock, and farm supplies, including feed, building materials, farm machinery and equipment, and coal, sand, gravel, and road contractors' supplies, machinery and equipment, from point to point in an area extending fifty miles north and thirty miles east of Dolores, Colorado, and the Colorado State Line on the south and west, and from and to points in said area, to and from points in the State of Colorado, provided, however, that applicant shall not establish a line-haul service on schedule under this Order, and shall not transport merchandise, or otherwise operate in competition with certified line-haul common carriers, and shall not engage in transportation of any commodities between points within the City of Cortez, Colorado.

PUC No. 889:

Transportation not on schedule of (a) livestock, road construction materials, contractor's supplies and equipment from point to point within a radius of 35 miles of Pagosa Springs, and

from and to points within said area to and from points within the State; (b) farm products and farm supplies including coal, used furniture, household goods and farm machinery and building supplies specifically excluding merchandise from point to point in the territory within a radius of 35 miles of Pagosa Springs; (c) farm products and farm supplies including coal, used furniture, household goods and farm machinery and building supplies from and to ranches in the area described in (b) to and from Pagosa Springs and points in Colorado lying east of but not within 20 miles of Pagosa Springs; (d) oil from Denver to points within a radius of 35 miles of Pagosa Springs.

Said applications were regularly set for hearing before the Commission, at the Court House, Durango, Colorado, August 4, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 3, 1960, the Commission, as provided by law, designated Edwin R. Lundborg, an employee of this Commission, to conduct the hearings on said applications.

Said hearings were held on a consolidated basis, at the time and place designated in the Notice of Hearing, with Edwin R. Lundborg, as Examiner, conducting said hearings, he thereafter submitting a report of the proceedings to the Commission.

Report of said Examiner states that at the hearing, John B. Able, as transferor, and as President of transferee corporation, appeared and testified in support of said applications, stating he has continuously operated under said operating rights since time they were granted by this Commission; that there are no outstanding unpaid operating obligations against said certificates; that transfer is herein sought for the purpose of tax savings and economy of operations; that the consideration for transfer of said certificates is all Capital Stock of said corporation; that said corporation's entire personnel, equipment, and operations will be the same; that he will continue in active management of said operations. Mr. Able also identified Articles of Incorporation (Exhibit No.

1), and a financial statement of transferee corporation (Exhibit No. 2), all of which were subsequently received and admitted into evidence.

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.

Findings of the Examiner are that transferee corporation herein has sufficient equipment and financial net worth with which to conduct operations under the certificates of public convenience and necessity herein sought to be transferred to it; that there is no outstanding indebtedness against said certificates; that the proposed transfers are compatible with the public interest.

Report of the Examiner recommends that authority herein 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find:

1. That transferee herein is qualified, financially and by experience, to conduct operations under authorities herein sought to be transferred.

2. That the proposed transfers are 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 and

foregoing Findings be, and the same hereby is, approved.

That John B. Able, doing business as "Montezuma Truck Line," Durango, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 360, PUC No. 360-I, PUC No. 848, and PUC No. 889 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Montezuma Truck Lines, Inc., Durango, Colorado, subject to payment of outstanding indebtedness, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferor and transferee, in writing have advised the Commission that said certificates 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 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 certificates up to the time of transfer of said certificates.

That transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry B. Zuluaga
Commissioners.

Dated at Denver, Colorado,
this 25th day of August, 1960.

mls

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSE FRESQUEZ AND FAUSTIN)
FRESQUEZ, DOING BUSINESS AS,)
"J & F LUMBER SERVICE", 665)
BRYANT STREET, DENVER 4, COLO-)
RADO.)

PERMIT NO. B-4245

September 1, 1960

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 their Permit No. B-4245 be suspended for six months from August 25, 1960.

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 Jose Fresquez and Faustin Fresquez, doing business as
"J & F Lumber Service", Denver 4, Colorado
be, and is hereby, authorized to suspend their operations under Permit
No. B-4245 until February 25, 1961.

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 re-instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
James E. Norton
Henry E. Ziehlings
Commissioners

Dated at Denver, Colorado,
this 1st day of September, 19 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ED G. SMITH, DOING BUSINESS AS,)
"DENVER AUTO AUCTION", 4595 SOUTH)
SANTA FE DRIVE, LITTLETON, COLORADO.)
-----)

PERMIT NO. M-6156

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ed G. Smith, doing
business as, "Denver Auto Auction", Littleton, Colorado
requesting that Permit No. M-6156 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6156, heretofore issued to Ed G. Smith, doing
business as, "Denver Auto Auction", Littleton, Colorado be,
and the same is hereby, declared cancelled effective July 31, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Garth G. Johnson
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

original

(Decision No. 54991)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ESTATE OF PETE PERRICONE, DOING)
BUSINESS AS "CITY CAB COMPANY,")
ALSO KNOWN AS "CITY CABS," UNION) APPLICATION NO. 17897-Extension
DEPOT, PUEBLO, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AUTHORIZING EXTEN-)
SION OF OPERATIONS UNDER PUC NO.)
2282.)
-----)

August 26, 1960

Appearances: Gaspar F. Perricone, Esq.,
Denver, Colorado,
for applicant;
Franklin Stewart, Esq.,
Pueblo, Colorado, for
AA Taxi Cab Company;
Walter Lynch, Pueblo, Colo-
rado, for Goldstein
Transportation and
Storage, Inc.

S T A T E M E N T

By the Commission:

Heretofore, Pete Perricone, doing business as "City Cab Company," and also known as "City Cabs," Pueblo, Colorado, was granted a certificate of public convenience and necessity, being PUC No. 2282 and PUC No. 2282-I, authorizing operation as a common carrier by motor vehicle for hire, for:

Transportation on call and demand by means of 5-passenger and driver sedan taxicabs of passengers and their baggage in the same vehicle, between points within the following area, to-wit:

all of the area lying within the exterior boundary lines of the corporate limits of the City of Pueblo, Colorado, as presently defined, including the Colorado State Hospital; all of Santa Fe Avenue and South Santa Fe Avenue, as presently located, between Northern Avenue and Mineral Palace Park, in the City of Pueblo, Colorado; and from and to said area, and the Colorado State Hospital, to and from the railroad yards, Woodcroft Hospital, and Corwin Hospital or Clinic, adjoining the City Limits of

said Pueblo, Colorado.

Transportation, on call and demand, by means of 5-passenger and driver sedan taxicabs, of passengers and their baggage in the same vehicle, between points within an area described as follows:

between points and places within a 16-mile radius of the City of Pueblo, 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.

Transportation of passengers and their baggage, and separate baggage, between all points and places in the City of Pueblo, Colorado.

Extended to provide for the transportation of passengers and their baggage, and separate baggage, by means of five-passenger and driver sedan taxicabs, only, from Pueblo, Colorado, to all points within the State of Colorado.

Transportation of packages, parcels, baggage, messages, letters, papers, and documents, from point to point within the boundaries of the City of Pueblo, Colorado; provided, however, that such transportation 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.

By the above-styled application, the Estate of Pete Perricone, doing business as "City Cab Company," also known as "City Cabs," Pueblo, Colorado, seeks a certificate of public convenience and necessity authorizing extension of operations under said PUC No. 2282 and PUC No. 2282-I, to include the right to use a three-quarter-ton pick-up truck in the transportation of packages, parcels, baggage, messages, letters, papers, and documents, from point to point within the boundaries of the City of Pueblo, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Pueblo, Colorado, July 11, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 5, 1960, 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, Gaspar F. Perricone, as Executor of the Estate of Pete Perricone, applicant herein, appeared and testified in support of the application, stating that applicant has an exclusive license to serve the Union Depot in Pueblo, Colorado, where it also maintains its office; that he, as Executor of the above-mentioned estate, is very familiar with the shipping needs of customers who often require immediate delivery service of packages, parcels, messages, letters, papers, and documents which are too large and bulky to be transported in a taxicab; that many requests have been made upon applicant to provide service for transportation of said commodities which would necessitate the use of a three-quarter-ton pick-up truck; that for the past nine years, in order to satisfy patrons, applicant, through inadvertence and mistake, and perhaps excusable neglect, has been rendering the presently proposed extended service; that said company did not realize that in providing such service it was acting beyond the scope of its authority; that upon discovery of this error, it immediately ceased to render such service; that it is neither the desire nor intent of said company to go into the general transportation business; that said company seeks to render a service that will be only incidental to its taxi operations; that it will not compete with any package or delivery service of any other transportation facility, and will not solicit business that will be incompatible with its taxicab operations; that the rates to be charged for delivery of each parcel or package will be the same as those charged for transportation of passengers.

The application was protested by AA Taxicab Company, Inc., and by Goldstein Transportation & Storage, Inc. In general, their collective testimony disclosed that there is no present need for applicant's proposed extended service; that they have very few calls for the service herein proposed to be rendered by applicant; that they stand ready, able and willing to furnish said service, if requested; that any loss of business would result in impairment of their efficient public service.

Findings of the Examiner are that the service proposed to be rendered by applicant herein is in the nature of a special or deluxe service, when the rate to be paid therefor is considered; that it appears that this service would not impair the efficient public service of any common carrier presently operating in the territory sought to be served by applicant, for the reason that it is quite obvious that such carrier would not, in all probability, receive such type of business, or would receive so negligible an amount thereof, as would not affect their operations; that public convenience and necessity require the proposed extended motor vehicle common carrier operations of applicant; that a definite need exists for said service; that the granting of said application would be in the public interest; that the nature of the authority herein sought is that of a deluxe service, when considering the rate to be paid therefor; that said service would, in no manner, impair the efficient public service of any presently-authorized common carrier; that applicant company has sufficient equipment and financial responsibility with which to conduct said proposed extended service.

Report of the Examiner recommends that authority herein 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find:

That applicant herein is qualified, financially and by experience, to conduct the proposed extended operations herein sought; that public convenience and necessity require said proposed extended operations of applicant herein; 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 be, and the same hereby is, approved.

That public convenience and necessity require the extended motor vehicle common carrier call and demand operations of the Estate of Pete Perricone, doing business as "City Cab Company," also known as "City Cabs," Pueblo, Colorado, under PUC No. 2282 and PUC No. 2282-I, to include the right to transport packages, parcels, baggage, messages, letters, papers, and documents, from point to point within the boundaries of the City of Pueblo, Colorado, restricted, however, to the use of only one three-quarters-ton pick-up truck; 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, 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

Joseph F. Kyrle
Ralph C. Anderson
Reuben E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 26th day of August, 1960.

ea

original

(Decision No. 54992)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROBERT HOUNSHELL, DOING BUSINESS AS)	
"STERLING TRANSFER COMPANY," 111)	
EAST CHESTNUT, STERLING, COLORADO,)	
FOR A CERTIFICATE OF PUBLIC CONVEN-)	APPLICATION NO. 17942-Extension
IENCE AND NECESSITY, AUTHORIZING)	
EXTENSION OF OPERATIONS UNDER PUC)	
NO. 769 AND PUC NO. 769-I.)	

August 26, 1960

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicant;
Dorothy Hickman, Yuma, Colo-
rado, for Yuma County Trans-
portation Company.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of PUC No. 769
and PUC No. 769-II, authorizing operation as a common carrier by motor
vehicle for hire, for the transportation:

not on schedule, of furniture and household
goods, pianos, farm machinery, vaults, and
mausoleums, office equipment, store fixtures,
heavy machinery, and equipment and other
similar commodities, from point to point
within Logan County, and from and to points
within said area to and from points within
the State; PROVIDED, that said applicant
shall not inaugurate a transportation ser-
vice on schedule between Denver and Sterling
and intermediate points or elsewhere;

general cartage and transfer business, on
call and demand, within the City of Sterling,
Colorado, and also between points within a 4-
mile radius of (and including) Sterling, Colo-
rado;

extended to include authority to conduct a
specialized transportation service, not on
schedule, for the moving of household goods,
pianos and office furniture from point to

point in Phillips County, and from and to points within said county to and from points within the State of Colorado, it being definitely understood that applicant shall not open an office for the solicitation of business in Phillips County until permission is granted by this Commission so to do;

transportation of used or second hand household goods, office furniture and office equipment between points in Sedgwick County, Colorado, and between points in said County on the one hand and points in the State of Colorado on the other, excluding traffic originating in Denver, Colorado;

between all points in the City of Sterling, Colorado, and a three (3) mile radius thereof in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended;

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.

Said certificate-holder, by the above-styled application, seeks a certificate of public convenience and necessity, authorizing extension of operations under said PUC No. 769 and PUC No. 769-I, to include the right to transport household goods, office and store furniture, fixtures, and equipment, and pianos, between points in Yuma and Washington Counties, Colorado, and between points in said counties, on the one hand, and points within the State of Colorado, on the other.

Said application was regularly set for hearing before the Commission, at the Court House, Sterling, Colorado, July 28, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On July 27, 1960, 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 moved to amend the commodity portion or segment of his application in the following manner:

"for the transportation of used household goods, office and store furniture, fixtures, and equipment, and pianos . . ."

There being no objection thereto, said amendment was allowed.

Report of said Examiner further states that applicant herein appeared at the hearing and testified in support of his application, stating he is sole owner and operator of PUC No. 769 and PUC 769-I, and has continuously operated thereunder since the Year 1946; that the principal business of his concern is moving household goods and office equipment; that he has all the necessary and needed equipment, which is specialized in nature, to render his proposed extended services; that he has, at the present time, seven employees in his employ who are specially trained and experienced in the moving of the commodities herein sought to be hauled; that he has sufficient net worth with which to conduct his proposed extended operations; that he made an extensive personal investigation of the needs of the area he seeks to serve; that said investigation consisted of personal interviews and contacts with various Mayors, local governmental officials and the public in general, relative to the required moving service needed; that said investigation disclosed, among other things: (1) that his proposed service is definitely needed, because most people in the area involved are presently forced to seek the services of carriers based in Denver, Colorado, in order to receive service; (2) that a locally-based carrier, domiciled in the area proposed to be served, is needed to insure adequate and prompt service; (3) that present available service is inadequate; that he has received many requests for his proposed extended service; that he could not render said service because he lacked the necessary PUC Authority; that if the instant application is granted, he will be able to render a more thorough

and specialized service to the public.

In opposition to the granting of authority herein sought, Dorothy Hickman, owner of Yuma County Transportation Company, appeared at the hearing and testified said company is the owner and operator of PUC No. 1066 and PUC No. 2642, and that she protested the granting of authority to applicant herein to serve the territory served by Yuma County Transportation Company.

Cross-examination of Mrs. Hickman disclosed that the commodities herein involved constitute only a small part or segment of her business; that she does not specialize in shipment of household goods, as does applicant herein; that her company's equipment is not as specialized as that of applicant.

Report of the Examiner states that the sole question to be determined in this proceeding is whether or not applicant herein has proved public convenience and necessity; that there is, of course, the auxiliary or complementary proposition that where there is existing service, it must be shown that such service is inadequate.

It has been held uniformly by several regulatory authorities in the United States that the term "public convenience and necessity" is not susceptible of precise definition, and that the term fundamentally must have reference to the facts and circumstances of each given case as it arises. It has been the general consensus, that the term means a public need or benefit, without which the public is inconvenienced to the extent of being handicapped in the pursuit of business or comfort, or both. A Commission has broad discretionary powers in determining the demands of public convenience and necessity, but in so doing, it must treat fairly those already authorized to perform the services sought to be performed by Applicant.

An analysis of the evidence in the light of the duties as outlined above, the Examiner further reports, clearly shows that

applicant must prevail, for the reason that he proved public convenience and necessity, and that he established inadequacy of existing service.

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

Findings of the Examiner are that public convenience and necessity require the proposed extended service of applicant herein under PUC Nos. 769 and 769-I; that a definite need exists for said services in the area herein sought to be served by applicant; that present carrier service for such transportation needs is inadequate; that applicant herein is a fit and proper person, has sufficient equipment, and is financially able to render said proposed extended services.

Report of the Examiner recommends that certificate of public convenience and necessity issue to applicant herein, authorizing extension of operations under PUC No. 769 and PUC No. 769-I.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find:

That applicant herein is qualified, financially and by experience, to conduct his proposed extended operations; that there is a need for said extended operations; that public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service of 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 Findings be, and the same hereby is, approved.

That public convenience and necessity require the extended motor vehicle common carrier call and demand operations of applicant herein, under PUC No. 769 and PUC No. 769-I, for the transportation of used household goods, office and store furniture, fixtures and equipment and pianos, between points in Yuma and Washington Counties, Colorado, and between points in said counties, on the one hand, and points in the State of Colorado, on the other hand, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

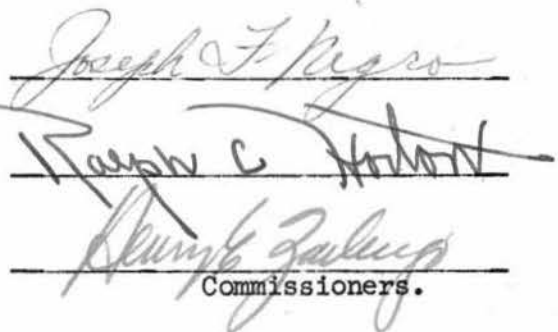
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 26th day of August, 1960.

mls

original

(Decision No. 54993)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES WORTHMAN, 2251 WEST CENTER)
AVENUE, DENVER, COLORADO, FOR AU-)
THORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-4039.)

APPLICATION NO. 18010-PP-Extension

August 26, 1960

Appearances: Charles Worthman, Denver,
Colorado, pro se;
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:

This is an application for authority to extend operations under Permit No. B-4039, to include the right to transport logs, poles, and timber products, from forests to sawmills, places of storage and loading points within a radius of seventy-five miles of said forests; rough lumber, from sawmills in said seventy-five mile radius, to markets in the State of Colorado, with no town-to-town service.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 18, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant herein is presently the holder of Permit No. B-4039, which does provide for transportation of the commodities enumerated in this application, but which, at the same time, contains

many restrictions as to areas and as to customers. In fact, applicant herein seeks a roaming, state-wide authority, for the performance of the same type of service he is performing at the present time for any customer who needs his services, and with whom he desires to enter into a contract.

Insofar as the need for this type of service is concerned, the activities of the applicant in the past clearly indicate that there is such a need. There can be no doubt that this type of operation is a fluctuating, seasonal type of operation, and that limitation to specific customers is impractical, since customers may change in the same area.

In truth and in fact, it is merely authorizing a type of service that this applicant has been performing in the past, without requiring this permittee to make periodical visits to this Commission to change customers and area requirements.

Although protestants entered an appearance, they offered no evidence.

The applicant did concede, on cross-examination, however, that he has no desire to extend or expand his business beyond its present scope, and that he is willing to accept a limitation of two ten-wheel vehicles in his operation.

We believe, and so find, that this application, with the limitation provided therein, is a more reasonable and practical method of supplying the type of service applicant herein seeks to render, and accordingly it will be so ordered.

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

F I N D I N G S

THE COMMISSION FINDS:

That applicant's proposed extended operations will not impair the efficiency of any common carrier service operating in the

territory herein sought to be served by applicant; that applicant is qualified, financially and by experience, to render said proposed extended operations; that applicant herein should be authorized to extend operations under Permit No. B-4039, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Charles Worthman, Denver, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4039, to include the right to transport logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of seventy-five miles of said forests; rough lumber, from sawmills in said seventy-five-mile radius, to markets in the State of Colorado, with no town-to-town service, operations hereunder to be limited to the use of two ten-wheel vehicles.

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

Joseph L. Myers
Joseph C. Horton
Spencer E. Zauling
Commissioners.

Dated at Denver, Colorado,
this 26th day of August, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE RYE TELEPHONE COMPANY, RYE, COLO-)
RADO, FOR AN ORDER APPROVING THE)
ORDINANCE AND THE FRANCHISE OF THE)
TOWN OF RYE, RYE, COLORADO, GRANTING)
TO THE RYE TELEPHONE COMPANY, RYE,)
COLORADO, THE RIGHT, PRIVILEGE AND)
FRANCHISE FOR THE PURPOSE OF ESTAB-)
LISHING, MAINTAINING AND OPERATING)
A TELEPHONE COMMUNICATION SYSTEM,)
IN, OVER, TO AND THROUGH THE COR-)
PORATE LIMITS OF THE TOWN OF RYE,)
RYE, COLORADO.)
-----)

APPLICATION NO. 17993

August 25, 1960

Appearances: Tanquary and Strnad, Esqs.,
Pueblo, Colorado, by
Bert W. Strnad, and
Robert R. MacCormack, Rye
Telephone Company, Rye,
Colorado, for applicant;
C. J. McCallister, Denver,
Colorado, for Mountain
States Telephone and
Telegraph Company, as its
interest might appear;
P. M. Brown, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by The Rye Telephone Company
(Applicant), seeking a certificate of public convenience and
necessity to exercise franchise rights in the Town of Rye, Pueblo
County, Colorado, for the purpose of establishing, conducting,
maintaining, and operating a telephone communication system in
the Town of Rye, Colorado.

This application was heard on a joint record with Appli-
cation No. 17992, being an application by the same applicant for a
transfer of certificate of public convenience and necessity.

The matter was set for hearing after due notice to all interested parties on August 16, 1960, at 2:00 o'clock P. M., in the District "A" Room of the Court House, Pueblo, Pueblo County, Colorado, and was heard on said date. At the conclusion of said hearing, the matter was taken under advisement.

No one appeared at the hearing in opposition to the authority sought to be granted in this application.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, primarily engaged in the furnishing of telephone communication service in the Town of Rye, Colorado, and areas adjacent thereto.

Applicant's witness, Mr. Robert R. MacCormack, President of applicant company, identified the certified copy of its Certificate of Incorporation filed as an exhibit in Application No. 17992.

Applicant showed that on the fourth day of May, 1960, an application for a franchise was filed with the governing body of the Town of Rye, Colorado, and that on June 9, 1960, the Town of Rye, Colorado, by its governing body, adopted Ordinance No. 18 of the Town of Rye, entitled as follows:

"AN ORDINANCE FOR THE PURPOSE OF GRANTING A FRANCHISE TO THE, THE RYE TELEPHONE COMPANY, RYE, COLORADO, FOR THE PURPOSE OF ESTABLISHING, CONDUCTING, MAINTAINING AND OPERATING A TELEPHONE COMMUNICATION SYSTEM, IN, OVER, TO AND THROUGH THE CORPORATE LIMITS OF THE TOWN OF RYE, RYE, COLORADO."

The term of the franchise is fifty years. A copy of the franchise executed by the Mayor of the Town and the Town Clerk, was attached to the application. Proof of posting and the formal acceptance by the applicant of said franchise were furnished as late-filed exhibits.

Section 3 of Ordinance No. 18, above-mentioned, supersedes any and all prior and previous purported actions taken by the governing body of the Town of Rye in the matter of any franchises previously granted. This refers to the franchise granted to the co-partnership

of Robert R. and Maxine A. MacCormack, for which a certificate of public convenience and necessity to exercise said franchise was granted by this Commission in Decision No. 52968, of August 27, 1959. The principal difference, beside ownership (See Decision No. 54985), between the then granted franchise and the current superseding franchise is a change of the term of the franchise from a period of 25 years to a period of 50 years.

Applicant further testified that no other utility of like character is engaged in the furnishing of telephone service in the Town of Rye or in the areas adjacent thereto.

The Commission has reviewed this application and the evidence presented by applicant in support thereof.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the applicant herein, The Rye Telephone Company, and of the subject matter involved in this application.

That the Commission is fully advised in the premises, and that the foregoing Statement should be made a part hereof by reference.

That the certificate of public convenience and necessity granted to the co-partnership to exercise franchise rights in the Town of Rye granted by this Commission in its Decision No. 52968, of August 27, 1959, should be cancelled.

That public convenience and necessity require, and will require, the exercise by applicant of the franchise rights granted in and by Ordinance No. 18 of the Town of Rye, dated June 9, 1960, for the purpose of conducting, maintaining and operating a telephone communication system in the Town of Rye, and that the permission sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That the certificate of public convenience and necessity to exercise franchise rights granted by the Town of Rye to Robert R.

and Maxine A. MacCormack, doing business as "The Rye Telephone Company," as granted by this Commission in its Decision No. 52968, of August 27, 1959, be, and it hereby is, cancelled.

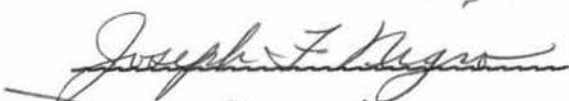

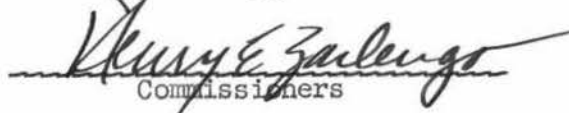
That the public convenience and necessity require, and will require, the exercise by applicant of the franchise right granted to it in and by Ordinance No. 18 of the Town of Rye, State of Colorado, dated June 9, 1960, as shown by the exhibit attached to the application herein and, by reference, made a part hereof, for the establishing, conducting, maintaining and operating a telephone communication system in said town, and that this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That applicant shall continue to install, operate and maintain its telephone system and communication service in the area heretofore designated in accordance with its schedules of telephone rates, rules and regulations as ordered by this Commission in its Decision No. 54985, or as the same may be changed according to law and the rules and regulations of this Commission.

That applicant shall maintain its books and accounts in accordance with the uniform system of accounts and shall continue to keep its practices in accordance with the requirements of this Commission as mentioned in the above decision.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 25th day of August, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ERMON L. TYLER, DOING BUSINESS AS)
"FOWLER TRUCK LINE," P. O. BOX 225,)
FOWLER, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 17877-Extension
OF PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 242.)
-----)

August 26, 1960

Appearances: Ermon L. Tyler, Fowler,
Colorado, pro se;
Alfred DeCesaro, Pueblo,
Colorado, and
Howard D. Hicks, Denver,
Colorado, for Centennial
Truck Lines, Inc.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of PUC No.
242, authorizing operation as a common carrier by motor vehicle
for hire, for the transportation of:

Transportation of freight, on regular schedule,
between Fowler and Pueblo, leaving Fowler at
8:00 AM for Pueblo, and leaving Pueblo to return
to Fowler at 2:00 PM, daily except Sunday, and
to operate as an irregular carrier of freight
within the City of Fowler and a radius of 15
miles from and to the City of Fowler, subject
to the following provisions:

(a) applicant shall not operate from and to any
intermediate point between Fowler and Pueblo
except such as comes within the 15-mile radius
of Fowler;

(b) applicant shall not operate on any other
regular schedule between Fowler and Pueblo,
except as stated in this order. Freight be-
tween points within a radius of 15 miles of
Fowler, and all other points within the State
of Colorado, provided that the freight trans-
ported shall either originate or terminate within
said territory around Fowler, subject to the terms
and conditions hereinafter imposed; for the trans-
portation authorized of all commodities other than

household goods between points served singly or in combination by scheduled carriers, applicant shall charge as much as 20% higher in all cases than those charged by scheduled carriers. Applicant shall not operate between any points except those between which he hitherto has been operating.

Applicant shall not establish a branch office or have an agent employed in any other Town or City than the Town of Fowler for the purpose of developing business.

By the above-styled application, said certificate-holder seeks authority to extend operations under said PUC No. 242, by elimination of the presently-required schedule in PUC No. 242, to allow applicant to establish such service as is convenient and practical.

Said application was regularly set for hearing before the Commission, at the Court House, La Junta, Colorado, July 1, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On June 28, 1960, 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 appeared and testified in support of his application, stating that he is presently engaged in transportation of freight between Fowler and Pueblo and return, on schedule; that said time schedule, as presently required by said certificate, is not practical nor economical; that public convenience and necessity do not require said schedule; that the requirements of his customers are such that they cannot be satisfactorily met by leaving the Town of Fowler at 9:00 o'clock A. M., nor by a required return from Pueblo at 3:00 o'clock P. M.; that the change herein requested would be more satisfactory and realistic to his customers; that the general trade area

herein involved would be more fully and better served if said time schedule were eliminated in the conduct of operations under PUC No. 242.

No one offered evidence 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.

Findings of the Examiner are that the time schedule, as presently required under PUC No. 242, is not practical nor economical; that public convenience and necessity do not require said time schedule; that said time schedule should accordingly be eliminated from said authority; that applicant should be required to file with the Commission such time schedules as required by public convenience and necessity.

Report of the Examiner recommends that PUC No. 242 should be extended, by elimination of present time schedule.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find:

That public convenience and necessity require applicant's extended motor vehicle common carrier service, under PUC No. 242, 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 be, and the same hereby is, approved.

That public convenience and necessity require that PUC No. 242 be extended and altered, by elimination of the necessity of applicant following the present time schedule therein required, and that

the remaining authority under said PUC No. 242 shall, in the future, be as follows, to-wit:

1. Transportation of freight, on schedule, between Fowler and Pueblo, Colorado;
2. Transportation of freight, on call and demand, between points within the Town of Fowler, and from and to points within a fifteen-mile radius of Fowler, to and from Fowler; freight, between points within a fifteen-mile radius of Fowler, to and from points in the State of Colorado;

Subject to the following conditions:

- (a) Applicant shall not operate to and from any intermediate point between Fowler and Pueblo, except to points within a fifteen-mile radius of Fowler, Colorado;
- (b) For the transportation authorized of all commodities other than household goods between points served singly or in combination by scheduled carriers, applicant shall charge rates as much as twenty per cent higher in all cases than those rates charged by scheduled carriers;
- (c) Applicant shall not establish a branch office or have an agent employed in any other town or city than the Town of Fowler for the purpose of developing business,

applicant to file with the Commission such time schedules as public convenience and necessity may require.

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

Joseph F. Nigro
Joseph C. Horton
Henry E. Zelenko
Commissioners.

Dated at Denver, Colorado,
this 26th day of August, 1960.
ea

original

IN THE MATTER OF THE APPLICATION OF
C. E. CLOUD, DOING BUSINESS AS
"THE HOME MARKET," REDVALE, COLO-
RADO, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO OPER-
ATE AS A COMMON CARRIER BY MOTOR
VEHICLE FOR HIRE.

APPLICATION NO. 17762

August 25, 1960

Appearances: Haynie, Golden and Mumby,
Esqs., Grand Junction,
Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission, at the Court House, Montrose, Colorado, August 31, 1960, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

The Commission is now in receipt of a communication from Haynie, Golden and Mumby, Attorneys for Applicant herein, requesting dismissal of said application, inasmuch as applicant has sold his business, and has moved from the area herein sought to be served, so it would be impossible for him to conduct the operations herein proposed.

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 hearing of the above-styled application, presently set for August 31, 1960, at Montrose, Colorado, be, and the same hereby is, vacated.

That Application No. 17762 be, and the same hereby is,
dismissed, upon request of Attorneys for Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Harkins
Henry E. Zulewicz
Commissioners.

Dated at Denver, Colorado,
this 25th day of August, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PLAINS COOPERATIVE TELEPHONE ASSOCIA-)
TION, INC. FOR ORDER AUTHORIZING SALE)
BY IDALIA COOPERATIVE TELEPHONE)
ASSOCIATION TO APPLICANT OF ASSETS)
OF SAID PROPOSED SELLER, INCLUDING)
CONTRACTS, EASEMENTS AND RIGHTS-OF-)
WAY OWNED BY SAID PROPOSED SELLER)
IN THE COUNTIES OF KIT CARSON AND)
YUMA; FOR TRANSFER TO APPLICANT OF)
ANY CERTIFICATES OF PUBLIC CONVEN-)
IENCE AND NECESSITY OWNED BY SAID)
PROPOSED SELLER; FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
FOR OPERATION OF TELEPHONE LINES AND)
TELEPHONE SYSTEM IN THE COUNTIES OF)
KIT CARSON AND YUMA; APPLICANT TO)
COMBINE THE SYSTEM PROPOSED TO BE)
PURCHASED WITH THE EXISTING SYSTEM)
OF APPLICANT; FOR TRANSFER OF ANY)
SO-CALLED GRANDFATHER RIGHTS HELD)
BY SELLER.)
-----)

APPLICATION NO. 17958-Transfer

August 26, 1960

Appearances: Jack A. Vohs, Esq., Cheyenne
Wells, Colorado, for
applicant;
C. J. McCallister, Denver,
Colorado, for Mountain
States Telephone and
Telegraph Company, as its
interests may appear;
Everett R. Thompson, Denver,
Colorado, and
Paul M. Brown, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

Applicant, by its present application, filed July 18, 1960,
seeks from this Commission an approval of its acquisition of the
assets of the Idalia Cooperative Telephone Association (Idalia),
for a transfer of any certificates of public convenience and neces-
sity held by Idalia, and for an extension of applicant's certificate
of convenience and necessity to include substantially the area now
served by Idalia.

The matter was set for hearing, and was heard in Denver, Colorado, on Monday, August 15, 1960, at two o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, after due notice to all interested parties. At the conclusion of the hearing, the matter was taken under advisement by the Commission.

No petitions of intervention were filed, and no one appeared at the hearing in opposition to the authority sought by applicant in this matter.

Applicant is a corporation, not for profit, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility subject to the jurisdiction of this Commission engaged primarily in the operation and maintenance of a telephone system for the purposes of furnishing communication service. Its Articles of Incorporation, as amended to date, have heretofore been filed with this Commission.

Applicant introduced and identified an Agreement made by and between itself and Idalia Cooperative Telephone Association, executed as of March 11, 1960. This agreement provides, among other things, for the purchase of the assets of Idalia. Applicant proposes, in the event of an approval of this Commission of its request for an extension of its certificate of public convenience and necessity, to build a complete new system, including a central office and fully automatic dial exchange equipment. At the present time, Idalia, a manually operated system, furnishes service on a part-time basis. Applicant proposes to integrate this area with the rest of its system, which includes exchanges located at Anton, Seibert and Vona, Joes and Eckley, and to provide service on a full-time basis. It will finance this extension by means of a loan from the Rural Electrification Administration, an agency of the United States Government, which has financed the rest of applicant's system. Funds have been allocated for the extension but will not be made available to applicant unless and until a certificate of public convenience and necessity

to serve the area is granted by this Commission. Applicant introduced data to indicate the feasibility of the project as set forth in Exhibits "D" and "E". The estimated cost of this extension is \$132,000. The addition of this area should be of financial benefit to applicant and the studies indicate the overall system expense per subscriber will be reduced. Overhead expenses with the addition of the proposed section will be increased very little, if at all; therefore, the added expense will be the operation and maintenance of the new exchange.

There is no other utility of like character supplying service in the proposed area. The proposed boundary extensions do not conflict with those of adjacent telephone utilities.

Mr. Harold Langendorfer, a farmer in the Idalia area and also a member of the Idalia Association, testified that a meeting of the Association held last spring to consider the sale of Idalia system to applicant produced only one member of the Association opposed to the sale. The remaining members, with the one exception, approved the transfer and sale. He characterized the quality of service now being rendered by Idalia as being very poor. Maintenance depends upon unskilled labor furnished by the membership. The lines are in very poor physical condition. It is difficult at times to conduct intelligible communications. Toll service is available only intermittently because of the poor physical condition of the system.

Mr. Langendorfer, upon cross-examination, stated the Idalia Cooperative Telephone Association does not possess a certificate of public convenience and necessity issued by this Commission nor did it claim such a certificate by virtue of "grandfather rights." It has operated strictly as a membership cooperative throughout its life. Since the cooperative has not submitted to the Commission's jurisdiction, it does not have on file with this Commission copies of its rates, rules and regulations, nor does it file Annual Reports with this Commission.

Mr. Rudolph Adolf, who lives eight miles from Idalia, and Mrs. Melva De Hart, who lives at Hale, Colorado, and operates the concession at the Bonnie Reservoir, a reservoir used as a recreation center, testified that they had no telephone service.

Each of the three witnesses indicated they were aware of the cost of telephone service as it is proposed to be furnished, and each felt that the public convenience and necessity required the granting of a certificate to applicant.

Applicant will pay \$3,430 for this system. On the basis of 98 memberships, this amounts to \$35 per member. This is the amount required of each new telephone service connection to the system; therefore, no cash will change hands, and each of the 98 members will be credited with this amount as his contribution in aid of construction. In addition to the existing 98 subscribers of telephone service, it is anticipated 22 more subscribers will be connected on completion of the new system. There will remain 54 potential subscribers. The estimated investment per customer in the area proposed to be acquired is \$940. In the existing system the investment is \$933; therefore, the addition of Idalia system will not create a burden on the existing subscribers.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission does not have jurisdiction of the Seller, Idalia Cooperative Telephone Association.

That this Commission has jurisdiction of the applicant in the instant application.

That the above Statement, by reference, should be made a part of these Findings.

That the Commission is fully advised in the premises.

That, in addition to others who could use telephone service, there are some 98 members of the public receiving at best very poor telephone service, which service may be lost to them altogether;

that the provider of such service stands ready and willing and will abandon such service if the application be granted and in its stead the public will be provided with good, modern, and efficient service; that the public convenience and necessity require the granting of the certificate herein sought by the applicant and the same should be granted.

That the acquisition by applicant of the assets of Idalia, including facilities set forth in the Deed and Bill of Sale, being a part of Exhibit "A" herein, should be approved.

That applicant should be granted a certificate of public convenience and necessity for the additional territory requested herein and as set forth on Exhibits "B" and "C".

That applicant should file the rates, rules and regulations under which it proposes to begin the furnishing of service and which will remain effective until such time as the construction of its contemplated dial system is completed and dial service is to be made available.

Applicant should file the rates which it proposes to apply in its Idalia exchange upon conversion to dial service, which rates are to be the same as those now in effect throughout the remainder of its system.

That applicant also should file as a part of its tariff maps showing the boundaries of the Idalia Exchange and the base rate area, if such is established.

That applicant should set up its books of accounts for the Idalia exchange and continue to keep its books of accounts in the remainder of its system in accordance with the Uniform System of Accounts as prescribed by this Commission.

That the extension of its certificate of public convenience and necessity to incorporate the Idalia area in its total area is consistent with the provisions of Chapter 115, C. R. S. 1953, and that the total area to be served, including the extension of Idalia, should be as set forth in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That the acquisition by applicant of the assets of Idalia, including the assets set forth in the Deed and Bill of Sale attached to Exhibit "A" herein, hereby is approved.

That public convenience and necessity requires and will require, the installation, operation and maintenance of a telephone system within the territory heretofore granted and herein requested, consolidated as follows:

Beginning at the center of Section 34, Township 2-South, Range 54-West; thence South $6\frac{1}{2}$ miles; thence West 3 miles; thence South $5\frac{3}{4}$ miles; thence East $12\frac{5}{8}$ miles; thence South $4\frac{1}{4}$ miles; thence East $4\frac{7}{8}$ miles; thence South 2 miles to the Southwest corner of Section 31, Township 5-South, Range 51-West; thence East 6 miles; thence North $\frac{1}{4}$ mile; thence East $4\frac{1}{2}$ miles; thence South $27\frac{1}{4}$ miles; thence West $2\frac{1}{4}$ miles; thence South 3 miles to the second correction line; thence West $\frac{1}{8}$ mile; thence South 6 miles to the Southwest corner of Section 34, Township 11-South, Range 50-West; thence East $17\frac{1}{2}$ miles; thence North 24 miles; thence East $\frac{1}{2}$ mile; thence North 4 miles; thence East 6 miles; thence North 6 miles; thence East 2 miles; thence North 1 mile; thence East 4 miles; thence North $\frac{1}{2}$ mile; thence East 2 miles; thence North approximately 1 mile to the South County line of Yuma County; thence West approximately $\frac{1}{8}$ mile; thence North $1\frac{3}{4}$ mile; thence East 1 mile; thence South $\frac{1}{4}$ mile to the center of Section 27, Township 5-South, Range 45-West; thence East $2\frac{1}{2}$ miles; thence South $1\frac{1}{2}$ miles to the Southwest corner Section 31, Township 5-South, Range 44-West, which point is on the South Yuma County boundary line; thence East along said county line 14 miles to the Southeast corner Section 32, Township 5-South, Range 42-West; thence North $1\frac{1}{2}$ miles; thence East approximately $1\frac{1}{2}$ miles to the Kansas-Colorado boundary; thence North $3\frac{1}{2}$ miles along said boundary; thence West $3\frac{1}{2}$ miles; thence North 2 miles; thence West 2 miles; thence North 3 miles; thence West $\frac{1}{2}$ mile; thence North $3\frac{1}{2}$ miles to the center of Section 27, Township 3-South, Range 43-West; thence West $3\frac{1}{2}$ miles; thence North 1 mile; thence West 3 miles; thence North 3 miles; thence West 7 miles to the West $\frac{1}{4}$ corner of Section 4, Township 3-South, Range 45-West, thence North $1\frac{1}{2}$ miles; thence East 1 mile; thence North $2\frac{1}{2}$ miles; thence West $1\frac{1}{2}$ miles; thence North 5 miles; thence East $1\frac{1}{2}$ miles; thence North 5 miles; thence West approximately $\frac{3}{4}$ miles to the center of Section 29, Township 1-North, Range 45-West; thence North 8 miles; thence West 2 miles to the center of Section 13, Township 2-North,

Range 46-West; thence North $1\frac{1}{4}$ miles to the North $\frac{1}{4}$ corner of Section 1, Township 4-North, Range 46-West; thence West 2 miles; thence North $1\frac{1}{2}$ miles; thence West approximately $1\frac{1}{4}$ miles to the intersection with the common line if extended of Sections 4 and 5, Township 4-North, Range 46-West; thence South $8\frac{1}{2}$ miles to the Northeast corner, Section 8, Township 3-North, Range 46-West; thence West $1\frac{1}{2}$ miles; thence South 10 miles to the North $\frac{1}{4}$ corner, Section 31, Township 2-North, Range 46-West; thence West $1\frac{1}{2}$ miles; thence South $7\frac{1}{2}$ miles, thence West 2 miles to the center of Section 3, Township 1-South, Range 47-West; thence South 5 miles; thence West 2 miles; thence South 4 miles; thence East 3 miles; thence South 7 miles; thence West 1 mile; thence South 2 miles; thence West 7 miles, thence North 2 miles; thence West 4 miles; thence North 3 miles; thence West $3\frac{1}{2}$ miles; thence South $1\frac{1}{2}$ mile; thence West 4 miles; thence North $\frac{1}{2}$ mile; thence West $8\frac{1}{2}$ miles; thence North 1 mile; thence West 1 mile; thence North 2 miles; thence West 5 miles; thence South 3 miles; thence West 4 miles; thence North 2 miles; thence West 5 miles to the point of beginning,

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

That applicant shall file within ten days of the effective date of this Order, as a part of its Tariff Colo. P.U.C. #2, the rates, rules and regulations and Idalia exchange maps under which it proposes to furnish telephone service in the area heretofore served by Idalia. The rates, rules and regulations will remain in effect until such time as construction of new facilities are completed and applicant's new dial system is to be placed into service.

That not less than ten days in advance of the date dial telephone service is to be made available in the Idalia Exchange, applicant shall file in its Tariff Colo. P.U.C. #2, the rates under which it will render service, said rates to be the same as those now in effect throughout the remainder of its system.

That applicant shall set up its books of accounts for the Idalia Exchange and shall continue to keep its books of accounts in the remainder of its system in accordance with the Uniform System of Accounts as prescribed by this Commission.

That the Commission shall retain jurisdiction in this matter to make such further Order or Orders as it may deem advisable.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Holton
Henry E. Zuleygo
Commissioners.

Dated at Denver, Colorado,
this 26th day of August, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HENRY RAILSBACK AND WILLIAM J.)
BRANTLEY, DOING BUSINESS AS,)
"WILLIAM J. BRANTLEY PLUMBING SERVICE",)
690 SOUTH GARRISON, DENVER 26, COLO-)
RADO.)

PERMIT NO. M-7162

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Henry Railsback and William J. Brantley, dba "William J. Brantley Plumbing Service", Denver 26, Colorado requesting that Permit No. M-7162 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7162, heretofore issued to Henry Railsback and William J. Brantley, dba "William J. Brantley Plumbing Service", Denver 26, Colorado be, and the same is hereby, declared cancelled effective August 22, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Horton
Wm. E. Zuley
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANCIS W. TERRY, ROUTE 1 BOX 9,)
BOULDER, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-11564

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Francis W. Terry,
Boulder, Colorado
requesting that Permit No. M-11564 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11564, heretofore issued to Francis W. Terry,
Boulder, Colorado be,
and the same is hereby, declared cancelled effective August 30, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WISWELL CREAMERY COMPANY, INC-)
INCORPORATED, 115 CIMARRON AVENUE,)
LA JUNTA, COLORADO.)
-----)

PERMIT NO. M-1604

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Wiswell Creamery Company,
Inc., La Junta, Colorado

requesting that Permit No. M-1604 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1604, heretofore issued to Wiswell Creamery Company,
Inc., La Junta, Colorado be,
and the same is hereby, declared cancelled effective July 10, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Horton
Wm. E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE ADDITION OF DENVER-LARAMIE-)
WALDEN TRUCK LINE, INC., THOMAS D.)
LANE, DOING BUSINESS AS THOMAS D.)
LANE TRUCK LINES AND IVAN MILLER)
AND DWIGHT MILLER, DOING BUSINESS)
AS MILLER BROS. TRUCK LINE, AS)
PARTICIPANTS TO THE EMERGENCY)
SURCHARGE.)

INVESTIGATION
AND
SUSPENSION
DOCKET NO. 439

August 26, 1960

S T A T E M E N T

By the Commission:

There has been filed with The Public Utilities Commission of the State of Colorado, by the Colorado Motor Carriers' Association, Agent, J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver 16, Colorado, Amendment No. 18 to Colorado Motor Carriers' Association Tariff No. 12-A, Colorado P.U.C. No. 11, scheduled to become effective August 29, 1960, viz.:

EMERGENCY SURCHARGE

Except as otherwise provided, there shall be added an emergency surcharge of 50¢ on each bill of lading covering shipments weighing 2,000 pounds or less transported locally on their own lines or jointly with other carriers by Overland Motor Express, Inc., DBA Boulder-Denver Truck Line, Centennial Truck Lines, Inc., / (A) Denver-Laramie-Walden Truck Line, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, doing business as Denver-Loveland Transportation, Russell R. Robinson and Mauverdene Robinson, doing business as K. & K. Transfer Company, / (A) Thomas D. Lane, doing business as Thomas D. Lane Truck Lines, McKie Transfer Company, / (A) Ivan Miller and Dwight Miller, doing business as Miller Bros. Truck Line, North Eastern Motor Freight, Inc., Richard H. & Lois Mae Eshe, doing business as South Park Motor Lines, Westway Motor Freight, Inc., and John B. Windecker, doing business as Windecker Truck Line. This charge shall be in addition to all other lawful charges, including minimum charges.

/ Denotes Addition

(A) Denotes Increase

The said changes contained in the above stated tariff make an increase in the charges as indicated by the reference (A), wherein the rights and interests of the public may be injuriously affected, and it being the opinion of the Commission that the effective date of the schedules as enumerated above should be postponed pending a hearing and decision thereon.

F I N D I N G S

THE COMMISSION FINDS:

That, upon its own motion, the proposed schedules as hereinbefore specified should be suspended and that it should enter upon a hearing concerning the lawfulness of the said rates, rules and changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement and findings are hereby made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the proposed rates, rules and changes as set forth in said tariff.
3. The operation of said schedules contained in said tariff shall be suspended and that the use of the rates, charges, regulations and practices therein stated be deferred 120 days, or until December 28, 1960, unless otherwise ordered by the Commission, and no change shall be made in such rates, charges, regulations and practices during the said period of suspension.
4. The rates and charges and the regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

5. A copy of this order be filed with said schedule in the office of the Commission and that copies hereof be forthwith served upon Mr. J. R. Smith, Agent, Chief of Tariff Bureau, The Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado; Mr. John Norman, Manager, Motor Tariff Service, Room 426, E & C Building, 17th and Curtis Sts., Denver 2, Colorado; Mr. Ralph Kerzic, Denver-Laramie-Walden Truck Line, Inc., 1655 Decatur St., Denver 4, Colorado; Mr. Thomas D. Lane, Thomas D. Lane Truck Lines, Box 5472, Terminal Annex, Denver 17, Colorado; Mr. Ivan Miller and Mr. Dwight Miller, Miller Bros. Truck Line, 619 6th Ave., Greeley, Colorado.

6. This proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Glenn E. Zelenko
Commissioners

Dated at Denver, Colorado,
this 26th day of August, 1960.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD JENKINS AND CLYDE BUSSEY,)
7160 WARREN DRIVE, DENVER 21, COLO-)
RADO.)
-----)

PERMIT NO. M-2824

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Donald Jenkins and
Clyde Bussey, Denver 21, Colorado
requesting that Permit No. M-2824 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2824, heretofore issued to Donald Jenkins and
Clyde Bussey, Denver 21, Colorado be,
and the same is hereby, declared cancelled effective August 26, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph G. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 1957 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANKEL CARBON AND RIBBON COMPANY,)
285 RIO GRANDE BOULEVARD, DENVER 23,)
COLORADO.)
-----)

PERMIT NO. M-9512

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frankel Carbon and
Ribbon Company, Denver 23, Colorado
requesting that Permit No. M-9512 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9512, heretofore issued to Frankel Carbon and
Ribbon Company, Denver 23, Colorado be,
and the same is hereby, declared cancelled effective September 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Gordon
Henry E. Ziehlings
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TONY MONTOYA, 5172 SHERMAN STREET,)
DENVER 16, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-9816

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tony Montoya,
Denver 16, Colorado
requesting that Permit No. M-9816 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9816, heretofore issued to Tony Montoya,
Denver 16, Colorado be,
and the same is hereby, declared cancelled effective June 20, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph G. Hobart
Henry E. Zank
Commissioners

Dated at Denver, Colorado,
this 1st day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD H. HORAN, DOING BUSINESS AS,)
"A & B GRAIN COMPANY", 1212 EATON)
STREET, BRUSH, COLORADO.)
-----)

PERMIT NO. M-13767

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Donald H. Horan,
doing business as, "A & B Grain Company", Brush, Colorado
requesting that Permit No. M-13767 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13767, heretofore issued to Donald H. Horan, doing
business as, "A & B Grain Company", Brush, Colorado be,
and the same is hereby, declared cancelled effective August 25, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Wm. E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD P. GREIL, 2054 SOUTH 10TH)
WEST, MISSOULA, MONTANA.)

PERMIT NO. M-15637

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard P. Greil,
Missoula, Montana

requesting that Permit No. M-15637 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15637, heretofore issued to Richard P. Greil,
Missoula, Montana be,
and the same is hereby, declared cancelled effective August 2, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
 Ralph C. Woodard
 Wendell E. Zurling
 Commissioners

Dated at Denver, Colorado,
this 1st day of September, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD P. GREIL, 2054 SOUTH 10TH)
WEST, MISSOULA, MONTANA.)
)
)
)
)
-----)

PERMIT NO. B-5649

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard P. Greil,
Missoula, Montana

requesting that Permit No. B-5649 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5649, heretofore issued to Richard P. Greil,
Missoula, Montana be,
and the same is hereby, declared cancelled effective August 2, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hord
Wm. E. Zupke
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROLLIN E. ANDERSON, 6045 BRENTWOOD,)
ARVADA, COLORADO, FOR A CLASS "B") APPLICATION NO. 17943-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

August 29, 1960

Appearances: Rollin E. Anderson, Arvada,
Colorado, pro se;
Howard Yelverton, Denver,
Colorado, for North
Eastern 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 transporta-
tion of farm commodities, from farms and elevators in and around
Brush, Colorado, to points of delivery within a radius of one
hundred miles thereof.

Said application was regularly set for hearing before the
Commission, at the Court House, Sterling, Colorado, July 28, 1960,
at ten o'clock A. M., due notice thereof being forwarded to all
parties in interest.

On July 27, 1960, 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, con-
ducting the hearing, he thereafter submitting a report of said
proceedings to the Commission.

Report of said Examiner states that at the hearing, applicant herein appeared and testified in support of his application, stating that he is presently operating under Temporary Authority issued by this Commission; that he has ample and suitable equipment with which to render his proposed service, as well as sufficient net worth; that he has received numerous requests for said 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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to perform the services herein sought; that there is a present need for said services; that the granting of authority herein sought will not impair the efficient public service of any authorized motor vehicle common carrier.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find:

That the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant herein is qualified, financially and by experience, to conduct his proposed operations; 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 be, and the same hereby is, approved.

That Rollin E. Anderson, Arvada, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm products, excluding livestock from farms and elevators, within a ten-mile radius of Brush, Colorado, and from said ten-mile radius of Brush, Colorado, to points of delivery within a radius of one hundred miles thereof.

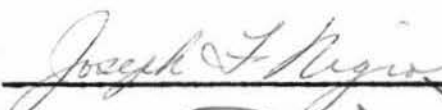
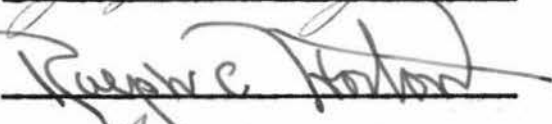
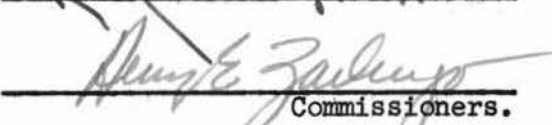
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 August, 1960.

ea

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. W. HOWARD AND RICHARD E.)
HOWARD, DOING BUSINESS AS, "C.)
W. HOWARD AND SON", HOUSING)
OFFICE, PETERSON FIELD, COLO-)
RADO SPRINGS, COLORADO.)

PERMIT NO. B-3638

September 1, 1960

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 their Permit No. B-3638 be suspended for six months from August 11, 1960.

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 C. W. Howard and Richard E. Howard, dba "C. W. Howard and Son", Colorado Springs, Colorado be, and is hereby, authorized to suspend their operations under Permit No. B-3638 until February 11, 1961.

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 re-instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Raymond C. Horton
Henry E. Ziehlings
Commissioners

Dated at Denver, Colorado,
this 1st day of September, 19 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JACK WORTHING AND RHINEY H. FOOSE,)
DOING BUSINESS AS, "J. R. TRUCKING)
COMPANY", 1730 - 1ST AVENUE, GREELEY,)
COLORADO.)
-----)

PERMIT NO. M-5707

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jack Worthing and
Rhiney H. Foose, dba "J. R. Trucking Company", Greeley, Colorado
requesting that Permit No. M-5707 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5707, heretofore issued to Jack Worthing and
Rhiney H. Foose, dba "J. R. Trucking Company", Greeley, Colorado be,
and the same is hereby, declared cancelled effective September 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Worthing
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

original

(Decision No. 55011)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE E. WOLFE, DOING BUSINESS AS)
"WOLFE TRUCKING COMPANY," 916 EAST)
SECOND STREET, FLORENCE, COLORADO,) APPLICATION NO. 18005-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-5482.)
- - - - -)

- - - - -
August 30, 1960
- - - - -

Appearances: George E. Wolfe, Florence,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The applicant herein is the owner and operator of
Private Carrier Permit No. B-5482, authorizing:

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 Colo-
rado, to railroad loading points, and to home 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 con-
struction 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 coal, from mines
in Fremont County to points within a radius of 150
miles of said mines; all of said operations to be
conducted in dump trucks only.

By the instant application, applicant seeks authority to
extend his operations under Permit No. B-5482, to include the right
to transport peat moss for the Mountain Valley Peat Moss Company,
only, from and to their places of business in Colorado Springs and
Fairplay, Colorado; barnyard fertilizer for the same company, as
their business may require.

The application was regularly set for hearing, and heard, at the Court House in Pueblo, Colorado, at ten o'clock A. M., August 16, 1960, after due notice to all interested parties, and at the conclusion of the hearing, the matter was taken under advisement.

The applicant appeared at the hearing in support of his application. He stated he has been operating under Permit No. B-5482 since he received it, and had been transporting peat moss and fertilizer for the Mountain Valley Peat Moss Company since June 24, 1960, under Temporary Authority issued by this Commission; that he has ample and suitable equipment, and is financially able to obtain more if needed.

No one appeared in opposition to the granting of the authority sought and it did not appear that applicant's proposed extended operation will impair the efficiency of any motor vehicle common carrier service with which he will compete.

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 authority sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That George E. Wolfe, doing business as "Wolfe Trucking Company," Florence, Colorado, be, and he is hereby, authorized to extend operations under Permit No. B-5482, to include the right to transport peat moss for the Mountain Valley Peat Moss Company, only, from and to their places of business in Colorado Springs and Fairplay, Colorado; barnyard fertilizer for the same company, as their business may require.

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

Joseph F. Negro
Ralph C. Horton
Alvin E. Williams
Commissioners.

Dated at Denver, Colorado,
this 30th day of August, 1960.

ea

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL M. PFEIFER, DOING BUSINESS)
AS, "PFEIFER STONE CUTTING COM-)
PANY", P. O. BOX 311, LYONS,)
COLORADO.)

PERMIT NO. B-5773

September 1, 1960

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-5773 be suspended for six months from August 29, 1960.

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 M. Pfeifer, doing business as, "Pfeifer Stone Cutting Company", Lyons, Colorado be, and is hereby, authorized to suspend his operations under Permit No. B-5773 until March 1, 1961.

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 re-instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Henry E. Zurlungo
Commissioners

Dated at Denver, Colorado,
this 1st day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KEITH BRINKERHOFF, 807 - 2ND)
AVENUE, SALT LAKE CITY, UTAH.)
)
)
)
-----)

PUC NO. 2941-I

September 1, 1960

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. 2941-I be suspended for six months from August 31, 1960.

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 Keith Brinkerhoff, Salt Lake City, Utah

_____, be, and is hereby, authorized to suspend operations under PUC No. 2941-I until March 3, 1961.

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

Joseph F. Nigro
Samuel C. Houtant
Wm. E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 1st day of September 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LA SALLE, INCORPORATED, DOING BUSINESS
AS, "DOLLAR TIRE STORES", SOUTH MAIN)
STREET AT THE RIVER, LONGMONT, COLO-)
RADO.)

PERMIT NO. M-15173

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from La Salle, Inc., doing
business as, "Dollar Tire Stores", Longmont, Colorado
requesting that Permit No. M-15173 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15173, heretofore issued to La Salle, Inc., doing
business as, "Dollar Tire Stores", Longmont, Colorado be,
and the same is hereby, declared cancelled effective March 31, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph G. Hout
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
T. B. A. SUPPLY, INCORPORATED, RAIL-)
ROAD STREET AND AVENUE 1, SCOTTSBLUFF,)
NEBRASKA.)
_____))
_____)

PERMIT NO. M-3182

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from T. B. A. Supply, Inc.,
Scottsbluff, Nebraska
requesting that Permit No. M-3182 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3182, heretofore issued to T. B. A. Supply, Inc.,
Scottsbluff, Nebraska be,
and the same is hereby, declared cancelled effective June 30, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Hodson
Wm. E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEO HURLA, DOING BUSINESS AS, "LEO'S)
GARAGE", RANGELY, COLORADO.)

PERMIT NO. M-14935

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Leo Hurla, doing
business as, "Leo's Garage", Rangely, Colorado
requesting that Permit No. M-14935 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14935, heretofore issued to Leo Hurla, doing
business as, "Leo's Garage", Rangely, Colorado be,
and the same is hereby, declared cancelled effective June 30, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Francis C. Horton
Kurt E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 1957 60.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BROTHER INTERNATIONAL CORPORATION OF)
CALIFORNIA, 1058 SOUTH FLOWER STREET,)
LOS ANGELES 15, CALIFORNIA.)
-----)

PERMIT NO. M-2701

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Brother International
Corporation of California, Los Angeles 15, California
requesting that Permit No. M-2701 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2701, heretofore issued to Brother International
Corporation of California be,
and the same is hereby, declared cancelled effective May 5, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Wm. E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 1st day of September, 195/60.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
C. H. ESTREM, P. O. BOX 381, LOVELAND,
COLORADO.

PERMIT NO. M-11274

September 1, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. H. Estrem,
Loveland, Colorado
requesting that Permit No. M-11274 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11274, heretofore issued to C. H. Estrem,
Loveland, Colorado be,
and the same is hereby, declared cancelled effective September 4, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Francis C. Hobart
Wm. E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 1st day of September, 1957 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TAISHI G. OHASHI, 714 EAST 8TH STREET,
CHEYENNE, WYOMING.)
)
)
)
)
)

PERMIT NO. M-3659

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Taishi G. Ohashi,
Cheyenne, Wyoming
requesting that Permit No. M-3659 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3659, heretofore issued to Taishi G. Ohashi,
Cheyenne, Wyoming be,
and the same is hereby, declared cancelled effective August 14, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Garrett G. Norton
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 195/ 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
L. E. BURRUS, DOING BUSINESS AS,)
"BURRUS IMPLEMENT COMPANY", 505)
LOCUST, FORT COLLINS, COLORADO.)
-----)

PERMIT NO. M-3471

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from L. E. Burrus, doing
business as, "Burrus Implement Company", Fort Collins, Colorado
requesting that Permit No. M-3471 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3471, heretofore issued to L. E. Burrus, doing
business as, "Burrus Implement Company", Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective August 14, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Garth C. Horton
Henry E. Johnson
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL C. WENS, SR., P. O. BOX 811,)
GREELEY, COLORADO.)

PERMIT NO. M-11514

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl C. Wens, Sr.,
Greeley, Colorado

requesting that Permit No. ~~M-11514~~ be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11514, heretofore issued to Carl C. Wens, Sr.,
Greeley, Colorado be.

and the same is hereby, declared cancelled effective August 21, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
 Ralph C. Horton
 King E. Zukowsky
 Commissioners

Dated at Denver, Colorado,

this 8th day of September, 195/ 60.

hc

original

(Decision No. 55022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE ISSUANCE OF)
TEMPORARY CERTIFICATES OF PUB-)
LIC CONVENIENCE AND NECESSITY)
UNDER CHAPTER 80, SESSION LAWS)
OF COLORADO, 1951.)
-----)

APPLICATION NO. 18072

September 1, 1960

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 onions and vine crops in the Counties of Baca, Prowers, Bent, Otero, Crowley and Pueblo, State of Colorado, and that the emergency will probably continue for a period of approximately thirty days, viz., from September 2, 1960 to and including October 2, 1960.

Request is made for an order of the Commission relative to the issuance of temporary certificates of public convenience and necessity for the seasonal transportation of onions and vine crops 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 the transportation of onions and vine crops in the Counties of Baca, Prowers, Bent, Otero, Crowley and Pueblo, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for transportation of onions and vine crops, as provided by Chapter 80, Session Laws of 1951,

said certificates to be effective from September 2, 1960 to October 2, 1960, both dates inclusive.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby authorized to be issued for the operation of motor vehicles for the transportation of onions and vine crops to markets or places of storage in the Counties of Baca, Prowers, Bent, Otero, Crowley and Pueblo, State of Colorado, said certificates to be effective September 2, 1960 and to continue in force up to and including October 2, 1960, no such certificate to issue for the transportation of onions and vine crops by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zuleygo
Commissioners.

Dated at Denver, Colorado,
this 1st day of September, 1960.

ea

original

(Decision No. 55023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
A CORPORATION ORGANIZED AND EXIST-)
ING UNDER THE LAWS OF THE STATE OF)
COLORADO, FOR AN ORDER AUTHORIZING)
THE ISSUANCE OF 150,000 SHARES OF)
ITS CUMULATIVE PREFERRED STOCK.)
-----)

APPLICATION NO. 18050-SECURITIES

September 2, 1960

Appearances: E. A. Stansfield, Esq.,
of Lee, Bryans, Kelly
and Stansfield, Esqs.,
Denver, Colorado, for
applicant;
J. M. McNulty, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

Pursuant to 115-1-4, Colorado Revised Statutes, 1953,
Public Service Company of Colorado, a Colorado corporation, herein-
after called "Applicant," filed with this Commission, on August 17,
1960, its application for an order of this Commission authorizing
it to issue and sell a new series of its authorized but unissued
Cumulative Preferred Stock, consisting of 150,000 shares of Cumulative
Preferred Stock of the par value of \$100 each, the designation of
which to be known as " _____ % Cumulative Preferred Stock of Applicant,"
(% to be determined at time of sale) the dividend rate to be paid
thereon, the prices upon involuntary liquidation, the redemption
prices thereof, and other qualifications and restrictions with respect
thereto to be fixed by the Board of Directors of Applicant, all in
accordance with the provisions of Applicant's Composite Articles of
Incorporation.

By order of the Commission dated August 18, 1960, this matter was set for hearing on August 29, 1960, at ten o'clock A. M., at 532 State Services Building, Denver, Colorado. No petitions of intervention were filed with the Commission prior to the hearing, and no one appeared at the hearing in opposition to the application.

The hearing on the aforesaid application was held on August 29, 1960, after due notice to all interested parties, and the matter was heard and taken under advisement.

Applicant is a corporation, organized and existing under the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged principally in the generation, purchase, transmission, distribution and sale of electricity and in the purchase, distribution and sale of natural gas. Applicant's operations are wholly within the State of Colorado, the principal center for distribution and sale of electricity and gas being in the City and County of Denver and immediate vicinity.

Applicant is the owner of all the outstanding capital stock (other than directors' qualifying shares) of Cheyenne Light, Fuel and Power Company, a Wyoming corporation, and all the outstanding capital stock of Colorado-Wyoming Gas Company, a Delaware corporation, Green and Clear Lakes Company, a New York corporation, The Pueblo Gas and Fuel Company, a Colorado corporation, Western Slope Gas Company, a Colorado corporation, and 1480 Welton, Inc., a Colorado corporation. Applicant also holds a controlling interest in two other relatively small mutual ditch and reservoir companies.

Applicant's Balance Sheet at June 30, 1960, was introduced as Exhibit "G" at the hearing. Its Statement of Income, Exhibit "H", introduced at the hearing showed that Applicant, for the twelve months ended June 30, 1960, had operating revenues of \$97,847,194, and net income, that is the amount available for dividends and surplus, of \$11,727,620. During the twelve months ended December 31, 1959, the amount of \$2,198,650 was appropriated for cash dividends on preferred stock, and the amount of \$6,687,240 for cash dividends on common stock

as shown on Exhibit "F" introduced at the hearing.

The Composite Articles of Incorporation of Applicant, a copy of which was introduced as Exhibit "A" at the hearing, provides for an authorized capital stock of \$115,000,000 divided into 650,000 shares of Cumulative Preferred Stock of the par value of \$100 each, and 5,000,000 shares of Common Stock of the par value of \$10 each. Of such authorized Common Stock, there were 3,519,600 shares issued and outstanding on June 30, 1960. Applicant's Cumulative Preferred Stock, pursuant to the powers and authority contained in its Composite Articles of Incorporation, is issuable in one or more series. There has been authorized an initial series of 175,000 shares of 4-1/4% Cumulative Preferred Stock, a series of 100,000 shares of 4.20% Cumulative Preferred Stock, a series of 65,000 shares of 4-1/2% Cumulative Preferred Stock and a series of 160,000 shares of 4.6% Cumulative Preferred Stock. Of such authorized Cumulative Preferred Stock, there were 175,000 shares of 4-1/4% Cumulative Preferred Stock, 100,000 shares of 4.20% Cumulative Preferred Stock, 65,000 shares of 4-1/2% Cumulative Preferred Stock and 160,000 shares of 4.64% Cumulative Preferred Stock issued and outstanding on June 30, 1960.

Pursuant to that certain Indenture of Mortgage and Deed of Trust dated as of December 1, 1939, between the Applicant and Guaranty Trust Company of New York (now Morgan Guaranty Trust Company of New York), as Trustee, as supplemented, the Applicant has heretofore issued and there were outstanding as of June 30, 1960, \$40,000,000 principal amount of First Mortgage Bonds, 2-7/8% Series due 1977, \$10,000,000 principal amount of First Mortgage Bonds, 3-1/8% Series due 1978, \$15,000,000 principal amount of First Mortgage Bonds, 3-1/4% Series due 1981, \$20,000,000 principal amount of First Mortgage Bonds, 3-1/8% Series due 1984, \$30,000,000 principal amount of First Mortgage Bonds, 4-3/8% Series due 1987 and \$20,000,000 principal amount of First Mortgage Bonds, 4-5/8% Series due 1989. A condensed description of said Indenture of Mortgage and Deed of Trust and a condensed

description of the Bonds authorized and issued by the Applicant were introduced at the hearing in this matter as Exhibits "C" and "D", respectively.

By the proposed issuance and sale of 150,000 additional shares of its Cumulative Preferred Stock, Applicant proposes to raise approximately \$15,000,000 (before expenses) which will be used for plant additions, extensions and improvements to assist in its construction program.

The estimated aggregate amount to be spent by the Applicant in its construction program during the three years, 1960-1962, as shown by Exhibit "J" introduced at the hearing is \$107,650,000. Of this amount, according to the testimony of W. D. Virtue, Executive Vice President and Treasurer of Applicant, given at the hearing, approximately \$11,052,000 had been expended as of July 1, 1960.

After giving effect to the proposed issuance and sale of the 150,000 additional shares of Cumulative Preferred Stock for which authorization is herein sought, the pro forma capital structure of the Company, as of June 30, 1960, will be as follows as shown by Exhibit "K" introduced at the hearing, with the percentages of each item to total capitalization being shown in the right-hand column:

First Mortgage Bonds	\$135,000,000	47.09%
Preferred Stock, Inc. Premium	65,007,500	22.67%
Common Stock)		
Premium on Common Stock)	<u>86,687,861</u>	<u>30.24%</u>
Earned Surplus)		
Total Capitalization - -	\$286,695,361	100.00%

Applicant intends to sell the 150,000 additional shares of Cumulative Preferred Stock pursuant to an underwriting agreement to be entered into on a negotiated basis with a group of Underwriters represented by The First Boston Corporation, Blyth & Co., Inc., and Smith, Barney & Co., Incorporated. The dividend rate of the additional Cumulative Preferred Stock, the price which the Applicant will receive therefor (not less than par value less underwriting commissions) and the redemption prices are to be determined in accordance with market conditions at the time of sale thereof.

According to the further testimony of W. D. Virtue, given at the hearing, the dividend rate of the proposed additional Cumulative Preferred Stock will not be in excess of 5-1/2% per annum. He further testified that the expenses of the issuance and distribution of the proposed additional Cumulative Preferred Stock (exclusive of underwriting commissions) were estimated at \$65,000. The underwriters' commissions were estimated to be approximately \$1.90 per share. The estimated expenses and the proposed dividend rate of not to exceed 5-1/2% per annum appear reasonable in the circumstances.

There was also introduced at the hearing as Exhibit "I" a form of proposed Directors Statement containing a proposed resolution to be adopted by the Board of Directors of Applicant creating a new series of Cumulative Preferred Stock designated as the "_____ % Cumulative Preferred Stock" to be presented for consideration to the Board of Directors of Applicant at a meeting to be held after the dividend rate of the proposed additional Cumulative Preferred Stock, the price which Applicant will receive therefor, and the redemption prices are determined, which items will not be determined until the time of the sale thereof to the underwriters; provided, however, that the Company will not on or prior to September 1, 1965, exercise its option to redeem any shares of the additional Cumulative Preferred Stock if such redemption is a part of or in anticipation of any refunding operation involving the application, directly or indirectly, of borrowed funds or the proceeds of issue of any stock ranking prior to or on a parity with the Cumulative Preferred Stock of the Company, if such borrowed funds have an interest rate or cost to the Company (calculated in accordance with accepted financial practice), or such shares have a dividend rate or cost to the Company (similarly calculated), less than the dividend rate per annum of the additional Cumulative Preferred Stock.

Exhibit "L", Applicant's Registration Statement on Form S-1 which was filed with the Securities and Exchange Commission on

August 18, 1960, subject to amendment, containing among other matters the preliminary prospectus regarding the proposed issuance of the additional 150,000 shares of Cumulative Preferred Stock, was also introduced at the hearing.

According to the further testimony of W. D. Virtue at the hearing, he felt that because of the size of the proposed new issue and the situation currently prevailing in the security market, it was to the best interests of Applicant and its customers to sell the additional Cumulative Preferred Stock on a negotiated sale basis, rather than to offer the proposed sale at competitive bidding. He anticipated Applicant would receive a lower dividend rate, and that the proposed issue would be sold and distributed at a lower net cost to Applicant on a negotiated sale basis than would be obtained by a sale at competitive bidding.

F I N D I N G S

THE COMMISSION FINDS:

That Applicant, Public Service Company of Colorado, a Colorado corporation, is a public utility, as defined by 115-1-3, Colorado Revised Statutes 1953;

That this Commission has jurisdiction of Applicant, and the subject matter of this application;

That this Commission is fully advised in the premises;

That the foregoing Statement be, and it hereby is, adopted as part of the Findings herein;

That the proposed issuance and sale by Applicant of 150,000 additional shares of its Cumulative Preferred Stock, as hereinabove set forth, is reasonably required and necessary for its proper corporate financing;

That the proposed securities transaction is not inconsistent with the public interest; and that the purpose, or purposes thereof are permitted by, and are consistent with, the provisions of Chapter 115, Colorado Revised Statutes, 1953; and

That the order sought herein should be issued, and should be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That Applicant, Public Service Company of Colorado, be, and it hereby is, authorized and empowered to issue and sell a new series of its Cumulative Preferred Stock consisting of 150,000 shares of the par value of \$100 per share, having a dividend rate not in excess of 5-1/2% per annum (% to be determined at time of sale) and at a price to Applicant of not less than the par value thereof less expenses and underwriting commissions, and having such voting powers, designations, preferences and relative participating optional or special rights and qualifications, limitations and restrictions thereof as are stated in Applicant's Composite Articles of Incorporation and to be set forth in the proposed Directors' statement of Applicant setting forth the resolution of its board of directors creating a new series of Cumulative Preferred Stock designated as "_____ % Cumulative Preferred Stock" to be adopted by the Board of Directors of Applicant; including a provision that Applicant will not on or prior to September 1, 1965, exercise its option to redeem any shares of the _____ % Cumulative Preferred Stock if such redemption is a part of or in anticipation of any refunding operation involving the application, directly or indirectly, of borrowed funds or the proceeds of issue of any stock ranking prior to or on a parity with the Cumulative Preferred Stock of Applicant, if such borrowed funds have an interest rate or cost to Applicant (calculated in accordance with accepted financial practice) or such shares have a dividend rate or cost to Applicant (similarly calculated), less than the dividend rate per annum of the _____ % Cumulative Preferred Stock;

That Applicant be, and it hereby is, authorized to use and apply the proceeds derived from the issuance and sale of said Cumulative Preferred Stock for the acquisition of property and for the construction, completion, extension and improvement of its facilities, including its construction program for the years 1960, 1961 and 1962;

That within thirty (30) days from the date of filing in the office of the Secretary of State of the State of Colorado of the Directors" Statement of Applicant setting forth the resolution of its Board of directors creating a series of Cumulative Preferred Stock designated as "_____ % Cumulative Preferred Stock," Applicant shall file with the Commission a certified copy of said Statement;

That the Cumulative Preferred Stock authorized to be issued and sold hereunder shall bear on the face thereof a serial number for proper and easy identification; and that within sixty (60) days from the issuance and delivery of said Cumulative Preferred Stock, Applicant shall make verified report to this Commission of such serial numbers placed on such Cumulative Preferred Stock as are initially issued;

That Applicant be, and it hereby is, authorized, in reflecting in its accounts the consummation of the financing outlined above, to make and record the various accounting entries in accordance with the Uniform System of Account for Electric and Gas Utilities prescribed by the National Association of Railroad and Utilities Commissioners, and adopted by this Commission on October 19, 1938;

That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to the Cumulative Preferred Stock to be issued and sold hereunder, or the dividends thereon, on the part of the State of Colorado;

That within sixty (60) days from the date of the sale of said Cumulative Preferred Stock, Applicant shall file with this Commission a copy of all amendments which it may subsequently file to the Registration Statement on Form S-1 which Applicant filed with the Securities and Exchange Commission on August 18, 1960, subject to amendment;

That within ninety (90) days from the date of the sale of said Cumulative Preferred Stock, Applicant shall make a verified report to this Commission of the issue and disposition of said Cumulative Preferred Stock, the consideration for which such Cumulative Preferred Stock was sold, the fees, commissions and expenses incident to such

sale, accompanying such report with a new balance sheet reflecting the issuance and sale of said Cumulative Preferred Stock and supporting journal entries which shall reflect the exercise of the authority herein granted, together with copies of the accompanying entries recorded on Applicant's books as a result of the consummation of such financing;

That the Commission retain jurisdiction of these proceedings to the end that it may make such further order, or orders, in the premises as to it may seem to be proper and desirable; and

That the authority herein granted shall be exercised from and after this date, this order being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Riggio
Raymond C. Horton
Henry E. Gallup
Commissioners.

Dated at Denver, Colorado,
this 2nd day of September, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE RAILWAY EXPRESS AGENCY, INCOR-)
PORATED, TO WITHDRAW ITS AGENCY AT)
ARVADA, COLORADO, AND EXTEND DEN-)
VER SERVICE.)
-----)

APPLICATION NO. 17990

September 2, 1960

S T A T E M E N T

By the Commission:

Pursuant to Rule No. 6 of this Commission's Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado; Railway Express Agency, Inc., by E. W. Brown, Superintendent, filed its Petition requesting authority to close its Railway Express Agency office in the Town of Arvada, Jefferson County, Colorado, and to therewith extend pickup and delivery service from its main office in Denver, Colorado.

In support of the instant request, Applicant states that express merchandise is hauled from the Denver terminal to the Colorado & Southern Depot at Arvada under a contract arrangement with the Denver Cab Company. At Arvada, the express merchandise is handled by the Railroad Agent on the customary commission basis, but all customers must come to the station since no pickup or delivery service is provided.

Applicant proposes that the adjoining pickup and delivery area of the City of Denver be extended in order to offer Denver service to the Arvada and Wheatridge Districts, generally bounded on the east by Sheridan Boulevard and the City of Denver; on the north by West 64th Avenue; on the west by Kipling Street; and on the south by West 26th Avenue.

Applicant states that the proposed extension of the Denver service is needed to meet area growth as well as expedite service to users of Railway Express Agency facilities in the whole area. Toll-free telephone service is available to customers for calls to the main office in Denver, Colorado, to secure pickup of an outgoing shipment, delivery of an inbound shipment, or for rates and other information.

Appropriate posting and public notice was given in Arvada of the proposed service change. No protests or complaints have been received by the Commission.

Commission investigation in the area reveals the boundary lines as submitted by Railway Express are either well-traveled roadways or street designations which are not presently opened. Apparent intent is to define an area for service that has been recently built up. As there is further growth, these limits will again require extension since the area is within the five-mile radius of the City of Denver.

Applicant contemplates that with the proposed change, it can make more productive use of its manpower and equipment, some expense savings can be made, and a service more in keeping with changing needs of the area can be offered.

After a consideration of the instant proposal and recognizing the competitive elements inherent in modern transportation, it appears the instant proposal represents a progressive action on the part of Applicant to keep its facilities and service readily available to the public, and should therefore be approved.

It appears the proposed change has received public notice in the area and there being no protests, the Commission determined to hear, and has heard, said matter forthwith, without further notice, upon the record and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the foregoing Statement, by reference, is made a part of these Findings.

That public convenience and necessity in the rapidly expanding Arvada area now justify the proposed extension of service.

That transfer of the office services from Arvada to Denver is now in keeping with the expanded needs of the area.

That extension of Denver pickup and delivery service into the proposed area will offer a more complete type of express service.

O R D E R

THE COMMISSION ORDERS:

That the foregoing Statement and Findings be made a part hereof by reference.

That Railway Express Agency, Inc., Denver, Colorado, be, and hereby is, authorized to:

- (a) Withdraw its agent service from the Town of Arvada, Colorado, and thereafter offer service from the Denver office by and through an extension of the Denver pickup and delivery service area.
- (b) Extend the Denver pickup and delivery service in the general area defined as follows:

Arvada, Colorado:

Beginning at the intersection of West 52nd Avenue and Sheridan Boulevard; north on Sheridan Boulevard to West 64th Avenue; west on West 64th Avenue to Estes Street; north on Estes Street to West 66th Avenue; west on West 66th Avenue to Kipling; north on Kipling to West 68th Avenue; west on West 68th Avenue to Oak Street; south on Oak Street to West 64th Avenue; southwest on West 64th and Ralst on Road to Kipling; south on Kipling Street to Ridge Road; west on Ridge Road to Tabor Street; north on Tabor Street to West 52nd Avenue; west on West 52nd Avenue to Ward Road; south on Ward Road 2/10 mile to Jolly Rancher Candy Co.; return by same route to Kipling Street; south on Kipling Street to West 52nd Avenue; east on West 52nd Avenue to Sheridan Boulevard; point of beginning.

Wheatridge, Colorado:

Beginning at the intersection of West 26th Avenue and Sheridan Boulevard; north on Sheridan Boulevard to West 52nd Avenue; west on West 52nd Avenue to Kipling Street;

south on Kipling Street to West 41st Avenue;
west on West 41st Avenue to Nelson Street;
return on West 41st Avenue to Kipling Street;
south on Kipling Street to West 26th Avenue;
east on West 26th Avenue to Sheridan Boulevard;
the point of beginning.

That appropriate tariff corrections be made to show:

Arvada, Colorado,
Delivers from Denver, Colorado;

Wheatridge, Colorado,
Delivers from Denver, Colorado.

That the change in service shall be made effective on notice
to this Commission and the general public by not less than one (1)
day's filing and posting of new schedules in the customary manner.

That the Commission shall retain jurisdiction to make such
further order, or orders, as may become necessary in the matter.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nipso
Ralph C. Hatan
Henry E. Palenzy
Commissioners.

Dated at Denver, Colorado,
this 2nd day of September, 1960.

ea

original

(Decision No. 55025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE RAILWAY EXPRESS AGENCY, INCOR-)
PORATED, TO WITHDRAW ITS AGENCY AT)
GOLDEN, COLORADO, AND EXTEND DENVER)
SERVICE.)
-----)

APPLICATION NO. 17991

September 2, 1960

S T A T E M E N T

By the Commission:

Pursuant to Rule No. 6 of this Commission's Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado, Railway Express Agency, Inc., by E. W. Brown, Superintendent, filed its Petition requesting authority to close its Railway Express Agency office in the Town of Golden, Jefferson County, Colorado, and to therewith extend pickup and delivery service from its main office in Denver, Colorado.

In support of the instant request, Applicant states that over a long period of time an express office and agent has been maintained at 202 - 9th Street, being also the location of Colorado & Southern Station in Golden; that express shipments are transported by an independent carrier, the Denver Cab Company, between Denver and the Golden office. Applicant proposes to improve the service furnished to and from Golden by its instant request for authority to provide direct pickup and delivery service through its main Denver office. By the use of its own trucks for the complete haulage and delivery of Railway Express traffic, it is contemplated that a more effective schedule of service can be provided to the Golden residential area and related industries. In like manner, more direct connections can be developed for outgoing shipments by rail or plane.

Commission investigation in the area reveals that proposed boundary lines for area of service are either well-traveled roadways or street designations not presently opened but are adjacent or included within the present corporate city limits. Apparent intent is to define an area for service to include the newly-developed residential areas and the adjacent industries which have long been served.

Applicant states that the proposed extension of the Denver service is needed to meet area growth, as well as expedite service to Railway Express Agency patrons in the whole area. Toll-free telephone service will be provided customers in Golden, Colorado, permitting them to call the main office in Denver, Colorado, for pickup of an outgoing shipment, delivery of an inbound shipment, or for rates and other information.

Appropriate posting and public notice was given in Golden of the proposed service change. One complaint was received by the Commission, and we are now informed by the customer that his needs will be met in a satisfactory manner. In another communication from Adolph Coors Company, we have the following:

" We are very strongly in favor of this action (extend Denver service) and wish to record our support of it, both for Adolph Coors Company and Coors Porce-lain Company, Golden, Colorado.

" I understand from the Railway Express Agency that the Coors industries are responsible for about 85% of all express shipments in and out of Golden, consequently, we wanted you to have our views on record."

Applicant contemplates that with the proposed change it can make more productive use of its manpower and equipment, some expense savings can be made, and a service more in keeping with changing needs of the area will be offered.

After a consideration of the instant proposal and recognizing the competitive elements inherent in modern transportation, it appears the instant proposal represents a progressive action on the part of

Applicant to keep its facilities and service readily available to the public and should therefore be approved.

It appears the proposed change has received public notice in the area; one protest of a minor nature was received by the Commission and corrected by Applicant; in addition, a statement of support has also been received; hence, the Commission determined to hear, and has heard, said matter forthwith, without further notice, upon the record and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter and the foregoing Statement, by reference, is made a part of these Findings.

That public convenience and necessity in the rapidly expanding Golden area now justify the proposed extension of service.

That transfer of the office services from Golden to Denver is now in keeping with the expanded needs of the area.

That extension of Denver pickup and delivery service into the proposed area offers a greater diversity of carrier connections from the Denver Terminal.

O R D E R

THE COMMISSION ORDERS:

That the foregoing Statement and Findings be made a part hereof by reference.

That Railway Express Agency, Inc., Denver, Colorado, be, and hereby is, authorized to:

- (a) Withdraw its agent service from the Town of Golden, Colorado, and thereafter offer service from the Denver office by and through an extension of the Denver pickup and delivery service area.
- (b) Extend the Denver pickup and delivery service area, as follows:

Starting on the south at 24th Street and Illinois Street; north on Illinois Street to 19th Street; follow 19th Street in a southwest direction to Mt. Zion Drive, including Bonvue Drive and Foot Hills Road; returning along Pinal Road and 19th Street to Elm Street; north on Elm Street to Brooks Field at 12th Street, to include Colorado School of Mines Experimental Plant; east on 12th Street to Maple Street; north on Maple Street as extended to 5th Street; east on 5th Street to Illinois Street; north on Illinois Street to 4th Street; east on 4th Street to Cheyenne Street; north on Cheyenne Street to 2nd Street; east on 2nd Street to Washington Avenue; north on Washington Avenue to Iowa Street; east on Iowa Street to Columbine Street; north two blocks on Columbine Street and return to Iowa Street; east on Iowa Street to North Ford Street; north on Ford Street to City Limits and Foss Ranch; return south on Ford Street to Garden Street; north on Garden Street to Plateau Parkway; east on Plateau Parkway as extended to Sickles Street and West 44th Avenue; west on West 44th Avenue joining with 10th Street; west on 10th Street to Booth Street; south on Booth Street to Clear Creek; west along Clear Creek to Crawford Street for entrance to Coors Brewing Company; out of Coors plant grounds at West 32nd Avenue; west on West 32nd into 13th Street; along 13th Street to East Street; south on East Street to Castle Rock Drive; east on Castle Rock Drive to 100 Castle Rock Drive, returning on Castle Rock Drive to East Street; south on East Street to 16th Street; east on 16th Street to Vernon Street; south on Vernon Street to 17th Street; west on 17th Street to East Street; south on East Street to 19th Street; east on 19th Street to Table Drive; south on Table Drive to 23rd Street; east on 23rd Street to Table Heights Drive, return on Table Heights Drive to 23rd Street; west on 23rd Street to Vernon Drive; south on Vernon Drive to 24th Street; west on 24th Street to South Golden Road; south on South Golden Road to Lookout View Drive; along Lookout View Drive to Sunset Drive; along Sunset Drive to South Golden Road; east along South Golden Road to U. S. Highway 40, continuing across Highway 40 on Wideacre Road to junction of West Colfax Avenue and Union Street; west and south on West Colfax Avenue to South Golden Road; return north on South Golden Road to 24th Street; west on 24th Street to starting point at Illinois Street. Includes service to Colorado Industrial School for Boys.

That appropriate tariff corrections be made to show:

Golden, Colorado,
Delivers from Denver, Colorado.

That the change in service shall be made effective on notice to this Commission and the general public by not less than one (1) day's filing and posting of new schedules in the customary manner.

That the Commission shall retain jurisdiction to make such further order, or orders, as may become necessary in the matter.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hinton
Henry E. Gullings
Commissioners.

Dated at Denver, Colorado,
this 2nd day of September, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
STANLEY P. SCHMIDT, DOING BUSINESS)
AS, "STAN'S TRUCKING", 1571 PUEBLO)
COURT, THORNTON, COLORADO.)
-----)

PERMIT NO. M-14820

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Stanley P. Schmidt,
Thornton, Colorado

requesting that Permit No. M-14820 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14820, heretofore issued to Stanley P. Schmidt,
Thornton, Colorado be,
and the same is hereby, declared cancelled effective August 18, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 1960.

original

(Decision No. 55027)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BYERLY AVIATION, INC., DOING BUSI-)
NESS AS "BYERLY AIRLINES," PUEBLO,)
MEMORIAL AIRPORT, PUEBLO, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY.)
-----)

APPLICATION NO. 18002

September 6, 1960

Appearances: Harry S. Petersen, Esq.,
Pueblo, Colorado, for
applicant;
Joe R. Botleman, Esq.,
Pueblo, Colorado, for
Martin V. Young, d/b/a
ViAir.

S T A T E M E N T

By the Commission:

This is an application of Byerly Aviation, Inc., doing business as "Byerly Airlines," Pueblo, Colorado, for a certificate of public convenience and necessity to operate as a common carrier by airplane, for the transportation of passengers and property, not on schedule, but on call and demand, between all points within the State of Colorado.

The above application was regularly set for hearing, and heard, at the Court House in Pueblo, Colorado, August 16, 1960, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant has operated commercially as a fixed-base operator for the transportation by airplane, of passengers and property, since 1945, in several cities in Illinois, and holds a certificate from the Federal Aviation Agency and Canadian Air, and is also a member of the Air Taxi Conference, Washington, D. C. The applicant agrees to furnish insurance covering his proposed operation and presently carries insurance

covering air operations. Applicant has multi and single engine equipment available for the proposed operation in Pueblo.

The following is the proposed rate schedule:

PASSENGER RATE SCHEDULE

	<u>Rate</u>
Lockheed Electra 10A	50¢ per mile plus 10% Federal Transportation Tax.
Piper Aztec	40¢ per mile
Piper Apache	35¢ per mile
Piper Comanche	22½¢ per mile
Piper Tri-Pacer	20¢ per mile

CARGO RATE SCHEDULE

Lockheed Electra 10A	50¢ per mile
Piper Aztec	40¢ per mile
Piper Apache	35¢ per mile
Piper Comanche	22½¢ per mile
Piper Tri-Pacer	20¢ per mile.

Exhibit No. 1 is a financial statement showing net worth of \$91,010.70. Witness Geils, Secretary of applicant company, stated he understood from his investigation that there was a need for multi engine equipment in Pueblo. His investigation further disclosed that in a couple of instances multi engine authority was desired that was not available at the Pueblo airport.

Jack Keeler, Director of Aviation for Memorial Airport, testified in support of the application and stated that protestant Martin V. Young was not at all times available and there was call and demand business at the airport that was not properly taken care of by the locally-domiciled air carrier, and pointed out two instances where multi engine aircraft was desired. Witness Keeler was of the opinion that the application should be granted. However, on cross-examination, he stated that Protestant Young, who is presently domiciled at the airport, was in debt for air service fees in the amount of approximately \$900.00.

Martin V. Young, doing business as "ViAir" holds certificate of public convenience and necessity, authorizing:

"Transportation of persons and property, not on schedule but on call and demand, from and to Pueblo County, from and to all points in the State of Colorado . . . Applicant shall be limited to the use of two four-passenger aircraft including the pilot in the conduct of this service."

This authority, unfortunately, is limited, and protestant's Exhibit "A" discloses that his total receipts for the year 1958 totaled only \$3,494.78, and for 1959 only \$2,748, while necessary liability insurance is in excess of \$1,350, or approximately one-half of his gross for the year 1959. Witness Young contends that Pueblo is not "air-minded" and points to the history of call and demand carriers in the Pueblo area where several certificates have been granted in the past, and all have been forced to abandon service, due to lack of business. The witness states he is available at all times and has been active in soliciting business and that there is not room for another certificated air carrier based at Memorial Airport in Pueblo.

Edith Kellerman, Secretary to a cattle buyer, who frequently uses air service, and John Ballantyne, testified as to the type of service offered by protestant Young.

The Commission finds itself in a difficult position. We have an applicant well qualified by experience, financially responsible, who desires to furnish air service at Pueblo, while, on the other hand, we have granted to protestant Young a certificate to serve. Unfortunately, he has a limited certificate. The record and history discloses that Pueblo has not favored locally-based aircraft as we have granted some four or five certificates who have failed to attract sufficient business to keep in operation. It appears that protestant owes a substantial amount to the Pueblo Memorial airport, although we are informed he has cleaned up this bill since the hearing, and we know he has had difficulty in keeping his insurance current. In other words, protestant, without competition, is having trouble, due, in our judgment, to insufficient business. Protestant may not be as aggressive as he should be but we cannot see where there is potential business for an additional carrier. In Re Application No. 2691, Southwestern

Greyhound Lines, in Decision No. 8739, dated November 4, 1936,

we said:

" . . . that to permit more motor truck carriers to operate than is reasonably necessary to properly take care of the business to be handled over said line or route will deprive said protestant of the benefit of his certificate already granted by this Commission, and to admit several to this field of activity and then to decrease the volume of business for each utility, will tend to make overhead expenses and other expenses of each utility heavier, even to the point of being burdensome, it would be only a matter of time until the weakest and least able financially to withstand the pressure of little or no business must abandon their activities as a public utility."

We feel that the foregoing statement as a matter of policy is as true for call and demand air carriers as it is for call and demand motor carriers. We therefore are of the opinion that public convenience and necessity do not warrant the granting of the authority sought in this application. We recognize and feel that protestant should make a reasonable attempt to improve his service, but from the record before us, we are of the opinion that only one operator is warranted in the Pueblo area.

F I N D I N G S

THE COMMISSION FINDS:

1. That public convenience and necessity do not require the granting of the instant application.
2. That to permit additional competition would further divide the limited business now available in Pueblo.
3. That protestant should immediately make plans to correct and improve his service.
4. That the instant application should be denied for the reasons heretofore set forth in our Statement which, by reference, is made a part of these Findings.

O R D E R

THE COMMISSION ORDERS:

That the instant 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

Joseph F. Negro
Ralph C. Horton
Harry E. Paulings
Commissioners.

Dated at Denver, Colorado
this 6th day of September, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM G. BOWSER, DOING BUSINESS)
AS "DENVER REPOSSESSION BUREAU,")
1410 SIXTEENTH STREET, DENVER, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 18014-PP

September 6, 1960

Appearances: Mrs. William G. Bowser,
Denver, Colorado,
for applicant;
R. B. Danks, Esq., Denver,
Colorado, for Colorado
Transfer & Warehouse-
men's Association;
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., Carbon
Motorway, and Larson
Transportation Company.

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 automobiles, furniture, and tires, between points within a radius of fifteen miles of Colfax and Broadway, in Denver, Colorado, and from and to points within said radius, to and from points within the State of Colorado, commodities to consist of items to be repossessed in the ordinary course of business of Denver Repossession Bureau.

The application was regularly set for hearing at 532 State Services Building, Denver, Colorado, at ten o'clock A. M., August 24, 1960, after due notice to all interested parties.

Prior to the calling of the above application, Mr. William G. Bowser called the Secretary of the Commission and stated that he had

been subpoenaed in the District Court in and for the City and County of Denver, at ten o'clock A. M., August 24, 1960, and he would be unable to appear at the above-entitled hearing. He asked that the setting be vacated and the matter continued and reset at some future date.

There was no objection to this request.

F I N D I N G S

THE COMMISSION FINDS:

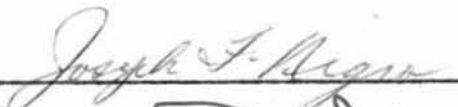
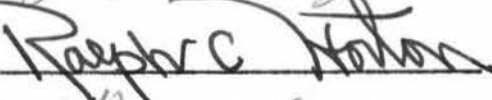
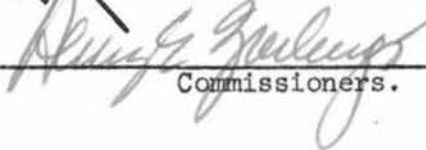
That the setting of Application No. 18014-PP should be vacated and the matter continued and reset at some future date at the convenience of the Commission, with notice to all interested parties.

O R D E R

THE COMMISSION ORDERS:

That hearing herein be, and the same is hereby vacated, and the matter continued to some future date, to be reset at the convenience of the Commission, with notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1960.

ea

original

(Decision No. 55029)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM R. NEIDERHISER, 6851 MAG-)
NOLIA STREET, DERBY, COLORADO, FOR) APPLICATION NO. 18015-PP-Extension
AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-5442.)
-----)

September 6, 1960

S T A T E M E N T

By the Commission:

The applicant herein filed his application for authority to extend operations under Permit No. B-5442, to include the right to transport hay from points within a radius of one hundred miles of Denver, Colorado, to points within a radius of ten miles of Denver, Colorado, also, from points within a radius of one hundred miles of Pueblo, Colorado, to points within a radius of ten miles of Pueblo, Colorado.

The application was regularly set for hearing after appropriate notice to all interested parties, at 532 State Services Building, Denver, Colorado, at ten o'clock A. M., August 24, 1960.

Notwithstanding said notice, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing, and no one appeared in opposition.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is,

dismissed for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Byrne
Joseph C. Hinton
Henry E. Williams
Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES M. AND GWEN RICHARDSON,)
ROUTE 2 BOX 157, FORT LUPTON, COLO-)
RADO.)
)
)
)

PERMIT NO. M-7061

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles M. and Gwen
Richardson, Fort Lupton, Colorado
requesting that Permit No. M-7061 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7061, heretofore issued to Charles M. and Gwen
Richardson, Fort Lupton, Colorado be,
and the same is hereby, declared cancelled effective August 20, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Samuel C. Horton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 1960.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REDUCED RATES ON IRON OR STEEL)
ARTICLES AS DESCRIBED IN ITEM NO.)
740, ORIGINAL PAGE NO. 37, THE)
COLORADO TRANSFER AND WAREHOUSE-)
MEN'S ASSOCIATION, AGENT MOTOR)
FREIGHT TARIFF NO. 6, COLO. P.U.C.)
NO. 4, FROM MINNEQUA AND PUEBLO,)
COLORADO, TO DENVER, THE GLENN L.)
MARTIN PLANT NEAR WATERTON, COLO-)
RADO, GREELEY, COLORADO, COLORADO)
SPRINGS, FORT CARSON AND U. S. AIR)
FORCE ACADEMY, COLORADO, AND FROM)
MINNEQUA, COLORADO TO PUEBLO,)
COLORADO.)
-----)

INVESTIGATION AND SUSPENSION
DOCKET NO. 440

September 2, 1960

S T A T E M E N T

By the Commission:

There has been filed with The Public Utilities Commission of the State of Colorado, by The Colorado Transfer and Warehousemen's Association, Agent, Original Page 37 to its Motor Freight Tariff No. 6, Colo. P. U. C. No. 4, issued by Helen Fisher, Secretary, 1790 Logan Street, Denver, Colorado, advertised to become effective September 3, 1960, viz.:

Item No. 740, Original Page 37, The Colorado Transfer and Warehousemen's Association, Agent, Motor Freight Tariff No. 6, Colo. P. U. C. No. 4. Iron or Steel Articles, viz.: Plate Girders; Stringers; Fabricated Trusses; Steel Concrete Construction Forms; Angles; Balls, Bars or Shapes, crushing or grinding; Pipe; Rails; Bars No. I; Strap, iron or steel; Beams; Channels; Plate or Sheet; Wire; Wire Rope or Strand; and parts or pieces constituting a complete article. (1) Minimum weight 30,000 pounds. (2) Minimum weight 40,000 pounds.

Rates are in cents per 100 pounds, from Minnequa, Colorado, and Pueblo, Colorado, To Denver, Colorado, and points and places within 5 miles of the Denver City Limits, (1) 38, (2), 33; Glenn L. Martin Plant near Waterton, Colorado, (1) 38, (2) 33; Greeley, Colorado (2) 38; Colorado Springs, Ft. Carson and U. S. Air Force Academy, Colorado (1) 22, (2), 20, and from Minnequa, Colorado, to Pueblo, Colorado, (2) 11.

The said schedules make certain reductions in rates in the said Item 740, whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of said schedules contained in said tariff should be postponed, pending a hearing and decision thereon.

F I N D I N G S

THE COMMISSION FINDS:

That, upon complaint, without formal pleading, the proposed schedules as hereinbefore set forth should be suspended and that it should enter upon a hearing concerning the lawfulness of the said rates, rules, regulations and charges.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are hereby made a part hereof.
2. It shall, upon complaint, enter upon a hearing concerning the lawfulness of the rates, rules, regulations and charges, contained in the schedules of said tariff.
3. The operation of the said schedules contained in said tariff shall be suspended and the use of the rates, charges, regulations and practices therein stated be deferred 120 days, or until the 1st day of January, 1961, unless otherwise ordered by the Commission, and no change shall be made in such rates, charges, regulations and practices during the said period of suspension.
4. The rates and charges and the regulations and practices thereby sought to be altered shall not be changed by any subsequent

tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

5. A copy of this order be filed with said schedules in the office of the Commission and that copies hereof be forthwith served upon Helen Fisher, Secretary, The Colorado Transfer and Warehousemen's Association, 1790 Logan Street, Denver, Colorado; John Norman, 426 E & C Building, Denver, Colorado; John P. Thompson, Esq., 320 Denver Club Building, Denver, Colorado; Howard Hicks, Centennial Truck Lines, P. O. Box 5040, Denver 17, Colorado; and J. R. Smith, 4060 Elati Street, Denver 16, Colorado.

6. This proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Ralph C. Holton
Henry E. Zailberg
Commissioners.

Dated at Denver, Colorado,
this 2nd day of September, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER AND JACK VANNOY, ROUTE 4,)
KEARNEY, NEBRASKA.)
)
)
)
-----)

PERMIT NO. M-13281

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter and Jack
Vannoy, Kearney, Nebraska
requesting that Permit No. M-13281 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13281, heretofore issued to Walter and Jack Vannoy
Kearney, Nebraska be,
and the same is hereby, declared cancelled effective August 18, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higgins
Joseph C. Harrison
Henry E. Zachary
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 1960.

he

original

(Decision No. 55033)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDWARD SCHNORR, DOING BUSINESS AS)
"IDEAL DISPOSAL COMPANY," 4700 NEW-)
LAND, WHEATRIDGE, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 17965-PP

September 6, 1960

Appearances: Richard Kaylor, Esq., Denver,
Colorado, for applicant;
George W. Harper, Esq.,
Denver, Colorado, for
Mountain View Rubbish
Removal; Lakewood Dis-
posal Co; and Sam's Ash
and Trash;
Robert Murray, Golden, Colo-
rado, for Board of County
Commissioners of Jefferson
County; and Tri-County
Health Department.

S T A T E M E N T

By the Commission:

On July 12, 1960, application was filed for a Class "B" private carrier permit for hire, for the transportation of ashes, trash, rubbish, and other debris, from May-D&F, only, in Westland Shopping Center, Jefferson County, Colorado, to properly-designated dumping places.

The above application was regularly set for hearing on August 3, 1960, and was vacated by Decision No. 54819. The matter was reset for hearing, and heard, August 24, 1960, at 532 State Services Building, Denver, Colorado, and at the conclusion of said hearing, the matter was taken under advisement.

Edward Schnorr, the applicant herein, testified that he was the owner of a certificate of public convenience and necessity authorizing transportation of ashes, trash and rubbish within the

City and County of Denver; that in his Denver certificate he serves the May-D&F stores located within said city, and it appears that May-D&F has contracted with applicant to take care of their trash and rubbish disposal in Denver and the Metropolitan area. It appears they have requested applicant to secure authority to haul and dispose of their trash and rubbish from their new store in Westland Shopping Center, Jefferson County, Colorado. The applicant has operated under authority of the Commission since 1956, and is a competent, experienced operator, with suitable equipment.

Gus Schaefer, Assistant to the General Superintendent of the May-D&F stores in Colorado, testified he had contacted the applicant and requested him to perform the service asked for in the application; that his company wanted one carrier to handle all their stores in Denver and the Metropolitan area as it simplified their bidding and bookkeeping and, in their judgment, made it possible to better control their transportation and disposal of rubbish and trash. He testified he was here in support of the application and that the division of this business between several carriers would not fit their plans as they wanted a single contractor to handle this problem.

LaVerne Welch, of Lakewood Disposal, was employed by applicant to temporarily haul for May-D&F for the reason that applicant's authority did not cover this territory. He is now performing the service and has had no complaints. It appears he serves other businesses in the Westland Shopping Center and he, personally, desires this business, and has suitable and adequate equipment. Unfortunately for the witness, he did not contact the proper officials at the May-D&F organization, rather, he contacted the manager of the landlord for the Westland Shopping Center.

Sam Basile, who operates Sam's Ash and Trash, also vigorously protested the application, stating this haul was in his territory and he, or other certificated carriers were entitled to the business, and he felt that no outsider should come into his territory. It appears that he, also, is experienced and has suitable equipment.

Robert Murray, of Golden, who represents the Board of County Commissioners in Jefferson County, and the Tri-County Health Department, stated his department was presently regulating the trash haulers in his area; that they did not want additional carriers and he felt that the hauling of ashes and trash was a health problem and not a transportation problem and should be under the jurisdiction of the health department operating in Jefferson County.

We might say that the Commission, since 1954, has felt that the hauling of ashes, trash and rubbish is a health problem, and in our Annual Reports we have recommended that this service be deleted from our authority and placed in the hands of the Colorado State Health Department or other health departments serving in Colorado. Colorado Revised Statutes, 1953, Chapter 115-11-3, provides:

"No application for permit nor for any extension or enlargement of an existing permit, shall be granted by the Commission until after a hearing, nor shall any such permit, nor any extension or enlargement thereof, be granted if the Commission shall be of the opinion that the proposed operation of any such private carrier will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

We have carefully considered the evidence and the record made at the hearing, and are of the opinion that applicant, under the above statute, has made sufficient showing to grant the above application.

F I N D I N G S

THE COMMISSION FINDS:

1. That applicant is qualified, both by experience and financial responsibility, to operate as a private carrier by motor vehicle for hire, for the transportation of ashes, trash and rubbish.
2. That the Colorado Commission has jurisdiction over the subject matter of this application.
3. That applicant can better serve the needs of May-D&F stores for their transportation of rubbish and trash from their store in Westland Shopping Center.

4. That after careful consideration of the evidence and the record, we are of the opinion and so find as a fact, that the service authorized hereinafter will not impair the efficient public service of any of the protesting common carriers appearing at the hearing or other motor vehicle common carriers adequately or inadequately serving the territory.

5. That applicant is fit, willing and able to perform the aforesaid transportation properly and to conform to the provisions of the Private Carrier Act and the rules and regulations thereunder.

6. That the application for a private carrier permit should be granted for the additional findings of fact heretofore set forth in our Statement which, by reference, is made a part of these Findings.

O R D E R

THE COMMISSION ORDERS:

That Edward Schnorr, doing business as "Ideal Disposal Company," Wheatridge, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash, rubbish, and other debris, from May-D&F, only, in Westland Shopping Center, Jefferson County, Colorado, to properly designated dumping places.

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.
date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

13 X A 3
5 X A 3
ATTORNEY
[Signature]

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

Dated at Denver, Colorado,
this 6th day of September, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH LEACH, DOING BUSINESS AS)
"LEACH AIR SERVICE," CENTER, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY AUTHOR-)
IZING TRANSPORTATION OF PASSENGERS,)
ON CALL AND DEMAND, BY AIRCRAFT,)
AS A COMMON CARRIER, BETWEEN POINTS)
WITHIN THE STATE OF COLORADO.)
-----)

APPLICATION NO. 16932
SUPPLEMENTAL ORDER

September 6, 1960

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado,
for applicant;
Moses and DeSouchet, Esqs.,
Alamosa, Colorado, for
Kramer Flying Service;
Rocky Warren, Gunnison,
Colorado, for Western
State Aviation.

S T A T E M E N T

By the Commission:

On June 8, 1959, the Commission entered its Decision No. 52415 in the above-styled matter, granting to applicant herein a certificate of public convenience and necessity, authorizing transportation, by aircraft, in the State of Colorado.

Inasmuch as applicant herein has failed to maintain suitable equipment and to carry proper insurance covering said operations,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be cancelled and revoked.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Kenneth Leach, doing business as "Leach Air Service," Center, Colorado, by Decision No.

52415, of date June 8, 1959, in the above-styled applicatipn,
be, and the same hereby are, cancelled and revoked.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

15 H A D)

APPROVED: A. H. H. H.

[Signature]

Joseph F. McGuire

Ralph C. Norton

Alvin G. Hurling
Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MARSHALL ANDERSON AND EUNICE ANDER-)	
SON, JOINT TENANTS, DOING BUSINESS)	
AS "STROH'S CATTLELINERS," 2412 8TH)	
AVENUE, GREELEY, COLORADO, FOR AU-)	APPLICATION NO. 17908-Transfer
THORITY TO TRANSFER PUC NO. 518 AND)	<u>SUPPLEMENTAL ORDER</u>
PUC NO. 518-I TO RAYMOND A. NAUTA)	
AND SAMMIE C. NAUTA, CO-PARTNERS,)	
DOING BUSINESS AS "NAUTA TRUCKING)	
SERVICE," P. O. BOX 405, FORT)	
COLLINS, COLORADO.)	
-----)	

September 6, 1960

Appearances: Melvin Dinner, Esq., Greeley,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 54987, dated August 25, 1960, the Commission authorized Marshall Anderson and Eunice Anderson, joint tenants, doing business as "Stroh's Cattleliners," Greeley, Colorado, to transfer all their right, title and interest in and to PUC No. 518 and PUC No. 518-I to Raymond A. Nauta and Sammie C. Nauta, co-partners, doing business as "Nauta Trucking Service," setting out the authority to be transferred in full.

Through inadvertence, the transferees were restricted to an office in Greeley for the solicitation of business when it was not the intent of the Commission so to do. It is the desire and intent of the Commission to substitute the word "maintain" in lieu of the words "be restricted to" in the second paragraph of the Order of said Decision No. 54987.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 54987 should be amended, as provided in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 54987, dated August 25, 1960, be, and the same is hereby amended, nunc pro tunc, as of said 25th day of August, 1960, by striking the words "be restricted to" and inserting in lieu thereof the word "maintain," so that the second paragraph of said Order, as amended, shall read as follows:

"That Marshall Anderson and Eunice Anderson, joint tenants, doing business as 'Stroh's Cattleliners,' Greeley, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 518 and PUC No. 518-I, said authority being as follows:

livestock from point to point within a territory extending 18 miles north of Greeley, 20 miles east, 20 miles south, and 10 miles west, and between points within said territory and other points within the State;

livestock on call and demand from and between points within a radius of 25 miles of Greeley;

beet pulp from Brighton and Ovid, Colorado, to farms, ranches, feed lots and feed yards within a radius of 25 miles of Greeley, Colorado;

providing that transferees shall maintain an office in Greeley for the solicitation of business;

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;

to Raymond A. Nauta and Sammie C. Nauta, co-partners, doing business as 'Nauta Trucking Service,' and subject to payment of outstanding indebtedness against said certificates, if any there be, whether secured or unsecured."

That, except as herein amended, said Decision No. 54987 shall remain in full force and effect.

DEL(S.E.I.A.L.)

(S.E.I.A.L.)

ATTEST: A. P.

Dated at Denver, Colorado,
this 6th day of September, 1960.

ea

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regier
Ralph C. Naton
Henry J. Puley
Commissioners.

original

(Decision No. 55036)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARL A. CHRISCO, 662 28 ROAD, GRAND)
JUNCTION, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18027-PP

September 6, 1960

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 home 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 restricted against the use of tank vehicles; logs and rough lumber, from forests and sawmills in the State of Colorado, to sawmills, docks, railroad loading points and places of storage within a radius of fifty miles of said forests and sawmills; water and coal, from mines, pits and supply points in the State of Colorado, to points within a radius of fifty miles of said mines, pits and supply points.

Said application was regularly set for hearing at the County Court Room, County Court House Annex, Grand Junction, Colorado, August 30, 1960, due notice of the time and place 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.

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

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Carl A. Chrisco, Grand Junction, 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, the transportation of road-surfacing materials being restricted against the use of tank vehicles; logs and rough lumber, from forests and sawmills in the State of Colorado, to sawmills, docks, railroad loading points and places of storage within a radius of fifty miles of said forests and sawmills; water and coal, from mines, pits and supply points in the State of Colorado, to points within a radius of fifty miles of said mines, 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 twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nye
Ralph C. Holton
Alvin G. Zindler
Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1960.

mls

original

(Decision No. 55037)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
LAWRENCE E. LONG, 730 NORTH THIRD
STREET, MONTROSE, COLORADO, FOR A
CLASS "B" PERMIT TO OPERATE AS A
PRIVATE CARRIER BY MOTOR VEHICLE
FOR HIRE.

APPLICATION NO. 18035-PP

September 6, 1960

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, poles, and timber products, from forests to sawmills and places of storage and loading points within a radius of seventy-five miles of said forests; rough lumber, from sawmills in said seventy-five mile radius to markets in the State of Colorado, no town-to-town service to be rendered.

Said application was regularly set for hearing at the District Court Room, Montrose, Colorado, August 31, 1960, due notice of the time and place 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.

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

No one appeared in opposition to the granting of authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Lawrence E. Long, Montrose, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills and places of storage and loading points within a radius of seventy-five miles of said forests; rough lumber, from sawmills in said seventy-five-mile radius to markets in the State of Colorado, no town-to-town service to be rendered.

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

Joseph T. Kyrle
Ralph C. Hutton
Harvey E. Zelenko
Commissioners

Dated at Denver, Colorado,
this 6th day of September, 1960.

mls

original

(Decision No. 55038)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
DEWEY BLAIR, WILLIAM L. BLAIR, AND }
KENNETH W. BLAIR, CO-PARTNERS, DOING }
BUSINESS AS "DEWEY BLAIR & SONS," }
BOX 403, OLATHE, COLORADO, FOR A }
CLASS "B" PERMIT TO OPERATE AS A }
PRIVATE CARRIER BY MOTOR VEHICLE FOR }
HIRE. }

APPLICATION NO. 18033-PP

September 6, 1960

Appearances: T. L. Brooks, Esq., Montrose,
Colorado, for Applicants;
Ernest C. Porter, Esq., Den-
ver, Colorado, for Rio
Grande Motor Way, Inc.,
and Larson Transportation
Co.

STATEMENT AND FINDINGS OF FACT

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 home 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 restricted against the use of tank vehicles; produce and feed from point to point within the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Court House, Montrose, Colorado, August 31, 1960, and at the conclusion of the evidence, the matter was taken unddr advisement.

Dewey Blair, one of the partners of the applicant partnership, testified in support of the application. The Commission finds from his testimony and the evidence presented that the applicant is experienced, has proper equipment, and that the application, if granted, will serve the public interest, and should be granted as hereinafter restricted.

It was stipulated by counsel for the applicants and for the protestants that, if the applicants amended their application in the following manner, to-wit: by striking therefrom the wording

"Produce and feed from point to point
within the State of Colorado,"

to read as follows, to-wit:

"Farm produce to and from, from and to
farms, to market or warehouse facilities
within a radius of fifty miles of Olathe,"

protestants would withdraw their protests.

Pursuant to said stipulation, a motion was made by applicants for such amendment and counsel withdrew their protests.

The Commission finds that the motion should be granted and since all protests were withdrawn, and it would be in the public interest to grant such authority, the same should be granted.

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

O R D E R

THE COMMISSION ORDERS:

That motion to amend the application as hereinabove set forth is hereby granted.

That Dewey Blair, William L. Blair, and Kenneth W. Blair, co-partners, doing business as "Dewey Blair & Sons," Olathe, 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 home 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; the transportation of road-surfacing materials being restricted against the use of tank vehicles; farm produce to and from, from and to, farms, to market or warehouse facilities, within a radius of fifty miles of Olathe, 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 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regis
Ralph C. Norton
Paul J. Zarlengo
Commissioners.

Dated at Denver, Colorado,
6th day of September, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FAIRWAY FURNITURE (A CORPORATION),)
120 SOUTH TEJON STREET, COLORADO)
SPRINGS, COLORADO.)
-----)

PERMIT NO. M-13427

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fairway Furniture
(A Corporation), Colorado Springs, Colorado
requesting that Permit No. M-13427 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13427, heretofore issued to Fairway Furniture (A
Corporation), Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective September 4, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Johnston
Henry E. Zepher
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM DUMLER, 2201 LOYOLA, FORT)
COLLINS, COLORADO.)

PERMIT NO. M-13966

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William Dumlér,
Fort Collins, Colorado
requesting that Permit No. M-13966 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13966, heretofore issued to William Dunler,
Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective August 8, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Henry E. Zuckerg
Commissioners

Dated at Denver, Colorado,

this 8th day of September , 1957 60.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GRANT H. TERRELL, 219 CHARMONY PLACE,)
STERLING, COLORADO.)
)
)
)
-----)

PERMIT NO. M-7261

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Grant H. Terrell,
Sterling, Colorado
requesting that Permit No. M-7261 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7261, heretofore issued to Grant H. Terrell,
Sterling, Colorado be,
and the same is hereby, declared cancelled effective July 15, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARION DONALD ATKINS, DURANGO, COLO-)
RADO.)
)
)
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)
-----)

PERMIT NO. B-5880

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marion Donald Atkins,
Durango, Colorado
requesting that Permit No. B-5880 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5880, heretofore issued to Marion Donald Atkins,
Durango, Colorado be,
and the same is hereby, declared cancelled effective July 30, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 195/ 60.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RAYMOND A. CANNON, 137 NORTH)	
WILLERUP, MONTROSE, COLORADO, FOR)	
AUTHORITY TO TRANSFER PERMIT NO.)	<u>APPLICATION NO. 18034-PP-Transfer</u>
B-4928 TO CHARLIE W. BRIGGS,)	
MONTROSE, COLORADO.)	
-----)	

September 6, 1960

Appearances: Gladys Cannon, Montrose,
Colorado, for Transferor;
Charlie W. Briggs, Mont-
rose, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Raymond A. Cannon, Montrose, Colorado, is the owner
and operator of Permit No. B-4928, authorizing:

transportation of logs, in the State of
Colorado, from forests to sawmills within
a radius of one hundred miles of Montrose,
Colorado, and the transportation of lumber,
from sawmills and planing mills to lumber
yards and storage places within a radius
of one hundred miles of Montrose, Colorado,
for the following customers: Ben Casian,
Montrose, Colorado; Hoyt Brown, Norwood,
Colorado; Frazier Timber Company, Norwood,
Colorado; Gunnison Timber Company, Montrose,
Colorado; Covington Sawmills, Cimarron and
Norwood, Colorado; Bob Whitefield, Cimarron,
Colorado; Independent Lumber Company, Grand
Junction and Montrose, Colorado, only, with-
out the right to add to the number of cus-
tomers served, except upon permission so to
do having first been obtained from this Com-
mission, equipment to be used in the transpor-
tation of lumber to be limited to either one
truck or one tractor-trailer combination.

By the instant application, said permit-holder seeks
authority to transfer said Permit No. B-4928 to Charlie W. Briggs,
Montrose, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Court House, Montrose, Colorado, August 31, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Gladys Cannon testified that she was the wife of the applicant; that arrangements had been made to transfer the permit and equipment for a consideration of \$465.00; and that there was no indebtedness against the operation.

Charlie W. Briggs testified that he was the transferee and that the consideration above mentioned would be paid. He also testified as to considerable experience in the hauling of logs and forest products.

The Commission finds that the financial standing of the transferee is established to its satisfaction, and that the public interest will be served by authorizing the transfer and the same should be allowed.

O R D E R

THE COMMISSION ORDERS:

That Raymond A. Cannon, Montrose, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-4928 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Charlie W. Briggs, Montrose, 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 part of the permit authorized to be transferred, and shall become effective twenty-one days from date.

(S E A 1)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Regio
Ralph C. Stanton
Commissioners.

Dated at Denver, Colorado,
this 6th day of September, 1960.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN OTTENS, 419 WEST ELM, PROSPECT)
HEIGHTS, CANON CITY, COLORADO.)
)
)
)
-----)

PERMIT NO. M-7504

September 8, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John Ottens, Canon
City, Colorado
requesting that Permit No. M-7504 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7504, heretofore issued to John Ottens, Canon City,
Colorado be,
and the same is hereby, declared cancelled effective August 11, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Horton
Henry E. Zwick
Commissioners

Dated at Denver, Colorado,

this 8th day of September, 1960.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EUGENE CURTIS, 2209½ EAST)
PLATTE, COLORADO SPRINGS, COLO-)
RADO.)
-----)

PERMIT NO. B-5977

September 15, 1960

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-5977 be suspended for six months from September 7, 1960.

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 Eugene Curtis, Colorado Springs, Colorado

be, and is hereby, authorized to suspend his operations under Permit No. B-5977 until March 7, 1961.

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 re-instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Robert C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 19 60.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE E. LUCK, P. O. BOX 173,)
NEOLA, UTAH.)
)
)
)
)
-----)

PERMIT NO. M-6375

September 15, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lawrence E. Luck,
Neola, Utah
requesting that Permit No. M-6375 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6375, heretofore issued to Lawrence E. Luck,
Neola, Utah be,
and the same is hereby, declared cancelled effective September 3, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Holton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 15th day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. D. SWIFT, DOING BUSINESS AS,)
"SWIFT'S NEWS AGENCY", P. O. BOX 26,)
ALAMOSA, COLORADO.)
-----)

PERMIT NO. M-3181

September 15, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M. D. Swift,
doing business as, "Swift's News Agency", Alamosa, Colorado
requesting that Permit No. M-3181 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3181, heretofore issued to M. D. Swift, doing
business as, "Swift's News Agency", Alamosa, Colorado be,
and the same is hereby, declared cancelled effective September 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Robert C. Horvath
Henry C. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 15th day of September, 195 60.

original

(Decision No. 55048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MIKE BRONCUCIA, 20 EAST 70TH AVENUE,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18041-PP

September 13, 1960

Appearances:: Mike Broncucia, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insul-rock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado,

September 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

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

The applicant appeared pro se and testified in support of the application as to his financial condition and experience and the equipment which he will use in the operation.

The Commission finds that the applicant is qualified both as to experience and financial condition and that the public interest will be served in granting the application, and the same should be granted.

O R D E R

THE COMMISSION ORDERS:

That Mike Broncucia, 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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, the transportation of road-surfacing materials being restricted against the use of tank vehicles.

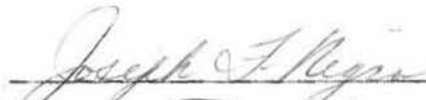
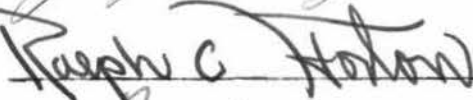

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 13th day of September, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FOSTER D. DEINES AND SHIRLEY Y.)
DEINES, CO-PARTNERS, DOING BUSINESS)
AS "F & S DEINES," 2925 TELLER)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 18042-PP

September 13, 1960

Appearances: Foster D. Deines, Denver,
Colorado, for Applicants.

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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, Septem-

ber 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Foster D. Deines, a partner applicant, testified in support of the application and from the testimony submitted it appears that the applicants are qualified both as to experience and financially, and that the public interest will be served by granting the application.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicants seek to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Foster D. Deines and Shirley Y. Deines, co-partners, doing business as "F & S Deines," Denver, Colorado, 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

home 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, the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph F. Regio
Ralph C. Norton
Alvin E. Zerkow
Commissioners.

Dated at Denver, Colorado,
this 13th day of September, 1960.

mls

original

(Decision No. 55050)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELMO S. HEFNER, JR., AND GLENN WHIS-)
MAN, 8950 NORTH FEDERAL BOULEVARD,)
WESTMINSTER, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18044-PP

September 13, 1960

Appearances: Elmo S. Hefner, Jr., West-
minster, Colorado, for
Applicants.

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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing

Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

One of the applicants testified, among other things, in support of the application as to applicants' financial condition and experience; as to the equipment which will be used in the operation; and as to the demands for transportation services which will be rendered under the authority.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicants seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Elmo S. Hefner, Jr. and Glenn Whisman, Westminster, Colorado, 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 home 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, the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph F. Meyer
Joseph C. Horton
Harvey E. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 13th day of September, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MILDRED MILLER, DOING BUSINESS AS,)
"MIDDLE PARK LUMBER COMPANY", HOT)
SULPHUR SPRINGS, COLORADO.)
-----)

PERMIT NO. M-12478

September 15, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mildred Miller,
doing business as, "Middle Park Lumber Company", Hot Sulphur Springs, Colorado
requesting that Permit No. M-12478 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12478, heretofore issued to Mildred Miller, doing
business as, "Middle Park Lumber Company", Hot Sulphur Springs, Colorado be,
and the same is hereby, declared cancelled effective June 23, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 15th day of September, 1960.

original

(Decision No. 55052)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION OF THE COLORADO MOTOR)
CARRIERS' ASSOCIATION, AS AGENT, FOR)
AND ON BEHALF OF DON WARD & CO., FOR)
AUTHORITY TO PUBLISH AND MADE EFFEC-)
TIVE ON LESS THAN STATUTORY NOTICE)
RATES ON CEMENT, IN BULK, FROM)
BOETTCHER AND PORTLAND, COLORADO,)
TO A POINT LOCATED APPROXIMATELY)
FOUR (4) MILES WEST OF BENNETT,)
COLORADO.)
-----)

CASE NO. 1585

September 12, 1960

S T A T E M E N T

By the Commission:

On September 7, 1960, The Colorado Motor Carriers' Association, as Agent, for and on behalf of Don Ward & Co., filed its application, No. 149, requesting authority to publish the following rates, in cents per 100 pounds, on cement, in bulk, in hopper-type vehicles, minimum weight 50,000 pounds, to the Northwestern Engineering Company Jobsite located approximately four (4) miles west of Bennett, Colorado:

From Boettcher, Colorado, 19½ cents;
From Portland, Colorado, 25½ cents,

to be made effective on less than statutory notice.

In support of the request, it is pointed out that the present rates are 21 and 28½ cents per 100 pounds, subject to a minimum weight of 35,000 pounds, from Boettcher and Portland, respectively, which produces 40 and 38 cents, respectively, per running mile. Under the proposed rates and minimum weight, the revenue per running mile will be 54 and 48 cents, respectively. That, in order to be on a competitive basis, it is necessary that the said rates be made effective on or before September 15, 1960.

On the basis of 50,000 pounds, earnings of 48 and 54 cents per running mile cannot be considered as non-compensatory, nor as being unreasonably high.

F I N D I N G S

THE COMMISSION FINDS:

That the rates and minimum weight set forth in the Statement, in our best judgment, represent just, fair and reasonable rates and charges, and should be authorized and an Order entered prescribing same.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings be, and they are made a part hereof.
2. This Order shall become effective forthwith.
3. The rates and minimum weight heretofore set forth in the Statement shall on September 14, 1960 be the prescribed rates and minimum weight.
4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new schedules reflecting the changes prescribed herein, on one (1) day's notice, in accordance with the provisions of the Public Utilities Act and the Rules and Regulations of the Commission.
5. 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 and minimum weight which shall not be less than those herein prescribed for motor vehicle common carriers.
6. 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 subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.
7. 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.

8. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. McGuire
Ralph C. Holton
Samuel G. Parlevogt
Commissioners.

Dated at Denver, Colorado,
this 12th day of September, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DEPARTMENT OF HIGHWAYS OF THE)
STATE OF COLORADO FOR AUTHORITY TO)
RECONSTRUCT AN EXISTING COUNTY ROAD)
GRADE CROSSING AND TO INSTALL FLASH-)
ING LIGHT SIGNALS SUPPLEMENTED WITH)
SHORT-ARM GATES ON THE LYNN CROSSING)
OF THE COLORADO AND SOUTHERN RAILWAY)
COMPANY, LOCATED NEAR THE SECTION)
LINE COMMON TO SECTIONS 14 AND 23,)
TOWNSHIP 30-SOUTH, RANGE 65-WEST,)
SIXTH PRINCIPAL MERIDIAN, IN LAS)
ANIMAS COUNTY, STATE OF COLORADO.)
-----)

APPLICATION NO. 17634

September 14, 1960

Appearances: Joseph M. Montano, Assistant
Attorney General, Denver,
Colorado, for Applicant
Department of Highways;
J. L. McNeill, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application, after appropriate notice to all parties in interest, to the owners of adjacent property and to the Chairman of the Board of Las Animas County Commissioners, was set for hearing in the County Court Room, Court House, Pueblo, Colorado, on July 11, 1960. Said application was there heard by Edwin R. Lundborg as a duly appointed Examiner for the Commission. Evidence was received, testimony taken, and the files, together with the Examiner's Report and recommendations, were all submitted to the Commission, and the matter was taken under advisement.

Purpose of the instant application is to secure Commission approval for the proposed rebuilding of an existing three-track grade crossing and the installation of automatic flashing light

signals with short-arm gates, all at the above rail location on State Highway No. 1 near Aguilar, Colorado. At the hearing, the following exhibits were received after explanation given by Mr. E. L. King, who is Assistant to the Plans and Surveys Engineer of the Department of Highways at Denver, Colorado:

- Exhibit A: Title page of project plans and sketch map to extent of highway project and location of the Lynn grade crossing near Aguilar, Colorado.
- Exhibit B: Plan sheet to show layout of proposed new highway intersection and ramps with access crossing over Colorado & Southern rail line.
- Exhibit C: Prepared statement of Mr. King to further explain the items of location, agreements and approvals, need and statement of cost.
- Exhibit D: Copy of Agreement dated November 17, 1959 between The Department of Highways and The Colorado & Southern Railway Company for rebuilding of an existing crossing over three tracks and the installation of automatic flashing light signals with short-arm gates.

In the instant project, funds have been allocated for the purpose of constructing a portion of the Interstate Highway route in a new location adjacent to the present State Highway No. 1 for a distance of some 14.4 miles between the small communities of Ludlow and Monson. In the new location, the highway will by-pass the Town of Aguilar, but access to that community will be provided by means of an interchange to be constructed at Lynn to serve intersecting county roads and utilize an existing rail crossing for a direct connecting road to Aguilar at two miles away. Existing State Highway No. 1 through Aguilar will remain in its present location and be provided with appropriate Freeway connection near Ludlow and Monson.

The grade crossing involved herein is an integral part of a necessary interchange to meet public traffic needs in the area. Average traffic volume over the crossing is estimated at 100 vehicles per day. Rail traffic currently amounts to ten scheduled trains per

day with a maximum operating speed of 75 miles per hour. Trackage consists of the main-line, a passing track and a stockyard siding track. Because of the nearness of the interchange structure, vehicular traffic must operate over the crossing at reduced speeds and vision in this open country is good.

In the requirements of the United States Bureau of Public Roads Policy and Procedure Memorandum 20-10, there is a specification for crossing protection consisting of automatic flashing light signals with short-arm gates. The effectiveness of flashing light signals is well established and the addition of the short-arm gates offers further and acceptable safeguard for the passing or multiple track use at the instant crossing.

Under the terms of the agreement herein (Exhibit D), it is provided that all cost incidental to reconstruction of the three-track crossing shall be borne by the Department. Costs of materials and labor for flashing lights supplemented with short-arm gates shall be borne ninety per cent (90%) by the Department and ten per cent (10%) by The Colorado and Southern Railway Company.

On the basis of The Colorado and Southern Railway Company's preliminary estimates, the crossing is estimated to cost:

	<u>Department</u>	<u>Railway</u>	<u>Total</u>
Flashing Lights and Short-Arm Gates	\$10,075	\$1,119	\$11,194
Advance Warning Signs	60	--	60
3-Track Crossing	<u>1,613</u>	<u>--</u>	<u>1,613</u>
Totals -	\$11,748	\$1,119	\$12,867

Upon completion of the installation, the Railway Company shall maintain and operate the crossing and protection devices. The east approach shall be maintained by the Department as a part of the Interchange. The west approach being a County road, is to be maintained by Las Animas County.

In addition to the above agreement, approvals of the proposed work have been given by the Boards of County Commissioners of Huerfano

and Las Animas Counties and by the U. S. Bureau of Public Roads.

Report of the Examiner also recommends that the requested authority be granted by appropriate Order of this Commission.

It appears further that no public utilities or adjacent property owners will be adversely affected. The files of the Commission indicate no protests to the proposed work, and no objections were offered at the hearing.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the Report of the Examiner should be approved.

That the foregoing Statement, by reference, is made a part of these Findings.

That public safety, convenience and necessity will require rebuilding of an existing railroad-highway grade crossing and the installation of automatic flashing light signals with short-arm gates on the Las Animas County road, being also the Lynn crossing of The Colorado & Southern Railway Company near Aguilar, Las Animas County, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner as submitted in the instant matter, should be, and the same is hereby, approved.

That Applicant, The Department of Highways of the State of Colorado, Denver, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the rebuilding of an existing highway-railroad grade crossing and the installation thereof of automatic flashing light signals with short-arm gates at the Lynn crossing of the Colorado & Southern Railway Company over the Las Animas County road near the section line common to Sections 14 and 23, Township 30-South, Range 65-West, 6th Principal Meridian, Las Animas County, Colorado.

That the work to be done, costs, installation, and maintenance of the protection devices and improvement of the crossing, shall be as indicated in the preceding Statement, said Statement and Exhibits "A", "B", "C", and "D", are, by reference, made a part hereof.

That the proposed signal devices and installation shall all be in conformance with the current Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Reph C. Horton
Henry E. Zallinger
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

ea

original

(Decision No. 55054)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PAUL WAGNER, DOING BUSINESS AS)	
"PAUL WAGNER & SONS," 6196 EAST)	
60TH PLACE, DENVER, COLORADO, FOR)	<u>APPLICATION NO. 18040</u>
A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY.)	
-----)	

September 14, 1960

Appearances: William W. Morris, Esq.,
Derby, Colorado, for
Applicant;
McLean and McLean, Esqs.,
Denver, Colorado, for
George Reichart;
Ruben Lee, Denver, Colo-
rado, pro se;
Arthur Nelson, Derby,
Colorado, pro se.

STATEMENT AND FINDS OF FACT

By the Commission:

By the instant application, Paul Wagner, doing business as "Paul Wagner & Sons," Denver, Colorado, seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of ashes and trash in an area beginning at U. S. Highway 6 and 85 and East 60th Avenue, to Quebec Street; thence North on Quebec Street to U. S. Highway 6; thence West on East 78th Avenue to Quebec Street; thence North on Quebec Street to East 80th Avenue; thence West on East 80th Avenue and continuing in a westerly direction to the center of U. S. Highway 85; thence southerly on U. S. Highway 85 to the point of beginning, all in Adams County, Colorado.

Said application was regularly set for hearing at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, due notice of the time and place being forwarded to all parties in interest.

At the outset of the hearing, it was pointed out that Robert McLean, attorney for one of the protestants, could not appear because of a serious injury. It was suggested that the hearing be continued, and the applicant and the protestants present stated that they would not object to the continuance.


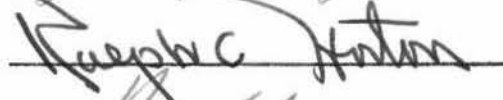

The Commission finds that the hearing on the above-styled application should be continued.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, continued for hearing at a future date to be determined by the Commission, with notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

ea

original

(Decision No. 55055)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN O. WILLIAMS, ROUTE 2, BOX 755,)
GOLDEN, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)

APPLICATION NO. 18048

September 14, 1960

Appearances: Roy H. McVicker, Jr., Esq.,
Wheatridge, Colorado, for
Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, John O. Williams, Golden, Colorado, seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of trash, ashes, garbage, and other waste matter, within a ten-mile radius of Coal Creek Canyon (Highway No. 72), and Martin's Store (located five miles West of the mouth of said Canyon), and to and from the nearest Jefferson County dump.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

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

The Commission finds from the evidence presented that the applicant is qualified both as to experience and financially to carry on the operations under the certificate, if granted; that there is no adequate and available common carrier service in the area and that there have been many demands for the transportation service for which

the applicant seeks a certificate; and, that the present and future public convenience and necessity require the granting of the certificate applied for.

The Commission further finds that the application should be granted as hereinafter set forth.

O R D E R

THE COMMISSION ORDERS:

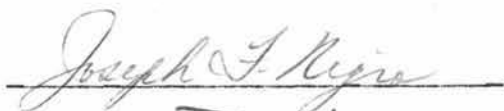
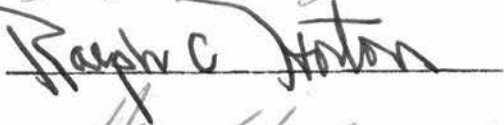

That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service of John O. Williams, Golden, Colorado, for the transportation of trash, ashes, garbage, and other waste matter, within a ten-mile radius of Martin's Store, located five-miles West of the mouth of Coal Creek Canyon on Highway No. 72, to and from the nearest Jefferson County dump, 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

mls

original

(Decision No. 55056)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD HUTTON, DOING BUSINESS AS)
"CURVE FEED COMPANY," 6750 MORRISON)
ROAD, DENVER, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18049-PP

September 14, 1960

Appearances: Donald Hutton, Denver, Colo-
rado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, Donald Hutton, doing business as "Curve Feed Company," Denver, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of hay, from North Park, Middle Park, and South Park, Adams, Weld, Morgan and Routt Counties, to hay dealers and feed lots in Denver, viz., a 15-mile radius of Colfax and Broadway; grain, from Weld, Morgan, and Routt Counties, to feed lots and stockyards in Denver, viz., a 15-mile radius of Colfax and Broadway, all as directed by Mr. Anderson and Mr. Butell.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

No one appeared in protest to the application, and the applicant testified in support thereof.

The Commission finds that the applicant is qualified both

financially and as to his experience to carry on the operations for which he seeks authority and that there is a demand for such services.

The Commission further finds that the application should be granted as restricted as hereinafter set out.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

O R D E R

THE COMMISSION ORDERS:

That Donald Hutton, doing business as "Curve Feed Company," Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of hay, from North Park, Middle Park, and South Park, Adams, Weld, Morgan and Routt Counties, to hay dealers and feed lots in Denver, viz., a 15-mile radius of Colfax and Broadway; grain, from Weld, Morgan, and Routt Counties, to feed lots and stockyards in Denver, viz., a 15-mile radius of Colfax and Broadway, all as directed by Mr. Anderson and Mr. Butell.

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

Joseph F. Nigro
Ralph C. Holman
Ray G. Pauling
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

mls

original

(Decision No. 55057)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KARL GRAVES, DOING BUSINESS AS)
"GRAVES TRUCKING," 2730 CALIFORNIA)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 18043-PP

September 14, 1960

Appearances: Karl Graves, Denver,
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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing

Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified, among other things, in support of his application, as to his financial condition and experience; as to the equipment which will be used in the operation; and as to the demands for transportation services which will be rendered under the authority.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Karl Graves, doing business as "Graves Trucking," Denver, Colorado, 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 home 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, the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph I. Nigro
Joseph C. Hobart
Henry E. Hurling
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

mls

original

(Decision No. 55058)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WAYNE LANHAM, 4760 WEST THIRD AVE-)	
NUE, DENVER, COLORADO, FOR A CLASS)	<u>APPLICATION NO. 18045-PP</u>
"B" PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

September 14, 1960

Appearances: Wayne Lanham, Denver, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and 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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified, among other things, in support of his application, as to his financial condition and experience; as to the equipment which will be used in the operation; and as to the demands for transportation services which will be rendered under the authority.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Wayne Lanham, 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 home 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; the transportation of road-surfacing materials being restricted

against the use of tank vehicles.

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

Joseph F. Nigro
Ralph C. Holton
Samuel S. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOSEPH L. PANEK, DOING BUSINESS AS)	
"JOE PANEK," 5231 JULIAN STREET,)	
DENVER, COLORADO, FOR A CLASS "B")	<u>APPLICATION NO. 18047-PP</u>
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

September 14, 1960

Appearances: James R. Stitt, Esq., Denver,
Colorado, for applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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 home 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 restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified, among other things, in support of his application, as to his financial condition and experience; as to the equipment which will be used in the operation; and as to the demands for services which will be rendered under the authority.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted, as restricted in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Joseph L. Panek, doing business as "Joe Panek," 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 home 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; the

transportation of road-surfacing materials being restricted against the use of tank vehicles.


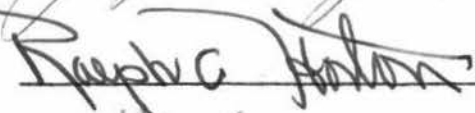
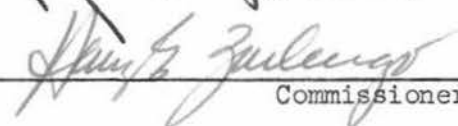
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 14th day of September, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES E. MUES AND EDWARD EMERSON,)	
5680 EAST 71ST PLACE, DERBY, COLO-)	
RADO, FOR A CLASS "B" PERMIT TO)	<u>APPLICATION NO. 18046-PP</u>
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
- - - - -)	

- - - - -
September 14, 1960
- - - - -

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 100 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, September 6, 1960, due notice of the time and place 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.

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

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That James E. Mues and Edward Emerson, Derby, 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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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 and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Spencer E. Zeller
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS PORTILLOS, P. O. BOX 493,)
SPRINGER, NEW MEXICO.)
)
)
)
)
-----)

PERMIT NO. M-14715

September 15, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Louis Portillos,
Springer, New Mexico
requesting that Permit No. M-14715 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14715, heretofore issued to Louis Portillos,
Springer, New Mexico be,
and the same is hereby, declared cancelled effective September 7, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 15th day of September, 1960.

hc

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HARDIE W. JAMIESON, 225 SUNSET HILLS,)	
ROUTE 4, GRAND JUNCTION, COLORADO,)	APPLICATION NO. 18029-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)	<u>Amended</u>
UNDER PERMIT NO. B-5524.)	

September 14, 1960

Appearances: Eugene D. Lorig, Esq., Grand
Junction, Colorado, for
Applicant;
Edward T. Lyons, Esq., Denver,
Colorado, for Fairplay Motor
Company;
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., and Larson
Transportation Co.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Hardie W. Jamieson, Grand Junction, Colorado, is the owner
and operator of Permit No. B-5524, authorizing:

transportation of uranium and vanadium ores,
over irregular routes from mines within a
150 mile radius of Uravan, Montrose County,
State of Colorado, to mines and mills and
ore stockpiles within a 150 mile radius of
Uravan, Montrose County, State of Colorado;
mining supplies of such nature as will not
require special equipment in the loading or
unloading of the same on return movements
only to mines from which ore is being hauled;
limited to the use of dump vehicles only;
such mining supplies shall not exceed a net
weight of 1,000 lbs. per return truck trip,
and said Hardie W. Jamieson shall carry with
him at all times documentary evidence to es-
tablish the correct weight of any load of
mining supplies being carried.

By the instant application, said permit-holder seeks
authority to extend operations under Permit No. B-5524, to include
the right to transport ores, minerals, and fissionable materials;

mining supplies of such nature as will not require special equipment in the loading or unloading of same on return movement only to mines from which ore is being hauled, such supplies not to exceed 1,000 pounds per return truck trip, from mines, mills, and ore stock piles within a radius of 250 miles of Uravan, Montrose County, Colorado, to unloading points within said 250-mile radius of Uravan, Montrose County, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the County Court Room, Grand Junction, Colorado, August 30, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

A motion was made by the applicant to amend his application by striking therefrom the wording describing the authority requested and substituting in its place the following wording, to-wit:

"for authority to extend operations under Permit No. B-5524, to include the right to transport uranium and vanadium ores and fissionable materials, mining supplies of such nature as will not require special equipment in the loading or unloading of same on return movements only to mines from which ore is being hauled, such supplies not to exceed 1,000 pounds per return truck trip, from mines, mills, and ore stockpiles west of the Continental Divide of Colorado within a radius of 250 miles of Uravan, Colorado, except points within a radius of 20 miles of Alamosa, Colorado, to unloading points within said territory."

The Commission finds that said motion restricts the authority rather than enlarges upon the authority originally requested by the application, and that the said motion should be granted.

Counsel for applicant and counsel for protestants further stipulated that, if the amendment to the application were granted, their protests should be considered to be withdrawn.

As it appears from the record that the applicant is otherwise qualified and that the public interest will be served by granting the application as amended, the same should be granted.

O R D E R

THE COMMISSION ORDERS:

That Hardie W. Jamieson, Grand Junction, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5524, to include the right to transport uranium and vanadium ores and fissionable materials, mining supplies of such nature as will not require special equipment in the loading or unloading of same on return movements only to mines from which ore is being hauled, such supplies not to exceed 1,000 pounds per return truck trip, from mines, mills, and ore stockpiles west of the Continental Divide of Colorado, within a radius of 250 miles of Uravan, Colorado, except points within a radius of 20 miles of Alamosa, Colorado, to unloading points within said territory.

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

Joseph F. Nigro
Ralph C. Horton
Harry F. Pulenz
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.
mls

original

(Decision No. 55063)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WAYNE E. LARSEN, DOING BUSINESS AS)	
"LARSEN TRANSFER & STORAGE COMPANY,")	APPLICATION NO. 17962-Extension
2560 BLAKE STREET, DENVER, COLORADO,)	
FOR A CERTIFICATE OF PUBLIC CONVEN-)	
IENCE AND NECESSITY, AUTHORIZING)	
EXTENSION OF OPERATIONS UNDER PUC)	
NO. 3571.)	

September 14, 1960

Appearances: Harold D. Torgan, Esq., Denver,
Colorado, and
John H. Lewis, Esq., Denver,
Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, for Sorenson Truck
Service, Inc.;
J. M. Harrington, Denver, Colo-
rado, for Goldstein Transport-
ation and Storage, Inc., and
Weicker Transfer & Storage Co.,
for copy of Order;
Raymond B. Danks, Esq., Denver,
Colorado, for Colorado Trans-
fer & Warehousemen's Associa-
tion; Hollman Transfer Co.;
Morgan Transfer Co.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Wayne E. Larsen, doing business as "Larsen Transfer &
Storage Company," Denver, Colorado, is the owner and operator of
PUC No. 3571, authorizing:

transportation of general commodities,
from point to point within the City and
County of Denver.

By the above-styled application, said certificate-holder
seeks authority to extend operations under PUC No. 3571 to include
the right to transport general commodities, except used household
goods, within a ten-mile radius of the City Limits of Denver, Colo-

rado, excluding Littleton, Arvada, and Golden, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, August 19, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Wayne E. Larsen testified in support of the application in substance that he operates a warehouse in conjunction with the transportation business for which he already has authority; that many of his warehouse customers require service in the area of extension in which area he at the present time does not have authority; that most of the warehouse customers require him to obtain the necessary common carrier service when needed to the area of extension; that his business hours are from 8:00 to 5:00 P. M., but that for emergency cases he will provide service at off hours; that generally when common carriers are called upon to render the service into the area of extension after 3:00 o'clock, service is not obtainable until the next day.

Witnesses testified in support of the application who are engaged in the merchandising and sale of furnaces, glue, etc. Their testimony in substance corroborated the testimony of the applicant.

The witnesses testifying in support of the application adduced no evidence as to any diligent search, or reasonable efforts, made to obtain common carrier service.

The Commission finds from the testimony and evidence in the record that the witnesses in support of the application actually desire and claim a need for transportation common carrier service which is tantamount to "standby service"; that their dissatisfaction with the common carrier service used by them from time to time springs from their desire to cater to unreasonable demands on the part of their customers, who it appears from the evidence delay without good reason

until the very last moment to have their deliveries made.

The Commission further finds that there is adequate common carrier service available and the lack of use of such service is the result of lack of diligence on the part of those desiring transportation services into the area; that there are some fifteen common carriers authorized to serve in the area of extension and the complaints testified to against the common carriers used by the witnesses are at best vague, indefinite and uncertain and for the most part predicated upon unreasonable expectation; that the inadequacy of, and non-availability of satisfactory common carrier service is not established by the evidence; and, that the main evidence as to public need and convenience, if any, comes from a group identified as warehouse customers of the applicant, rather than from the public at large, and that the public convenience and necessity which the Commission must find in order to grant a certificate is the convenience and necessity of the public as distinguished from that of any individual or group of individuals.

The Commission further finds that the evidence is insufficient to establish that the present or future public convenience and necessity requires or will require the operation for which the applicant seeks authority, and that the application should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application No. 17962-Extension 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

Joseph T. Regier
Harph C. Horton
Henry E. Adams
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

original

(Decision No. 55064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JUNIOR A. COLE AND RAYMOND C. COLE,)
CO-PARTNERS, DOING BUSINESS AS)
"COLE BROTHERS TRAILER TRANSPORT,")
510 1/2 28 ROAD, GRAND JUNCTION, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY, AUTHORIZ-)
ING EXTENSION OF OPERATIONS UNDER)
PUC NO. 3642 AND PUC NO. 3642-I.)

APPLICATION NO. 18025-Extension

September 14, 1960

Appearances: Keith G. Mumby, Esq., Grand
Junction, Colorado, for
Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Junior A. Cole and Raymond C. Cole, co-partners, doing business as "Cole Brothers Trailer Transport," Grand Junction, Colorado, are the owners and operators of PUC No. 3642 and PUC No. 3642-I, authorizing:

transportation and towing of house trailers, mobile trailer homes, and all types of trailers, in tow-away service, from point to point within a radius of two hundred miles of Grand Junction, 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;

transportation of vehicle trailers and mobile homes, between all points in Gunnison, Montrose, Delta, Ouray, and San Miguel Counties, and from and to all points in said Counties, to and from all points within the State of Colorado, excepting that no trailer shall be picked up within the City of Denver, or a fifteen-mile radius thereof, nor within the Cities of Greeley, Pueblo, Colorado Springs, and Grand Junction, Colorado.

By the instant application, said certificate-holders seek authority to extend operations under said PUC No. 3642 and PUC No. 3642-I, to include the transportation and towing of house trailers, mobile trailer homes and all types of trailers in tow-away service, to and from, and from and to 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 County Court Room, Grand Junction, Colorado, August 30, 1960, and at the conclusion of the evidence, the matter was taken under advisement.

Junior A. Cole, one of the co-partners, testified that requests have come from trailer dealers all over the State for the type of transportation services for which authority is herein sought; that arrangements have been made with trailer courts to provide the public with notice of the availability of the service to the public and also to the trailer courts themselves.

It appears from the evidence that the applicant is qualified and that the public interest would be served by the granting of the application.

No one appeared in protest to the application.

That public convenience and necessity require the proposed extended service of the applicant and that certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier call and demand service of Junior A. Cole and Raymond C. Cole, co-partners, doing business as "Cole Brothers Trailer Transport," Grand Junction, Colorado, under PUC No. 3642 and PUC No. 3642-I, to include the transportation and towing of house trailers, mobile trailer homes and all types of trailers in tow-away service, to and from, and from and to all points

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

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

That applicants shall operate their carrier system in accordance with the Order of the Commission, except when prevented by Act of God, the public enemy or extreme conditions.

That this Order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Samuel E. Williams
Commissioners.

Dated at Denver, Colorado,
this 14th day of September, 1960.

mls

original

(Decision No. 55065)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT SIMINOE, BOX 494, PALISADE,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 18031-PP-Extension
OPERATIONS UNDER PERMIT NO. B-2192.)
-----)

September 15, 1960

Appearances: Keith G. Mumby, Esq., Grand
Junction, Colorado, for
applicant;
Lincoln Coit, Esq., Grand
Junction, Colorado, for
Estes Trucking Company,
Roy Grundei, E. C. Pound,
William Schoenthaler,
John Doyle Truck Line,
Orville Dunlap & Son.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Robert Siminoe, Palisade, Colorado, is the owner and
operator of Permit No. B-2192, authorizing:

farm products (including livestock), from
farms within fifty miles of Mack, to rail-
road loading points in said area.

By the instant application, said permit-holder seeks to
extend operations under Permit No. B-2192 to include the right to
transport farm products, including livestock, from point to point
within a radius of fifty miles of Palisade, Colorado, and from and
to points within said fifty-mile radius of Palisade, Colorado, to
and from all points within the State of Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the County
Court Room, Grand Junction, Colorado, August 30, 1960, and at the
conclusion of the evidence, the matter was taken under advisement.

At the commencement of the hearing, counsel for applicant
moved to amend the application by striking the word "Palisade" in

the application and having in its stead "Mack." The motion was taken under advisement and was later withdrawn by counsel, which was permitted.

The Commission finds from the testimony of the witnesses who testified in support of, and in protest to, the application and from the evidence presented that the service rendered by common carriers who had been used was not satisfactory in that when called upon to haul livestock a delay was experienced; that the hauling of livestock and demands for transportation service thereof is seasonal and occurs during two short periods each year, to-wit: in the spring and in the fall; that at such times there is a great demand by ranchers and to such an extent that the equipment available does not appear to be adequate to take care of the demand; that the service when rendered is satisfactory, excepting for the delay which does occur. One of the witnesses for protestant testified that he has had equipment idle at all times during the year, however, it did not appear that diligent effort had been made by the carrier to make the public aware of the availability of his equipment during the peak periods.

In substance, the testimony and evidence of the protestants was to the effect that by granting private carrier permits an "erosion" will come about which will eventually impair the public service rendered by common carriers serving in the area.

The Commission finds that there was no substantial evidence presented in sufficient detail, and that what evidence was presented was so vague, indefinite, and uncertain, that the Commission is not of the opinion that the proposed operation under the permit, if granted, will impair the efficient public service of any motor vehicle common carrier or carriers serving the same territory, and that the application should be granted; that the applicant is qualified, and the public interest will be served by the granting of the application; and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Robert Siminoe, Palisade, Colorado, be, and he hereby is,

authorized to extend operations under Permit No. B-2192, to include the right to transport farm products, including livestock, from point to point within a radius of fifty miles of Palisade, Colorado, and from and to points within said fifty-mile radius of Palisade, Colorado, to and from all points within the State of Colorado.

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

Joseph F. Negro
Ralph C. Norton
Sam Spilberg
Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1960.

ea

original

(Decision No. 55066)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARNOLD A. WEISS, DOING BUSINESS AS)
"WEISS TRUCKING COMPANY," BOX 11,)
RANGELY, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY TO OPERATE AS A COMMON CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 18026

September 15, 1960

Appearances: Keith G. Mumby, Esq., Grand
Junction, Colorado, for
applicant;
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., and Larson
Transportation Co.;
Eugene Hamilton, Esq., Denver,
Colorado, for Ringsby Truck
Lines, Inc.

STATEMENT AND FINDINGS OF FACT

By the instant application, Arnold A. Weiss, doing business as "Weiss Trucking Company," Rangely, Colorado, seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of general commodities, from and to all points within a five-mile radius of the City Limits of Grand Junction, and of the City Limits of Fruita, Colorado, from and to all points within a thirty-mile radius of the City Limits of Rangely, Colorado, via U. S. Highways 6 and 50, and Colorado 139, excluding transportation of general commodities between Grand Junction, Colorado, and Fruita, Colorado.

Said application was regularly set for hearing at the Court Court Room, Grand Junction, Colorado, August 30, 1960, due notice of the time and place being forwarded to all parties in interest.

At the commencement of the hearing, counsel for applicant made a motion to continue the hearing on the grounds that applicant

had not had sufficient time to prepare tariffs to be filed with the Commission, to which both counsel for the protestants objected on the grounds that they had come from great distances to attend the hearing and three witnesses had come from Rangely, Colorado, to testify in support of the protest, and that the protestants were ready, able, and willing to proceed with the hearing.

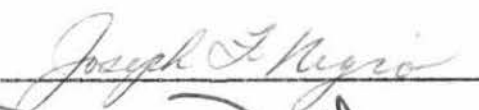


Counsel for the applicant made a motion to withdraw the application. No objection was made to said motion and the Commission finds that the application should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 18026 be, and the same hereby is, dismissed, at the request of the applicant.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of September 1960.

ea

original

(Decision No. 55067)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
VERNON LEHR, 2714 SOUTH HIGHWAY 50,)	
GRAND JUNCTION, COLORADO, FOR AU-)	APPLICATION NO. 18030-PP-Extension
THORITY TO EXTEND OPERATIONS UNDER)	
PERMIT NO. B-5521.)	
-----)	

September 15, 1960

S T A T E M E N T

By the Commission:

By the instant application, Vernon Lehr, Grand Junction, Colorado, seeks authority to extend operations under Permit No. B-5521, to include the right to transport logs and rough lumber, from forests to mills and other supply points, within a radius of one hundred miles of Grand Junction, Colorado; said Permit No. B-5521 authorizing the transportation of:

uranium and vanadium ores from all points within a radius of 75 miles of the Town of Uravan, Colorado, to uranium and vanadium processing mills located at Rifle, Grand Junction, Naturita, Durango and Uravan, all in Colorado, and any and all uranium and vanadium processing mills hereafter constructed in Colorado; limited to the use of dump vehicles only;

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 home 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 restricted against the use of tank vehicles.

Said application was regularly set for hearing at the County Court Room, Grand Junction, Colorado, August 30, 1960, due notice of the time and place 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.

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

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

FINDINGS

THE COMMISSION FINDS:

That authority sought should be granted in the public interest.

ORDER

THE COMMISSION ORDERS:

That Vernon Lehr, Grand Junction, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5521, to include the right to transport logs and rough lumber, from forests to mills and other supply points, within a radius of one hundred miles of Grand Junction, Colorado.

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

Joseph L. Myers
Ralph C. Hobart
Blair J. Parsons
Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1960.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHNNIE L. DAVIS, DOING BUSINESS AS)	
"ALPINE TOURS," 314 NORTH FIR, TEL-)	
LURIDE, COLORADO, FOR A CERTIFICATE)	<u>APPLICATION NO. 18032</u>
OF PUBLIC CONVENIENCE AND NECESSITY)	
TO OPERATE AS A COMMON CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

September 15, 1960

Appearances: T. L. Brooks, Esq., Montrose,
Colorado, for C. J. Schuler;
Philip F. Icke, Ouray, Colo-
rado, for Francis Kuboske.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, Johnnie L. Davis, doing business as "Alpine Tours," Telluride, Colorado, seeks authority to operate as a common carrier by motor vehicle for hire, to engage in the business of unscheduled passenger Jeep sightseeing service in a twenty-five air mile radius from Telluride, Colorado.

Said application was regularly set for hearing at the District Court Room, Court House, Montrose, Colorado, August 31, 1960, due notice of the time and place being forwarded to all parties in interest.

The applicant did not appear to prosecute his application. Two protestants appeared represented by counsel with witnesses to present evidence in protest to the application.

It appeared that some witnesses and counsel had come from great distances to the hearing and at great inconvenience.

The State Patrolman testified that the applicant, approximately a week prior to the hearing, told him that he would not appear at the hearing.

A motion was made by counsel for protestants to dismiss the application.

The Commission having considered the record and the motion of counsel, finds that the motion should be granted and the application dismissed for failure to prosecute the same.

O R D E R

THE COMMISSION ORDERS:

That the motion of counsel for protestants to dismiss the application be, and the same hereby is granted.

That Application No. 18032 be, and the same hereby is, dismissed for lack of prosecution.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Holman
Henry E. Paulings
Commissioners.

Dated at Denver, Colorado,
this 15th day of September, 1960.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GUS PETERSON, 11800 WADSWORTH,)
BROOMFIELD, COLORADO.)
)
)
)
)
)

PERMIT NO. M-4928

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gus Peterson,
Broomfield, Colorado
requesting that Permit No. M-4928 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4928, heretofore issued to Gus Peterson,
Broomfield, Colorado be,
and the same is hereby, declared cancelled effective September 13, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Norton
Wm. E. Zank
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. E. MC CARTHY, DOING BUSINESS AS,)
"DEMAC AIR SERVICE LIMITED", P. O.)
BOX 530, GREELEY, COLORADO.)
-----)

PERMIT NO. M-5348

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M. E. Mc Carthy,
doing business as, "Demac Air Service Limited", Greeley, Colorado
requesting that Permit No. M-5348 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5348, heretofore issued to M. E. Mc Carthy,
doing business as, "Demac Air Service Limited", Greeley, Colorado be,
and the same is hereby, declared cancelled effective April 1, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Wm. E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 1960.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELDON W. MATHIAS, DOING BUSINESS AS,)
"MATHIAS MILK COMPANY", P. O. BOX)
277, DEL NORTE, COLORADO.)
-----)

PERMIT NO. M-11342

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eldon W. Mathias,
doing business as, "Mathias Milk Company", Del Norte, Colorado
requesting that Permit No. M-11342 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11342, heretofore issued to Eldon W. Mathias,
doing business as, "Mathias Milk Company", Del Norte, Colorado be,
and the same is hereby, declared cancelled effective September 16, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hordant
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 1960.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PHIL AND DOROTHY GERMAN, DOING)
BUSINESS AS, "HI-WAY ICE COMPANY",)
BUENA VISTA, COLORADO.)
-----)

PERMIT NO. M-3753

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Phil and Dorothy German,
doing business as, "Hi-Way Ice Company", Buena Vista, Colorado
requesting that Permit No. M-3753 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3753, heretofore issued to Phil and Dorothy German,
doing business as, "Hi-Way Ice Company", Buena Vista, Colorado be,
and the same is hereby, declared cancelled effective September 11, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 195/ 60.

PERMIT NO. M-1585

STATEMENT

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

requesting that Permit No. M-1585 be cancelled.

THE COMMISSION FINDS:

That the request should be granted.

THE COMMISSION ORDERS:

That Permit No. M-1585, heretofore issued to Louis Kinchelow,

Denver 5, Colorado

and the same is hereby, declared cancelled effective August 14, 1960.

Joseph F. Nigro
Ralph C. Hobart
Homer E. Zerkow
Commissioners

this 22nd day of September, 19560.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LE ROY BARENBERG, DOING BUSINESS AS,)
"LE ROY'S AUTO SALES", 5385 WADS-)
WORTH, ARVADA, COLORADO.)
_____)

PERMIT NO. M-1410

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Le Roy Barenberg,
doing business as, "Le Roy's Auto Sales", Arvada, Colorado
requesting that Permit No. M-1410 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1410, heretofore issued to Le Roy Barenberg, doing
business as, "Le Roy's Auto Sales", Arvada, Colorado be,
and the same is hereby, declared cancelled effective September 16, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 1960.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND A. AND ELAINE THOMPSON,)
DOING BUSINESS AS, "R. A. THOMPSON)
TRUCKING", P. O. BOX 382, PAGOSA)
SPRINGS, COLORADO.)
-----)

PERMIT NO. B-5408

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Raymond A. and Elaine Thompson, doing business as, "R. A. Thompson Trucking", Pagosa Springs, Colo. requesting that Permit No. M-5408 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5408, heretofore issued to Raymond A. and Elaine Thompson, doing business as, "R. A. Thompson Trucking", Pagosa Springs, Colo. be, and the same is hereby, declared cancelled effective December 3, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Hodson
Wm. E. Zurborg
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 1960.

original

(Decision No. 55076)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ANDRES CARRILLO, ROUTE 1, BOX 77-A,)	
HILLROSE, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A PRIVATE CAR-)	APPLICATION NO. 18057-PP
RIER BY MOTOR VEHICLE FOR HIRE)	
-----)	

September 16, 1960

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 manure, corn ensilage, and ground feed, from point to point within a radius of fifty miles of Hillrose, Colorado.

Said application was regularly set for hearing at the Court House, Sterling, Colorado, September 13, 1960, due notice of the time and place 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.

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

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Andres Carrillo, Hillrose, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of manure, corn ensilage, and ground feed, from point to point within a radius of fifty miles of Hillrose, Colorado.


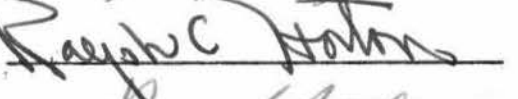

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 16th day of September, 1960.

ea

Original

(Decision No. 55077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT WEBSTER, DOING BUSINESS AS)
"CITY WIDE ASH & RUBBISH REMOVAL)
SERVICE," 3925 HIGH, DENVER, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 3728 TO ALLAN S. MC LEAN, DOING)
BUSINESS AS "CITY WIDE RUBBISH RE-)
MOVAL SERVICE," 2565 SOUTH SYRACUSE,)
DENVER, COLORADO.)

APPLICATION NO. 18074-Transfer

September 16, 1960

Appearances: Robert Webster, Denver,
Colorado, pro se;
Allan S. McLean, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Robert Webster, doing business as "City Wide Ash & Rubbish Removal Service," Denver, Colorado, is the owner and operator of PUC No. 3728, authorizing:

transportation of ashes, trash, and other waste materials, between points within the City and County of Denver, and from points within the City and County of Denver, to regularly-designated and approved dumps and disposal places within the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

By the instant application, said certificate-holder seeks authority to transfer said PUC No. 3728 to Allan S. McLean, doing business as "City Wide Rubbish Removal Service," Denver, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, September 12, 1960, and at the conclusion of the evidence, the

matter was taken under advisement.

The applicants appeared and testified in support of the application.

No one appeared in opposition to the granting of the transfer.

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Robert Webster, doing business as "City Wide Ash & Rubbish Removal Service," Denver, Colorado, be, and he hereby is, authorized to transfer all right, title and interest in and to PUC No. 3728 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Allan S. McLean, doing business as "City Wide Rubbish Removal Service," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said 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 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 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 F. Nigro
Frederic C. Horton
Henry E. Gulevich
Commissioners.

Dated at Denver, Colorado,
this 16th day of September, 1960.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
STONY POINT DEVELOPMENT, INC-)
ORPORATION, ROOM 335 EMPIRE BUILDING,)
DENVER 2, COLORADO.)
-----)

PERMIT NOM-7685

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Stony Point Development,
Incorporation, Denver 2, Colorado
requesting that Permit No. M-7685 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7685, heretofore issued to Stony Point Development,
Incorporation, Denver 2, Colorado be,
and the same is hereby, declared cancelled effective September 14, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 1960.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DEE A. POWELL, ROUTE 3, NORTH PLATTE,)
NEBRASKA.)
)
)
)
-----)

PERMIT NO. M-12718

September 22, 1960

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dee A. Powell,
North Platte, Nebraska
requesting that Permit No. M-12718 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12718, heretofore issued to Dee A Powell,
North Platte, Nebraska be,
and the same is hereby, declared cancelled effective August 22, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Garth C. Gordon
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 22nd day of September, 195/ 60.