

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF AN INCREASE OF
TEN (10) PER CENT IN RATES AND
CHARGES, RIO GRANDE MOTOR WAY,
INC., ET AL.

CASE NO. 1585

April 19, 1962

Appearances: Ernest Porter, Esq., and Royce D. Sickler,
Esq., (co-counsel) 1531 Stout Street,
Denver 17, Colorado, appearing on behalf
of applicants, Rio Grande Motor Way, Inc.,
Larson Transportation Company and Carbon
Motor Way, Inc.;

Mr. Howard D. Hicks, 1301 Welton Street,
Denver 4, Colorado, appearing on behalf
of the Denver Chamber of Commerce (as its
interests may appear);

Mr. Charles L. Thomson, 211 West Fifth Street,
Pueblo, Colorado, appearing on behalf of the
Pueblo Chamber of Commerce and the Pueblo
Manufacturers and Distributors Association
(as their interests may appear);

Mr. Dale J. Hollingsworth, 436 North 23rd Street,
Grand Junction, Colorado, appearing on behalf
of the Grand Junction Chamber of Commerce (as
its interests may appear);

Mr. A. J. Tait, E. R. Lundborg, Esq., and Mr.
S. J. Philippone appearing on behalf of the
staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

This is a proceeding to determine the justness, reasonableness and otherwise lawfulness of a proposed increase of ten (10) per cent in rates and charges, local and joint, and an increase in the minimum charge per shipment from \$2.00 to \$2.75, said rates and charges being presently published in Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado P.U.C. No. 11, referred to hereinafter as Tariff 12-A, such increased rates and charges to be applicable to traffic moving locally over the lines of Rio Grande Motor Way, Inc., Larson Transportation Company, and Carbon Motor Way, Inc., hereinafter referred to collectively as applicants or singly as Rio Grande, Larson, and Carbon, respectively, and jointly with other carriers.

The Colorado Motor Carriers' Association, as Agent, filed its Application No. 183, dated October 22, 1961, on October 23, 1961, setting forth increases sought in connection with said application and as particularly set out in our Decision No. 57483, dated November 3, 1961, which decision assigned December 6, 1961, as the hearing date at Denver, Colorado. Further hearings were held in Grand Junction, Colorado, on December 20, 1961, and in Pueblo, Colorado, on January 4, 1962. No shipper witnesses appeared from Denver, Colorado.

Ten shipper witnesses appeared at the Grand Junction hearing in opposition to the proposed increases. Five shipper witnesses from Pueblo testified at the Pueblo hearing also in opposition to the proposed increased rates and charges. Twenty-four exhibits in all were offered and received in evidence with the transcript of the evidence exceeding 650 pages. There were three days of hearing at Denver and one day each at Grand Junction and Pueblo. Four motor carrier witnesses appeared and offered evidence and testimony in support of the proposed increases. Two witnesses from the staff of the Commission presented evidence and testimony as to costs of applicants and a proposed scale of class rates, subject to classification ratings, and truckload freight, all kinds, with exception ratings.

By Decision No. 57943, dated January 29, 1962, the matter here before the Commission was taken under advisement.

Rio Grande is a motor vehicle common carrier of freight in Colorado and New Mexico in intra- and interstate commerce and a private carrier of freight in Colorado, holding certificates of public convenience and necessity issued by the Public Utilities Commission of the State of Colorado, hereinafter called the Colorado Commission, the New Mexico Corporation Commission and the Interstate Commerce Commission and private carrier permits issued by the Colorado Commission. Under the Colorado Commission certificate, Rio Grande holds authority to conduct "call and demand" common carrier operations intra-state within Colorado. Route miles operated by Rio Grande number 1,512.

Under the certificates of public convenience and necessity and the private permits held by Rio Grande, the traffic handled falls into four major categories, as follows:

1. Colorado intrastate, local and joint, call and demand and contract;
2. Colorado interstate, local and joint;
3. New Mexico intrastate, local and joint;
4. New Mexico interstate, local and joint.

Specific types or kinds of traffic handled fall under the following general headings:

1. Forwarder;
2. Section 22 (Interstate Commerce Act);
3. Exempt agricultural commodities (Section 203(b)(6), Interstate Commerce Act;
4. Rail substituted service;
5. Baggage, rail;
6. Express, rail;
7. U. S. Mail, rail;
8. Ore and concentrates;
9. Heavy machinery, oil field equipment machinery, etc., as described in Colorado Motor Carriers' Association, Agent, Tariff No. 13, Colorado P.U.C. No. 12;
10. Cement, brick and related commodities as described in Colorado Motor Carriers' Association, Agent, Tariff No. 12, Colorado P.U.C. No. 13;
11. Lumber, milk and cream, as described in Rio Grande Motor Way, Inc., Tariff 10-I, MF, Colorado P.U.C. No. 56;
12. Rail traffic, pickup and/or delivery service;
13. Motor carrier traffic, pickup and/or delivery service;
14. Class and commodity rated traffic as described in Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado P.U.C. No. 11;
15. Class and commodity rated traffic as described in tariffs issued by the following tariff publishing bureaus or agents:
 - a. Rocky Mountain Motor Tariff Bureau;
 - b. Southwestern Motor Freight Bureau;
 - c. Western Trunk Line Committee;
 - d. Denver and Rio Grande Western RR Co.;
 - e. Intermountain Tariff Bureau;
 - f. Interstate Freight Carriers' Conference;
 - g. Pacific Southcoast Freight Bureau;
16. U. S. Government traffic in intrastate commerce.

Larson is a motor vehicle common carrier of freight in Colorado in intra- and interstate commerce and a private carrier of freight in intrastate commerce in Colorado, holding certificates of convenience and necessity issued by the Colorado Commission and the Interstate Commerce Commission and a private carrier permit issued by the Colorado Commission. Larson's Colorado certificate authorizes this carrier to conduct "call and demand" common carrier operations intrastate within Colorado. Larson's total route miles are 930.

The traffic transported by Larson under its certificates and the private permit breaks down into two parts, viz.:

1. Colorado intrastate, local and joint, call and demand and contract;
2. Colorado interstate joint.

Specific types and kinds of traffic fall under the following general headings:

1. Forwarder;
2. Section 22 (Interstate Commerce Act)
3. Rail substituted service;
4. Rail traffic, pick and delivery;
5. Heavy machinery, oil field equipment machinery, etc. as described in Colorado Motor Carriers' Association, Agent, Tariff No. 13, Colorado P.U.C. No. 12;
6. Class and commodity rated traffic as described in tariffs issued by the Rocky Mountain Motor Tariff Bureau;
7. Class and commodity rated traffic as described in Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado P.U.C. No. 11.

Carbon Motorway, Inc., is a motor vehicle common carrier of freight in Colorado and Utah in intra- and interstate commerce holding certificates of public convenience and necessity issued by the Colorado Commission, the Public Service Commission of Utah and the Interstate Commerce Commission. Carbon's total route miles are 309 of which approximately 30 miles are in Colorado.

The traffic of Carbon, under its certificates, breaks down into four parts, viz.:

1. Colorado intrastate, local and joint;
2. Colorado interstate, local and joint;
3. Utah intrastate, local and joint;
4. Utah interstate, local and joint.

Specific types and kinds of traffic handled fall under the following general headings:

1. Forwarder (Utah);
2. Section 22 (Interstate Commerce Act);
3. Exempt commodities (Section 203(b)(6), Interstate Commerce Act);
4. Express (in 1960 none in 1961) (Utah);
5. Rail substitute service (Utah);
6. U. S. Mail (Utah);
7. Piggyback load, and unload (Utah);
8. Delivery of autos (Utah);
9. Delivery of piggyback shipments (Utah);
10. Class and commodity rated traffic in Utah Interstate Commerce;
11. Class and commodity rated traffic as described in Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado P.U.C. No. 11.

Carbon, a Utah corporation, has outstanding 300,000 shares of common capital stock, which are owned 146,960 shares (49 per cent) by Rio Grande, 96,000 shares (32 per cent) by Nick Galanis, 51,000 shares (17 per cent) by Charles H. Hollingsworth, 6,000 shares (2 per cent) by John Wallace and 20 shares each by L. M. Davis and L. A. White.

Rio Grande, a Colorado corporation, is a wholly owned subsidiary of the Denver and Rio Grande Western Railroad Company, a common carrier by railroad, sometimes called the railroad. Rio Grande controls, through stock ownership, Larson, a Colorado corporation. The routes of Rio Grande, Larson, and Carbon, parallel in the main, the routes of the railroad in Colorado west of the Colorado common points.

The president and general manager of Rio Grande holds these same positions with Larson. He is also a vice president of Carbon. The board of directors of Rio Grande is composed of the president and five other officials of the Denver and Rio Grande Western Railroad Company, the president and general manager and the general traffic manager of Rio Grande. The Larson board of directors is composed of the president and four other officials of the railroad and the president and general manager of Larson.

As support for the increased rates and charges, applicants set forth the following in their application:

1. That their rates had not been adjusted for several years and that a steady increase in cost of all services and supplies utilized in their businesses was being experienced.
2. That increases in wages, retroactive to July 1, 1961, resulting from the signing of new labor contracts, make it imperative that the increased rates and charges petitioned for be authorized.

By its order in Case 1585, Decision No. 51428, dated December 19, 1958, effective January 19, 1959, this Commission granted the general increase in rates proposed by Application No. 108 of the Colorado Motor Carriers' Association, as Agent, for and on behalf of Rio Grande and Larson and other carriers not involved in this proceeding. This decision approved a 10 per cent increase in the class rates applicable over the lines of Rio Grande and Larson as published and in effect at that time in Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado P.U.C. No. 11, Section No. 1. Certain commodity rates as referred to in the application were increased also by 10 per cent under said decision.

The general auditor of Rio Grande and Larson offered thirteen exhibits in support of their application for increased rates and the traffic manager of

Carbon offered two exhibits for a like purpose. Data from the exhibits and annual reports of these carriers and the railroad appear in the appendix and are hereby made a part hereof the same as though incorporated within this statement.

Witnesses at the hearing in Grand Junction were connected with the following businesses:

- a. Wholesale drugs and chemicals
- b. Appliance and furniture
- c. Automobile parts, accessories, paints
- d. General merchandise
- e. Hardware and furniture
- f. Cattle and hog feeding, feed manufacturing
- g. Concrete mixing
- h. Liquor retailing
- i. Hardware, industrial supplies, plumbing and heating supplies
- j. Soft drink bottling

In the conduct of these varied businesses, shipments are made and received to and from points within and without the State. Opposition was expressed to the increased rates because of existing narrow profit margins, fixed merchandise pricing policies and competition with concerns transporting their own merchandise. It was recognized by several of the witnesses that the motor carriers are facing a serious financial problem as a consequence of increased labor costs, but stated they were not able, in many instances, to pass on the increases as the applicants will do, should the requested increases be granted. For example, the witness for a wholesale drug firm, in answer to a question of approving the requested increases premised on the need for the carrier to perform a satisfactory service, notwithstanding the intrastate traffic may be subsidizing the interstate traffic, stated:

"Well, it's a rather difficult question to answer. We need the service definitely, we have got to have it. The fact still remains we have nowhere to pass on that cost and there are other services available. Your question is limited to Rio Grande. We have no objection to the service that we get of several carriers over here."

A witness for a distributor of light and heavy hardware, industrial supplies and plumbing and heating supplies stated:

"We run no trucks on the road. Our inbound shipments come in by carload shipments by rail and less-than-truck, LTL, and some full truckload shipments. We deliver only within the city limits of Grand Junction. Our outbound shipments are shipped either by a common carrier or a private carrier. Our profit margin in the distributing business in our particular business is thin enough that I think we are justified in protesting just a blanket across the board increase by common carriers."

This witness expressed opposition to the elimination of rates based on minimum weights of 5,000 pounds and 10,000 pounds.

A witness for a dealer in motor parts, stated in answer to a question as to the effect of the proposed increases, if granted:

"It's just going to hurt and hurt my pocketbook. As I have said before, we have no way to pass it along and we are selling on the same sheets as they are in Chicago, Illinois, and all over the United States and we just have to eat it. How long we can go on doing this, I don't know."

The freight rate and traffic manager for the Grand Junction Chamber of Commerce stated that he was "definitely against horizontal rate increases." He criticized, quite severely, the class 100 rates and the rates on shipments weighing 5,000 pounds and 10,000 pounds between Denver and Grand Junction as compared to those between Denver and Durango. The class 100 rate between Denver and Grand Junction is \$3.33 as against the corresponding rate of \$3.36, Denver to Durango. Distance considered, the witness questioned why but a 1 per cent difference in rates. It was pointed out that the rates on shipments of 5,000 pounds and 10,000 pounds were lower to Durango than Grand Junction when origin is Denver, Colorado. The witness further stated that he did "not oppose a freight increase, not in any way shape or form." He stated further:

". . .I oppose it in its present form, in its present structure, in its intensity. That is the only way I am opposing this."

The rate proposal of the staff had the witnesses approval except as it related to the elimination of the rates applicable on shipments weighing 5,000 and 10,000 pounds.

The Pueblo witnesses were associated with the following businesses:

- a. Broom manufacturing
- b. Hardware, sporting goods
- c. Plumbing and heating supplies
- d. Retail grocery market - Wholesale sea and frozen foods
- e. Automobile parts, hardware, electrical items wholesale and retail.

Firms represented by the witnesses appearing at the Pueblo hearing ship their products within and without the State. All expressed opposition, varying in degree, to the proposed increase. For example, one shipper stated that the increase, if granted, would cost his firm about \$13,000 a year more in freight. The traffic manager advised the Pueblo manager of this shipper that:

"We cannot absorb this increase or pass it on. The way it is now we have to equalize the rates with eastern points to get the business. In other words, they are going to force us to put our trucks on to haul our own freight to our branches."

Another shipper stated that if the increases were granted, he

". . . is going to have to find a different way to handle it than I am handling it. If they (the Commission) grant the increases they have asked, I am going to try to hold my business, don't get me wrong, but I will have to service it in a different way than I am doing now."

Asked if the carrier would lose the traffic, this witness replied:

"That is right. Do you know, gentlemen, that I can divert almost all of Western Slope business to A. G.? They control the volume over there, but I have been trying to keep a lot of those boys on a drop shipment basis because I could keep a better assortment of merchandise in the stores by doing that; but if it gets to the point where I can't, I can still get all the broom business on the merchandise that A. G. carries in Denver, I will still get it, but I think my volume will suffer a little bit and I know the trucks' volume will suffer."

The wholesaler of frozen foods answered a question concerning the effect of the increase on less-than-truckload traffic ranging from 31 to 18 cents per hundred pounds as follows:

"Al, it isn't a question of this raise, you see. This is just one of the multitude of asinine things we have been doing in the United States for the last 20 years. . . . This raise isn't going to kill anybody, but you have been doing it for 20 years. . . . We say yes to everybody and then raise the consumer and end up with no business, with two-thirds full trucks and two-thirds volumes in our businesses. It's just one piled upon another."

A transportation cost analyst for the Commission offered four exhibits pertaining to the revenue, expenses, net operating revenues and other data pertaining to the operations of Carbon, Larson and Rio Grande. A rate expert for the Commission offered three exhibits, one of which dealt with less-than-truckload and truckload shipments transported over the lines of Larson and Rio Grande, another setting forth a proposed scale of class rates and all commodity rates with attendant rules and the third, a comparison of the proposed class rates with the present class rates and with those rates increased 10 per cent. Data from these exhibits appear in Appendix A and are made a part hereof the same as though they were incorporated in this statement.

The many and varied services which comprise the whole transportation service performed by Rio Grande, Larson and Carbon, make it difficult, upon this record to determine what percentage increase, if any, is proper on the presently effective class and commodity rates published in Tariff No. 12-4 as

applicable on Colorado intrastate traffic. Neither revenue nor costs of handling this traffic are of record in this proceeding.

Rio Grande estimated its Colorado intrastate revenue for the year 1960 at \$2,005,279 or 59.43 per cent of its local freight revenue. Embraced in the Colorado intrastate revenue is traffic moving at rates that are not proposed to be increased at this time, such traffic being that moving under rates published in Colorado Motor Carriers' Association, Agent, Tariff No. 13 and 14, hereinafter referred to as Tariffs 13 and 14, Colorado P.U.C. Nos. 12 and 13, respectively, and Rio Grande Motor Way, Inc., Tariff No. 10-I, Colorado P.U.C. No. 56; contract and common carrier traffic of the U. S. Government moving at rates lower than those prescribed by this Commission and ores and concentrates. Revenue received from such traffic is not of record, except that on the ores and concentrates with revenue for the year 1960 being \$207,888. The ores and concentrates originate at Pandora, Colorado, and are shipped via Rio Grande to Montrose, Colorado, thence by rail to destinations in the States of Montana, Texas, Utah and Washington. Local freight revenue, that revenue which is billed on Rio Grande Motor Way billing, was \$3,374,187. The resultant interstate revenue is \$1,368,908 (\$3,374,187 minus \$2,005,279) plus ore and concentrates revenue of \$207,888 for total revenue of \$1,576,796. The ore and concentrates revenue is interstate and not intrastate. The president of Rio Grande characterized the traffic as interstate. See in this connection the decision of the Interstate Commerce Commission in William E. Rush Common Carrier Application No. MC 86768, decided August 9, 1939, 17 MCC 661. Thus the intrastate revenue for the year 1960 does not exceed \$1,797,391 (\$3,374,187 minus \$1,576,796). The percentage of intrastate revenue is thus not in excess of 53.3 with the interstate percentage being not less than 46.7. If weight is used for the percentage division between intrastate and interstate traffic handled by Rio Grande, based upon a report to the Interstate Commerce Commission for the year 1960, the intrastate traffic being in the amount of 128,715,199 pounds, comprises 36.3 per cent of the total weight of 354,816,133 pounds and the interstate weight of 226,100,934 pounds is 63.7 per cent of the total. Of the interstate weight 115,806,000 pounds or more than 50 per cent of the

interstate weight of 226,100,934 pounds came from the ores and concentrates transported by Rio Grande.

Rio Grande received from the parent company, the railroad, \$264,137 for freight handled in substituted service based on a rate of 22 cents per ton mile at the actual weight transported. \$112,100 was received for mail handled in substituted service at mileage rates varying from 30 cents per mile, one way, to 45 cents per mile round trip, based on the points "from and to" or "between and" which the mail was handled. Substituted service is motor vehicle transportation substituted for rail transportation between given points. It received local cartage revenue from the rail and other truck lines in the amount of \$126,784 at rates of 25 cents and 30 cents per cwt. for pick-up or delivery, no minimum charge, for rail freight; for Larson freight picked up 32 cents per cwt. no minimum and 35 cents per cwt. minimum \$1.00 for local cartage for other carriers. The ton mile revenue for the performance of substituted service was increased to 24 cents and the pick-up or delivery charge increased to 35 cents per cwt. on rail freight handled in part in 1961.

Some increases may, at a later time, be placed on the mail traffic but so far as the record discloses none are contemplated on the freight handled in substituted service or for local cartage or pick-up or delivery.

The total revenue received from all traffic handled by Rio Grande in 1960 was \$3,877,362. Of this total, it is proposed to increase the Colorado intrastate rates which produced revenue of \$1,797,391 (\$2,005,279 minus \$207,888) (ores and concentrates), less an unknown amount, not disclosed of record by 10 per cent, leaving \$2,079,961 (\$3,877,362 minus \$1,797,391) or a substantial portion thereof, free of any increases in rates at this time. Whether or not any increase will be put on the rates from which that revenue is derived, at a future definite date, is not contained in the record before us.

Rio Grande made no studies of the revenue received from various types and kinds of the traffic handled by it nor did it make any cost studies of handling such traffic that it was prepared to offer at the hearing. The president testified that certain of Rio Grande's traffic was compensatory prior to the increase in wages given its employees, but that no specific cost studies had been made relating thereto. We quote from the record a question asked by

counsel for Rio Grande and the answer of its president relating to cost studies, as follows:

Q- Now, Mr. Tait inquired yesterday as to whether or not Rio Grande Motor Way had made specific cost studies related to each of several aspects of the business of Rio Grande Motor Way, and you answered in the negative. Now, I would like to ask you, Mr. Davis, why hasn't Rio Grande Motor Way made any such extended studies?

A- Well, the reason for not making extensive cost studies and discontinuing some studies that we had previously made, were that such studies were historical and are very costly. And we felt that, by reason of the fact that the cost involved was too much for what benefit we got out of the cost studies, we have eliminated a good deal of these cost studies at a great saving to us. By reason of the fluctuation of freight seasonally, weekly, day to day, we feel that if we are not on top of the change that has to be made immediately, that a cost study that would be historical in nature and something that occurred prior to the time, that we would not be able to effect the immediate reduction of cost that is necessary to keep the operation current with respect to expense and revenue. I could cite an example that Mr. Tait questioned me on very carefully. The example of a truck moving from Denver to Steamboat Springs and one moving from Denver to Craig, Colorado, on the Larson Transportation Company. If we do not have enough freight that two trucks can handle it out there, and one can handle it, we are not going to send two trucks out that day, and we will save mileage of the tractor and the trailer from Denver to Steamboat Springs and return. This happens frequently. We cancel schedules, we combine schedules. We may have one schedule on a very light day that would serve towns beginning from Denver to Colorado Springs, to Canon City, to Salida and to Gunnison. The very next day you might have to have four units to do that very thing. So, therefore, we are seeking means and ways all the time to reduce the mileage and reduce the operating costs in that connection. As the season goes along, we can't wait for such cost studies. We have to act immediately, and, if our tonnage does not require the number of men that had been required during the summer months we have to furlough those men and get rid of some of our help.

The position of Rio Grande's president boils down to a policy of keeping its trucks loaded as fully as possible but with no thought as to the revenue received or as to the costs of performing the service. Such a policy is only a half policy for conducting a business where the services are as varied as they are in the case of Rio Grande. We would characterize this policy as akin to sailing a ship without a compass. Constant cost studies should be made to determine whether specific types or kinds of traffic moving in volume are paying their way and not burdening other traffic. For example, divisions received by the Rio Grande for the transportation of ore and concentrates are lower today than those received in 1945, or some sixteen years ago, notwithstanding substantial increases in costs. The witness for Rio Grande took the position that change in origin and changes resulting from gasoline to diesel, to larger

tractors, larger trailers, and because of heavier loading, rates do not have to be increased to be compensatory even though costs have increased. No cost studies were presented by this witness or the general auditor of Rio Grande to substantiate the witness's position.

Rio Grande is a party to numerous interstate rail and motor carrier tariffs applicable to interstate commerce. There is nothing in this record showing the costs of handling such traffic and whether or not it is profitable. It is pertinent at this point to show that, for example, the class 100 rate from Denver to Thompson, Utah, a point 78 miles beyond Grand Junction, Colorado, was \$3.14, since increased to \$3.45, as compared to the present Denver to Grand Junction class 100 rate of \$3.33 proposed here to be increased to \$3.66; the class 100 rate from Denver to Albuquerque, New Mexico, is \$3.35 as compared to the present Denver to Durango class 100 rate of \$3.36, proposed here to be increased to \$3.70. Rio Grande participates in these rates with its connections at Grand Junction, Antonito and Farmington, New Mexico. Other instances of similar import are detailed in the record. There are instances in the record of Rio Grande receiving as its share of a minimum charge 55 cents on interstate shipments originating in the east and destined to points in Utah moving via Rio Grande from Denver to Grand Junction thence Carbon and connection to destination and moving in through trailers from Denver to Salt Lake City, Utah. A local shipment moving from Denver to Grand Junction is subject to a minimum charge of \$3.00. The interstate shipment, as far as Rio Grande is concerned, would not be delivered by it but other costs should be substantially the same as those attendant to the intrastate move. The traffic manager for Rio Grande claimed that cost of picking up interlined interstate shipments were less than local intrastate shipments but no cost records were offered in support of the claim. The record contains instances of the interstate divisions that are varying per cents of Rio Grande's local rates. For example, an LTL shipment of frozen fish and herring which moved from Los Angeles to Grand Junction, the Rio Grande received as its portion of the assessed rate of \$5.70, \$1.23 versus its local Denver to Grand Junction rate of \$2.33 or 57 per cent of the local rate; on a shipment of plastic articles from New York City destined to Salt

Lake City, based on an assessed rate of \$8.31, Rio Grande received an average rate of 98 cents versus its local Denver to Grand Junction rate of \$2.83, \$3.33 or \$6.66 being 34.6, 29.4, and 14.7 per cent, respectively, of the local rates, depending on the weight per cubic foot of the plastic articles shipped.

In the case of contract carrier truckload traffic of the U. S. Government transported from Denver to Ft. Carson, Rio Grande assessed a rate of 35 cents per cwt. plus refrigeration service of 3 cents per cwt. The shipment was described as "perishable subsistence" for which there is no specific classification rating. If fruits and vegetables were shipped, classification ratings range from class 35 to class 85, resulting in rates, using the rate base of \$1.37, of 48 and 116 cents, respectively, such rates being considerably in excess of the rate of 35 cents plus 3 cents for refrigeration, or a total of 38 cents. Rio Grande, as a contract carrier, based its departure from the prescribed rates of this Commission on the U. S. Supreme Court's decision in *Public Utilities Commission of the State of California versus United States of America* 355 US 534, 78 Supreme Court 446. Rehearing denied 356 US 925, 78 Supreme Court 713. Sixty-eight truckloads of military vehicles weighing 953 tons, in one instance, were transported by Rio Grande in intrastate commerce in 1960. Tariff rates were not observed in assessing charges on this traffic.

Instances such as recounted heretofore raise further serious doubts as to whether or not the increase as sought by this applicant is warranted on this record.

Rio Grande's net operating ratio of 99.13 per cent for 1960 might well be as high as it is because the (1) interstate, (2) rail freight and (3) mail substitute, (4) the U. S. Government, (5) the local cartage and (6) the ore and concentrates traffic are being transported at rates that are non-compensatory in all or a majority of cases. We are unable to determine on this record what the facts are as to the compensatory character of either the intrastate or interstate traffic handled by Rio Grande.

The operations of Carbon Motorway, Inc., are also many and varied, possibly to a greater degree than those of Rio Grande. Other than to detail them as has been done in this statement and the Appendix would serve no helpful

purpose since the Colorado intrastate estimated revenue of \$3,468 received by Carbon is but a small fraction of its total revenue. Because of the similarity of Carbon's operations to those of Rio Grande, the action taken on Rio Grande's request for increased revenue will apply with equal force in the case of Carbon.

The transportation services performed by Larson do not encompass as wide a range as those of the parent company with their Colorado intrastate revenue for 1960, comprising 81.2 per cent of the total local freight revenue. Based on weight of 8,634,162 pounds intrastate, and 4,177,846 pounds interstate, the intrastate traffic is not in excess of 67.3 per cent and the interstate not less than 32.7 per cent. Of the total local freight revenue of \$203,259 for the year 1960, \$165,046 was derived from intrastate traffic and \$38,213 from interstate traffic. Larson during the year 1960 received \$16,420 from the railroad for rail freight handled in substitute service and \$2,320 for picking up and delivering rail freight. Included in the intrastate revenue is traffic moving under rates named in Tariffs 13 and 14, and revenue derived from contract carrier traffic. Increases have not been proposed on the rates named in Tariffs 13 and 14. The record is silent as to the costs of handling any particular type traffic. Larson presently receives 24 cents per ton mile from the railroad for handling rail freight in substituted service. During 1960, Larson received 22 cents per ton mile for transporting rail freight in substituted service. The railroad paid Larson 30 cents per cwt., no minimum charge, for either picking up or delivering rail freight during 1960. This rate was increased to 35 cents, with no minimum charge, in 1961. Larson pays Rio Grande 32 cents per cwt., no minimum charge, for pick-up service.

Part XX sets out the revenues, expenses, net operating revenues, operating ratios and the revenue and tons of all LCL freight handled, by the Denver & Rio Grande Western Railroad Co., for the years 1958, 1959, and 1960. These revenues, expenses, etc., are pertinent to this proceeding since Rio Grande and Larson are wholly owned subsidiaries of the railroad and as a consequence of the railroad's participation in the management of these companies. The strong financial position of the railroad may be due, in some degree, to the contracts and agreements it has with its motor carrier subsidiaries with which there can be no quarrel if it is shown that such contracts and agreements result in compensatory revenues to Larson and Rio Grande. We are in the dark as to the compensativeness or lack of it in the instances of the varied

transportation services performed by Larson and Rio Grande for and in conjunction with the railroad. Until we have such information before us, we must lean to the view that the relationship between the parent company and its subsidiaries is at least conducive to the fixing of divisions and rates in the best interests of the railroad. Thus the enhanced position of the railroad, if it is enhanced, would not increase materially the railroad's earnings at the expense of Rio Grande, but the revenue denied Rio Grande could materially affect its earnings. The railroad paid Rio Grande in the year 1960 in excess of \$584,125 (\$264,137 (Freight Revenue D&RGW) + \$112,100 (Freight Revenue - Intercity Rail) + \$207,888 (Divisions on ore and concentrates traffic) + unknown amounts for pick-up and delivery service + divisions from other joint motor rail traffic for various transportation services. Should this revenue be but 80% of Rio Grande's costs, the deficit in revenue would be \$146,000 (\$730,156 - \$584,125). Thus it is readily apparent that what might be a comparatively inconsequential amount to the railroad would be substantial to the Rio Grande. The record contains no cost figures, as has been stated before, and in this instance they are hypothetical and used here to bring out the void resulting from the absence of costs and again making it quite clear that this and other unknowns, replete in the record, leave us no choice but to rationalize, as best we can, a decision on the increases to be granted, if any are to be granted.

CONCLUSIONS

In view of the importance of the increases to the shipping public and the alleged importance to the applicants the evidence submitted and the contentions made by all parties have been considered very carefully. The paucity of the record in the matter of the allocation of increased costs, primarily labor, to the various categories of traffic handled by the applicants precludes our finding, with but a minimum degree of certainty the amount of the increased costs that should be properly placed on the rates under which the Colorado intrastate traffic here under consideration is moving. Applicants, Rio Grande and Larson, are substantial carriers of both intra- and interstate traffic in Colorado with Carbon handling, comparatively speaking, but a nominal volume of such traffic. In this situation and under all the circumstances, the only reasonable action that can be taken is one based on the operations of Larson. The Colorado intrastate revenue

received by Larson, in 1960, constituted 81.2 per cent of its local freight revenue or \$165,046. By applying a 3 per cent increase to that revenue, Larson would receive \$4,950 resulting in an operating ratio of 94.6 per cent $(\$207,876) + 7,152$ (increased wages for 1962) $+ \$330$ (additional highway use tax) $\div 222,692 + 4,950$). If a like increase were added to the revenue derived from interstate, pick-up and delivery and rail substituted services, rates and charges, increased revenue of \$1,712 $(\$222,130 - \$165,046 \times 3\%)$ would be obtained resulting in an operating ratio of 93.75 per cent $(207,876 + 7,152 \div 222,692 + 4,950 + 1,712)$. There will be additional revenue provided by the increasing of the class rates applicable on shipments subject to minimum weights of 5,000 pounds and 10,000 pounds.

With Larson, as the keystone, the arch of a uniform increase for these applicants is completed. The increase sought by the applicants herein was uniform. The level of the intrastate class and commodity rates, as well as the minimum charge, over the lines of Carbon, Larson and Rio Grande is substantially the same. Based on this premise, an increase for Rio Grande, which is managed by the same personnel as Larson and is certainly no less efficient than that carrier, should receive the same increase as Larson. Carbon should receive no different treatment than Rio Grande on this record.

The operating ratio for Rio Grande, based on its 1960 revenue, following a 3 per cent increase in the less-than-truckload and truckload class rates, commodity rates, and the minimum charge plus the increase of 10 per cent on class rates subject to minimum weights of 5,000 pounds and 10,000 pounds should be no greater than 106 per cent $(\$3,865,947 + \$319,040$ (Estimated wage increase 1962) $+ \$7,380$ (Federal Highway use tax increase) $\div \$3,900,045 + \$53,921$ (3% increase on \$1,797,391). This operating ratio falls far short of the 93 per cent operating ratio held to be reasonable by this Commission heretofore, but the ratio of 106 per cent, covering all operations of Rio Grande, forecast here based on the revenue and expenses for 1960 will be lowered to some extent by the 10 per cent increase in class rates subject to minimum weights of 5,000 pounds and 10,000 pounds. Further, on this record, there is no foundation for an increase greater than given Larson if our premise that the rate level being the same for Larson and Rio Grande.

the rate increase should be the same, is correct, this being the only guide post discernible in the absence of a concrete basis for finding the amount of the increased costs properly chargeable to the Colorado intrastate traffic. A comparison of the operating ratios of these two companies, for the years 1958 through 1960 support like increases for Larson and Rio Grande. Following is a comparison of those ratios.

| | <u>1958</u> | <u>1959</u> | <u>1960</u> |
|---|--------------|--------------|--------------|
| Larson Operating Ratio - Per Cent | 90.72 | 91.06 | 93.35 |
| Rio Grande Operating Ratio - Per Cent | <u>98.41</u> | <u>95.84</u> | <u>99.13</u> |
| Difference Rio Grande over Larson - Per Cent | 7.69 | 4.78 | 5.78 |

Further in the absence of a clear showing that the transportation services performed for and in conjunction with the parent company, are compensatory, we may not approve, tacitly, the possible burdening of Colorado intrastate traffic and the preferring of rail-motor traffic by increased rates on the intrastate traffic. No showing has been made as to the compensatory character of the interstate and intrastate traffic, common and contract carrier, on which no increases have been proposed.

In view of the increases to be granted, consideration need not be given to the rate proposal made by our staff. The staff may again bring the matter before us for consideration if it desires to do so.

The oral testimony of the traffic manager of Rio Grande and Larson and the traffic manager of Carbon fail to justify, and consequently warrant the increase in the minimum charge from \$2.00 per shipment to \$2.75. Neither of these witnesses offered any cost studies on the handling of minimum charge shipments. The increase in the minimum charge as applied for should be denied.

Our findings and order will provide for a 3 per cent increase in the less-than-truckload and truckload class rates and charges, including minimum charges, and increases of 3 per cent and 10 per cent in the class rates subject to minimum weights of 5,000 pounds and 10,000 pounds, such increased rates and charges to have application severally and jointly over the lines of the named applicants herein, only.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The application for an increase of 10 per cent in the class and commodity rates, as published in Tariff 12-A, having single or joint line application, should be denied.
2. The application for an increase in the minimum charge per shipment from \$2.00 as published in Tariff 12-A, having single line or joint line application, to \$2.75 should be denied.
3. An increase of 3 per cent applicable to less-than-truckload and truckload class rates, commodity rates and charges, including minimum charges, in effect April 19, 1962, as published in Tariff 12-A, and applicable severally or jointly over the lines of the named applicants herein only, will result in just, reasonable and otherwise lawful rates and charges.
4. An increase of 10 per cent applicable to specifically published class rates and an increase of 3 per cent applicable to distance class rates (published on 1st Revised Page 188 and 1st Revised Page 189 of Tariff 12-A), subject to minimum weights of 5,000 pounds or 10,000 pounds in effect April 19, 1962, as published in Tariff 12-A, and applicable severally or jointly over the lines of the named applicants herein only, will result in just, reasonable and otherwise lawful rates.
5. Fractions of less than one-half cent to be dropped with fractions of one-half cent or over being increased to the next full cent in applying the increases set out in Findings Numbered 3 and 4.
6. A conversion supplement should be issued to reflect increases granted under Findings Numbered 3 and 4, such supplement to be canceled on or before Aug. 1, 1962, on and after which date said increases are to be published out specifically in the applicable tariff observing disposition of fractions as set forth in Finding No. 5.
7. The increases as granted by Findings Numbered 3 and 4 should become effective May 21, 1962, upon not less than 10 days' notice to the Commission and the general public.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. The order shall become effective forthwith.
3. Application No. 183 of the Colorado Motor Carriers' Association, as Agent, filed on behalf of Carbon Motorway, Inc., Larson Transportation Company, and Rio Grande Motor Way, Inc., be denied.
4. The increased rates and charges set out in paragraphs 3 and 4 of our Findings shall be the prescribed rates and charges of the Commission.
5. Disposition of fractions shall be as set forth in paragraph 5 of our Findings.
6. The rates and charges provided for in paragraphs 3 and 4 of our Findings shall become effective on May 21, 1962, upon ten (10) days' notice to the Commission and the general public as provided by law and the rules and regulations of the Commission.
7. A conversion supplement be issued as provided for in Finding No. 6 and that the supplement be canceled on or before August 1, 1962, on and after which date, said increases are to be published out specifically in the applicable tariff observing the provisions for disposition of fractions provided for in Finding No. 5.
8. Call and demand motor vehicle common carriers and Class B private carriers by motor vehicle transporting shipments in competition with the applicant carriers named herein shall be subject to the penalty rule of twenty (20) per cent.
9. Class A private carriers by motor vehicle in competition with any of the applicant carriers named herein, shall publish or cause to be published rates and charges, which shall not be less than those prescribed in paragraphs 3, 4, and 5 of our Findings.
10. Paragraph 7 of this order applies to the tariff publications of carriers referred to in paragraphs 8 and 9 of this order.
11. 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Nolan
Commissioners.

Dated at Denver, Colorado,
this 19th day of April, 1962.

ph

COMMISSIONER HENRY E. ZARLENGO DISSENTING:

I respectfully dissent from the decision of the majority.

Under the law, it is the burden of the applicant to submit proper evidence upon which the Commission may legally determine whether the increase in rates applied for, or any increase in rates, will result in rates that are just and reasonable and non-discriminatory as is required by law. The primary and essential facts involved in such a determination are the revenues to be derived for the service and the cost of that service to the operator.

Upon consideration of the record as made, it is my judgment that the applicants have failed to carry this burden.

Interspersed in the majority decision are such statements and findings, and these do not include them all, as follows:

"The many and varied services which comprise the whole transportation service performed by Rio Grande, Larson and Carbon, make it difficult, upon this record to determine what percentage increase, if any, is proper on the presently effective class and commodity rates published in Tariff No. 12-A as applicable on Colorado intrastate traffic. Neither revenue nor costs of handling this traffic are of record in this proceeding."

With regard to the applicant, Rio Grande, and its failure to make cost studies, it is asserted:

"Well, the reason for not making extensive cost studies and discontinuing some studies that we had previously made, were that such studies were historical and are very costly. And we felt that, by reason of the fact that the cost involved was too much for what benefit we got out of the cost studies, we have eliminated a good deal of these cost studies at a great saving to us. . . .As the season goes along, we can't wait for such cost studies. We have to act immediately, and, if our tonnage does not require the number of men that had been required during the summer months we have to furlough those men and get rid of some of our help."

It is then stated:

"The position of Rio Grande's president boils down to a policy of keeping its trucks loaded as fully as possible but with no thought as to the revenue received or as to the cost of performing the service. Such a policy is only a half policy for conducting a business where the services are as varied as they are in the case of Rio Grande. We would characterize this policy as akin to sailing a ship without a compass. Constant cost studies should be made to determine whether the specific type or kinds of traffic moving in volume are paying their way and not burdening other traffic."

Further:

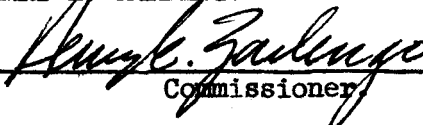
"Rio Grande's net operating ratio of 99.13 per cent for 1960 might well be as high as it is because the (1) interstate, (2) rail freight and (3) mail substitute, (4) the U. S. Government, (5) the local cartage and (6) the ore and concentrates traffic are being transported at rates that are non-compensatory in all or a majority of cases. We are unable to determine on this record what the facts are as to the compensatory character of either the intrastate or interstate traffic handled by Rio Grande."

The Commission then goes on to state that the operations of the other two applicants are substantially similar to those of Rio Grande and the evidence presented in their behalf is lacking in cost figures and winds up by stating that the lack of cost studies make "it quite clear that this and other unknowns, replete in the record, leave us no choice but to rationalize, as best we can, a decision on the increases to be granted, if any are to be granted."

To determine rates on the basis of intuition, guess work, speculation, or rationalization might prove to be detrimental to the public, and certainly is contrary to the law.

I do not say that the applicants are not entitled to the rate increases applied for, or to any rate increases, —what I do say is that on the record as made, the Commission is not able to render a legal determination as to any increases in rates.

HENRY E. ZARLENGO


Commissioner

Dated at Denver, Colorado,
this 19th day of April, 1962.

ph

APPENDIX

PART I

Rio Grande Motor Way, Inc., Income Account - Balance Sheet

| | <u>1960⁽¹⁾</u> | <u>1959⁽¹⁾</u> | <u>1958⁽¹⁾</u> |
|--|---------------------------|---------------------------|---------------------------|
| Operating Revenues: | | | |
| Freight - Local | \$3,374,187 | \$3,422,434 | \$2,882,995 |
| Freight - D&RGWRR Co. | 264,137 | 294,660 | 328,527 |
| Freight - Intercity Rail | 112,100 | 67,313 | 58,721 |
| Freight - Local Cartage | 126,784 | 153,991 | 168,703 |
| Intercity Transportation for other class 1 motor carriers | <u>152</u> | <u>221</u> | <u>568</u> |
| Total | \$3,877,362 | \$3,938,621 | \$3,439,517 |
| Other Operating Revenues | <u>22,683</u> | <u>25,768</u> | <u>21,441</u> |
| Total Operating Revenues | \$3,900,045 | \$3,964,390 | \$3,460,959 |
| Operating Expenses: | | | |
| Equipment & Garage Maintenance | \$ 561,260 | \$ 550,194 | \$ 465,048 |
| Transportation | 1,351,446 | 1,335,922 | 1,168,354 |
| Terminal | 961,371 | 940,424 | 826,049 |
| Traffic | 105,136 | 100,197 | 78,281 |
| Insurance & Safety | 120,820 | 138,325 | 142,989 |
| Administrative & General | 250,436 | 250,161 | 241,454 |
| Depreciation & Amortization | 200,951 | 204,501 | 221,214 |
| Taxes and Licenses | <u>314,514</u> | <u>279,761</u> | <u>262,420</u> |
| Total | \$3,865,947 | \$3,799,489 | \$3,405,812 |
| Net Operating Revenue | \$ 34,097 | \$ 164,901 | \$ 55,146 |
| Operating Ratio - Per Cent | 99.13 | 95.84 | 98.41 |
| Current Assets | \$1,025,808 | \$1,179,994 | \$1,135,057 |
| Current Liabilities | 331,294 | 437,760 | 331,165 |
| Ratio Current Assets to Current Liabilities | 3.1:1 | 2.7:1 | 3.4:1 |
| Unappropriated Surplus | \$1,275,214 | \$1,216,024 | \$1,106,558 |
| Net Income or Loss to Earned Surplus | \$ 59,189 | \$ 109,466 | \$ 44,125 |

(1) Amounts less than \$1.00 dropped.

PART II

Rio Grande Motor Way, Inc., Income Account and Balance Sheet

| | (1) Jan. Through Sept. 1961 | (1) Jan. Through Sept. 1960 |
|--|-----------------------------------|-----------------------------------|
| Operating Revenues: | | |
| Freight - Local | \$2,703,155 | \$2,562,091 |
| Freight - D&RGWRR Co. | 220,785 | 208,903 |
| Freight - Intercity Rail | 96,941 | 84,028 |
| Freight - Local Cartage | 100,096 | 91,066 |
| Intercity Transportation for other class 1 motor carriers | 204 | 152 |
| Total | \$3,121,182 | \$2,946,242 |
| Other Operating Revenues | 11,683 | 17,880 |
| Total Operating Revenues | \$3,132,866 | \$2,964,122 |
| Operating Expenses: | | |
| Equipment & Garage Maintenance | \$ 397,534 | \$ 425,069 |
| Transportation | 1,097,419 | 1,011,028 |
| Terminal | 767,625 | 717,820 |
| Traffic | 76,709 | 78,031 |
| Insurance & Safety | 113,282 | 94,159 |
| Administrative & General | 189,153 | 190,529 |
| Depreciation & Amortization | 155,855 | 145,157 |
| Taxes & Licenses | 245,345 | 236,427 |
| Total | \$3,042,926 | \$2,898,222 |
| Net Operating Revenue | \$ 89,940 | \$ 65,899 |
| Operating Ratio - Per Cent | 97.13 | 97.78 |
| Current Assets | \$1,298,060 | \$1,127,281 |
| Current Liabilities | \$ 473,800 | \$ 442,762 |
| Ratio Current Assets to Current Liabilities | 2.7:1 | 2.5:1 |
| Unappropriated Surplus | \$1,348,812 | \$1,285,242 |
| Net Income or loss to Earned Surplus | \$ 73,598 | \$ 69,218 |

(1) Amounts of less than \$1.00 dropped.

PART III

Rio Grande Motor Way, Inc.

Anticipated increased revenue based on
10% increase of actual revenue for year 1960

| | |
|--|-------------|
| Freight Revenue - Local | \$3,374,187 |
| Intrastate - 59.43% of Local Freight Revenue | \$2,005,279 |
| 10% Increase of Local Freight Revenue | \$ 200,528 |
| Estimated Local Intrastate Revenue, Increased 10% | \$2,205,807 |

PART IV

Rio Grande Motor Way, Inc.

Additional Federal Highway Use Tax
for the Period July 1, 1961, to
July 1, 1962, over the Previous Year

| | |
|--|-----------|
| Amount Payable July 1, 1961, to July 1, 1962 | \$ 15,120 |
| Amount paid previous fiscal year | \$ 7,740 |
| Additional Federal Highway Use Tax Payable During Current Fiscal Year | \$ 7,380 |

PART V

Rio Grande Motor Way, Inc.

Negotiated and agreed increases in wages for the years
1962, 1963 and 1964, based on the pay hours and months for the year 1960

| <u>Employee Classification</u> | <u>Total Hours Paid During 1960</u> | <u>Average Hours Per Month</u> | <u>Average No. of Employees</u> | <u>Estimated Increase Hourly or Monthly Rates 1962</u> | <u>1962 Increase Based On Hours Worked in 1960</u> |
|------------------------------------|---|--|---|--|--|
| Mechanics & Service | 61,833 | 5,153 | 37 | 25¢ | \$ 15,458.25 |
| Drivers, Line Haul | 146,633 | 12,219 | 70 | 20¢ | \$ 29,326.60 |
| Added Health & Welfare | \$3.50 per month | | | | 2,940.00 |
| Added Pension) | \$4.37 per month | | | | 3,670.80 |
| Added Holiday) | | | | | |
| Drivers, Pick-up & Delivery | 207,863 | 17,321 | 110 | 33½¢ | \$ 69,634.11 |
| Added Health & Welfare | \$3.50 per month | | | | 4,620.00 |
| Added Pension) | \$4.37 per month | | | | 5,768.00 |
| Added Holiday) | | | | | |
| Dockmen | 172,376 | 14,365 | 91 | 33½¢ | \$ 57,459.60 |
| Added Health & Welfare | \$3.50 per month | | | | 3,822.00 |
| Added Pension) | \$4.37 per month | | | | 4,772.04 |
| Added Holiday) | | | | | |
| Clerical | 182,801 | 15,233 | 82 | 25¢ | \$ 45,700.25 |
| Added Health & Welfare | \$9.75 per month | | | | 9,594.00 |
| Added Pension) | \$17.30 per month (effective May 1, 1962) | | | | - - |
| Added Holiday) | | | | | |
| Supervisor (noncontract) | | | 54 | \$25.00 per | \$ 16,200.00 |
| Added Health & Welfare | \$10.75 per month | | | month | 6,966.00 |
| Total | | | | | \$273,932.05 |

Wage increases effective in 1962 and through 1964
Based on the pay hours and months for the year 1960

| | <u>1962</u> | <u>1963</u> | <u>1964</u> |
|-----------------------------------|-----------------|-----------------|--------------|
| Effective January 1 | \$275,932.05 | \$319,040.93 | \$369,812.61 |
| January 1 - 12 months | - - - | 19,011.60 | 12,293.64 |
| Effective May 1 - eight months | 17,442.00 | 6,093.20 | |
| Effective July 1 - six months | 24,143.58 | 24,153.58 | |
| Effective November 1 - two months | <u>1,523.30</u> | <u>1,523.30</u> | |
| Total Yearly Wage Increase | \$319,040.93 | \$369,812.61 | \$382,106.25 |

PART VI

Rio Grande Motor Way, Inc.

| | <u>1958</u> | <u>1959</u> | <u>1960</u> |
|-------------------------------------|-------------|-------------|-------------|
| Vehicle Miles | 3,627,059 | 3,877,797 | 3,865,688 |
| Tons of Freight Transported | 156,013 | 166,428 | 191,331 |
| Average Rate in Cents Per Cwt. | 110.9 | 119. | 102. |
| Ton Miles | 27,746,499 | 30,869,906 | 31,527,474 |
| Average Haul, in Miles | 177.85 | 185.49 | 164.78 |
| Average Load, in Pounds | 14,938 | 15,920 | 16,310 |
| Rail Substitute Service LTL in Tons | 6,232.8 | 5,626.1 | 4,929.4 |
| Rail Substitute Service TL in Tons | 315.2 | 110.9 | 159.4 |

PART VII

Larson Transportation Company Income Account - Balance Sheet

| | <u>1960⁽¹⁾</u> | <u>1959⁽¹⁾</u> | <u>1958⁽¹⁾</u> |
|---|---------------------------|---------------------------|---------------------------|
| Operating Revenues: | | | |
| Freight - Local | \$ 203,258 | \$ 214,824 | \$ 170,982 |
| Freight - Rail | 16,420 | 21,349 | 20,794 |
| Freight - Local Cartage | 2,451 | 3,186 | 7,524 |
| Other Operating Revenues | <u>562</u> | <u>342</u> | <u>141</u> |
| Total | \$ 222,692 | \$ 239,702 | \$ 199,443 |
| Operating Expenses: | | | |
| Equipment & Garage Maintenance | \$ 27,708 | \$ 33,819 | \$ 33,522 |
| Transportation | 59,926 | 65,663 | 39,063 |
| Terminal | 57,417 | 58,161 | 47,804 |
| Traffic | 3,070 | 4,417 | 3,433 |
| Insurance & Safety | 8,330 | 9,042 | 7,570 |
| Administrative & General | 13,116 | 14,605 | 13,298 |
| Depreciation & Amortization | 20,719 | 16,226 | 20,015 |
| Taxes & Licenses | <u>17,587</u> | <u>16,326</u> | <u>16,217</u> |
| Total | \$ 207,876 | \$ 218,262 | \$ 180,926 |
| Net Operating Revenue | \$ 14,815 | \$ 21,440 | \$ 18,516 |
| Operating Ratio - Per Cent | 93.35 | 91.06 | 90.72 |
| Current Assets | \$ 149,757 | \$ 138,838 | \$ 127,338 |
| Current Liabilities | \$ 25,402 | \$ 32,801 | \$ 27,174 |
| Ratio Current Assets to Current Liabilities | 5.9:1 | 4.2:1 | 4.7:1 |
| Unappropriated Surplus | \$ 203,594 | \$ 191,124 | \$ 166,420 |
| Net Income or loss to Earned Surplus | \$ 12,470 | \$ 24,794 | \$ 19,468 |

(1) Amounts less than \$1.00 dropped.

PART VIII

Larson Transportation Company Income Account - Balance Sheet

| | (1) Jan. Through Sept. 1961 | (1) Jan. Through Sept. 1960 |
|---|-----------------------------------|-----------------------------------|
| Operating Revenues: | | |
| Freight - Local | \$ 153,348 | \$ 154,396 |
| Freight - Rail | 13,350 | 12,486 |
| Freight - Local Cartage | 1,645 | 1,641 |
| Other Operating Revenues | 469 | 473 |
| Total | \$ 168,812 | \$ 168,997 |
| Operating Expenses: | | |
| Equipment & Garage Maintenance | \$ 21,173 | \$ 19,955 |
| Transportation | 51,306 | 44,804 |
| Terminal | 41,605 | 41,532 |
| Traffic | 2,213 | 1,893 |
| Insurance & Safety | 7,668 | 6,655 |
| Administrative & General | 9,819 | 9,776 |
| Depreciation & Amortization | 8,025 | 15,588 |
| Taxes & Licenses | 12,324 | 12,904 |
| Total | \$ 154,136 | \$ 153,110 |
| Net Operating Revenue | \$ 14,676 | \$ 15,886 |
| Operating Ratio - Per Cent | 91.31 | 90.60 |
| Current Assets | \$ 188,394 | \$ 147,245 |
| Current Liabilities | \$ 28,354 | \$ 25,673 |
| Ratio Current Assets to Current Liabilities | 6.6:1 | 5.7:1 |
| Unappropriated Surplus | \$ 215,391 | \$ 203,855 |
| Net Income or Loss to Earned Surplus | \$ 11,796 | \$ 12,731 |

(1) Amounts of less than \$1.00 dropped.

PART IX

Larson Transportation Company

Anticipated increased revenue based on
10% increase of actual revenue for year 1960

| | |
|--|-----------|
| Freight Revenue - Local | \$203,259 |
| Intrastate - 81.2% of Local Freight Revenue | \$165,046 |
| 10% Increase of Local Freight Revenue | \$ 16,505 |
| Estimated Local Intrastate Revenue, Increased 10% | \$181,551 |

PART X

Larson Transportation Company

Additional Federal Highway Use Tax
for the Period July 1, 1961 to
July 1, 1962, over the Previous Year

| | |
|--|--------|
| Amount Payable July 1, 1961, to July 1, 1962 | \$ 840 |
| Amount Paid Previous Fiscal Year | \$ 510 |
| Additional Federal Highway Use Tax Payable During Current Fiscal Year | \$ 330 |

PART XI

Larson Transportation Company

Negotiated and agreed increases in wages for the years 1962, 1963 and 1964, based on the pay hours and months for the year 1960

| Employee Classification | Total Hours Paid During 1960 | Average Hours Per Month | Average No. of Employees | Estimated Increase Hourly or Monthly Rates 1962 | 1960 Increase Based On Hours Worked in 1960 |
|-------------------------|------------------------------|-------------------------|--------------------------|---|---|
| Drivers, Line Haul | 11,734 | 978 | 5 | 20¢ | \$ 2,346.80 |
| Added Health & Welfare | \$3.50 per month | | | | |
| Added Pension) | \$4.37 per month | | | | |
| Added Holiday) | | | | | |
| Drivers, Pick-up | 8,012 | 668 | 5 | 33½¢ | \$ 2,684.02 |
| Added Health & Welfare | \$3.50 per month | | | | |
| Added Pension) | \$4.37 per month | | | | |
| Added Holiday) | | | | | |
| Clerical | 2,135 | 178 | 1 | 25¢ | \$ 533.75 |
| Supervisor | | | | | |
| Noncontract | | | 2 | \$25.00 per month | \$ 600.00 |
| Total | | | | | \$ 6,164.57 |

PART XII

Larson Transportation Company

Wage increases effective in 1962 and through 1964 based on the pay hours and months for the year 1960

| | 1962 | 1963 | 1964 |
|---------------------------------|-------------|-------------|-------------|
| Effective January 1, 1962 | \$ 6,164.57 | \$ 7,152.17 | \$ 9,127.37 |
| Effective January 1 - 12 months | - - | 987.60 | 685.56 |
| Effective July 1 - six months | 987.60 | 987.60 | - - |
| Total Yearly Wage Increase | \$ 7,152.17 | \$ 9,127.37 | \$ 9,812.93 |

PART XIII

Larson Transportation Company

| | <u>1958</u> | <u>1959</u> | <u>1960</u> |
|------------------------------------|-------------|-------------|-------------|
| Vehicle Miles | 214,042 | 228,064 | 217,630 |
| Tons of Freight Transported | 6,091 | 7,143 | 6,780 |
| Average Rate, In Cents, Per Cwt. | 164.. | 168.. | 164.. |
| Ton Miles | 1,127,648 | 1,377,192 | 1,314,496 |
| Average Haul, In Miles | 185.13 | 192.8 | 193.87 |
| Average Load, in Pounds | 10,540 | 12,080 | 12,080 |
| Rail Substituted Service, LTL Tons | 465.2 | 413.5 | 395.5 |
| Rail Substituted Service, TL Tons | 40.4 | 64.7 | 28.6 |

PART XIV

Carbon Motorway, Inc., Income Account - Balance Sheet

| | 1960 ⁽¹⁾ | 1959 ⁽¹⁾ |
|---|---------------------|---------------------|
| Operating Revenues: | | |
| Freight - Local | \$ 946,572 | \$ 971,972 |
| Substitute Service | 32,874 | 37,782 |
| Mail Haul | 27,793 | 27,357 |
| Railway Express | 948 | 1,025 |
| Other Income | 600 | 1,080 |
| Revenue Deliveries Piggyback | 14,715 | 43,585 |
| Revenue from Piggyback Load and Unload | 94,995 | - - |
| Revenue Deliveries Autos | 21,972 | - - |
| Total | \$1,140,471 | \$1,083,803 |
| Operating Expenses: | | |
| Equipment Maintenance | \$ 117,209 | \$ 114,812 |
| Transportation | 493,718 | 441,471 |
| Terminal Expense | 277,338 | 277,863 |
| Sales-Tariff-Advertising | 39,788 | 40,394 |
| Insurance & Safety | 39,614 | 37,558 |
| Administrative & General | 79,576 | 80,113 |
| Depreciation (Less Depr. Adj.) | 51,115 | 48,180 |
| Taxes & Licenses | 69,312 | 58,494 |
| Total | \$1,167,674 | \$1,098,889 |
| Net Operating Revenue | (R) \$ 27,203 | (R) \$ 16,086 |
| Operating Ratio - Per Cent | 102.39 | 101.54 |
| Current Assets | \$ 200,226 | \$ 215,181 |
| Current Liabilities | \$ 63,866 | 67,170 |
| Ratio Current Assets to Current Liabilities | 3.1:1 | 3.2:1 |
| Unappropriated Surplus | \$ 2,192 | \$ 24,213 |
| Net Income or Loss to Earned Surplus | (R) \$ 22,021 | (R) \$ 12,573 |

(R) Denotes red figure

(1) Amounts of less than \$1.00 dropped.

PART XV

Carbon Motorway, Inc., Income Account - Balance Sheet

| | (1) Jan. Through Sept. 1961 | (1) Jan. Through Sept. 1960 |
|---|-----------------------------------|-----------------------------------|
| Operating Revenues: | | |
| Freight - Local | \$ 731,301 | \$ 730,846 |
| Substitute Service | 20,744 | 26,127 |
| Mail Haul | 19,656 | 19,858 |
| Railway Express | - - | 713 |
| Local Cartage - D&RG | 7,669 | - - |
| Other Income | 309 | 373 |
| Revenue Deliveries Piggyback | 14,307 | 10,627 |
| Revenue Piggyback Load & Unload | 40,131 | 82,039 |
| Revenue Deliveries Autos | 1,045 | 20,833 |
| Pick-up and Delivery - D&RG-WP | 1,281 | - - |
| Total | \$ 836,447 | \$ 891,419 |
| Operating Expenses: | | |
| Equipment Maintenance | \$ 83,962 | \$ 88,592 |
| Transportation | 357,520 | 375,725 |
| Terminal Expense | 195,677 | 213,597 |
| Sales-Tariff-Advertising | 32,132 | 29,457 |
| Insurance & Safety | 29,312 | 30,672 |
| Administrative & General | 57,389 | 60,273 |
| Depreciation (Less Depr. Adj.) | 42,181 | 37,939 |
| Taxes & Licenses | 52,230 | 55,600 |
| Total | \$ 850,406 | \$ 891,857 |
| Net Operating Revenue | (R) \$ 13,959 | (R) \$ 438 |
| Operating Ratio - Per Cent | 101.67 | 100.05 |
| Current Assets | \$ 248,841 | \$ 225,494 |
| Current Liabilities | \$ 73,228 | \$ 81,404 |
| Ratio Current Assets to Current Liabilities | 3.4:1 | 2.8:1 |
| Unappropriated Surplus | \$ 539 | \$ 24,238 |
| Net Income or Loss to Earned Surplus | (R) \$ 1,613 | \$ 24 |

(R) Denotes red figure.

(1) Amounts less than \$1.00 dropped.

PART XVI

Carbon Motorway, Inc.

Spot survey for one month - Total revenue inter- and intrastate moving between the five points of Fruita, Grand Junction, Loma, Mack and Gilsonite totaled \$289.00. Estimated annual revenue, based on one month's sampling, would be \$3,468 on both intra- and interstate commerce.

Anticipated increased revenue based on 10% of actual revenue for year 1960, unknown as Colorado intrastate revenue not shown. Increase in any event would be less than \$350 annually based on an estimated annual revenue of \$3,468 for both inter- and intrastate traffic.

PART XVII

Carbon Motorway, Inc.

Additional Federal Highway Use Tax for the period July 1, 1961, to July 1, 1962, over the previous year.

Federal Highway Use Tax doubled, effective August 1, 1961. No figures submitted as to the amount of such increase.

PART XVIII

Carbon Motorway, Inc.

Negotiated and agreed increases in wages for the years 1962, 1963, and 1964 based on the pay hours and months for the year 1960.

Carbon party to three-year contract of wage increases. Retroactive wages paid to July 1, 1961, paid November 15, 1961. No figures or amount of increased wages submitted.

PART XIX

Carbon Motorway, Inc.

| | <u>1958</u> | <u>1959</u> | <u>1960</u> |
|----------------------------------|-------------|-------------|-------------|
| Vehicle Miles | 1,145,840 | 1,039,231 | 956,122 |
| Tons of Freight Transported | 68,739 | 66,913 | 76,821 |
| Average Rate, in Cents, Per Cwt. | 76.6 | 80.9 | 74.2 |
| Ton Miles | 9,958,321 | 9,681,572 | 9,030,801 |
| Average Haul in Miles | 144.87 | 144.69 | 117.56 |
| Average Load in Pounds | 17,380 | 18,620 | 18,890 |

PART XX

Denver & Rio Grande Western Railroad Co.

| | <u>1960</u> | <u>1959</u> | <u>1958</u> |
|----------------------------|-------------------|-------------------|-------------------|
| Operating Revenues | \$76,316,359 | \$75,397,060 | \$76,935,580 |
| Operating Expenses | <u>50,554,642</u> | <u>50,550,327</u> | <u>50,170,589</u> |
| Net Operating Revenue | \$25,761,717 | \$24,846,733 | \$26,764,991 |
| Operating Ratio - Per Cent | 66.24 | 67.05 | 65.21 |

| <u>All L.C.L. Freight</u> | <u>1960</u> | <u>1959</u> | <u>1958</u> |
|---|-------------|-------------|--------------|
| Total Tons | 16,881 | 19,605 | 28,177 |
| Gross Freight Revenue | - - | \$ 663,736 | \$ 1,012,437 |
| Total Revenue Freight Carried Within the State of Colorado - Tons | 15,872 | 18,501 | 26,602 |

PART XXI

Rio Grande Motor Way, Inc.

| | <u>1958</u> | | <u>1959</u> | | <u>1960</u> | |
|---------------------------------|-------------------|---------------------------------------|-------------------|---------------------------------------|-------------------|---------------------------------------|
| | <u>Totals</u> | <u>Cost Per Mile in Cents</u> | <u>Totals</u> | <u>Cost Per Mile in Cents</u> | <u>Totals</u> | <u>Cost Per Mile in Cents</u> |
| Vehicle Miles | 3,627,059 | | 3,877,797 | | 3,865,688 | |
| Line Haul Expenses | \$1,284,920 | 35.42 | \$1,348,142 | 34.76 | \$1,407,468 | 36.4 |
| Other Out-of-Pocket Expenses | \$1,653,631 | 45.59 | \$1,960,736 | 50.56 | \$1,977,459 | 51.15 |
| General Overhead Expense | <u>\$ 467,261</u> | <u>12.88</u> | <u>\$ 490,612</u> | <u>12.65</u> | <u>\$ 481,021</u> | <u>12.44</u> |
| Totals | \$3,405,812 | 93.9 | \$3,799,490 | 97.98 | \$3,865,948 | 100. |
| Total Revenue | \$3,460,959 | | \$3,964,391 | | \$3,900,046 | |
| Operating Ratio - Per Cent | 98.41 | | 95.84 | | 99.13 | |

PART XXII

Larson Transportation Company

| | 1958 | | 1959 | | 1960 | |
|---------------------------------|---------------|---------------------------------------|---------------|---------------------------------------|---------------|---------------------------------------|
| | <u>Totals</u> | <u>Cost Per Mile in Cents</u> | <u>Totals</u> | <u>Cost Per Mile in Cents</u> | <u>Totals</u> | <u>Cost Per Mile in Cents</u> |
| Vehicle Miles | 214,042 | | 228,064 | | 217,630 | |
| Line Haul Expenses | \$ 97,341 | 45.477 | \$ 92,909 | 40.738 | \$ 87,182 | 40.050 |
| Other Out-of-Pocket Expenses | \$ 57,533 | 26.879 | \$ 95,674 | 41.95 | \$ 91,181 | 41.897 |
| General Overhead Expense | \$ 26,053 | 12.172 | \$ 29,679 | 13.013 | \$ 29,513 | 13.561 |
| Totals | \$ 180,927 | 84.528 | \$ 218,262 | 95.701 | \$ 207,876 | 95.517 |
| Total Revenue | \$ 199,443 | | \$ 239,703 | | \$ 222,692 | |
| Operating Ratio - Per Cent | 90.72 | | 91.06 | | 93.35 | |

PART XXIII

Carbon Motorway, Inc.

| | 1958 | | 1959 | | 1960 | |
|---------------------------------|---------------|---------------------------------------|---------------|---------------------------------------|---------------|---------------------------------------|
| | <u>Totals</u> | <u>Cost Per Mile in Cents</u> | <u>Totals</u> | <u>Cost Per Mile in Cents</u> | <u>Totals</u> | <u>Cost Per Mile in Cents</u> |
| Vehicle Miles | 1,145,840 | | 1,039,231 | | 956,122 | |
| Line Haul Expenses | \$ 375,742 | 32.792 | \$ 341,599 | 32.87 | \$ 353,016 | 36.921 |
| Other Out-of-Pocket Expenses | \$ 511,577 | 44.646 | \$ 610,926 | 58.786 | \$ 677,069 | 70.814 |
| General Overhead Expenses | \$ 166,288 | 14.512 | \$ 146,364 | 14.084 | \$ 137,630 | 14.394 |
| Totals | \$1,053,607 | 91.95 | \$1,098,889 | 105.836 | \$1,167,715 | 122.13 |
| Total Revenues | \$1,052,889 | | \$1,082,803 | | \$1,140,472 | |
| Operating Ratio - Per Cent | 100.068 | | 101.49 | | 102.39 | |

PART XXIV

Proposed distance class 100 base rates to have application in plains
and mountain territories and with such rates to be governed
by National Motor Freight Classification

| <u>Distance in Miles</u> | | <u>Rates in Cents Per Cwt.</u> | |
|------------------------------|--|--------------------------------|---------------------------------|
| | | <u>Plains Territory*</u> | <u>Mountain Territory**</u> |
| 5 miles and under | | 82 | 94 |
| 10 " " over 5 miles | | 89 | 99 |
| 15 " " " 10 " | | 96 | 104 |
| 20 " " " 15 " | | 102 | 110 |
| 25 " " " 20 " | | 105 | 115 |
| 30 miles and over 25 miles | | 112 | 121 |
| 35 " " " 30 " | | 115 | 126 |
| 40 " " " 35 " | | 120 | 133 |
| 45 " " " 40 " | | 123 | 139 |
| 50 " " " 45 " | | 126 | 142 |
| 55 miles and over 50 miles | | 131 | 146 |
| 60 " " " 55 " | | 134 | 150 |
| 65 " " " 60 " | | 139 | 155 |
| 70 " " " 65 " | | 141 | 159 |
| 75 " " " 70 " | | 143 | 163 |
| 80 miles and over 75 miles | | 147 | 167 |
| 85 " " " 80 " | | 150 | 170 |
| 90 " " " 85 " | | 154 | 175 |
| 95 " " " 90 " | | 156 | 180 |
| 100 " " " 95 " | | 159 | 184 |
| 110 miles and over 100 miles | | 164 | 191 |
| 120 " " " 110 " | | 169 | 198 |
| 130 " " " 120 " | | 175 | 204 |
| 140 " " " 130 " | | 180 | 212 |
| 150 " " " 140 " | | 185 | 219 |
| 160 miles and over 150 miles | | 189 | 224 |
| 170 " " " 160 " | | 196 | 230 |
| 180 " " " 170 " | | 199 | 236 |
| 190 " " " 180 " | | 203 | 241 |
| 200 " " " 190 " | | 207 | 247 |
| 210 miles and over 200 miles | | 213 | 251 |
| 220 " " " 210 " | | 217 | 258 |
| 230 " " " 220 " | | 221 | 263 |
| 240 " " " 230 " | | 225 | 268 |
| 260 " " " 240 " | | 235 | 278 |
| 280 miles and over 260 miles | | 241 | 287 |
| 300 " " " 280 " | | 249 | 296 |
| 320 " " " 300 " | | 258 | 304 |
| 340 " " " 320 " | | 265 | 312 |
| 360 " " " 340 " | | 273 | 321 |
| 380 miles and over 360 miles | | 279 | 327 |
| 400 " " " 380 " | | 287 | 337 |
| 420 " " " 400 " | | 295 | 345 |
| 440 " " " 420 " | | 301 | 354 |
| 460 " " " 440 " | | 307 | 362 |

PART XXIV (Continued)

Proposed distance class 100 base rates to have application in plains and mountain territories and with such rates to be governed by National Motor Freight Classification

| Distance in Miles | | Rates in Cents Per Cwt. | |
|--------------------|-----------|-------------------------|----------------------|
| | | Plains Territory* | Mountain Territory** |
| 480 miles and over | 460 miles | 315 | 370 |
| 500 " " " | 480 " | 322 | 379 |
| 520 " " " | 500 " | 327 | 388 |
| 540 " " " | 520 " | 336 | 397 |
| 560 " " " | 540 " | 342 | 404 |
| 580 miles and over | 560 miles | 349 | 411 |
| 600 " " " | 580 " | 355 | 420 |
| 620 " " " | 600 " | 362 | 428 |
| 640 " " " | 620 " | 369 | 438 |
| 660 " " " | 640 " | 377 | 446 |
| 680 miles and over | 660 miles | 383 | 455 |
| 700 " " " | 680 " | 390 | 463 |

*ICC Dockets 28300, 281 ICC 213, 328 and 30416 and 30660, 296 ICC 555, 661.

**Ex Parte 223 increased to be added.

APPLICATION OF RATES

- I. Classification ratings as published in National Motor Freight Classification to apply.
- II. Less-than-truckload: Minimum charge per shipment, \$2.50.
- III. Truckload or volume.
Minimum weight: As provided in the National Motor Freight Classification with minimum weight factors being subject to Section 3, Table B, Rule 115 thereof.
- IV. A. Shipments of less than 1,000 lbs. subject to rates 20 cents per cwt. higher than base rates.
B. Shipments of 1,000 lbs. and not over 2,000 lbs. subject to rates 10 cents per cwt. higher than base rates.
C. Shipments of over 2,000 lbs. subject to base rates.
- V. Alternate applications of rates on shipments weighing 2,000 lbs. or less:
 - A. Where the total charges on a shipment of less than 1,000 lbs. would be lower if charges were based upon a weight of 1,000 lbs., with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charge shall apply.
 - B. Where the total charges on a shipment of 2,000 lbs. or less but 1,000 lbs. or over would be lower if the charges were based upon a weight of 2,000 lbs., with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charges shall apply.

APPLICATION OF RATES
(Continued)

- VI. The mountain scale of distance class rates shall have application to traffic having destination in that territory.
- VII. The plains scale of distance class rates shall have application to traffic having destination in that territory.
- VIII. Distances shall be those shown in the Rand McNally Colorado State Highway Map, 1961 issue, via the shortest practicable highway route between origin and destination.
- IX. A tariff of distances shall be filed setting forth distances between points between which there is a regular flow of traffic. The tariff shall provide for the construction of distances between all other points observing the provisions of paragraph VIII hereof.
- X. Class rates shall be published out specifically between all points between which there is a regular flow of traffic, such rates to apply in connection with the following ratings: 500, 400, 350, 300, 250, 200, 175, 150, 125, 120, 110, 100, $92\frac{1}{2}$, 85, $77\frac{1}{2}$, 70, 65, 60, 55, 50, 45, 40, $37\frac{1}{2}$, 35, $32\frac{1}{2}$, $27\frac{1}{2}$, 25.
- Where a rating appears in the classification for which no rate is published, apply that rate published for the next higher rating.
- XI. Distance class rates, commodity rates, and freight all kinds, with exceptions, rates shall alternate, with those rates, which at the applicable minimum rates, result in the lowest charges being those applicable.

FREIGHT, ALL KINDS WITH EXCEPTIONS, RATES AND MINIMUM WEIGHTS

- XII. Freight, all kinds, except those articles having volume or truckload ratings higher than class 85 as published in the National Motor Freight Classification.
- XIII. Freight, all kinds, with exceptions as provided for in paragraph XII, shall be subject to the following ratings and minimum weights:
- A. Class $37\frac{1}{2}$, minimum weight 20,000 pounds
Class $32\frac{1}{2}$, minimum weight 25,000 pounds
Class $27\frac{1}{2}$, minimum weight 35,000 pounds
 - B. Consignor to load, consignee to unload.
 - C. Trailers or trucks, single units, to have not less than 1800 cubic feet capacity.
 - D. When the charges based on the higher rate and actual weight (but not less than the minimum weight specified for the lower rate) exceeds the charge based on the lower rate and the actual weight (but not less than the minimum weight specified for the lower rate), the latter charge will apply.
- XIV. Cancel exception ratings presently in effect.
- XV. Plains Territory: Between Pueblo, on the one hand, and on the other Canon City and Florence.
- XVI. Mountain Territory: All points served by Carbon, Larson and Rio Grande except as embraced in the plains territory.

PART XXV

Comparison of present class 100, 85, 70 and 55 rates with a proposed increase of 10% and with staff proposed rates between selected points

| Line No. | Between Denver, Colorado | Distance Miles | Classes | | | |
|----------|------------------------------------|----------------|---------|-----|-----|-----|
| | | | 100 | 85 | 70 | 55 |
| | <u>And</u> | | | | | |
| 1. | Alamosa, Colo.) LTL | 246 | 252 | 214 | 176 | 139 |
| 2. | Present) 5,000 lbs. | | 209 | 178 | 146 | 115 |
| 3. |) 10,000 lbs. | | 165 | 140 | 116 | 91 |
| 4. | Increased 10%) LTL | | 277 | 235 | 194 | 153 |
| 5. |) 5,000 lbs. | | 230 | 196 | 161 | 127 |
| 6. |) 10,000 lbs. | | 182 | 154 | 128 | 100 |
| 7. | Staff proposal - Base | 219 | 258 | 219 | 181 | 142 |
| 8. | Less than 1,000 lbs. | | 278 | 239 | 201 | 162 |
| 9. | 1,000 lbs. but not over 2,000 lbs. | | 268 | 229 | 191 | 152 |
| 10. | Canon City, Colo.) LTL | 159 | 186 | 158 | 130 | 102 |
| 11. | Present) 5,000 lbs. | | 147 | 125 | 103 | 81 |
| 12. |) 10,000 lbs. | | 113 | 96 | 79 | 62 |
| 13. | Increased 10%) LTL | | 205 | 174 | 143 | 112 |
| 14. |) 5,000 lbs. | | 162 | 138 | 113 | 89 |
| 15. |) 10,000 lbs. | | 124 | 106 | 87 | 68 |
| 16. | Staff proposal - Base | 113 | 169 | 144 | 118 | 93 |
| 17. | Less than 1,000 lbs. | | 189 | 164 | 138 | 113 |
| 18. | 1,000 lbs. but not over 2,000 lbs. | | 179 | 154 | 128 | 103 |
| 19. | Durango, Colo.) LTL | 400 | 336 | 286 | 235 | 185 |
| 20. | Present) 5,000 lbs. | | 268 | 228 | 188 | 147 |
| 21. |) 10,000 lbs. | | 216 | 184 | 151 | 119 |
| 22. | Increased 10%) LTL | | 370 | 315 | 258 | 204 |
| 23. |) 5,000 lbs. | | 295 | 251 | 207 | 162 |
| 24. |) 10,000 lbs. | | 238 | 202 | 166 | 131 |
| 25. | Staff proposal - Base | 339 | 312 | 265 | 218 | 172 |
| 26. | Less than 1,000 lbs. | | 332 | 285 | 238 | 192 |
| 27. | 1,000 lbs. but not over 2,000 lbs. | | 322 | 275 | 228 | 182 |
| 28. | Grand Junction, Colo.) LTL | 275 | 333 | 283 | 233 | 183 |
| 29. | Present) 5,000 lbs. | | 271 | 230 | 190 | 149 |
| 30. |) 10,000 lbs. | | 217 | 184 | 152 | 119 |
| 31. | Increased 10%) LTL | | 366 | 311 | 256 | 201 |
| 32. |) 5,000 lbs. | | 298 | 253 | 209 | 164 |
| 33. |) 10,000 lbs. | | 239 | 202 | 167 | 131 |
| 34. | Staff proposal - Base | 257 | 278 | 236 | 195 | 153 |
| 35. | Less than 1,000 lbs. | | 298 | 256 | 215 | 173 |
| 36. | 1,000 lbs. but not over 2,000 lbs. | | 288 | 246 | 205 | 163 |
| 37. | Gunnison, Colo.) LTL | 289 | 289 | 246 | 202 | 159 |
| 38. | Present) 5,000 lbs. | | 237 | 201 | 166 | 130 |
| 39. |) 10,000 lbs. | | 185 | 157 | 130 | 102 |
| 40. | Increased 10%) LTL | | 318 | 271 | 222 | 175 |
| 41. |) 5,000 lbs. | | 261 | 221 | 183 | 143 |
| 42. |) 10,000 lbs. | | 204 | 173 | 143 | 112 |
| 43. | Staff proposal - Base | 202 | 251 | 213 | 176 | 138 |
| 44. | Less than 1,000 lbs. | | 271 | 233 | 196 | 158 |
| 45. | 1,000 lbs. but not over 2,000 lbs. | | 261 | 223 | 186 | 148 |

| Line No. | Between Denver, Colorado | | Distance Miles | Classes | | | |
|----------|------------------------------------|-------------|----------------|---------|-----|-----|-----|
| | | | | 100 | 85 | 70 | 55 |
| | <u>And</u> | | | | | | |
| 1. | Leadville, Colo.) | LTL | 165 | 251 | 213 | 176 | 138 |
| 2. | Present (| 5,000 lbs. | | 198 | 168 | 139 | 109 |
| 3. |) | 10,000 lbs. | | 155 | 132 | 109 | 85 |
| 4. | Increased 10%) | LTL | | 276 | 234 | 194 | 152 |
| 5. | (| 5,000 lbs. | | 218 | 185 | 153 | 120 |
| 6. |) | 10,000 lbs. | | 171 | 145 | 120 | 94 |
| 7. | Staff proposal - Base | | 113 | 198 | 168 | 139 | 109 |
| 8. | Less than 1,000 lbs. | | | 218 | 188 | 159 | 129 |
| 9. | 1,000 lbs. but not over 2,000 lbs. | | | 208 | 178 | 149 | 119 |
| 10. | Montrose, Colo.) | LTL | 348 | 333 | 283 | 233 | 183 |
| 11. | Present (| 5,000 lbs. | | 271 | 230 | 190 | 149 |
| 12. |) | 10,000 lbs. | | 217 | 184 | 152 | 119 |
| 13. | Increased 10%) | LTL | | 366 | 311 | 256 | 201 |
| 14. | (| 5,000 lbs. | | 298 | 253 | 209 | 164 |
| 15. |) | 10,000 lbs. | | 239 | 202 | 167 | 131 |
| 16. | Staff proposal - Base | | 268 | 287 | 244 | 201 | 158 |
| 17. | Less than 1,000 lbs. | | | 307 | 264 | 221 | 178 |
| 18. | 1,000 lbs. but not over 2,000 lbs. | | | 297 | 254 | 211 | 168 |
| 19. | Salida, Colo.) | LTL | 215 | 246 | 209 | 172 | 135 |
| 20. | Present (| 5,000 lbs. | | 194 | 165 | 136 | 107 |
| 21. |) | 10,000 lbs. | | 146 | 124 | 102 | 80 |
| 22. | Increased 10%) | LTL | | 271 | 230 | 189 | 149 |
| 23. | (| 5,000 lbs. | | 213 | 182 | 150 | 118 |
| 24. |) | 10,000 lbs. | | 161 | 136 | 112 | 88 |
| 25. | Staff proposal - Base | | 144 | 219 | 186 | 153 | 120 |
| 26. | Less than 1,000 lbs. | | | 239 | 206 | 173 | 140 |
| 27. | 1,000 lbs. but not over 2,000 lbs. | | | 229 | 196 | 163 | 130 |
| 28. | Craig, Colo.) | LTL | 232 | 289 | 246 | 202 | 159 |
| 29. | Present (| 5,000 lbs. | | 238 | 202 | 167 | 131 |
| 30. |) | 10,000 lbs. | | 188 | 160 | 132 | 103 |
| 31. | Increased 10%) | LTL | | 318 | 271 | 222 | 175 |
| 32. | (| 5,000 lbs. | | 262 | 222 | 184 | 144 |
| 33. |) | 10,000 lbs. | | 207 | 176 | 145 | 113 |
| 34. | Staff proposal - Base | | 213 | 258 | 219 | 181 | 142 |
| 35. | Less than 1,000 lbs. | | | 278 | 239 | 201 | 162 |
| 36. | 1,000 lbs. but not over 2,000 lbs. | | | 268 | 229 | 191 | 152 |

Between Pueblo, Colorado

And

| | | | | | | | |
|-----|------------------------------------|-------------|-----|-----|-----|-----|-----|
| 37. | Alamosa, Colo.) | LTL | 128 | 216 | 184 | 151 | 119 |
| 38. | Present (| 5,000 lbs. | | 174 | 148 | 122 | 96 |
| 39. |) | 10,000 lbs. | | 128 | 109 | 90 | 70 |
| 40. | Increased 10%) | LTL | | 238 | 202 | 166 | 131 |
| 41. | (| 5,000 lbs. | | 191 | 163 | 134 | 106 |
| 42. |) | 10,000 lbs. | | 141 | 120 | 99 | 77 |
| 43. | Staff proposal - Base | | 123 | 204 | 173 | 143 | 112 |
| 44. | Less than 1,000 lbs. | | | 224 | 193 | 163 | 132 |
| 45. | 1,000 lbs. but not over 2,000 lbs. | | | 214 | 183 | 153 | 122 |
| 46. | Canon City, Colo.) | LTL | 41 | 108 | 92 | 76 | 59 |
| 47. | Present (| 5,000 lbs. | | 76 | 65 | 53 | 42 |
| 48. |) | 10,000 lbs. | | 48 | 41 | 34 | 26 |
| 49. | Increased 10%) | LTL | | 119 | 101 | 84 | 65 |
| 50. | (| 5,000 lbs. | | 84 | 72 | 58 | 46 |
| 51. |) | 10,000 lbs. | | 53 | 45 | 37 | 29 |
| 52. | Staff proposal - Base | | 39 | 120 | 102 | 84 | 66 |
| 53. | Less than 1,000 lbs. | | | 140 | 122 | 104 | 86 |
| 54. | 1,000 lbs. but not over 2,000 lbs. | | | 130 | 112 | 94 | 76 |

| Line No. | Between Pueblo, Colorado | | Distance Miles | Classes | | | |
|-------------|------------------------------------|---------------|-------------------|---------|-----|-----|-----|
| | | | | 100 | 85 | 70 | 55 |
| <u>And</u> | | | | | | | |
| 1. | Durango, Colo. |) LTL | 282 | 294 | 250 | 206 | 162 |
| 2. | Present | (5,000 lbs. | | 238 | 202 | 167 | 131 |
| 3. | |) 10,000 lbs. | | 189 | 161 | 132 | 104 |
| 4. | Increased 10% |) LTL | | 323 | 275 | 227 | 178 |
| 5. | | (5,000 lbs. | | 262 | 222 | 184 | 144 |
| 6. | |) 10,000 lbs. | | 208 | 176 | 146 | 114 |
| 7. | Staff proposal - Base | | 273 | 287 | 244 | 201 | 158 |
| 8. | Less than 1,000 lbs. | | | 307 | 264 | 221 | 178 |
| 9. | 1,000 lbs. but not over 2,000 lbs. | | | 297 | 254 | 211 | 168 |
| 10. | Grand Junction, Colo. |) LTL | 307 | 333 | 283 | 233 | 183 |
| 11. | Present | (5,000 lbs. | | 271 | 230 | 190 | 149 |
| 12. | |) 10,000 lbs. | | 217 | 184 | 152 | 119 |
| 13. | Increased 10% |) LTL | | 366 | 311 | 256 | 201 |
| 14. | | (5,000 lbs. | | 298 | 253 | 209 | 164 |
| 15. | |) 10,000 lbs. | | 239 | 202 | 167 | 131 |
| 16. | Staff proposal - Base | | 288 | 296 | 252 | 207 | 163 |
| 17. | Less than 1,000 lbs. | | | 316 | 272 | 227 | 183 |
| 18. | 1,000 lbs. but not over 2,000 lbs. | | | 306 | 262 | 217 | 173 |
| 19. | Gunnison, Colo. |) LTL | 171 | 251 | 213 | 176 | 138 |
| 20. | Present | (5,000 lbs. | | 196 | 167 | 137 | 108 |
| 21. | |) 10,000 lbs. | | 146 | 124 | 102 | 80 |
| 22. | Increased 10% |) LTL | | 276 | 234 | 194 | 152 |
| 23. | | (5,000 lbs. | | 216 | 184 | 151 | 119 |
| 24. | |) 10,000 lbs. | | 161 | 136 | 112 | 88 |
| 25. | Staff proposal - Base | | 160 | 224 | 190 | 157 | 123 |
| 26. | Less than 1,000 lbs. | | | 244 | 210 | 177 | 143 |
| 27. | 1,000 lbs. but not over 2,000 lbs. | | | 234 | 200 | 167 | 133 |
| 28. | Leadville, Colo. |) LTL | 158 | 251 | 213 | 176 | 138 |
| 29. | Present | (5,000 lbs. | | 198 | 168 | 139 | 109 |
| 30. | |) 10,000 lbs. | | 155 | 132 | 109 | 85 |
| 31. | Increased 10% |) LTL | | 276 | 234 | 194 | 152 |
| 32. | | (5,000 lbs. | | 218 | 185 | 153 | 120 |
| 33. | |) 10,000 lbs. | | 171 | 145 | 120 | 94 |
| 34. | Staff proposal - Base | | 155 | 224 | 190 | 157 | 123 |
| 35. | Less than 1,000 lbs. | | | 244 | 210 | 177 | 143 |
| 36. | 1,000 lbs. but not over 2,000 lbs. | | | 234 | 200 | 167 | 133 |
| 37. | Salida, Colo. |) LTL | 97 | 193 | 164 | 135 | 106 |
| 38. | Present | (5,000 lbs. | | 142 | 121 | 99 | 78 |
| 39. | |) 10,000 lbs. | | 100 | 85 | 70 | 55 |
| 40. | Increased 10% |) LTL | | 212 | 180 | 149 | 117 |
| 41. | | (5,000 lbs. | | 156 | 133 | 109 | 86 |
| 42. | |) 10,000 lbs. | | 110 | 94 | 77 | 61 |
| 43. | Staff proposal - Base | | 95 | 180 | 153 | 126 | 99 |
| 44. | Less than 1,000 lbs. | | | 200 | 173 | 146 | 119 |
| 45. | 1,000 lbs. but not over 2,000 lbs. | | | 190 | 163 | 136 | 109 |
| 46. | Craig, Colo. |) LTL | 350 | 342 | 291 | 239 | 181 |
| 47. | Present | (5,000 lbs. | | 281 | 239 | 197 | 155 |
| 48. | |) 10,000 lbs. | | 226 | 192 | 158 | 124 |
| 49. | Increased 10% |) LTL | | 376 | 320 | 263 | 207 |
| 50. | | (5,000 lbs. | | 309 | 263 | 217 | 171 |
| 51. | |) 10,000 lbs. | | 249 | 211 | 184 | 136 |
| 52. | Staff proposal - Base | | 287 | 296 | 252 | 207 | 163 |
| 53. | Less than 1,000 lbs. | | | 316 | 272 | 227 | 183 |
| 54. | 1,000 lbs. but not over 2,000 lbs. | | | 306 | 262 | 217 | 173 |

| Line | | | Distance | Classes | | | |
|------|------------------------------------|---------------|----------|---------|-----|-----|-----|
| No. | Between Pueblo, Colorado | | Miles | 100 | 85 | 70 | 55 |
| | <u>And</u> | | | | | | |
| 1. | Montrose, Colo. |) LTL | 234 | 333 | 283 | 233 | 183 |
| 2. | Present | (5,000 lbs. | | 271 | 230 | 190 | 149 |
| 3. | |) 10,000 lbs. | | 217 | 184 | 152 | 119 |
| 4. | Increased 10% |) LTL | | 366 | 311 | 256 | 201 |
| 5. | | (5,000 lbs. | | 298 | 253 | 209 | 164 |
| 6. | |) 10,000 lbs. | | 239 | 202 | 167 | 131 |
| 7. | Staff proposal - Base | | 226 | 263 | 224 | 184 | 145 |
| 8. | Less than 1,000 lbs. | | | 283 | 244 | 204 | 165 |
| 9. | 1,000 lbs. but not over 2,000 lbs. | | | 273 | 234 | 194 | 155 |

| Line No. | Between Grand Junction, Colorado | | Distance Miles | Classes | | | |
|-------------|------------------------------------|---------------|-------------------|---------|-----|-----|-----|
| | | | | 100 | 85 | 70 | 55 |
| <u>And</u> | | | | | | | |
| 1. | Delta, Colo. |) LTL | 51 | 132 | 112 | 92 | 73 |
| 2. | Present | (5,000 lbs. | | 95 | 81 | 67 | 52 |
| 3. | |) 10,000 lbs. | | 59 | 50 | 41 | 32 |
| 4. | Increased 10% |) LTL | | 145 | 123 | 101 | 80 |
| 5. | | (5,000 lbs. | | 105 | 89 | 74 | 57 |
| 6. | |) 10,000 lbs. | | 65 | 55 | 45 | 35 |
| 7. | Staff proposal - Base | | 41 | 139 | 118 | 97 | 76 |
| 8. | Less than 1,000 lbs. | | | 159 | 138 | 117 | 96 |
| 9. | 1,000 lbs. but not over 2,000 lbs. | | | 149 | 128 | 107 | 86 |
| 10. | Glenwood Springs, Colo. |) LTL | 90 | 194 | 165 | 136 | 107 |
| 11. | Present | (5,000 lbs. | | 142 | 121 | 99 | 78 |
| 12. | |) 10,000 lbs. | | 98 | 83 | 69 | 54 |
| 13. | Increased 10% |) LTL | | 213 | 182 | 150 | 118 |
| 14. | | (5,000 lbs. | | 156 | 133 | 109 | 86 |
| 15. | |) 10,000 lbs. | | 108 | 91 | 76 | 59 |
| 16. | Staff proposal - Base | | 89 | 175 | 149 | 123 | 96 |
| 17. | Less than 1,000 lbs. | | | 195 | 169 | 143 | 116 |
| 18. | 1,000 lbs. but not over 2,000 lbs. | | | 185 | 159 | 133 | 106 |
| 19. | Gunnison, Colo. |) LTL | 136 | 231 | 196 | 162 | 127 |
| 20. | Present | (5,000 lbs. | | 177 | 150 | 124 | 97 |
| 21. | |) 10,000 lbs. | | 130 | 111 | 91 | 72 |
| 22. | Increased 10% |) LTL | | 254 | 216 | 178 | 140 |
| 23. | | (5,000 lbs. | | 195 | 165 | 136 | 107 |
| 24. | |) 10,000 lbs. | | 143 | 122 | 100 | 79 |
| 25. | Staff proposal - Base | | 128 | 204 | 173 | 143 | 112 |
| 26. | Less than 1,000 lbs. | | | 224 | 193 | 163 | 132 |
| 27. | 1,000 lbs. but not over 2,000 lbs. | | | 214 | 183 | 153 | 122 |
| 28. | Leadville, Colo. |) LTL | 179 | 251 | 213 | 176 | 138 |
| 29. | Present | (5,000 lbs. | | 196 | 167 | 137 | 108 |
| 30. | |) 10,000 lbs. | | 152 | 129 | 106 | 84 |
| 31. | Increased 10% |) LTL | | 276 | 234 | 194 | 152 |
| 32. | | (5,000 lbs. | | 216 | 184 | 151 | 119 |
| 33. | |) 10,000 lbs. | | 167 | 142 | 117 | 92 |
| 34. | Staff proposal - Base | | 179 | 236 | 201 | 165 | 130 |
| 35. | Less than 1,000 lbs. | | | 256 | 221 | 185 | 150 |
| 36. | 1,000 lbs. but not over 2,000 lbs. | | | 246 | 211 | 175 | 140 |
| 37. | Montrose, Colo. |) LTL | 73 | 174 | 148 | 122 | 96 |
| 38. | Present | (5,000 lbs. | 130 | 111 | 91 | 72 | |
| 39. | |) 10,000 lbs. | | 92 | 78 | 64 | 51 |
| 40. | Increased 10% |) LTL | | 191 | 163 | 133 | 106 |
| 41. | | (5,000 lbs. | | 143 | 122 | 100 | 79 |
| 42. | |) 10,000 lbs. | | 101 | 86 | 70 | 56 |
| 43. | Staff proposal - Base | | 62 | 155 | 132 | 109 | 85 |
| 44. | Less than 1,000 lbs. | | | 175 | 152 | 129 | 105 |
| 45. | 1,000 lbs. but not over 2,000 lbs. | | | 165 | 142 | 119 | 95 |
| 46. | Rifle, Colo. |) LTL | 63 | 165 | 140 | 116 | 91 |
| 47. | Present | (5,000 lbs. | | 120 | 102 | 84 | 66 |
| 48. | |) 10,000 lbs. | | 83 | 71 | 58 | 46 |
| 49. | Increased 10% |) LTL | | 182 | 154 | 128 | 100 |
| 50. | | (5,000 lbs. | | 132 | 112 | 92 | 73 |
| 51. | |) 10,000 lbs. | | 91 | 78 | 64 | 51 |
| 52. | Staff proposal - Base | | 67 | 159 | 135 | 111 | 87 |
| 53. | Less than 1,000 lbs. | | | 179 | 155 | 131 | 107 |
| 54. | 1,000 lbs. but not over 2,000 lbs. | | | 169 | 145 | 121 | 97 |

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MAURICE E. IRELAND, DOING)
BUSINESS AS, "M. E. IRELAND)
TRUCKING", P. O. BOX 581,)
RUSHVILLE, NEBRASKA.)

PUC NO. 4795-I

April 24, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Maurice E. Ireland,
doing business as, "M. E. Ireland Trucking", Rushville, Nebraska

requesting that Certificate of Public Convenience and Necessity No. 4795-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. 4795-I heretofore issued to Maurice E.
Ireland, doing business as, "M. E. Ireland Trucking", Rushville, Nebraska

be, and the same is hereby, declared cancelled effective April 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Thomas C. Houtant
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,
this 24th day of April, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ELMER T. LINN, 5017 ADAMS)
STREET, DENVER 16, COLORADO.)
-----)

PUC NO. 3605

April 24, 1962

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. 3605 be suspended for six months from March 13, 1962.

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 Elmer T. Linn, Denver 16, Colorado

be, and is hereby, authorized to suspend operations under PUC No. 3605 until September 13, 1962.

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. Negro
George C. Norton
Henry E. Zalusky

Dated at Denver, Colorado,
this 24th day of April, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58423)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CECIL MAGEE, 4915 SHOSHONE)
STREET, DENVER 21, COLORADO.)

PERMIT NO. B-5962

April 24, 1962

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-5962 be suspended
one year
for ~~six months~~ from March 14, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Cecil Magee, Denver 21, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-5962 until March 14, 1963.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Norton
Wm. E. Zurlungo
Commissioners

Dated at Denver, Colorado,
this 24th day of April, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58424)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PERRY DECKER, P. O. BOX 196,)
EAGLE, COLORADO.)
-----)

PERMIT NO. B-6072

April 24, 1962

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-6072 be suspended
for six months from March 18, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Perry Decker, Eagle, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6072 until September 18, 1962.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry C. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 24th day of April, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
C. R. LUSK, ROLLAND LUSK AND)
NORMAN LUSK, DOING BUSINESS AS,)
"C. R. LUSK AND SONS", RURAL)
ROUTE 1, LA JUNTA, COLORADO.)

PUC NO. 4878-I

April 24, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. R. Lusk, Rolland Lusk and Norman Lusk, doing business as, "C. R. Lusk & Sons", La Junta, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4878-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. 4878-I heretofore issued to C. R. Lusk, Rolland Lusk and Norman Lusk, doing business as, "C. R. Lusk & Sons", La Junta, Colorado

be, and the same is hereby, declared cancelled effective April 28, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Horton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 24th day of April, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ELLIS B. WEBSTER, 400 EAST 4TH) PERMIT NO. A-1868
STREET, LEADVILLE, COLORADO.)
-----)

April 26, 1962

S T A T E M E N T

By the Commission:

On February 19, 1962, the Commission authorized Ellis B. Webster to suspend operations under his Permit No. A-1868, until February 19, 1963.

The Commission is now in receipt of a communication from the above-named permittee requesting that his Permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-1868, should be, and the same hereby is, reinstated as of April 5, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 26th day of April, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JACK DIONISIO, ROUTE 2 BOX 261,
PUEBLO, COLORADO.
-----)

PERMIT NO. M-2047

April 26, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jack Dionisio,
Pueblo, Colorado
requesting that Permit No. M-2047 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2047, heretofore issued to Jack Dionisio,
Pueblo, Colorado be,
and the same is hereby, declared cancelled effective March 14, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 26th day of April, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JACK DIONISIO, ROUTE 2 BOX 261,)
PUEBLO, COLORADO.)
-----)

PUC NO. 2557-I

April 26, 1962

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. 2557-I be suspended for six months from March 14, 1962.

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 Jack Dionisio, Pueblo, Colorado

_____ be, and is hereby, authorized to suspend operations under PUC No. 2557-I until September 14, 1962.

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. Negro
Raymond C. Wood
Henry E. Zaulinger

Dated at Denver, Colorado,
this 26th day of April, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. B. DAVIS, DOING BUSINESS AS,)
"RIFLE CAB SERVICE", P. O. BOX) PUC NO. 1787
272, RIFLE, COLORADO.)

April 26, 1962

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. 1787 be further suspended for one year from April 15, 1962.

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 W. B. Davis, doing business as, "Rifle Cab Service",
Rifle, Colorado
_____ be, and is hereby, authorized to further
suspend operations under PUC No. 1787 until April 15, 1963.

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
Ralph C. Norton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 26th day of April, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF

CLIFTON P. COOP, P. O. BOX
214, EADS, COLORADO.

PUC NO. 4899 & I

April 26, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 4899 & I be suspended for six months from March 21, 1962.

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 Clifton P. Coop, Eads, Colorado

_____ be, and _____ is hereby, authorized to suspend operations under PUC No. 4899 & I until September 21, 1962.

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

Dated at Denver, Colorado,
this 26th day of April, 1962.

hc

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58431)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE PETERS, 740 MARTIN)
STREET, LONGMONT, COLORADO.)

PERMIT NO. B-5186

April 26, 1962

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-5186 be suspended
for six months from April 15, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That George Peters, Longmont, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5186 until October 15, 1962.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Nelson
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 26th day of April, 19 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58432)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
VIOLA L. WRIGHT, P. O. BOX 838,)
ROCKY FORD, COLORADO.)

PERMIT NO. B-1308 & I

April 26, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named
permittee requesting that her Permit No. B-1308 & I be suspended
for six months from April 6, 1962.

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 Viola L. Wright, Rocky Ford, Colorado

be, and is hereby, authorized to suspend her operations under Permit
No. B-1308 & I until October 6, 1962.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Samuel C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,
this 26th day of April, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|----------------------------------|-------------------|
| RE MOTOR VEHICLE OPERATIONS OF) | |
| L. M. OLIN AND C. C. OLIN,) | |
| 6970 NIAGARA, DERBY, COLORADO.) | PERMIT NO. B-6098 |
|) | |
|) | |

April 26, 1962

S T A T E M E N T

By the Commission:

On November 19, 1961, the Commission authorized L. M. and C. C. Olin to suspend operations under their Permit No. B-6098 until May 19, 1962.

The Commission is now in receipt of a communication from the above-named permittee requesting that their Permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the Request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-6098, should be, and the same hereby is, reinstated as of April 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 26th day of April, 1962.

original

(Decision No. 58434)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | | |
|--------------------------------|---|-----------------------|
| RE MOTOR VEHICLE OPERATIONS OF | } | <u>PUC NO. 3129-I</u> |
| RAYMOND HIRSCHBACH, 3324 U. S. | | |
| HIGHWAY NO. 75-NORTH, SIOUX | | |
| CITY, IOWA. | | |
| ----- | | |

April 20, 1962

Appearances: Donald E. Leonard, Esq.,
Omaha, Nebraska,
for Raymond Hirschbach,

S T A T E M E N T

By the Commission:

Heretofore, Raymond Hirschbach, Sioux City, Iowa, was granted a certificate of public convenience and necessity (PUC No. 3129-I), authorizing operation as a common carrier by motor vehicle for hire, in interstate commerce.

Said certificate-holder now requests authority to do business under the trade name and style: "Hirschbach Motor Lines," in the conduct of his operations under said PUC 3129-I.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

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. 3129-I to be owned and operated by:

"Raymond Hirschbach, doing business as
'Hirschbach Motor Lines,' "

In lieu of:

"Raymond C. Hirschbach."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Horton
Alvin E. Zalusko
Commissioners.

Dated at Denver, Colorado,
this 20th day of April, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ANDREW MARQUEZ, DOING BUSINESS AS)
"A.M.A. TRUCKING," 149 HARRISON)
AVENUE, LONGMONT, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 18986-PP

AMENDED

April 20, 1962

Appearances: William Gardner, Esq.,
Longmont, Colorado,
for Applicant;
Donald G. Brotzman, Esq.,
Boulder, Colorado, for
Pherson Trucking Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of processed building stone, including crushed stone or aggregate, from and to points in Colorado, from quarries, located at Lyons, Colorado, and from and to points, interstate, from and to above quarries.

The application was set for hearing on April 9, 1962, at ten o'clock A. M., at the Court House, Boulder, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That at the outset of the hearing, the applicant herein moved to amend his application to seek the following authority, to-wit:

Transportation of:

processed building stone, from quarries located at Lyons, Colorado, to and from points in Colorado;

crushed stone or aggregate, from quarries owned by Sterling Contracting Co. at Lyons, Colorado, to Fort Collins, Colorado, for the Sterling Contracting Co., of Fort Collins, Colorado, only;

freight, between all points in the State of Colorado and the Colorado State Boundary line where all highways cross the same in interstate commerce only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

That all parties appearing at the hearing agreed and stipulated to the amendment, which was permitted, and the protestant herein accordingly withdrew its protest.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted, as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Andrew Marquez, doing business as "A.M.A. Trucking," Longmont, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of processed building stone, from quarries located at Lyons, Colorado, to and from points in Colorado; crushed stone or aggregate, from quarries owned by Sterling Contracting Co. at Lyons, Colorado, to Fort Collins, Colorado, for the Sterling Contracting Co. of Fort Collins, Colorado, only; freight between all points in Colorado and the Colorado State Boundary line where all highways cross the same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and this Order is a permit therefor.

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
George C. Hartman
George E. Sullivan
Commissioner.

Dated at Denver, Colorado,
this 20th day of April, 1962.

ea

(Decision No.)

58436

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF

MONTANA BRAND PRODUCE
1031 1/2 S.W. Temple
Salt Lake City, Utah

AUTHORITY NO. M 11087

CASE NO. 8262 Ins.

April 24, 1962

S T A T E M E N T

By the Commission:

On April 11, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Francis C. Hooton
Wm. E. Zurling
Commissioners.

Dated at Denver, Colorado,
this 24th day of April, 1962

(Decision No.)
58437

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF

T. PAUL JONES dba
AIR EQUIPMENT COMPANY
745 South Cherokee
Denver 23, Colorado

AUTHORITY NO. M 2051

CASE NO. 8063 Ins.

April 25, 1962

S T A T E M E N T

By the Commission:

On March 13, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

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 April, 1962

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROCHESTER DAIRY COOPERATIVE, P. O.)
BOX 920, ROCHESTER, MINNESOTA.)
-----)

PERMIT NO. M-6050

April 26, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rochester Dairy
Cooperative, Rochester, Minnesota
requesting that Permit No. M-6050 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6050, heretofore issued to Rochester Dairy
Cooperative, Rochester, Minnesota be,
and the same is hereby, declared cancelled effective April 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Holton
Commissioners

Dated at Denver, Colorado,

this 26th day of April, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAREMONT MEAT AND FOOD PRODUCTS,)
INCORPORATED, 318 CADIZ STREET,)
DALLAS, TEXAS.)
-----)

PERMIT NO. M-13975

April 26, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Maremont Meat and
Food Products, Inc., Dallas, Texas
requesting that Permit No. M-13975 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13975, heretofore issued to Maremont Meat and Food
Products, Inc., Dallas, Texas be,
and the same is hereby, declared cancelled effective January 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 26th day of April, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SWIFT AND COMPANY, P. O. BOX 310,)
SCOTTSBLUFF, NEBRASKA.)
-----)

PERMIT NO. M-14302

April 26, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Swift and Company,
Scottsbluff, Nebraska
requesting that Permit No. M-14302 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14302, heretofore issued to Swift and Company,
Scottsbluff, Nebraska be,
and the same is hereby, declared cancelled effective March 2, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 26th day of April, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROY CROSBY, DOING BUSINESS AS,
"TASTY PASTRY SHOP", 622 MAIN STREET,
CANON CITY, COLORADO.

PERMIT NO. M-9823

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roy Crosby, doing
business as, "Tasty Pastry Shop", Canon City, Colorado
requesting that Permit No. M-9823 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9823, heretofore issued to Roy Crosby, doing
business as, "Tasty Pastry Shop", Canon City, Colorado be,
and the same is hereby, declared cancelled effective March 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LARRY W. ANDERSON AND ORVILLE L.)
ANDERSON, DOING BUSINESS AS, "ANDY'S)
MOBIL SERVICE", P. O. BOX 862,)
OAKLAND, OREGON.)
-----)

PERMIT NO. M-12312

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Larry W. Anderson and Orville L. Anderson, dba "Andy's Mobil Service", Oakland, Oregon requesting that Permit No. M-12312 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12312, heretofore issued to Larry W. Anderson and Orville L. Anderson, dba "Andy's Mobil Service", Oakland, Oregon be, and the same is hereby, declared cancelled effective March 9, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Wm. E. Ziehl
Commissioners

Dated at Denver, Colorado,

this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
S. A. MARKLEY, WILMA L. MARKLEY AND)
SHARON L. BIRRELL, DOING BUSINESS AS,)
"MARKLEY AND ASSOCIATES", 1075 EAST)
OXFORD LANE, ENGLEWOOD, COLORADO.)

PERMIT NO. M-12639

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from S. A. Markley, Wilma L. Markley and Sharon L. Birrell, dba "Markley and Associates", Englewood, Colorado requesting that Permit No. M-12639 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12639, heretofore issued to S. A. Markley, Wilma L. Markley and Sharon L. Birrell, dba "Markley and Associates", Englewood, Colorado be, and the same is hereby, declared cancelled effective March 19, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Negro
Joseph C. Horton
Henry E. Zwick
Commissioners

Dated at Denver, Colorado,

this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DAVIS R. ROSSON, DOING BUSINESS AS,)
"LAKEWOOD FURNITURE EXCHANGE", 2323)
HASLETT STREET, DALLAS, TEXAS.)
-----)

PERMIT NO. M-5582

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Davis R. Rosson, doing
business as, "Lakewood Furniture Exchange", Dallas, Texas
requesting that Permit No. M-5582 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5582, heretofore issued to Davis R. Rosson, doing
business as, "Lakewood Furniture Exchange", Dallas, Texas be,
and the same is hereby, declared cancelled effective September 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SWIFT AND COMPANY (A CORPORATION),)
500 NORTH CAMPBELL, SPRINGFIELD,)
MISSOURI.)
-----)

PERMIT NO. M-13158

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Swift and Company (A Corporation), Springfield, Missouri
requesting that Permit No. M-13158 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13158, heretofore issued to Swift and Company (A Corporation), Springfield, Missouri be,
and the same is hereby, declared cancelled effective April 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph F. Negro
Ralph C. Horton
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,
this 1st day of May, 197 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE M. ARCHULETA, 631 SOUTH QUITMAN,)
DENVER 19, COLORADO.)
)
)
-----)

PERMIT NO. M-889

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joe M. Archuleta,
Denver 19, Colorado

requesting that Permit No. M-889 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-889, heretofore issued to Joe M. Archuleta,
Denver 19, Colorado be,
and the same is hereby, declared cancelled effective April 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ERICKSON EXPLOSIVES, INCORPORATED,)
1025 EAST POPLAR STREET, LITTLETON,)
COLORADO.)
-----)

PERMIT NO. M-9498

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Erickson Explosives, Inc., Littleton, Colorado
requesting that Permit No. M-9498 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9498, heretofore issued to Erickson Explosives, Inc., Littleton, Colorado be,
and the same is hereby, declared cancelled effective January 28, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Weston
Commissioners

Dated at Denver, Colorado,
this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BANKERS DISPATCH CORPORATION, AN)
ILLINOIS CORPORATION, 4658 SO.)
KEDZIE AVENUE, CHICAGO, ILLINOIS,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE, FOR THE TRANS-)
PORTATION OF:)

(A) COMMERCIAL PAPERS, DOCUMENTS,)
NON-NEGOTIABLE SECURITIES EXCEPT)
COINS, CURRENCY AND NEGOTIABLE)
SECURITIES, AS ARE USED IN THE)
CONDUCT AND OPERATIONS OF BANKS,)
BANKING INSTITUTIONS AND INDUS-)
TRIAL FIRMS; DATA PROCESSING)
PAPERS, PUNCH CARDS, MAGNETIC)
ENCODED DOCUMENTS; MAGNETIC TAPES;)
PUNCH PAPER TAPE, PRINTED REPORTS;)
OFFICE RECORDS AND MICROFILM;)

(B) EXPOSED AND PROCESSED COLOR)
FILM AND PRINTS; COMPLIMENTARY)
REPLACEMENT FILM, AND INCIDENTAL)
DEALER HANDLING SUPPLIES,)

OVER IRREGULAR ROUTES, BETWEEN)
POINTS AND PLACES IN THE FOLLOW-)
ING COUNTIES IN COLORADO, TO-WIT:)
ADAMS, ARAPAHOE, BOULDER, DENVER,)
JEFFERSON, LARIMER, AND WELD.)
-----)

APPLICATION NO. 18628-PP-Amended
SUPPLEMENTAL ORDER

April 25, 1962

Appearances: Carl L. Steiner, Esq., Chicago,
Illinois, and
Marion F. Jones, Esq., Denver,
Colorado, for Applicant;
John R. Barry, Esq., Denver,
Colorado, for Greyhound Cor-
poration, Denver-Colorado
Springs-Pueblo Motorway, Inc.,
American Bus Lines, Inc.,
Continental Bus Lines, Inc.;
Henry S. Sherman, Esq., Denver,
Colorado, for Package
Delivery Service;
David Butler, Esq., Denver,
Colorado, for Denver-Boulder
Bus Company, Colorado Trans-
portation Company, Colorado
Motorway, Inc.;

John H. Lewis, Esq., Denver,
Colorado, for Colorado
Cartage Company, Inc.;
Walter H. Simon, Esq., Denver,
Colorado, for Yellow
Cab, Inc.;
Charles E. Williams, Esq.,
Denver, Colorado, for
Boulder Stage Lines, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On March 27, 1962, the Commission issued its Decision No. 58264, denying the above application.

On April 16, 1962, Bankers Dispatch Corporation (now named B. D. C. Corporation), filed its Petition for Rehearing.

We have carefully re-examined the record and the evidence in said matter, and are unable to find anything therein to justify the granting of the Petition for Rehearing.

We have considered, separately and individually, the four grounds alleged in the Petition for Rehearing:

GROUND:

1. We have again re-read the statutes governing private carriers by motor vehicle for hire, and re-affirm our position that the service asked for in the application we are here reviewing covers both a Class "B" permit and Class "A" permit, as set forth in the statute.

2. We have carefully reviewed and re-examined the record as to adequacy of existing service, and we reiterate our finding that existing service is adequate or can be made adequate under order of the Commission. In other words, the service presently offered is reasonably satisfactory.

3. We have reviewed our finding as to the impairment of common carrier service, and we are still of the opinion, and so find, that the granting of the above application as a matter of fact would impair competing motor vehicle common carrier for-hire service.

4. Assuming we are correct in our determination of fact in Paragraphs 2 and 3, it is our judgment, and we so found, that the

granting of this application would be definitely not in the public interest, and we re-affirm that finding.

Therefore, after careful consideration of the Petition for Rehearing, and a re-examination of the testimony, the Commission is of the opinion, and finds, that said Petition should be denied.

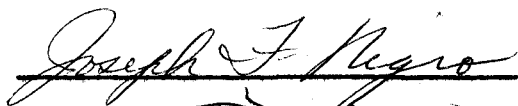
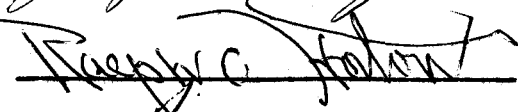

O R D E R

THE COMMISSION ORDERS:

That the Petition for Rehearing in the instant matter, be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 25th day of April, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE J. GLANTZ, DOING BUSINESS AS,)
"INDEPENDENT INSULATING COMPANY",)
1240 WEST PROSPECT, FORT COLLINS,)
COLORADO.)
-----)

PERMIT NO. M-4712

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clarence J. Glantz,
doing business as, "Independent Insulating Company", Fort Collins, Colorado
requesting that Permit No. M-4712 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4712, heretofore issued to Clarence J. Glantz,
doing business as, "Independent Insulating Company", Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective March 10, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Henry E. Zepher
Commissioners

Dated at Denver, Colorado,

this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EARL J. BOLIN, 1044 MEADOWBROOK DRIVE,
FORT COLLINS, COLORADO.)
)
)
-----)

PERMIT NO. M-14282

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Earl J. Bolin,
Fort Collins, Colorado
requesting that Permit No. M-14282 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14282, heretofore issued to Earl J. Bolin,
Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective April 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
A. C. BEATTIE AND ANDREW L. BENKE,)
DOING BUSINESS AS, "LOVELAND MOBILE)
HOME REPAIR", 1410 JEFFERSON AVENUE,)
LOVELAND, COLORADO.)
-----)

PERMIT NO. M-1245

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. C. Beattie and Andrew L. Benke, dba "Loveland Mobile Home Repair", Loveland, Colorado requesting that Permit No. M-1245 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1245, heretofore issued to A. C. Beattie and Andrew L. Benke, dba "Loveland Mobile Home Repair", Loveland, Colorado be, and the same is hereby, declared cancelled effective March 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM J. BURWELL AND E. A. BURWELL,)
DOING BUSINESS AS, "BURWELL MINING",)
EGNAR, COLORADO.)
-----)

PERMIT NO. M-10610

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William J. Burwell and
E. A. Burwell, doing business as, "Burwell Mining", Egnar, Colorado
requesting that Permit No. M-10610 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10610, heretofore issued to William J. Burwell and
E. A. Burwell, doing business as, "Burwell Mining", Egnar, Colorado be,
and the same is hereby, declared cancelled effective April 4, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DENVER TOOL COMPANY (A CORPORATION),)
1215 DELAWARE STREET, DENVER 4,)
COLORADO.)
-----)

PERMIT NO. M-15870

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Denver Tool Company
(A Corporation), Denver 4, Colorado
requesting that Permit No. M-15870 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15870, heretofore issued to Denver Tool Company
(A Corporation), Denver 4, Colorado be,
and the same is hereby, declared cancelled effective January 23, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD G. SNOW, DOING BUSINESS AS,)
"THE MAPLE LEAF SHOP", 3566 SOUTH)
BROADWAY, ENGLEWOOD, COLORADO.)
-----)

PERMIT NO. M-14210

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward G. Snow, doing
business as, "The Maple Leaf Shop", Englewood, Colorado
requesting that Permit No. M-14210 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14210, heretofore issued to Edward G. Snow, doing
business as, "The Maple Leaf Shop", Englewood, Colorado be,
and the same is hereby, declared cancelled effective March 5, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Wm. E. Spillings
Commissioners

Dated at Denver, Colorado,
this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. C. WHARTON, CLIFTON, COLORADO.)
)
)
)
-----)

PERMIT NO. M-10953

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. C. Wharton,
Clifton, Colorado
requesting that Permit No. M-10953 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10953, heretofore issued to J. C. Wharton,
Clifton, Colorado be,
and the same is hereby, declared cancelled effective March 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN MC CLELLAN, ROUTE 1,
PALISADE, COLORADO.
-----)

PERMIT NO. M-12666

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marvin Mc Clellan,
Palisade, Colorado
requesting that Permit No. M-12666 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12666, heretofore issued to Marvin Mc Clellan,
Palisade, Colorado be,
and the same is hereby, declared cancelled effective March 18, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hodson
Henry E. Ziegler
Commissioners

Dated at Denver, Colorado,
this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAN-O-LET SERVICE, INCORPORATED,)
2920 SOUTH HOLLY PLACE, DENVER 22,)
COLORADO.)
-----)

PERMIT NO. M-11014

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from San-O-Let Service, Inc.,
Denver 22, Colorado
requesting that Permit No. M-11014 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11014, heretofore issued to San-O-Let Service, Inc.,
Denver 22, Colorado be,
and the same is hereby, declared cancelled effective April 6, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph F. Negro
Ralph C. Johnson
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD C. MC VAY, 1101 EAST COLUMBIA)
STREET, COLORADO SPRINGS, COLORADO.)
_____)

PERMIT NO. M-827

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward C. Mc Vay,
Colorado Springs, Colorado
requesting that Permit No. M-827 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-827, heretofore issued to Edward C. Mc Vay,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective April 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

D. J. ROTTMAN AND A. J. ROTTMAN, DOING
BUSINESS AS, "ROTTMAN BROTHERS",
565 NORTH 7TH, LARAMIE, WYOMING.

PERMIT NO. M-13959

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from D. J. Rottman and A. J. Rottman, doing business as, "Rottman Brothers", Laramie, Wyoming requesting that Permit No. M-13959 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13959, heretofore issued to D. J. Rottman and A. J. Rottman, doing business as, "Rottman Brothers", Laramie, Wyoming be, and the same is hereby, declared cancelled effective March 20, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 1st day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JEARL R. SERVISS, JR., DOING BUSINESS)
AS, "SERVISS AUTO CLINIC AND)
ACETYLENE SERVICE COMPANY", 444)
COLLINS STREET, PUEBLO, COLORADO.)

PERMIT NO. M-9957

May 1, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jearl R. Serviss, Jr.,
doing business as, "Serviss Auto Clinic and Acetylene Service Co.", Pueblo, Colo.
requesting that Permit No. M-9957 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9957, heretofore issued to Jearl R. Serviss, Jr., doing
business as, "Serviss Auto Clinic and Acetylene Service Co.", Pueblo, Colo. be,
and the same is hereby, declared cancelled effective March 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 1st day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD F. CRAWFORD, P. O. BOX 522,)
ST. JAMES, MISSOURI.)
)
)
)
-----)

PERMIT NO. M-9689

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold F. Crawford,
St. James, Missouri

requesting that Permit No. M-9689 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9689, heretofore issued to Harold F. Crawford,
St. James, Missouri be,
and the same is hereby, declared cancelled effective March 18, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER SCHULTZ COMPANY, P. O. BOX)
1371, CASPER, WYOMING.)
-----)

PERMIT NO. M-2923

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter Schultz
Company, Casper, Wyoming
requesting that Permit No. M-2923 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2923, heretofore issued to Walter Schultz Company,
Casper, Wyoming be,
and the same is hereby, declared cancelled effective March 19, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CECIL B. HAWKINS, 924 NORTH 7TH,
ARKANSAS CITY, KANSAS.)
)
)
)
-----)

PERMIT NO. M-13152

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Cecil B. Hawkins,
Arkansas City, Kansas
requesting that Permit No. M-13152 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13152, heretofore issued to Cecil B. Hawkins,
Arkansas City, Kansas be,
and the same is hereby, declared cancelled effective January 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Wm. E. Zurlungo
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RED DOT FOODS, INCORPORATED, 1435)
EAST WASHINGTON AVENUE, MADISON,)
WISCONSIN.)
-----)

PERMIT NO. M-7255

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Red Dot Foods, Inc.,
Madison, Wisconsin
requesting that Permit No. M-7255 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7255, heretofore issued to Red Dot Foods, Inc.,
Madison, Wisconsin be,
and the same is hereby, declared cancelled effective December 16, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zindler
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1957 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARNOLD ASHBY, STAR ROUTE, HUDSON,
COLORADO.

PERMIT NO. M-552

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arnold Ashby,
Hudson, Colorado

requesting that Permit No. M-552 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-552, heretofore issued to Arnold Ashby,
Hudson, Colorado be,

and the same is hereby, declared cancelled effective January 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
S. V. PIERCE, 5840 WEST 2ND AVENUE,)
DENVER 26, COLORADO.)
-----)

PERMIT NO. M-13384

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from S. V. Pierce,
Denver 26, Colorado
requesting that Permit No. M-13384 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13384, heretofore issued to S. V. Pierce,
Denver 26, Colorado be,
and the same is hereby, declared cancelled effective April 9, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zaulings
Commissioners

Dated at Denver, Colorado,
this 3rd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD PERINO, P. O. BOX 685,)
SILVERTON, COLORADO.)
)
)
-----)

PERMIT NO. M-5786

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard Perino,
Silverton, Colorado
requesting that Permit No. M-5786 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5786, heretofore issued to Richard Perino,
Silverton, Colorado be,
and the same is hereby, declared cancelled effective January 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph F. Negro
Joseph C. Norton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,
this 3rd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JOHN J. RANDALL, BRECKENRIDGE,
COLORADO.

PERMIT NO. M-7401

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John J. Randall,
Breckenridge, Colorado

requesting that Permit No. M-7401 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7401, heretofore issued to John J. Randall,
Breckenridge, Colorado be,
and the same is hereby, declared cancelled effective April 19, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Wm. L. Zaitz
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KELLOGG'S HARDWARE, INCORPORATED,)
DOING BUSINESS AS, "GOLDEN HOME)
N'GARDEN CENTER", 715 $\frac{1}{2}$ 13TH STREET,)
GOLDEN, COLORADO.)
-----)

PERMIT NO. M-2576

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kellogg's Hardware, Inc.
dba "Golden Home N'Garden Center", Golden, Colorado
requesting that Permit No. M-2576 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2576, heretofore issued to Kellogg's Hardware, Inc.,
dba "Golden Home N'Garden Center", Golden, Colorado be,
and the same is hereby, declared cancelled effective April 16, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GERALDINE E. MOSELEY AND R. C. WITT,)
DOING BUSINESS AS, "CENTER PROPANE",)
P. O. BOX 67, CENTER, COLORADO.)
-----)

PERMIT NO. M-6700

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Geraldine E. Moseley
and R. C. Witt, doing business as, "Center Propane", Center, Colorado
requesting that Permit No. M-6700 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6700, heretofore issued to Geraldine E. Moseley and
R. C. Witt, doing business as, "Center Propane", Center, Colorado be,
and the same is hereby, declared cancelled effective July 5, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 3rd day of May, 195/ 62.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN POWER & GAS COMPANY, 115)
WEST SECOND STREET, PUEBLO, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO EXER-) APPLICATION NO. 19017
CISE RIGHTS UNDER A FRANCHISE)
GRANTED TO APPLICANT BY THE BOARD)
OF TRUSTEES OF THE TOWN OF WEST-)
CLIFFE, IN CUSTER COUNTY, COLORADO.)
-----)

April 26, 1962

Appearances: Preston & Altman, Esqs.,
Pueblo, Colorado, by
J. W. Preston, Esq.,
for Applicant;
J. M. McNulty, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on March 27, 1962, seeking authority from the Commission for the approval of franchise rights granted to Western Power & Gas Company by the Board of Trustees of the Town of Westcliffe, Custer County, Colorado, and to render electrical service, if and when practicable, to the rural and suburban population and the enterprises along the route of the transmission lines of the Applicant in the vicinity thereof, in the territory surrounding said Town, and to extend the facilities, lines, plant, and system in the territory surrounding said Town contiguous to said facilities, lines, plant or system, subject to the status quo as between Applicant and Sangre De Cristo Electric Association, Inc., established and prescribed in Decision No. 50984, dated September 25, 1958, of this Commission, in Application No. 15790.

The matter was set for hearing by the Commission, after due notice to all interested parties, on Monday, April 16, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place the matter was duly heard by Edwin R. Lundborg, an employee of this Commission, duly designated by the Commission to conduct the hearing on said application. Subsequent to the hearing, Examiner Lundborg submitted a report of the proceedings to the Commission. The Report of the Examiner revealed the following:

Applicant is a public utility subject to the jurisdiction of this Commission, engaged in the business of generating, transmitting and distributing electrical energy generally in the Counties of Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller and Custer, in the State of Colorado.

Applicant is a corporation, organized and existing under the laws of the State of Delaware, and has been, since May 1, 1961, duly authorized to do business in the State of Colorado. A copy of the authorization of Applicant to do business in the State of Colorado, duly certified by the Secretary of State of the State of Colorado, has heretofore been filed by Applicant with this Commission.

Western Power & Gas Company is the successor in interest of Southern Colorado Power Company by virtue of a merger previously authorized by this Commission.

The principal Colorado office and post office address of Applicant is Pueblo, Colorado.

Evidence disclosed that on January 1, 1962, Applicant was granted a franchise by the Board of Trustees of the Town of Westcliffe, being Ordinance No. 1-1962, entitled as follows:

AN ORDINANCE GRANTING TO WESTERN POWER & GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO FURNISH THE TOWN OF WESTCLIFFE, AND ITS INHABITANTS, ELECTRICITY FOR ILLUMINATING, HEATING, POWER AND OTHER PURPOSES, AND TO ERECT AND MAINTAIN A PLANT AND SYSTEM THEREFOR AND GRANTING A RIGHT OF WAY OVER, UPON, ALONG, UNDER AND ACROSS THE STREETS, ALLEYS AND PUBLIC PLACES OF SAID TOWN FOR THE ERECTION OF POLES AND WIRES AND THE LAYING OF CONDUITS THEREFOR.

The term of the franchise is for a period of twenty-five years from and after February 4, 1962. A copy of the franchise ordinance as passed and published on February 5, 1962, after final passage, was introduced at the hearing as Exhibit D, and a copy of the acceptance of said franchise by Applicant was introduced as Exhibit E.

Applicant presently serves 165 customers in the Town of Westcliffe, which has a population of about 306. The Company is also presently serving 39 customers in the fringe area surrounding said Town, which has an estimated population of 125. The Applicant, where practicable, will furnish electrical energy for light, power, heating and other purposes to the rural and suburban population and the enterprises along the route of its transmission lines and in the vicinity thereof in the territory surrounding said Town, subject to the relative rights of Applicant and Sangre De Cristo Electric Association, Inc., which were established and prescribed in Decision No. 50984, dated September 25, 1958, of this Commission, in Application No. 15790. Exhibit C, attached to the application, is a map of Applicant's distribution system in the Town showing both primary and secondary distribution. It was estimated that the Company would spend about \$9,000.00 in additional capital investments to render electric service during the life of the newly-acquired franchise in said Town.

The Report of the Examiner recommends that the application be granted, and that a minimum fee for the issuance of the certificate should be charged.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That public convenience and necessity require the issuance of a certificate of public convenience and necessity to Applicant herein, as set forth in the Order to follow:

O R D E R

THE COMMISSION ORDERS:

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

That public convenience and necessity require, and will require, the exercise by Western Power & Gas Company of franchise rights granted in and by Ordinance No. 1-1962 of the Town of Westcliffe, dated January 1, 1962, identified as Exhibit D herein, and, by reference, made a part hereof, to furnish electricity in said Town, and along the transmission lines in the territory surrounding said Town, and for the extension of the facilities, lines, plant and system of said Company in the territory surrounding said Town contiguous to said facilities, lines, plant and system, subject to the status quo as between said Company and Sangre De Cristo Electric Association, Inc., established and prescribed in Decision No. 50984, dated September 25, 1958, of this Commission, in Application No. 15790, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Western Power & Gas Company shall install, operate and maintain its electric system and supply service in the designated area 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 Western Power & Gas Company shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission, and shall continue to keep its practices as to the testing of meters, consumer's deposits, operations, records of meters, transformers and complaints in accordance with the requirements of the Commission.

That this Order shall in no way change the status quo as between Applicant and Sangre De Cristo Electric Association, Inc., as prescribed by this Commission in Application No. 15790, Decision No. 50984, of September 25, 1958.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Holman
Samuel E. Milungo
Commissioners.

Dated at Denver, Colorado,
this 26th day of April, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TER-SU, INCORPORATED, 6730 WEST 35TH)
AVENUE, WHEATRIDGE, COLORADO.)
-----)

PERMIT NO. M-11569

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ter-Su, Inc.,
Wheatridge, Colorado

requesting that Permit No. M-11569 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11569, heretofore issued to Ter-Su, Inc.,
Wheatridge, Colorado be,
and the same is hereby, declared cancelled effective June 15, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 3rd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

ALFRED L. KING, DOING BUSINESS AS,
"KING'S DAIRY", P. O. BOX 12,
GYMON, OKLAHOMA.

PERMIT NO. M-12106

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Alfred L. King, doing
business as, "King's Dairy", Gymon, Oklahoma
requesting that Permit No. M-12106 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12106, heretofore issued to Alfred L. King, doing
business as, "King's Dairy", Gymon, Oklahoma be,
and the same is hereby, declared cancelled effective April 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry C. Zuley
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BYRON D. RASMUSSEN, 305 WEST 12TH,)
PUEBLO, COLORADO.)
)
)
-----)

PERMIT NO. M-12147

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Byron D. Rasmussen,
Pueblo, Colorado
requesting that Permit No. M-12147 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12147, heretofore issued to Byron D. Rasmussen,
Pueblo, Colorado be,
and the same is hereby, declared cancelled effective November 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry B. Ziegler
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM L. BAKER, ROUTE 2, COLORADO)
SPRINGS, COLORADO.)
-----)

PERMIT NO. M-13690

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William L. Baker,
Colorado Springs, Colorado
requesting that Permit No. M-13690 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13690, heretofore issued to William L. Baker,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective April 14, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Houston
Henry E. Zurlungo
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHESTER L. BUCHHEISTER, DOING BUSINESS)
AS, "DERN'S", 515 WEST COLORADO)
AVENUE, COLORADO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-14089

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Chester L. Buchheister,
doing business as, "Dern's", Colorado Springs, Colorado
requesting that Permit No. M-14089 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14089, heretofore issued to Chester L. Buchheister,
doing business as, "Dern's", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective April 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 3rd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BERT D. MURNANE, 314 EAST 2ND STREET,)
SALIDA, COLORADO.)
)
)
-----)

PERMIT NO. M-10256

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bert D. Murnane,
Salida, Colorado
requesting that Permit No. M-10256 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10256, heretofore issued to Bert D. Murnane,
Salida, Colorado be,
and the same is hereby, declared cancelled effective April 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 3rd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
O. B. STRONG, DOING BUSINESS AS,)
"O. B. STRONG AUTO COMPANY", 530)
BROADWAY, DENVER 3, COLORADO.)
-----)

PERMIT NO. M-7724

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from O. B. Strong, doing business as, "O. B. Strong Auto Company", Denver 3, Colorado
requesting that Permit No. M-7724 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7724, heretofore issued to O. B. Strong, doing business as, "O. B. Strong Auto Company", Denver 3, Colorado be,
and the same is hereby, declared cancelled effective February 28, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 3rd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PHIL THOMAS, 320 NORTH 19TH STREET,)
CANON CITY, COLORADO.)
)
)
-----)

PERMIT NO. M-10869

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Phil Thomas,
Canon City, Colorado

requesting that Permit No. M-10869 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10869, heretofore issued to Phil Thomas,
Canon City, Colorado be,

and the same is hereby, declared cancelled effective March 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 3rd day of May, 197 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

PAUL V. CHRISTENSON, DOING BUSINESS)
AS, "PAUL-CAROL CHRISTENSON", 4800)
GRANT STREET, DENVER 16, COLORADO.)
-----)

PERMIT NO. M-9184

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul V. Christenson,
doing business as, "Paul-Carol Christenson", Denver 16, Colorado

requesting that Permit No. M-9184 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9184, heretofore issued to Paul V. Christenson,
doing business as, "Paul-Carol Christenson", Denver 16, Colorado be,
and the same is hereby, declared cancelled effective April 15, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hordant
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR E. VAN DUSEN, 1320 MOUNT VIEW)
LANE, COLORADO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-5184

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur E. Van Dusen,
Colorado Springs, Colorado

requesting that Permit No. M-5184 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5184, heretofore issued to Arthur E. Van Dusen,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective April 8, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK R. SCHRAH, 418 SOUTH NEWTON,)
DENVER 19, COLORADO.)
)
)
-----)

PERMIT NO. M-6076

May 3, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank R. Schrah,
Denver 19, Colorado
requesting that Permit No. M-6076 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6076, heretofore issued to Frank R. Schrah,
Denver 19, Colorado be,
and the same is hereby, declared cancelled effective March 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Joseph F. Negro
Samuel C. Horton
Henry E. Zarlengo
Commissioners

Dated at Denver, Colorado,
this 3rd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
REYHER TRUCKING COMPANY, 3130)
ELIZABETH STREET, PUEBLO, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
480 AND PUC NO. 480-I TO WEICKER) APPLICATION NO. 18996-Transfer
TRANSFER & STORAGE COMPANY, DOING) SUPPLEMENTAL ORDER
BUSINESS AS "REYHER TRUCKING COM-)
PANY," 1700 FIFTEENTH STREET,)
DENVER, COLORADO.)
-----)

April 25, 1962

Appearances: Warren W. Lattimer, Esq.,
Pueblo, Colorado, for
Transferor;
R. B. Danks, Esq., Denver,
Colorado, for Weicker
Transfer & Storage Company;
Hubert Work, Denver, Colo-
rado, for Weicker Transfer
& Storage Company, for
copy of Order.

S T A T E M E N T

By the Commission:

On April 6, 1962, the Commission entered its Decision
No. 58327 in the above-styled application, authorizing transfer of
PUC No. 480 and PUC No. 480-I from Reyher Trucking Company, Pueblo,
Colorado, to Weicker Transfer & Storage Company, doing business as
"Reyher Trucking Company," Denver, Colorado.

The Commission is now in receipt of a communication from
Attorney for Transferee herein, requesting an extension of time
within which to file Acceptance of Transfer, filing of said Acceptance
being required by April 27, 1962, by said Decision No. 58327. Said
extension of time is requested so as to allow time within which to
register PUC No. 480-I with the Interstate Commerce Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the
Order following.

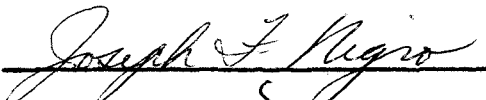
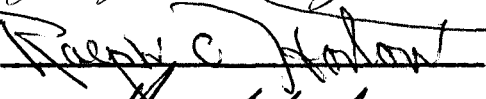

O R D E R

THE COMMISSION ORDERS:

That time within which to file Acceptance of Transfer of PUC No. 480 and PUC No. 480-I, by Weicker Transfer & Storage Company, doing business as "Reyher Trucking Company," Denver, Colorado, in accordance with transfer authorized by Decision No. 58327, of date April 6, 1962, be, and the same hereby is, extended, from April 27, 1962, until July 2, 1962.

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 25th day of April, 1962.

ea

(Decision No. 58484)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
K. C. ELECTRIC ASSOCIATION, A COLO-)
RADO CORPORATION, HUGO, COLORADO,)
FOR AN ORDER AUTHORIZING THE ISSU-)
ANCE OF SECURITIES AND THE APPLICA-)
TION OF THE PROCEEDS THEREFROM.)
- - - - -)

APPLICATION NO. 19025-SECURITIES

- - - - -
April 27, 1962
- - - - -

Appearances: T. H. Thomas, Esq.,
Burlington, Colorado,
for Applicant;
Paul M. Brown, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

By Decision No. 58319, dated April 4, 1962, the above-entitled matter was set for hearing, after due notice to all interested parties, on April 16, 1962, at 11:00 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Any interested municipality or any representative of interested consumers or security holders of Applicant's corporation, and any other person whose participation herein is in the public interest, were invited to intervene in the proceeding. Intervention Petitions were to be filed with the Commission on or before April 10, 1962.

The hearing of the aforesaid application was heard on said date by Edwin R. Lundborg, a duly appointed Examiner for the Commission. Evidence received and testimony taken in the matter, together with the Examiner's Report and his recommendations, were all submitted to the Commission, and the matter was taken under advisement.

No Petitions of Intervention were filed with the Commission prior to the hearing, and no one appeared at the hearing in opposition to the authority sought by Applicant in this matter.

By this application, the K. C. Electric Association (later referred to herein as the Association), requests that this Commission authorize the Applicant to borrow from the Rural Electrification Administration, \$308,000, to be evidenced by a mortgage note to the United States of America, dated March 28, 1962, maturing over a period of thirty-five (35) years and bearing interest at two per cent (2%); to approve an amendment dated as of December 22, 1961, to Amending Loan Contract, dated as of July 16, 1951, as amended, between K. C. Electric Association and the United States of America in connection with such borrowing; and to authorize Applicant to use the proceeds therefrom for specified purposes.

The K. C. Electric Association is a corporation organized and existing under the laws of the State of Colorado, and particularly under the provisions of Article 23 of Chapter 31 of the Colorado Revised Statutes, 1953, and is a cooperative association with its office and principal place of business in Hugo, Lincoln County, Colorado.

Applicant is engaged in the business of purchasing, acquiring, accumulating electric energy and distributing and selling and furnishing electric energy to its members and non-member consumers connected to its lines in Kit Carson, Cheyenne, and Lincoln Counties, Colorado.

By virtue of House Bill No. 245, passed by the General Assembly of the State of Colorado, and effective April 23, 1961, K. C. Electric Association is a public utility under the jurisdiction of this Commission. Orders and decisions of this Commission prior to April 23, 1961, and subsequent to Chapter 115-1-4, CRS 1953, effective March 22, 1947, regarding the issuance of securities, have pertained only to properties acquired by the Association and held under certificates of public convenience and necessity.

Mr. John E. Rose, Manager of the Association, testified that the \$308,000 to be obtained from the borrowing to be authorized herein

are to be used for changing some of its distribution lines to three-phase lines in order to make available to farmers additional power for water pumping and irrigation, for a new 2500 Kva substation, for increasing the capacity of present substations, and for other necessary improvements on its distribution lines and facilities in order to improve the services to present consumers and to serve new consumers.

Mr. Rose stated that new construction would consist of approximately 17 miles of single-phase lines, 11 miles of 3-phase lines, 9 miles of tie-lines, and 71 miles of conversion from single phase to 3-phase. Also, there would be required 164 new and additional transformers and 98 new meters. There would be required on the existing distribution system, 60 new transformers, 60 new meters, and 20 sectionalizers. It is expected that there will be added to the Company's electrical distribution system 98 new consumers, consisting of 30 town residential consumers, 25 farm consumers, 33 irrigation consumers, 8 small commercial consumers, and two large commercial consumers.

As evidence of the Association's financial status, Mr. Rose identified the Association's Balance Sheet as of December 31, 1961, and its twelve-month Operating Statement. He testified that the Association was up-to-date in its payment of interest and its repayment of loans. He stated that the Association had unapplied advance payments on its debt of approximately \$400,000, which were held as a credit and could be used at any time to meet debt obligations. It was his opinion that the further borrowing of \$308,000 would not place a burden on the Association, and he anticipated sufficient revenues for meeting the Association's financial obligations.

As evidence of the feasibility of the additional investment for new and revised facilities, Applicant introduced into evidence, Exhibit B, a copy of the Loan Feasibility Study prepared by the United States Department of Agriculture, Rural Electrification Administration.

forth in the foregoing Statement, are not inconsistent with the public interest or with the provision of law governing such transactions, and should be approved.

That the portion of the issuance of debt securities pertaining to Applicant's non-certificated areas subsequent to March 22, 1947, and prior to April 23, 1961, not heretofore approved by this Commission, should be ratified and approved.

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

That the Report of the Examiner on this matter should be approved.

That the Order sought should be issued, and should be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issuance by K. C. Electric Association of the mortgage note to the United States of America in the principal amount of \$308,000, dated March 28, 1962, Exhibit D, be, and the same is hereby, authorized and approved.

That the issuance by K. C. Electric Association of the Amendment dated as of December 22, 1961, to Amending Loan Contract, dated as of July 16, 1951, as amended, Exhibit C, be, and the same is hereby, authorized and approved.

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

That the portion of the issuance of debt securities pertaining to Applicant's non-certificated areas subsequent to March 22, 1947, and prior to April 23, 1961, not heretofore approved by this Commission, be, and the same hereby is, ratified and approved.

That the Commission retains jurisdiction of this proceeding to the end that it may make further Order or Orders in the premises which it may deem to be proper and desirable.

That the authority herein granted shall be authorized from and after this date, this Order hereby being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Anton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of April, 1962.

ea

original

(Decision No. 58485)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

TOWN OF RANGELY, COLORADO,

Complainant,

vs.

RANGELY GAS COMPANY,
Rangely, Colorado,

Defendant.

CASE NO. 5216

April 27, 1962

S T A T E M E N T

By the Commission:

On September 15, 1961, Complaint was filed with the Commission in the above-styled matter by the Town of Rangely, Colorado, by its Mayor, William H. Elam, regarding rate base, rate of return, and tariff schedules of Rangely Gas Company, serving the Town of Rangely, Colorado.

Investigation of said matter has been conducted by the staff of the Commission, and as a result of report of said staff to the Commission,

F I N D I N G S

THE COMMISSION FINDS:

That said matter should be set for hearing before the Commission as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Case No. 5216 be, and the same hereby is, set for hearing before the Commission, at the District Court Room, Court House,

Meeker, Colorado, May 23rd and 24th, 1962, at 10:00 o'clock A. M.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Barry C. Horton
Frank E. Zuleygo
Commissioners

Dated at Denver, Colorado,
this 27th day of April, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOONER FREIGHT LINES, 3000 WEST RENO,)
OKLAHOMA CITY, OKLAHOMA, FOR AUTHOR-)
ITY TO TRANSFER INTERSTATE OPERATING) PUC NO. 4254-I-Transfer
RIGHTS TO LEE WAY MOTOR FREIGHT,)
INC., 3000 WEST RENO, OKLAHOMA CITY,)
OKLAHOMA.)

April 27, 1962

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for Trans-
feror and Transferee.

S T A T E M E N T

By the Commission:

Heretofore, Sooner Freight Lines, Oklahoma City, Oklahoma,
was granted a certificate of public convenience and necessity (PUC
No. 4254-I), authorizing operation as a common carrier by motor ve-
hicle for hire, for the transportation of:

freight, 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 Feder-
al Motor Carrier Act of 1935, as amended.

Said certificate-holder now seeks authority to transfer
said PUC No. 4254-I to Lee Way Motor Freight, Inc., Oklahoma City,
Oklahoma.

Inasmuch as the records and files of the Commission fail to
disclose any reason why said transfer should not be authorized,

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public in-
terest and should be authorized, as set forth in the Order following.

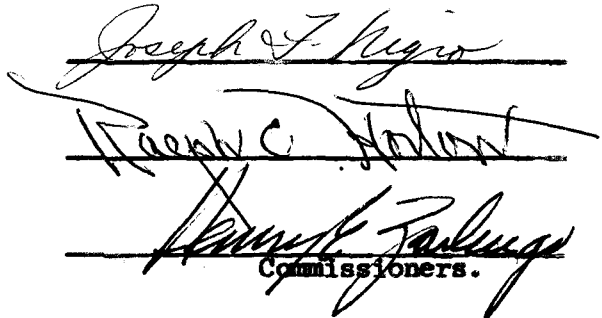
O R D E R

THE COMMISSION ORDERS:

That Sooner Freight Lines, Oklahoma City, Oklahoma, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 4254-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Lee Way Motor Freight, Inc., Oklahoma City, Oklahoma, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 27th day of April, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES L. WINSTON AND DOROTHY M.)
WINSTON, P. O. BOX 401, BERTHOUD,)
COLORADO.)
-----)

PERMIT NO. M-4130

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles L. Winston and Dorothy M. Winston, Berthoud, Colorado
requesting that Permit No. M-4130 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4130, heretofore issued to Charles L. Winston and Dorothy M. Winston, Berthoud, Colorado be,
and the same is hereby, declared cancelled effective April 23, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurlungo
Commissioners

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
NORTH COAST MANUFACTURING CORPORATION,
P. O. BOX 6711, PORTLAND 66, OREGON.)
_____))
_____)

PERMIT NO. M-13682

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from North Coast Manufacturing Corporation, Portland 66, Oregon

requesting that Permit No. M-13682 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13682, heretofore issued to North Coast Manufacturing Corporation, Portland 66, Oregon be,
and the same is hereby, declared cancelled effective February 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PETE HAHN AND B. B. BOTTS, DOING)
BUSINESS AS, "BERTHOUD FEED STORE",)
561 - 3RD, BERTHOUD, COLORADO.)
-----)

PERMIT NO. M-3918

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Pete Hahn and B. B. Botts, doing business as, "Berthoud Feed Store", Berthoud, Colorado
requesting that Permit No. M-3918 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3918, heretofore issued to Pete Hahn and B. B. Botts, doing business as, "Berthoud Feed Store", Berthoud, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zaulings
Commissioners

Dated at Denver, Colorado,
this 8th day of May, 19562.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN'S, INCORPORATED, 6740 EAST)
COLFAX, DENVER 20, COLORADO.)
)
)
-----)

PERMIT NO. M-4944

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marvin's, Incorporated,
Denver 20, Colorado

requesting that Permit No. M-4944 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4944, heretofore issued to Marvin's, Incorporated,
Denver 20, Colorado be,
and the same is hereby, declared cancelled effective May 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL J. MARTINSON CEMENT COMPANY,)
INCORPORATED, 5400 COLORADO BOULEVARD)
DENVER 16, COLORADO.)
-----)

PERMIT NO. M-13726

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl J. Martinson Cement Company, Inc., Denver 16, Colorado

requesting that Permit No. M-13726 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13726, heretofore issued to Carl J. Martinson Cement Company, Inc., Denver 16, Colorado be,
and the same is hereby, declared cancelled effective April 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LE ROY V. HILL, 123 NORTH 2ND STREET,)
IOLA, KANSAS.)
)
)
-----)

PERMIT NO. M-10070

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Le Roy V. Hill,
Iola, Kansas
requesting that Permit No. M-10070 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10070, heretofore issued to Le Roy V. Hill,
Iola, Kansas be,
and the same is hereby, declared cancelled effective March 29, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

W. E. GWIN, 2923 NORTH AVENUE, GRAND
JUNCTION, COLORADO.

PERMIT NO. M-6111

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. E. Gwin,
Grand Junction, Colorado

requesting that Permit No. M-6111 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6111, heretofore issued to W. E. Gwin,
Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective March 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL E. JOHNSTON, 1710 WEST 9TH)
AVENUE, LONGMONT, COLORADO.)
)
)
-----)

PERMIT NO. M-4719

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl E. Johnston,
Longmont, Colorado
requesting that Permit No. M-4719 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4719, heretofore issued to Carl E. Johnston,
Longmont, Colorado be,
and the same is hereby, declared cancelled effective April 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zepher
Commissioners

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VANCE DORN AND KENNETH KOCHSMEIER,)
DOING BUSINESS AS, "D & K FRONTIER)
SERVICE", P. O. BOX 477, BIG SPRINGS,)
NEBRASKA.)
-----)

PERMIT NO. M-14177

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Vance Dorn and Kenneth Kochsmeier, dba "D & K Frontier Service", Big Springs, Nebraska
requesting that Permit No. M-14177 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14177, heretofore issued to Vance Dorn and Kenneth Kochsmeier, dba "D & K Frontier Service", Big Springs, Nebraska be,
and the same is hereby, declared cancelled effective May 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT H. CONLEY, DOING BUSINESS AS,)
"CARTER OIL COMPANY DISTRIBUTOR",)
P. O. BOX 1305, STERLING, COLORADO.)
-----)

PERMIT NO. M-8424

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert H. Conley, doing
business as, "Carter Oil Company Distributor", Sterling, Colorado
requesting that Permit No. M-8424 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8424, heretofore issued to Robert H. Conley, doing
business as, "Carter Oil Company Distributor", Sterling, Colorado be,
and the same is hereby, declared cancelled effective April 6, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
COLORADO LADDER COMPANY, INCORPORATED)
3395 SOUTH BANNOCK, ENGLEWOOD, COLO-)
RADO.)
-----)

PERMIT NO. M-4337

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Colorado Ladder
Company, Inc., Englewood, Colorado
requesting that Permit No. M-4337 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4337, heretofore issued to Colorado Ladder Company,
Inc., Englewood, Colorado be,
and the same is hereby, declared cancelled effective November 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Tabor
Commissioners

Dated at Denver, Colorado,

this 8th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. M. SANFORD, 204 SOUTH PIKES PEAK,)
FLORENCE, COLORADO.)
)
)
-----)

PERMIT NO. B-5537 & I

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. M. Sanford,
Florence, Colorado

requesting that Permit No. B-5537 & I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5537 & I, heretofore issued to W. M. Sanford,
Florence, Colorado be,
and the same is hereby, declared cancelled effective April 24, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

JOHN LEACH, ROUTE 3 BOX 325,)
DENVER 8, COLORADO.)
-----)

PERMIT NO. B-5828

May 8, 1962
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5828 be further suspended for one year from April 26, 1962.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That John Leach, Denver 8, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5828 until April 26, 1963.

That unless said permit-holder shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph G. Norton
Henry E. Zaulings
Commissioners

Dated at Denver, Colorado,
this 8th day of MAY, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

JOHN A. THOMAS, P. O. BOX 35,)
COAL CREEK, COLORADO.)

PERMIT NO. B-5206

May 8, 1962
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5206 be further suspended for one year from April 17, 1962.

F I N D I N G STHE COMMISSION FINDS:

That the Request should be granted.

O R D E RTHE COMMISSION ORDERS:

That John A. Thomas, Coal Creek, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5206 until April 17, 1963.

That unless said permit-holder shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said permit, file insurance and otherwise comply with all rules and regulations of the Commission applicable to private carrier permits, said permit, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Chairman
Henry E. Zepher
Commissioners

Dated at Denver, Colorado,
this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE GREYHOUND CORPORATION (CENTRAL)
GREYHOUND LINES DIVISION), 1740)
MAIN STREET, KANSAS CITY, MISSOURI,) APPLICATION NO. 19019-Extension
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY, AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 298 AND PUC NO. 298-I.)

April 30, 1962

Appearances: Truman A. Stockton, Esq.,
Denver, Colorado, for
Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The Greyhound Corporation (Central Greyhound Lines Division), Kansas City, Missouri, is the owner and operator of PUC No. 298 and PUC No. 298-I, with authority as set forth in Decision No. 50911, dated September 11, 1958.

By the instant application, said certificate-holder seeks authority to extend and enlarge said PUC No. 298 and PUC No. 298-I to authorize the transportation of passengers, baggage, newspapers, express and U. S. Mail, between the junction of U. S. Highway 85-87 and Interstate Highway 25 (near Monson Junction) and the junction of Interstate Highway 25 and U. S. Highway 85-87 (near Ludlow Junction); also between the junction of U. S. Highway 40 and Interstate Highway 70 (near Bennett) and the junction of Interstate Highway 70 and U. S. Highway 40 (near Watkins).

The application was set for hearing on April 16, 1962, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there

heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the use of the proposed alternate routes as herein sought; that the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier service of The Greyhound Corporation (Central Greyhound Lines Division), Kansas City, Missouri, under PUC No. 298 and PUC No. 298-I, to include the right of the use of the two following alternate routes for the transportation of passengers, baggage, newspapers, express and U. S. Mail:

1. From the intersection of U. S. Highway 85 and Interstate Highway 25 at Monson Junction, south to the junction of U. S. Highway 85 and Interstate Highway 25 at Ludlow Junction, and return over the same route, and
2. From the intersection of Colorado Highway 8 and U. S. Highway 40 and Interstate Highway 70, approximately $1\frac{1}{4}$ miles southeast to Bennett, west to the junction of Colorado Highway 8 and U. S. Highway 40 and Interstate Highway 70, approximately four-tenths of a mile south and west of Watkins, Colorado, and return over the same route;

extension of interstate operating rights herein extended shall be subject to the provisions of the Federal Motor Carrier Act of 1935, as amended; and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

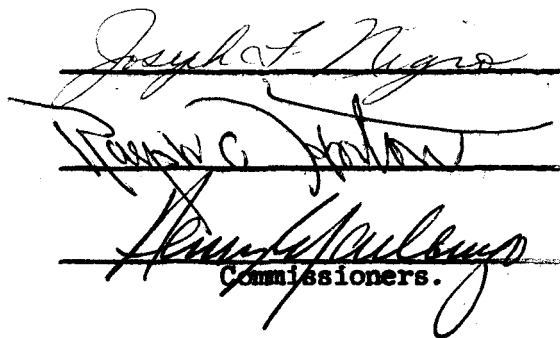
That applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 30th day of April, 1962.

mls

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
WILLIAM A. JACKSON AND HARRY J. VAN
TEYLINGEN, DOING BUSINESS AS "MOUN-
TAIN EXPRESS TRUCK LINE," P. O. BOX
207, WEST END STATION, COLORADO.
SPRINGS, COLORADO, FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY,
AUTHORIZING EXTENSION OF OPERATIONS
UNDER PUC NO. 32.

APPLICATION NO. 19052-Extension

April 30, 1962

Appearances: Paul V. Rupp, Esq., Denver,
Colorado, for Applicant;
Edward T. Lyons, Esq., Den-
ver, Colorado, for Fair-
play Motor Co.;
E. A. Schattinger, Jeffer-
son, Colorado, for
Schattinger & Son;
R. E. Turano, Denver, Colo-
rado, and
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, filed with the Commission on February 14, 1962, applicants herein, owners and operators of PUC No. 32, seek a certificate of public convenience and necessity, to include the right to extend service to 15 miles on either and both sides of the route previously authorized, between Divide, Colorado, and Hartsel, Colorado, and intermediate points.

The application was set for hearing on April 24, 1962, at ten o'clock A. M., at the County Office Building, Colorado Springs, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After

the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That during the course of the hearing, applicant herein moved to strike the record as made, and moved accordingly that the instant matter be continued to a future date to be set by the Commission.

That protestants herein, in view of the above motion, moved that the instant application be dismissed for failure to prosecute.

That no good purpose would be served by denying or dismissing the instant application, and that the matter should be continued to be re-set at a future date convenient to the Commission.

O R D E R

THE COMMISSION ORDERS:

That Application No. 19052-Extension be, and the same hereby is, continued, to be heard at some future date convenient to the Commission, with due notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Nigro
Robert C. Hobart
Paul J. Paulings
Commissioners

Dated at Denver, Colorado,
this 30th day of April, 1962.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CURNOW TRANSPORTATION COMPANY, INC.,)
123 16TH AVENUE, IDAHO SPRINGS,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 19053

April 30, 1962

Appearances: Edward T. Lyons, Esq.,
Denver, Colorado, for
Fairplay Motor Co.;
Paul Rupp, Esq., Denver,
Colorado, for Mountain
Express Truck Line;
E. A. Schattinger, Jefferson,
Colorado, for Schattinger
& Son;
R. E. Turano, Denver, Colo-
rado, and
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., for copy
of Order.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a cer-
tificate of public convenience and necessity to operate as a common
carrier by motor vehicle in the transportation of general commodities
between Colorado Springs, Colorado, and Tarryall Mill, Lake George,
Colorado, over the following routes: West over U. S. Highway 24
from Colorado Springs, Colorado, to the junction of U. S. 24 and
Park County Road #31, thence North approximately 5 miles on Park
County #31 to Tarryall Mill, and a 5-mile radius thereof.

The application was set for hearing on April 24, 1962, at
ten o'clock A. M., at the County Office Building, Colorado Springs,
Colorado. The same was then and there called by an Examiner duly
designated, and to whom the hearing was assigned by the Commission.

At the conclusion, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That the applicant did not appear either in person or by counsel, and the protestants joined in a motion to dismiss the application for failure of applicant to prosecute the same.

That the motion of protestants above referred to should be granted, and the application dismissed.

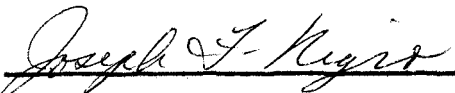


O R D E R

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




Commissioners.

Dated at Denver, Colorado,
this 30th day of April, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NATHAN NEMIROW, 130 SOUTH JERSEY)
STREET, DENVER, COLORADO, SAMUEL)
NEMIROW, 690 BELLAIRE STREET, DEN-)
VER, COLORADO, AND J. V. CONDON,)
1451 FLORENCE, AURORA, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY, AUTHORIZING)
OPERATION AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 18991

April 30, 1962

Appearances: J. V. Condon, Esq.,
Aurora, Colorado,
for Applicants;
Walter M. Simon, Esq.,
Denver, Colorado, for
Yellow Cab, Inc.;
John F. Mueller, Esq.,
Denver, Colorado,
for Cabs, Inc.;
William Mott, Broomfield,
Colorado, for Broom-
field Cab Company.

S T A T E M E N T

By the Commission:

On February 13, 1962, Nathan Nemirow, Samuel Nemirow and J. V. Condon, filed their application with the Commission for a certificate of public convenience and necessity authorizing the transportation of passengers and baggage in taxicab service between points and in the City of Aurora and a radius of fifteen miles from the City of Aurora, except that the same shall not extend into the city limits of the City and County of Denver, for the picking up of passengers, with the exception that passengers and baggage transported to Denver may be returned therefrom when the waiting period does not exceed one hour.

The above application was regularly set for hearing, and heard, after statutory notice to all interested parties, on

April 17, 1962, at 532 State Services Building, Denver, Colorado, and at the conclusion of the hearing, the matter was taken under advisement by the Commission.

At the hearing, the financial statements of applicants herein were introduced, showing that applicants were men of substantial means, and are financially well qualified to carry on the operation proposed in their application.

The record further discloses that the plan of applicants is to operate ten taxicabs in Aurora, to be practically confined to service between points in Aurora, with service from Aurora to outside points, and the right to return passengers from the City and County of Denver.

During the hearing, the applicants eliminated from their application that portion thereof "when the waiting period does not exceed one hour" and further amended it by restricting their area to the north and west to $7\frac{1}{2}$ miles in order that they would not be in competition with the Broomfield Cab Company. Therefore, the application is more restricted than it was at the time of the filing thereof.

The applicants did not go into too much detail as to their method of operation, but suggested a "shuttle service" between points in Aurora, taking the position that the details of their service would be worked out after the granting of the authority.

One public witness appeared, testifying as to the inadequacy of the service rendered by the Yellow Cab Company, the witness contending that at times Yellow Cab, Inc. was difficult to contact and the waiting period was too long. The Commission refused to admit a letter from the Aurora Chamber of Commerce as to inadequacy of service rendered by the Yellow Cab Company. However, the Commission did accept a Resolution, signed by the Mayor and attested to by the City Clerk of the City of Aurora, wherein it was resolved: "That the City Council of the City of Aurora believes that the convenience and necessity of the People of the City of Aurora could be served by additional transportation facilities."

Protestant Yellow Cab, Inc., presented several witnesses from its organization who stated in detail their method of operation, especially as to the dispatching of cabs, their safety program, the amount of money invested in their operation, and other data pertaining to their operation.

The record discloses that the Yellow Cab service in Aurora is operated out of their Denver office by radio, and this protestant contends that they can better serve taxi riders in Aurora by this operation. The Commission is aware that the original grant of authority under which Yellow Cab operates was granted as a locally-based service in Aurora, but they were permitted by order of the Commission to operate the authority out of the Denver office. The record clearly discloses that since February of this year, protestant Yellow Cab's service in Aurora has improved. Applicant contends this was brought about by the filing of the instant application, but Yellow Cab contends it was brought about by their improved service in dispatching cabs.

It is a peculiar circumstance -- and one which the Commission does not understand -- that when a new application for additional taxicab service is requested in the Denver area, and especially in the Aurora territory, that taxicab service immediately improves. This may be important, and if it is, it would point to a laxity on the part of the Commission in seeing that the Yellow Cab Company gave adequate service in the Aurora area.

In determining whether or not a certificate should be issued the Commission is required to give consideration to the service that is now being furnished, or could be furnished by order of the Commission. After a complete examination of the record, the Commission is of the opinion that if the Enforcement Department of the Commission "rides herd" on the Yellow Cab Company, adequate service could be furnished to the taxicab riders in Aurora. A review of the evidence does not indicate that the existing service cannot be made adequate. The question of public convenience and necessity, is, in substance, whether or not the

new service would serve a useful purpose, responsive to a public demand or need; whether or not this purpose could and would be served by applicants in a new operation or service without endangering or impairing the operation of the existing carrier, contrary to the public interest. Necessity does not exist unless the inconvenience would be so great as to amount to an unreasonable burden on the taxicab riders of Aurora. Before an additional carrier may be granted authority to compete, there should be convincing evidence that the Yellow Cab Company is unable or unwilling to meet any reasonable demands that may be made upon it. It is the opinion of the Commission that no such showing has been made here. A word of caution, however, to the protestants herein. The Commission does not feel that the Yellow Cab Company is fully taking care of taxicab riders in Aurora. It would appear that this service can be improved, and should be improved, and we commend to this protestant that the service be re-examined, with an idea of giving to the people of Aurora a more complete, adequate and faster service.

F I N D I N G S

THE COMMISSION FINDS:

1. That applicants failed to establish a need for additional taxicab service in the Aurora, Colorado, area.
2. That the Commission is of the opinion, after reviewing the record, that the granting of an additional authority would not be beneficial to the public interest.
3. That the instant application should be denied for the further reasons set forth in the foregoing Statement, which is made a part of these Findings, by reference.

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

Dated at Denver, Colorado,
this 30th day of April, 1962.
ea

Joseph F. Hupis
Joseph C. Horton
Joseph C. Horton

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES D. CLAY AND ANDY VOLOSHIN, CO-)
PARTNERS, RIVERVIEW TRAILER PARK,)
CRAIG, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY,)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 5069.)
-----)
APPLICATION NO. 18976-Extension
SUPPLEMENTAL ORDER

April 30, 1962

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Applicants;
Harold D. Torgan, Esq., Den-
ver, Colorado, for Alfred's
Trailer Park and Sales Com-
pany, Aurora Trailer Supply,
X-L Mobile Court, Roy Mead
Trailer Sales, Rocky Moun-
tain Mobile Home Towing Ser-
vice, Colorado Trailer Tow-
ing and Wrecker Service,
Cole Brothers Trailer Trans-
port, Trailer Towing Service,
and McBride Trailer Sales;
Edward T. Lyons, Esq., Denver,
Colorado, for Morgan Drive-
Away, Inc.

S T A T E M E N T

By the Commission:

The above application having been heard upon March 14, 1962,
and the territorial description having been stipulated to by John H.
Lewis, Attorney for Applicant, and Harold D. Torgan, Attorney for
Alfred's Trailer Park & Sales Co., Aurora Trailer Supply, X-L Mobile
Court, Roy Mead Trailer Sales, Rocky Mountain Mobile Home Towing Ser-
vice, Colorado Trailer Towing & Wrecker Service, Cole Brothers Trailer
Transport, Trailer Towing Service, and McBride Trailer Sales, and Ed-
ward T. Lyons, Attorney for Morgan Drive-Away Inc., protestants, and
that said territorial description was made a part of Decision No.

58253, of date March 26, 1962.

It now appears that said territorial description was in error, and that it restricted applicants so that they lost territory they then owned. All parties hereto have filed a new Stipulation herein which includes this loss of territory.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 58253, of date March 26, 1962, should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 58253, of date March 26, 1962, be, and the same hereby is, amended, nunc pro tunc, as of said 26th day of March, 1962, by striking therefrom the second paragraph of the Order contained in said Decision No. 58253, appearing on Pages 4 and 5 thereof, and inserting in lieu thereof the following:

"That public convenience and necessity require the granting to applicants herein, a certificate of public convenience and necessity, to be known as 'PUC 5069,' to show that the authorized operations under said PUC No. 5069, as extended, is as follows:

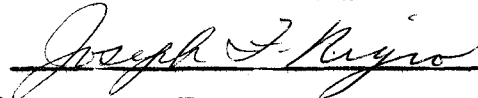

"transportation of mobile homes and house trailers between points in northwestern Colorado described as follows:

Beginning at the southwest corner of Garfield County; thence east along said county line to the southeast corner of said county; thence north along said county line to its junction with U. S. Highway 6; thence east on a line to the Continental Divide; thence north along the Continental Divide to its junction with the east county line of Jackson County; thence north along said east county line to the Colorado-Wyoming State line; thence west along said state line to the northwest corner of Moffat County; thence south along the Colorado-Utah line to the place of beginning;

and between points in the above-described area, on the one hand, and, on the other, points west of the Continental Divide, except Grant Junction and a ten-mile radius thereof."

That, except as herein amended, said Decision No. 58253
shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of April, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE SCRAP, IRON OR STEEL, HAVING)
VALUE FOR REMELTING PURPOSES ONLY)
AND USED MINE RAILS FROM FREDERICK)
MINE, COLORADO, AND ALLEN MINE,)
COLORADO, TO MINNEQUA AND PUEBLO,)
COLORADO.)

INVESTIGATION AND SUSPENSION

DOCKET NO. 489

April 27, 1962

S T A T E M E N T

BY THE COMMISSION:

On March 30, 1962, the Motor Tariff Service, John P. Norman, Agent, filed with this Commission reduced rates on scrap, iron and steel, etc., for account of Goldstein Transportation & Storage, Inc., only, as shown below. The publication was made in Item No. 1344-11-A-1, First Revised Page No. 218-D-1, Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3, and scheduled to become effective April 29, 1962.

Under the provisions of Item 1344-11-A-1, it is proposed to reduce the present rate from the Allen Mine to Minnequa or Pueblo, Colorado, from 52 cents per 100 pounds, minimum weight of 20,000 pounds, to 23 cents per 100 pounds, minimum weight 40,000 pounds, and from Frederick Mine from 46 cents to 23 cents based on the same weights.

| Commodities in the same item may be shipped in straight or mixed truckloads. | From | To | Rates in Cents Per 100 lbs. |
|---|-----------------------|-----------------|-----------------------------|
| Scrap, Iron or Steel, having value for remelting purposes only. Used mine rails minimum weight 40,000 pounds subject to loading by consignor and unloading by consignee. (Applies only for account of Goldstein Transportation & Storage, Inc.) | Frederick Mine, Colo. | Minnequa, Colo. | 23 |
| | Allen Mine, Colo. | Pueblo, Colo. | |

The new rates may, if permitted to become effective, result in charges which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the said schedules should be suspended and an investigation instituted upon the Commission's own motion, concerning the lawfulness of the rates and charges contained therein.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the schedules as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the changes published for the account of Goldstein Transportation & Storage, Inc., on First Revised Page No. 218-D-1, of Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3, of the Motor Tariff Service issued to become effective April 29, 1962.
3. The operation of said schedules shall be suspended and the use of the said schedules shall be deferred 120 days, or until August 27, 1962, unless otherwise ordered by the Commission, and no change shall be made during the said period of suspension.
4. The rates, rules and regulations 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. Seven days prior to the hearing date hereon, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of its case.
6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon John P. Norman, Agent, Motor Tariff Service, 1304 Cherokee Street, Denver 4, Colorado; and Bennie Goldstein, President, Goldstein Transportation & Storage, Inc., 3434 Walnut, Denver 5, Colorado.
7. This Investigation and Suspension Docket No. 489 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. Nigro
Ralph C. Hutton
Henry L. Zuleygo
Commissioners.

Dated at Denver, Colorado,
this 27th day of April, 1962.

ph

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VIRGIL STEELE, 2949 JOSEPHINE,)
DENVER 5, COLORADO.)
)
)
-----)

PERMIT NO. M-4160

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Virgil Steele,
Denver 5, Colorado
requesting that Permit No. M-4160 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4160, heretofore issued to Virgil Steele,
Denver 5, Colorado be,
and the same is hereby, declared cancelled effective April 27, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
James C. Norton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 8th day of May, 1962.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PLATEAU NATURAL GAS COMPANY, 20)
BOULDER CRESCENT, COLORADO SPRINGS,)
COLORADO, FOR CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY AU-)
THORIZING THE CONSTRUCTION OF) APPLICATION NO. 18735-Amended
NATURAL GAS SYSTEMS FOR THE TRANS-)
MISSION, DISTRIBUTION AND SALE OF)
NATURAL GAS IN CERTAIN AREAS OF)
EL PASO AND DOUGLAS COUNTIES,)
COLORADO.)
-----)

May 1, 1962

Appearances: Cool & Phillips, Esqs.,
Colorado Springs, Colo-
rado, by John A. Phillips,
Esq., for Applicant;
R. D. Speer, Denver, Colo-
rado, for Public Service
Company of Colorado;
E. R. Thompson, Denver, Colo-
rado, and
J. M. McNulty, 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 was filed with the Commission on September 15, 1961. After due notice to all interested parties, the Commission set the application for hearing on Monday, March 5, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place, this matter was heard, and at the conclusion of the hearing, taken under advisement by the Commission.

Applicant is a public utility subject to the jurisdiction of this Commission, and presently holds various certificates of public convenience and necessity to render gas service in certain cities, towns and communities in the State of Colorado. It also renders gas

service in the State of Kansas, but this application is concerned with its Colorado operations only.

Applicant is a Colorado corporation and its Articles of Incorporation, with amendments thereto, has heretofore been filed with this Commission. The principal office and address of Applicant is 20 Boulder Crescent, Colorado Springs, Colorado.

Testimony at the hearing revealed that by the instant application Applicant seeks to render gas service in the unincorporated community of Franktown, in Douglas County, Colorado, and in certain areas adjacent thereto; and also in certain specified areas in El Paso County, Colorado. Part of the area sought to be served in El Paso County is adjacent to presently certificated areas of Applicant.

Witness of Applicant at the hearing amended Page 1 of Exhibit A, by deleting from the area sought to be served approximately 13 quarter sections in the northwest corner of the area sought on said Page 1 of Exhibit A. Exhibit 1A, submitted as a description of the territory sought, defines the area with the portion deleted by the witness.

Various exhibits were submitted at the hearing, including written descriptions of the areas sought to be served, cost of the facilities to be installed, market data, and a feasibility study. These exhibits revealed that initially Applicant will spend approximately \$8,800.00, for facilities to supply this service and on a pro forma basis, its initial rate of return on the rate base would amount to 4.2%.

Subsequent to the hearing herein, the City of Colorado Springs which also holds a certificate of public convenience and necessity from this Commission to render gas service as a public utility in a portion of El Paso County, informed the Commission that it objected to the granting of certain territory adjacent to its areas of service to Plateau; that if Plateau were willing to delete from its application the 18 sections in Townships 12-S, 13-S, and 14-S, and Range 65-W, it would withdraw its objections. It was willing, however, that Plateau continue to render service to an existing customer in this area known as the "Lewis Ranch." Plateau has also replied to the Commission in

writing, in response to the letter of City of Colorado Springs, that it is willing to delete from its application the areas designated by the City of Colorado Springs, with the proviso that it will continue to serve the Lewis Ranch at a point in Section 9, Township 14-South, Range 65-West, El Paso County, Colorado.

Exhibit G, introduced at the hearing, was a copy of an Order in Docket No. CP 62-100 before the Federal Power Commission, of Colorado Interstate Gas Company, granting authority to Colorado Interstate to sell natural gas to Plateau for the services to be rendered under the instant application.

Applicant will finance the proposed construction out of funds on hand and will render service on the rates presently on file with this Commission or as the same may be changed in the future, according to law and the rules and regulations of this Commission.

No one appeared at the hearing in opposition to the certificate sought herein, and Public Service made a statement for the record that it supports the present application.

F I N D I N G S

THE COMMISSION FINDS:

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

That the Commission is fully advised in the premises.

That the authority sought should be granted, subject to the letter agreements between Applicant and the City of Colorado Springs.

That applicant should continue to render gas service to the Lewis Ranch located in Section 9, Township 14-South, Range 65-West, El Paso County, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Plateau Natural Gas Company, be, and hereby is, granted a certificate of public convenience and necessity to render gas service in the following described areas:

AREA 1:

Starting at the NW corner of Section 34, T. 7-S, R. 68-W; thence easterly to the NW corner of Section 34, T. 7-S, R. 67-W.; thence northerly to the NW corner of the SW $\frac{1}{4}$ of Section 27, T. 7-S, R. 67-W; thence easterly to the NE corner of the SW $\frac{1}{4}$ of Section 27, T. 7-S, R. 67-W; thence northerly to the NW corner of the NE $\frac{1}{4}$ of Section 27, T. 7-S, R. 67-W; thence easterly to the NW corner of Section 26, T. 7-S, R. 67-W; thence northerly to the NW corner of Section 23, T. 7-S, R. 67-W; thence easterly to the NE corner of Section 21, T. 7-S, R. 65-W; thence southerly to the SE corner of Section 33, T. 8-S, R. 65-W; thence westerly to the SW corner of Section 34, T. 8-S, R. 68-W; thence northerly to the NW corner of Section 34, T. 7-S, R. 68-W, point of beginning.

AREA 2: Section 33, T. 11-S, R. 67-W.

AREA 3: Starting at the NW corner of Section 33, T. 11-S, R. 66-W; thence easterly to the NE corner of Section 33, T. 11-S, R. 66-W; thence southerly to the SE corner of Section 4, T. 12-S, R. 66-W; thence westerly to the SW corner of Section 4, T. 12-S, R. 66-W; thence northerly to the NW corner of Section 33, T. 11-S, R. 66-W, point of beginning.

That Applicant shall continue to keep its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission, and shall at all times abide by the Rules Regulating the Service of Gas and Electric Utilities as promulgated by the Commission.

That at least ten days prior to the beginning of gas service in the area certificated herein, Applicant shall file with the Commission any amendments necessary to change its tariff to cover the gas service authorized herein.

That Applicant be, and hereby is, authorized to continue to render gas service to the Lewis Ranch located in Section 9, Township 14-S, Range 65-West, El Paso County, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Nigro
Raymond C. Hinton
Henry G. Adams
Commissioners.

Dated at Denver, Colorado,
this 1st day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE ITEM NO. 180, PARAGRAPH (4) }
METHOD OF COMPUTING DISTANCE, }
COLORADO MOTOR CARRIERS' ASSOCI- }
ATION, AGENT, MOTOR FREIGHT TARIFF }
NO. 13, COLORADO P.U.C. NO. 12. }

INVESTIGATION AND SUSPENSION

DOCKET NO. 490

April 30, 1962

S T A T E M E N T

BY THE COMMISSION:

On April 2, 1962, the Colorado Motor Carriers' Association, Agent, J. R. Smith, Chief of Tariff Bureau, filed with the Commission 3rd Revised Page No. 21, to its Motor Freight Tariff No. 13, Colorado P.U.C. No. 12, proposing a change in the method of computing highway distances, having general motor carrier application, which change results in increased rates and charges. The change is published to become effective May 2, 1962.

The proposal is a change involving paragraph (4) of Item No. 180, as follows:

(4) (A) Where due to flood conditions, condition of bridges, snow or other weather conditions making roads impassable, or highway construction making roads impassable, it is impractical to operate the truck over highways forming the shortest distance between origin and the actual delivery site at destination, the most practical route over which the truck can be moved will be shown on the bill of lading and the distance via such route will be used to determine the rates.

(A) Indicates increase

The present Item No. 180 appears below in part:

METHOD OF COMPUTING DISTANCE:

(1) Where mileages are shown in Colorado Department of Highways map via improved roads only, such mileages shall be used to determine the distance or portions of such distance via improved roads.

(2) For distance from and to points not covered by the map referred to in paragraph (1) of this rule, the actual mileages via the shortest practicable route shall be used, except that the map will be used for such portion of the distance as may be provided thereon or ascertainable therefrom.

(3) Omitted as not pertinent here.

(4) Where, due to flood conditions, condition of bridges or ferries, it is impracticable to operate the truck over highways forming the shortest distance between origin and the destination, the most practical route over which the truck can be moved will be shown on the bill of lading and the distance via such route will be used to determine the rate. The bill of lading will also show the reason for the route specified therein.

The amendment may, if permitted to become effective, result in changes which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of said schedule should be suspended and an investigation instituted upon the Commission's own motion concerning the lawfulness of the rate and charges contained therein.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the schedule as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

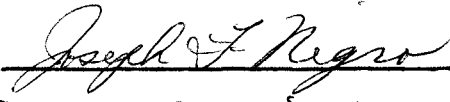
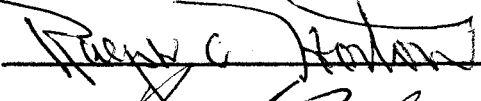

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. It shall, upon its own motion enter upon a hearing concerning the lawfulness of the rates resulting from the amendment proposed in the publication in Item No. 180, paragraph (4), 3rd Revised Page No. 21, Motor Freight Tariff No. 13, Colorado P.U.C. No. 12, of the Colorado Motor Carriers' Association, issued to become effective May 2, 1962.
3. The operation of said schedule shall be suspended and the use of the said schedule shall be deferred 120 days, or until August 30, 1962, unless otherwise ordered by the Commission, and no change shall be made during the said period of suspension.
4. The rates, rules and regulations 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. Seven days prior to the hearing date hereon, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support its case.

6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado.

7. This Investigation and Suspension Docket No. 490 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




Commissioners.

Dated at Denver, Colorado,
this 30th day of April, 1962.

ph

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE A. GRIMM AND AGNES B.)
GRIMM, SOUTH FORK, COLORADO.)

PUC NO. 5080

May 8, 1962

S T A T E M E N T

By the Commission:

On September 25, 1961, the Commission authorized George A. and Agnes B. Grimm to suspend operations under their PUC No. 5080, until May 1, 1962.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that their PUC be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 5080, should be, and the same hereby is re-instated as of May 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Norton
Henry E. Zalusky

Dated at Denver, Colorado,

this 8th day of May, 1962.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
OLEN J. LOVE, DOING BUSINESS AS,) PUC NO. 4949-I
"J. TRUCKING", 11 HOUSTON ROAD,)
TULIA, TEXAS.)
-----)

May 8, 1962

S T A T E M E N T

By the Commission:

On November 5, 1961, the Commission authorized Olen J. Love, doing business as "J. Trucking" to suspend operations under his PUC NO. 4949-I, until May 5, 1962.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that his PUC be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 4949-I, should be, and the same hereby is, reinstated as of April 23, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zaulinger

Dated at Denver, Colorado,
this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REDUCTION IN RATE AND MINIMUM
CHARGE, CINDERS, CLAY OR SHALE
(AGGREGATE) IN BULK, ROCKY FLATS,
COLORADO, TO DESTINATIONS IN
COLORADO.)
-----)

INVESTIGATION AND SUSPENSION

DOCKET NO. 476

April 30, 1962

Appearances: Raymond L. Pherson, 3200 Bluff Street,
Boulder, Colorado, for respondent;

Roger B. Samuelson, Boulder Block, Inc.,
Boulder, Colorado;

A. J. Tait and S. J. Philipponne for the
staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

By schedules¹ filed to become effective January 2, 1962, Colorado Motor Carriers' Association, Agent, on behalf of Raymond Pherson and Patricia M. Pherson, dba Pherson Trucking Company, hereinafter called respondent, proposed reductions in the rate per ton and in the minimum charge on cinders, clay or shale (aggregate) in bulk, minimum weight 40,000 pounds, moving from Idealite Company Plant Site Near Rocky Flats, Colorado, to Boulder, Colorado. The rate per ton of \$1.25 was proposed to be reduced to 85 cents and the minimum charge from \$25.00 per trailer to 40,000 pounds at the per ton rate of 85 cents.

The proposed reductions were suspended, upon the Commission's own motion, by Decision No. 57764, dated December 21, 1961, until May 2, 1962. Hearing was held in the Commission's hearing room at Denver, Colorado, on January 25, 1962, following due notice to all known parties concerned.

Witness for the respondent testified that the presently effective rate of \$1.25 per ton for a distance of 10.3 miles² was not justifiably correct compared to the same rate to Denver, a distance of 25.7 miles;³ nor was it

¹ Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, 2nd Revised Page 48-A, Item 535.

² Rocky Flats, Colorado, to Boulder, Colorado.

³ Rocky Flats, Colorado, to Denver, Colorado.

justifiably correct when compared to rates per ton of \$1.30 to Longmont; and \$1.40 to Littleton, a point thirty-five miles from Rocky Flats. The witness stated that a round trip between Boulder and Rocky Flats, a distance of 20.6 miles, took approximately one hour. It was also stated that no separate records were kept on the costs of handling the aggregate but a late filed exhibit requested by the presiding Commissioner shows an estimated cost of 67.66 cents per mile. Cost of the equipment utilized in transporting this traffic is shown as being \$32,000.00. Respondent operates various types of motorized equipment in excavating work engaged in by this company. Respondent's operating ratio for the year 1960 was 103.36 per cent.

The president of Boulder Block, Inc., Boulder, Colorado, a user of the aggregate produced at Rocky Flats, Colorado, appeared and testified in support of the proposed rate of 85 cents per ton. This witness advised respondent that he had lined up a lease arrangement for the handling of the aggregate at a cost of less than \$1.25 per ton. The witness indicated that the cost of leased equipment, an incomplete investigation disclosed, would not exceed \$1.10 per ton. Further investigation could, he stated, very possibly lower that cost.

As a direct result of the negotiations between respondent and this shipper, respondent took steps he deemed necessary to hold this particular traffic to his line and to retain same profit. It was testified by the shipper that he had an area 200 feet by 200 feet in which the aggregate could be dumped without delay.

We feel that despite a meager showing on the record before us of the costs of handling this particular traffic, the respondent should be accorded the opportunity to forestall, if he can, the diversion of the traffic to shipper owned or leased equipment. However, we do not feel that the proposed rate of 85 cents per ton, minimum weight 40,000 pounds, for the transportation of the aggregate would be compensatory. It is our view that a rate of \$1.00 per ton, minimum weight 40,000 pounds for the transportation of the aggregate, with which we are here concerned, from Rocky Flats, Colorado, to Boulder, Colorado, will, in some degree, be compensatory.

F I N D I N G S

THE COMMISSION FINDS, That:

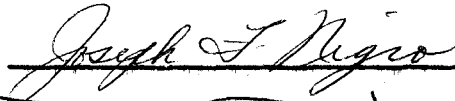
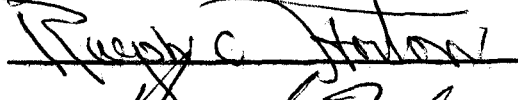

1. The suspended schedules have not been justified.
2. An order should be entered vacating our order of suspension and discontinuing this proceeding.
3. An order should be entered permitting and authorizing respondent, only, to file, effective on five days' notice, effective not later than June 1, 1962, a rate of \$1.00 per ton of 2,000 pounds on cinders, clay or shale, (aggregate), in bulk, minimum weight 40,000 pounds per vehicle used, transported from Idealite Company Plant Site near Rocky Flats, Colorado, to Boulder, Colorado.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. The order heretofore entered in this proceeding (Decision No. 57764, dated December 21, 1961) suspending the operation of said schedules, be and is hereby vacated and set aside as of May 1, 1962, and that this proceeding be discontinued.
3. That respondent, only, be permitted and authorized to file, effective on five days' notice, effective not later than June 1, 1962, a rate of \$1.00 per ton of 2,000 pounds on cinders, clay or shale (aggregate), in bulk, minimum weight 40,000 pounds per vehicle used, transported from Idealite Company Plant Site near Rocky Flats, Colorado, to Boulder, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 30th day of April, 1962.

ph

Original

(Decision No. 58513)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|------------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| PUBLIC SERVICE COMPANY OF COLORADO,) | |
| A COLORADO CORPORATION, 550 - 15TH) | |
| STREET, DENVER, COLORADO, FOR AN) | |
| ORDER AUTHORIZING AND APPROVING THE) | <u>APPLICATION NO. 16031</u> |
| REFUNDING OF CERTAIN REFUND MONIES) | <u>SUPPLEMENTAL ORDER</u> |
| TO ITS GAS CUSTOMERS, PURSUANT TO) | |
| ITS GAS REFUND PLAN (1960).) | |
| ----- | |

May 1, 1962

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado, by
Bryant O'Donnell, Esq., for
Applicant;
E. R. Thompson, 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:

By Decision No. 54797, dated August 3, 1960, the Commission authorized and approved a gas refund plan (herein called the "1960 Gas Refund Plan") proposed by Public Service Company of Colorado (Company) and authorized and directed the Company to refund to its gas customers entitled thereto in accordance with said Plan and the aforesaid Decision of the Commission, (a) the refund moneys the Company received from its wholesale gas suppliers, Colorado Interstate Gas Company (Interstate) and Colorado-Wyoming Gas Company (Colorado-Wyoming) as a result of overcharges paid by the Company to such suppliers for gas purchased during the period from January 5, 1958 to and including February 25, 1960 and (b) certain other moneys all as more particularly set forth in said Decision No. 54797.

Pursuant to Decision No. 54797, the Commission retained

jurisdiction of the matter, and the Company was ordered to report to the Commission within 180 days after it had mailed the last check under the 1960 Gas Refund Plan, the disbursements made under the Plan, the unclaimed funds then in its possession, unsatisfied refund claims, and certain related matters. By Decision No. 57006, dated August 10, 1961, the Commission extended to and including November 30, 1961, the time within which refunds should be made by the Company under the 1960 Gas Refund Plan, authorized the payment of certain refund claims and expenses, and directed the Company, within 90 days from November 30, 1961, to file a petition for an Order authorizing the payment of any further refund claims and expenses in the completion of the refunding operation and the disposition of any undistributed balance of refund moneys remaining in the Company's possession under the 1960 Gas Refund Plan in order to effect the termination of these proceedings.

On February 28, 1962, the Company filed its verified petition for an Order in this matter, authorizing the payment of certain small refund claims in the aggregate amount of \$120.09, and expenses in the amount of \$10,906.51 which the Company has and estimates that it will incur in the completion of the refund operation, the disposition of the undistributed and unclaimed balance of the 1960 gas refund moneys remaining in the Company's possession, and the termination of the gas refund proceedings pending before this Commission in respect of the Company's 1960 Gas Refund Plan.

By Order of the Commission, dated March 16, 1962, this matter was set for hearing on April 12, 1962, at ten o'clock A. M., at 532 State Services Building, 1525 Sherman Street, Denver 3, Colorado. The hearing on the aforesaid petition of the Company was held on April 12, 1962, after due notice to all interested parties, and the matter was heard and taken under advisement.

R. D. Speer, Assistant Treasurer and Director of Rates and Property Accounting of the Company, appeared as a witness for the Com-

pany and testified to the following matters set forth herein in summary form:

1. That the Company has completed the 1960 Gas Refund Plan operation in accordance with such Plan and the Decisions of this Commission pertaining thereto.
2. That the total funds received and available for refund under the 1960 Gas Refund Plan as shown in Exhibit No. 4, received in evidence at the hearing, was \$10,671,259.09.
3. That as shown on said Exhibit No. 4, the total amount of refund moneys disbursed to customers entitled thereto under the 1960 Gas Refund Plan and the Commission orders pertaining thereto was \$10,411,310.25.
4. That the total reimbursable expenses incurred by the Company in the implementation and completion of the Gas Refund Plan, including \$350 as the estimated cost to distribute the unclaimed moneys remaining in the Company's possession, was \$136,660.98, as shown on Exhibit No. 2 received in evidence at the hearing; that the Commission has heretofore approved, by Decision No. 57006, \$125,754.47 of such expenses and that the Company now seeks approval of its payment of certain expenses for work incident to the completion of the 1960 refund operation, the reconciliation of balances and the preparation of a final report pertaining to such completion in the amount of \$10,906.51, which includes \$350 as the estimated expense the Company will incur for work incident to the determination of the respective amounts of the unclaimed and undistributed balance of the refund moneys remaining in its possession to be turned over to the municipalities and counties entitled thereto under the pertinent provisions of The Public Utilities Law of Colorado, if such disposition is ordered and directed by

the Commission.

6. That notwithstanding the whole publicity given by the Company through the press, television, radio and other media and the extensive efforts of the Company through the cooperation of the United States Post Office Department to locate customers of the Company entitled to refunds under the 1960 Gas Refund Plan and the Commission's orders pertaining thereto, who had moved from addresses which were known to the Company and whose present whereabouts after diligent search could not be ascertained, there will remain in the Company's possession an undistributed and unclaimed balance of 1960 Gas Refund Plan moneys in the amount of \$123,167.77 after payment of the small claims aggregating \$120.09 hereinafter authorized and said expenses of \$10,906.51 above referred to; and
7. That included in the undistributed and unclaimed balance of the refund moneys remaining in the possession of the Company, there is an amount of \$42,499.29 in excess of the aggregate of the uncashed refund checks which represents in part the difference between the original estimated expense of completing the refund operation and the lower actual expenses incurred and other items. This amount the Company proposes to turn over to the municipalities and counties entitled thereto in the same ratio as the amounts that such municipalities and counties will receive of funds represented by uncashed checks bear to the total amount thereof.

There was also received in evidence at the hearing as Exhibit No. 1, the report and attached exhibits of Arthur Young & Company, certified public accountants, dated February 19, 1962, to the Company's Board of Directors, wherein such firm states inter alia, that the ex-

hibits attached to such report present failry, in summary form, the gas refund transactions of the Company under the 1960 Gas Refund Plan, and that The Service Bureau Corporation (an independent non-affiliated data processing company with whom the Company contracted with Commission approval for the work necessary in the development of the refunds due customers under the Plan and in the issuance of refund checks) has prepared the refund in compliance with the procedures set forth in the 1960 Gas Refund Plan and the Commission orders pertaining thereto.

The Commission has reviewed and considered all of the evidence introduced at the hearing on this matter and the evidence introduced in the other hearings before the Commission on the Company's 1960 Gas Refund Plan. The books and records of the Company pertaining to the Company's 1960 Gas Refund Plan have been investigated and reviewed by the Commission's Staff, and from such review and investigation the Commission is of the opinion that the Company has made a proper accounting of the 1960 Gas Refund Plan operation in accordance with the Commission orders.

The Commission is satisfied that the Company has made every reasonable effort to locate its former customers entitled to the uncashed refund checks remaining in its possession, that further effort would be futile, and the closing of the Company's 1960 Gas Refund Plan operation is proper and should be approved. The Commission is further of the opinion that the Company should pay the small claims in the amount of \$120.09 which have been determined by the Company to be valid under the terms of the Plan, and that the estimated cost of \$350 for work incident to the determination of the respective amounts to be turned over to the municipalities and counties entitled thereto as provided by law should be approved. The Commission is of the further opinion, based upon the evidence submitted at the hearing and upon an investigation by members of its Staff, that the additional ex-

penses incurred by the Company in the amount of \$10,556.51, during the period from July 1, 1961, to and including February 28, 1962, for work incident to the implementation and completion of the Plan should be approved.

After allowance for the payment of expenses and of the additional small claims herein authorized and for the payment of the estimated cost of determining the respective amounts to be turned over to the municipalities and counties entitled thereto, there will remain in the possession of the Company \$123,167.77 representing the undistributed and unclaimed balance of the 1960 Gas Refund Plan operations.

Pursuant to the provisions of CRS 1953, 115-8-1 through 115-8-4, unclaimed funds for overcharges representing refunds due to inhabitants of municipalities or counties which refunds could not be made to such inhabitants because of the inability to find the persons entitled thereto within the time limit prescribed by the Commission for the making of such refunds, are to be turned over upon the direction of the Commission to the municipalities or counties in which said inhabitants resided when the rights to the refund accrued. The Company will be authorized and directed to determine from its records the respective amounts and the municipalities and counties to which the unclaimed and undistributed balance of the refund moneys remaining in its possession should be turned over and make such disposition of the unclaimed and undistributed balance of the 1960 Gas Refund Plan moneys remaining in its possession pursuant to the aforesaid provisions of the Colorado Statutes.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the Company, the subject matter of this proceeding and is fully advised in the premises.

That the foregoing Statement be made a part hereof by refer-

ence.

That the certain additional expenses in the amount of \$10,556.51 incurred by the Company in the completion of its 1960 refunding operation should be authorized and approved for reimbursement as a proper additional expense of the 1960 Gas Refund Plan.

That the refund claims aggregating \$120.09 which the Company has determined are valid should be paid by the Company and that it should be authorized and directed to make such payment; and that the estimated cost to the Company of \$350 for determining the respective amounts of the undistributed and unclaimed balance of 1960 Gas Refund Plan moneys in its possession that should be turned over to each of the municipalities and counties entitled thereto is reasonable and the payment of this amount should be authorized and approved as a proper additional expense of the 1960 Gas Refund Plan operation.

That the final report of the Company on the completion of the 1960 Gas Refund Plan operation in accordance with Decisions Nos. 54797, dated August 3, 1960, as supplemented by Decision No. 57006, dated August 10, 1961, should be accepted and approved, and the Commission should approve and acknowledge the completion of the refunding operation in accordance with the 1960 Gas Refund Plan and the Decisions of the Commission heretofore issued in this matter, subject to the conditions hereinafter set forth.

That the Company should be authorized and directed to determine or cause to be determined from its records, in accordance with the methods proposed by the Company, the respective amounts to be turned over, and to pay such amounts to the municipalities and counties entitled to receive the undistributed and unclaimed balance of the 1960 Gas Refund Plan operation remaining in its possession pursuant to the provisions of CRS 1953, 115-8-1 through 115-8-5, together with such supporting data including the name and former address of the former in-

habitant-customer of each such municipality and county which the Company has been unable to find, the amount due such former inhabitant-customer and such other pertinent data as will enable such municipalities and counties to carry out their responsibilities in respect of the amount turned over to them, as provided by law; and within fifteen (15) days from the date of making of said remittance, the Company should file with the Commission its verified report of the respective amounts of the unclaimed and undistributed balance of the refund moneys turned over to each such municipality and county.

O R D E R

THE COMMISSION ORDERS:

1. That the Company be, and it hereby is, authorized and directed to pay from the undistributed and unclaimed balance of the 1960 Gas Refund moneys remaining in its possession the customer refund claims, which the Company received subsequent to the date its 1960 refund records were closed to enable it to make its final report and accounting thereon, in the aggregate amount of \$120.09, which claims upon investigation have been determined to be valid and properly payable under the 1960 Gas Refund Plan and the Orders of this Commission.

2. That the additional expense of \$10,556.51, incurred by the Company in the completion of the 1960 Gas Refund Plan, be, and it hereby is, approved as a proper reimbursable expense of the 1960 gas refund operation, and further that the Company is hereby authorized and directed to pay from the undistributed and unclaimed balance of the 1960 refund moneys remaining in its possession as a proper expense of the 1960 gas refund operation, an amount of \$350 for work to be performed incident to the determination of the respective amounts of such undistributed and unclaimed balance of 1960 refund moneys remaining in the Company's possession to be turned over to municipalities and counties entitled thereto as provided by law and as hereinafter author-

ized.

3. That the final report and accounting of the Company of the completion of the 1960 Gas Refund Plan, in accordance with the Plan and the Decisions of this Commission be, and the same hereby is, accepted and approved. The Commission hereby approves and acknowledges the completion of the 1960 Gas Refund Plan.

4. That the Company be, and it hereby is, authorized and directed to determine or cause to be determined from its records in accordance with the methods proposed by the Company, the respective amounts of the undistributed and unclaimed balance of the 1960 gas refund moneys remaining in its possession to be turned over to the municipalities and counties entitled thereto and to turn over to such municipalities and counties the amounts so determined pursuant to the provisions of CRS 1953, 115-8-1 through 115-8-4, and to accompany each remittance with such supporting data, including the name and former address of the former inhabitant-customer of each such municipality and county which the Company has been unable to find, the amount due such former inhabitant-customer and such other pertinent data as will enable such municipalities and counties to carry out their responsibilities as provided by law in respect of such funds.

5. That the Company, within fifteen (15) days after remitting the amounts of the undistributed and unclaimed balance of the 1960 refund moneys in its possession to the respective municipalities and counties hereinabove authorized and directed, shall file with the Commission its verified report of the respective amounts of the undistributed and unclaimed balance of the 1960 refund moneys in its possession turned over to each such municipality and county.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Legio
Robert C. Horton
Donald J. Zuley
Commissioners

Dated at Denver, Colorado,
this 1st day of May, 1962.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INTRA-CITY CHARTER COACH
MOVEMENTS WITHIN THE CITIES
OF DENVER, COLORADO SPRINGS,
FORT COLLINS, AND PUEBLO,
COLORADO, AND SPECIFIED AREAS
THEREOF.

INVESTIGATION AND SUSPENSION

DOCKET NO. 491

April 30, 1962

S T A T E M E N T

BY THE COMMISSION:

On March 22, 1962, the National Bus Traffic Association, Inc., Agent, by its Chairman, P. J. Campbell, filed with this Commission new provisions scheduled to become effective May 1, 1962, canceling its Colorado Intra-City Charter Coach Tariff No. A-55 and in lieu thereof re-issue the Tariff as No. A-55-A.

The present application of the tariff applies to local charter coach movements in the City and County of Denver and within a radius of twenty miles of Colfax and Broadway; in the City of Colorado Springs and within a radius of twelve miles thereof; and in the Cities of Boulder, Fort Collins and Pueblo, and within a radius of five miles thereof.

The proposed schedule increases the minimum time charges from 2 hours or less to 3 hours or less as follows:

| When the Total Number of Hours Is: | Number of Passengers per "Charter Coach" | | | |
|---------------------------------------|--|---------------|---------------|---------------|
| | 25 or less | 26 to 33 | 34 to 37 | 38 to 41 |
| +3 Hours or less | \$ + 18.00 | \$ + 19.80 | \$ + 21.60 | \$ + 23.40 |

+ - Denotes increase.

The new rates may, if permitted to become effective, result in charges which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the said schedules should be suspended and an investigation instituted upon the Commission's own motion, concerning the lawfulness of the rates and charges contained therein.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the schedule as referred to in the statement herein should be suspended and that it enter upon a hearing concerning the lawfulness thereof.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the changes published in National Bus Traffic Association, Inc., Agent, Colorado Intra-City Charter Coach Tariff No. A-55-A, issued to become effective May 1, 1962.
3. The operation of said schedule shall be suspended and the use of the said schedule shall be deferred 120 days, or until August 28, 1962, unless otherwise ordered by the Commission, and no change shall be made during the said period of suspension.
4. The rates, rules and regulations 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. Seven days prior to the hearing date hereon, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of its case.
6. A copy of this order shall be filed with said Tariff in the office of the Commission and that a copy hereof be forthwith served upon P. J. Campbell, Chairman, 506 South Wabash Avenue, Chicago 5, Illinois; I. B. James for Colorado Motor Way, Inc., and Colorado Transportation Company, 1805 Broadway, Denver 2, Colorado; D. B. James for Denver-Boulder Bus Company, 1805 Broadway, Denver 2, Colorado; Charles R. Deisher for American Buelines, Inc., Continental Bus System, Inc., Denver-Colorado Springs-Pueblo Motor Way, Inc., and Denver-Salt Lake-Pacific Stages, Inc., 1669 Broadway, Denver 2, Colorado.

7. This Investigation and Suspension Docket No. 491 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 E. Horton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

Dated at Denver, Colorado,
this 30th day of April, 1962.

ph

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION TO EXTEND RATES)
BEYOND ZONE 3 ON MILK IN BULK)
IN TANK TRUCKS FROM NORTHERN)
COLORADO ORIGINS TO BRIGHTON,)
COLORADO.)

CASE NO. 1585

May 1, 1962

S T A T E M E N T

BY THE COMMISSION:

On April 12, 1962, the Colorado Motor Carriers' Association, as Agent, by J. R. Smith, Chief of Tariff Bureau, filed Application No. 198, for and on behalf of the Colorado Milk Transport, Inc., requesting permission to publish an extension of the present zone rates (1, 2 and 3) to include up to Zone 6 (55 miles and over 45 miles) upon one day's notice after filing thereof with the Commission.

The amendment to be applied to Item No. 3320, of the Association Tariff No. 12-A, Colorado P.U.C. No. 11, as follows:

| Milk in bulk in tank vehicles, from Northern Colorado origins to Brighton, Colorado. | | | |
|--|-----------------------------------|---|-----------------------------------|
| Distance - Miles | Less than 850 pounds (See Note 1) | 850 pounds or more, but less than 2,000 pounds (See Note 1) | 2,000 pounds or more (See Note 1) |
| Zone 1 - 5 miles and under | 28 | 22 | 19 |
| Zone 2 - 15 miles and over 5 | 31 | 24 | 21 |
| Zone 3 - 25 miles and over 15 | 33 | 27 | 24 |
| /Zone 4 - 35 miles and over 25 | 40 | 33 | 30 |
| /Zone 5 - 45 miles and over 35 | 41 | 35 | 32 |
| /Zone 6 - 55 miles and over 45 | 45 | 38 | 35 |

/ - Denotes addition.

c Change, resulting in neither increase nor reduction.

NOTE 1: Rates are in cents per 100 pounds of milk and apply on the average pick-up during any semimonthly period.

In the application the respondent carrier represents that the:

"Presently effective rates applying on shipments of milk, in bulk in tank vehicles, from Northern Colorado, origins to Brighton, Colorado, are based on distances of 5 miles and under, 15 miles and over 5 miles and over 15 miles. Up to this time,

this has been satisfactory inasmuch as no shipments were originating at points more than 25 miles from Brighton.

"Now, however, there are shipments moving from distances greatly in excess of 25 miles, and the rates presently in effect for distances of 15 miles or over are not sufficient for those greater distances.

"The rates proposed are the same as those now applying for the same distances from Northern Colorado Origins to Denver and points within a radius of five miles thereof."

The present rates for Zones 1, 2 and 3 were prescribed in Decision No. 50587 dated July 8, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the said application as set forth in the statement hereof should be authorized to the extent it affects the present common carrier authorities held by the Colorado Milk Transport, Inc., for transportation of milk, in bulk in tank vehicles, to Brighton, Colorado.

From the basis of the facts presented, it appears to represent just, fair and reasonable rates and charges and an order should be entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and the same are hereby made a part hereof.
2. This order shall become effective upon the proper tariff filing with this Commission of not less than five (5) days' notice to the Commission and the general public.
3. The provisions set forth in the statement and findings of this order shall on May 10, 1962, 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 to 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. Negro
Robert C. Foster
Donald Z. Zuckerman
Commissioners.

Dated at Denver, Colorado,
this 1st day of May, 1962.

ph

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED RATES GENERAL)
COMMODITIES WITHIN THE CITY)
AND COUNTY OF DENVER, COLORADO.)

INVESTIGATION AND SUSPENSION

DOCKET NO. 475

May 1, 1962

Appearances: Malcolm E. Robison, 340 West
Irvington Place, Denver,
Colorado;

A. J. Tait, T. S. Wood and S. J.
Philipponne for the staff of
the Commission.

S T A T E M E N T

BY THE COMMISSION:

By schedules¹ filed to become effective January 1, 1962, Malcolm E. Robison and Daniel C. Cassidy, Jr., dba East Seventeenth Avenue Express and Moving, hereinafter called respondent, proposed increased hourly charges for the transportation of general commodities, including new and used furniture and household goods, appliances, baggage and packages (except commodities which, because of size or weight, require special equipment) between points within the city limits of the City and County of Denver, Colorado.

The proposed increased rates and charges were suspended by us by Decision No. 57763, dated December 21, 1961, until April 30, 1962, and set for hearing on January 25, 1962, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Upon request of the respondent, the hearing was vacated to be reset at a later date. The Commission reset the suspended schedules for hearing at 2:00 P. M. on April 13, 1962, at the above designated place with known interested persons being duly notified.

The present rates published by respondent are on an hourly basis with exceptions being made in the case of refrigerators and stoves, when not

¹
Motor Freight Tariff No. 1, Colorado P.U.C. No. 2, canceling Rush Bartlett dba East 17th Avenue Express & Moving Tariff, Colorado P.U.C. No. 1.

moved with other household goods. The minimum charge is \$3.50 per shipment. Extra labor is \$2.50 per man hour for each man required.

It is proposed to increase the hourly rate, for example, for one man and a truck from \$5.00 per hour to \$6.00; for two men and a truck from \$6.00 per hour to \$8.00 and extra labor from \$2.50 per hour to \$3.50. Respondent stated that the hourly rates proposed for application of Sundays and Holidays would be canceled and those set forth immediately above would be applied in the future if the suspended rates are permitted to become effective.

The respondent's witness testified that he was a partner in ownership of the respondent which is operating under authority from this Commission granted by Certificate No. 3431; that the business had been operated by the partnership since July 1, 1961, when it was acquired from Rush Bartlett, dba East Seventeenth Avenue Express; that revenue for the six months' period July 1 through December 31, 1961, was \$1,785.93; expenses, \$1,630.62 with a net profit of \$155.31; that the equipment utilized in the business was a one-half ton 1956 Ford Pick-up and a three-quarter ton 1958 Chevrolet Pick-up with the necessary dollies and furniture pads and that the operation is conducted out of his home with no dock or storage facilities being available.

Increased revenues, respondent's witness stated, were necessary to enable the partnership to hire more experienced help, and to meet anticipated maintenance and repair expenses. The proposed annual increase, in revenue was estimated at \$600 per year plus an unknown anticipated increase resulting from new business. The witness stated that his charges were reasonable and that they were lower than those prevailing generally for the transportation of household goods in the City and County of Denver.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The suspended schedules have been justified as to their reasonableness, justness and otherwise lawfulness.
2. An order should be entered vacating an order of suspension and discontinuing this proceeding.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.

2. The order heretofore entered in this proceeding (Decision No. 57763, dated December 21, 1961) suspending the operation of said schedules, be and is hereby vacated and set aside as of April 27, 1962, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
George C. Horton
George Z. Zuck
Commissioners.

Dated at Denver, Colorado,
this 1st day of May, 1962.

ph

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ASBURY TRANSPORTATION CO., A COR-)
PORATION, 2222 EAST 38TH STREET,)
LOS ANGELES, CALIFORNIA, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 17773
SECOND AMENDED

IN THE MATTER OF THE APPLICATION OF)
HUGH BREEDING, INC., 1420 WEST 35TH)
STREET, TULSA, OKLAHOMA, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY.)
-----)

APPLICATION NO. 18160

IN THE MATTER OF THE APPLICATION OF)
CONSOLIDATED FREIGHTWAYS CORPORA-)
TION OF DELAWARE, 5101 YORK STREET,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)
-----)

APPLICATION NO. 18195

IN THE MATTER OF THE APPLICATION OF)
DENVER CHICAGO TRANSPORT COMPANY, INC.,)
EAST 45TH AVENUE AT JACKSON STREET,)
DENVER, COLORADO, FOR AN INTERPRETA-)
TION OF PUC NO. 1515 AND EXTENSION)
OF OPERATIONS THEREUNDER.)
-----)

APPLICATION NO. 18935-Extension

SUPPLEMENTAL ORDER

May 2, 1962

- Appearances: E. B. Evans, Esq., Denver,
Colorado, for Asbury
Transportation Company;
Truman A. Stockton, Esq.,
Denver, Colorado, for
Hugh Breeding, Inc.;
Harold D. Torgan, Esq.,
Denver, Colorado, for
Consolidated Freightways
Corporation of Delaware;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Denver
Chicago Transport Company, Inc.;
R. M. Hartsock, Washington, D. C.,
for the Department of Defense.

S T A T E M E N T

By the Commission:

By Decision No. 58279, dated March 28, 1962, the above-named

applicants were authorized to operate as common carriers by motor vehicle for hire, over irregular routes, for the transportation of hydrazine mix and nitrogen "tetraoxide," between points within thirty-five miles of Denver, including Denver.

By Decision No. 58300, dated March 30, 1962, said Decision No. 58279 was amended so as to reinstate Private Carrier Permit No. B-5456, of Asbury Transportation Co., which had been cancelled inadvertently.

The Commission is now informed that one word was misspelled in Decision No. 58279, viz., the word "tetroxide" was spelled "tetraoxide," and it is the desire of applicants, as well as the Commission, that this error should be corrected. Therefore, the Commission is amending said Decision No. 58279 by substituting the word "tetroxide" for "tetraoxide," wherever the word occurs in said Decision.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 58279 should be amended, as provided in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 58279, dated March 28, 1962, be, and the same is hereby amended, nunc pro tunc, as of said 28th day of March, 1962, by striking the word spelled "tetraoxide" wherever it occurs and substituting therefor the correct spelling, viz. "tetroxide," so that applicants shall be authorized to transport, as common carriers by motor vehicle for hire, over irregular routes, hydrazine mix and nitrogen tetroxide, between points within thirty-five miles of Denver, including Denver.

That, except as herein amended, and as amended by Decision No. 58300, said Decision No. 58279 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 2nd day of May, 1962.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED HOURLY CARTAGE RATES
BETWEEN POINTS IN THE CITIES OF
CORTEZ, COLORADO, AND DURANGO,
COLORADO.

INVESTIGATION AND SUSPENSION

DOCKET NO. 477

May 1, 1962

S T A T E M E N T

BY THE COMMISSION:

On December 6, 1961, Tri-City Transfer & Storage, Inc., by its President, W. F. Christensen, filed with this Commission Local Cartage Tariff No. 1, Colorado P.U.C. No. 2, canceling its Local Tariff P.U.C. No. 1 for Cortez, Colorado, and P.U.C. No. 1 for Durango, Colorado. Increased hourly charges are published to become effective January 8, 1962.

Decision No. 57765, dated December 21, 1961, suspended said tariff for 120 days, or until May 8, 1962. A hearing date on this matter was assigned for January 16, 1962, at Durango, Colorado, and which hearing was vacated on January 10, 1962. It now appears that the matter cannot be concluded within the 120 day suspension period and therefore should be further suspended for an additional period of six (6) months.

F I N D I N G S

THE COMMISSION FINDS, That:

The schedules, set forth in the statement published to become effective January 8, 1962, should be further suspended for an additional period of six (6) months or until November 8, 1962.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are made a part hereof.
2. The operation of said schedules set forth in the statement herein, shall be further suspended for an additional period of six (6) months or until

November 8, 1962, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.

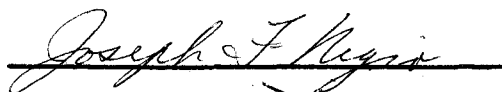


3. The rates, rules, regulations and provisions sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed.

4. A copy of this order shall be filed with the said tariff in the office of the Commission and that a copy be forthwith served upon W. F. Christensen, Tri-City Transfer & Storage, Inc., 305 East Broadway, Farmington, New Mexico.

5. Seven days prior to the hearing date hereon, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of his case.

6. This Investigation and Suspension Docket No. 477, 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




Commissioners.

Dated at Denver, Colorado,
this 1st day of May, 1962.

ph

orig

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED RATINGS ON PIPE OR)
TUBING, ALUMINUM AND MINIMUM)
CHARGES, AS SET FORTH IN APPENDIX)
A (DECISION NO. 57792), WHICH IS)
MADE A PART HEREOF, AND PUBLISHED)
IN COLORADO MOTOR CARRIERS' ASSOCI-)
ATION, AGENT, TARIFF NO. 12-A,)
COLORADO P.U.C. NO. 11.)

INVESTIGATION AND SUSPENSION

DOCKET NO. 478

May 2, 1962

S T A T E M E N T

BY THE COMMISSION:

On November 27, 1961, the Colorado Motor Carriers' Association, Agent, filed with the Commission on statutory notice increased ratings on pipe or tubing, aluminum and minimum charges as set forth in Appendix A, Decision No. 57792, which is made a part hereof and published in its Tariff No. 12-A, Colorado P.U.C. No. 11, scheduled to become effective January 4, 1962.

Decision No. 57792, dated December 22, 1961, suspended said tariff for 120 days, or until May 4, 1962. A hearing date on this matter was assigned for February 15, 1962, at Denver, Colorado, and which hearing was vacated on January 29, 1962, upon request of John P. Thompson, attorney for some of the respondents. It now appears that the matter cannot be concluded in the 120 day suspension period and therefore should be further suspended for an additional period of six (6) months.

F I N D I N G S

THE COMMISSION FINDS, That:

The schedules, set forth in the statement published to become effective January 4, 1962, should be further suspended for an additional period of six (6) months or until November 4, 1962.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are made a part hereof.

2. The operation of said schedules set forth in the statement herein, shall be further suspended for an additional period of six (6) months or until November 4, 1962, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.

3. The rates, rules, regulations and provisions sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed.

4. A copy of this order shall be filed with the said tariff in the office of the Commission and that a copy be forthwith served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado.

5. 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 T. Regio
Ralph C. Hobart
Henry G. Allengro
Commissioners.

this 2nd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALFRED BRIGHT, ROSITA, COLORADO.)
)
)
)
-----)

PERMIT NO. M-10894

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Alfred Bright,
Rosita, Colorado
requesting that Permit No. M-10894 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10894, heretofore issued to Alfred Bright,
Rosita, Colorado be,
and the same is hereby, declared cancelled effective April 27, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry E. Zarlengo
Commissioners

Dated at Denver, Colorado,
this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ELMER T. LINN, 5017 ADAMS)
STREET, DENVER 16, COLORADO.)
-----)

PUC NO. 3605

May 10, 1962

S T A T E M E N T

By the Commission:

On March 13, 1962, the Commission authorized Elmer T. Linn to suspend operations under his PUC No. 3605, until September 13, 1962.

The Commission is now in receipt of a communication from the above-named certificate-holder requesting that his certificate be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 3605, should be, and the same hereby is, reinstated as of April 23, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Wm. L. Zerk
COMMISSIONERS

Dated at Denver, Colorado,

this 10th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JOE E. CROOK AND CHARLOTTE J. CROOK,)
DOING BUSINESS AS, "RIFLE READY MIX",)
P. O. BOX 342, RIFLE, COLORADO.)
-----)

PERMIT NO. M-9210

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joe E. Crook and
Charlotte J. Crook, doing business as, "Rifle Ready Mix", Rifle, Colorado
requesting that Permit No. M-9210 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9210, heretofore issued to Joe E. Crook and
Charlotte J. Crook, doing business as, "Rifle Ready Mix", Rifle, Colorado be,
and the same is hereby, declared cancelled effective May 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Holton
Wm. E. Zurlungo
Commissioners

Dated at Denver, Colorado,

this 8th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

INOUE BROTHERS, INCORPORATED,)
DOING BUSINESS AS, "K. AND G. T. V.)
SEDGWICK, COLORADO.)
-----)

PERMIT NO. M-15642

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Inouye Brothers,
Inc., doing business as, "K. & G.T.V." Sedgwick, Colorado
requesting that Permit No. M-15642 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15642, heretofore issued to Inouye Brothers, Inc.,
doing business as, "K. & G.T.V." Sedgwick, Colorado be,
and the same is hereby, declared cancelled effective April 25, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 8th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER A. WHITTUM, P. O. BOX 152,)
JEFFERSON, COLORADO.)
-----)

PERMIT NO. M-13611

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter A. Whittum,
Jefferson, Colorado

requesting that Permit No. M-13611 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13611, heretofore issued to Walter A. Whittum,
Jefferson, Colorado be,
and the same is hereby, declared cancelled effective May 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 8th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES I. MARTIN, 11 - 1ST STREET,)
FORT LUPTON, COLORADO.)
)
)
-----)

PERMIT NO. M-7147

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James I. Martin,
Fort Lupton, Colorado
requesting that Permit No. M-7147 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7147, heretofore issued to James I. Martin,
Fort Lupton, Colorado be,
and the same is hereby, declared cancelled effective April 26, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Wm. E. Zupke
Commissioners

Dated at Denver, Colorado,
this 8th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES I. MARTIN, 11 - 1ST STREET)
FORT LUPTON, COLORADO.)

PUC NO. 4572-I

May 8, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 4572-I be suspended for six months from April 26, 1962.

FINDINGS.

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That James I. Martin, Fort Lupton, Colorado

_____ be, and _____ is hereby, authorized to suspend operations under PUC No. 4572-I until October 26, 1962.

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. Negro
Ralph C. Woodard
Kurt E. Zurlinger

Dated at Denver, Colorado,
this 8th day of May, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58527)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EVERETT GREGORY TRUCKING CON-)
TRACTOR, INCORPORATED, 2340)
BALSAM STREET, DENVER 15, COLO-)
RADO.)

PERMIT NO. B-2342

May 8, 1962

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-2342 be suspended
for six months from May 1, 1962.

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 Everett Gregory Trucking Contractor, Inc., Denver 15,
Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-2342 until November 1, 1962.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Wm. E. Z. Dwyer
Commissioners

Dated at Denver, Colorado,
this 8th day of May, 1962.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. C. MASON, DOING BUSINESS AS)
"GREAT WESTERN TOURS," 3112 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 107 TO L. E. TERRY AND H.)
BABCOCK, CO-PARTNERS, DOING BUSINESS)
AS "GREAT WESTERN TOURS," 3112 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO.)
-----)

APPLICATION NO. 19049-Transfer

IN THE MATTER OF THE APPLICATION OF)
R. C. MASON, DOING BUSINESS AS)
"GREAT WESTERN TOURS," 3112 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 807 TO L. E. TERRY AND H.)
BABCOCK, CO-PARTNERS, DOING BUSINESS)
AS "GREAT WESTERN TOURS," 3112 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO.)
-----)

APPLICATION NO. 19050-Transfer

IN THE MATTER OF THE APPLICATION OF)
R. C. MASON, DOING BUSINESS AS)
"GREAT WESTERN TOURS," 3112 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 2519 TO L. E. TERRY AND H.)
BABCOCK, CO-PARTNERS, DOING BUSINESS)
AS "GREAT WESTERN TOURS," 3112 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO.)
-----)

APPLICATION NO. 19051-Transfer

May 3, 1962

Appearances: Weldon M. Tarter, Esq.,
Colorado Springs, Colo-
rado, for Transferor
and Transferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

R. C. Mason, doing business as "Great Western Tours,"
Colorado Springs, Colorado, is the owner and operator of PUC No.
107, PUC No. 807, and PUC No. 2519, authorizing:

PUC No. 107:

Transportation of passengers from Manitou to various scenic attractions in the Pikes Peak Region and return; no one way transportation to any points in said region (equipment limited to ONE automobile).

By Decision No. 9602: Equipment authorized to be five cars.

Transferred from PUC-428: Use of one automobile in the transportation of passengers to the various scenic attractions in the Pikes Peak Region and return; no one-way transportation to any points in said region and at infrequent intervals service to Denver and/or Canon City and Pueblo as a special service.

Decision No. 15701: Authority to operate two cars out of Colorado Springs granted from PUC-101.

Decision No. 15759 amends authority as follows: 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 Manitou to the summit of Pikes Peak or from the summit of Pikes Peak to Manitou, when such operations are conducted under tariffs providing for diverse routings with the Manitou & Pikes Peak RR Co.

Decision No. 15523: Auto livery service between all points in the Pikes Peak Sightseeing Region and from and to said points to and from other points in the State of Colorado.

Decision No. 46868 Extended to: Transportation of passengers and baggage between points within the City of Colorado Springs, Colorado; provided, however, that each person, or piece of baggage, so transported shall be transported only in connection with a prior or subsequent use of sightseeing service; it is contemplated that in connection with such service a person, or baggage, may be transported to or from a bus or rail depot, from or to a hotel or central assembly point, and that the use of sightseeing service may in some instances not necessarily precede or follow immediately the use of the sightseeing service.

PUC No. 807:

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 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 points in the Pikes Peak Region; (c) The quantity of equipment to be used in this operation is two automobiles.

Decision No. 15523: Auto livery service between all points in the Pikes Peak Sightseeing Region, and from and to said points, to and from other points in the State of Colorado; applicant shall be limited to the number of cars for said service which he is now entitled to use under his sightseeing certificate.

Decision No. 16159: Authorized to include one-way operations from Colorado Springs to the summit of Pikes Peak or from the summit of Pikes Peak to Colorado Springs in conjunction with the Manitou & Pikes Peak Railway Company.

Decision No. 15523 AMENDED BY DECISION No. 17012:
(a) The terms and conditions of said Decision shall not apply to taxi operations within the corporate limits of the Town of Manitou Springs, Colorado.

PUC NO. 2519:

To use and operate two automobiles -- one from Colorado Springs and one from Manitou Springs -- in the transportation of passengers to the various scenic attractions in the Pikes Peak region, and in the operation of an auto livery service between all points in the Pikes Peak sightseeing region and to and from such points from and to other points in the State of Colorado, subject to the following restrictions: (a) All sightseeing and tourist operations shall be limited to round-trip operations, originating and terminating at the point of origin of the service; (b) Such auto livery service shall be furnished only in passenger cars of the type used in the sightseeing business, and no more than five passengers may be carried in one car on any trip ten one-way miles or under; (c) Such service shall not be advertised outside the County of El Paso, State of Colorado, by means of any literature or other written or printed advertising; (d) For any transportation which is competitive with that of scheduled motor vehicle carriers, the base fare of the holder of this certificate shall be increased by an amount equal to twenty per cent of the scheduled carriers' round-trip fare then in effect,

and by the instant applications seeks authority to transfer said PUC No. 107, PUC No. 807, and PUC No. 2519 to L. E. Terry and H. Babcock, co-partners, doing business as "Great Western Tours," Colorado Springs, Colorado.

The applications were set for hearing on April 24, 1962, at ten o'clock A. M., at the County Office Building, Colorado Springs. The same were then and there heard by an Examiner duly designated and to whom the hearings were assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceedings, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That at the outset of the hearing a motion was duly made that the above-entitled matters be consolidated for hearing, and there being no protests thereto, the motion was granted, and the applications were consolidated for hearing.

That the transferor has entered into an agreement with the transferee partnership to sell the said certificates for a consideration of \$19,000.00; that the transferee partnership has ample and suitable equipment, sufficient net worth and operating experience to render and continue operations under said certificates.

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

O R D E R

THE COMMISSION ORDERS:

That R. C. Mason, doing business as "Great Western Tours," Colorado Springs, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 107, PUC No. 807, and PUC No. 2519 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to L. E. Terry and H. Babcock, co-partners, doing business as "Great Western Tours," Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That said transfers shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificates (PUC No. 107, PUC No. 807, and PUC No. 2519) 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 this Order

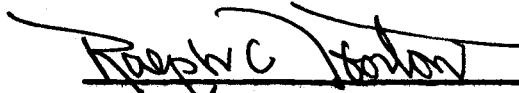
shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

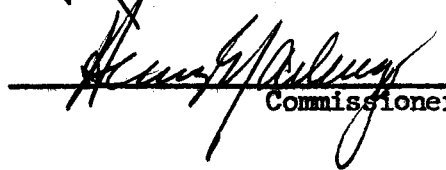
The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

CHAIRMAN JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 3rd day of May, 1962.

ea

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58529)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT H. FERGUSON, 2725 WEST)
KIOWA STREET, COLORADO SPRINGS,)
COLORADO.)

PERMIT NO. B-5764

May 10, 1962

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-5764 be suspended
for six months from February 24, 1962.

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 Albert H. Ferguson, Colorado Springs, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5764 until August 24, 1962.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Wm. E. Zink
Commissioners

Dated at Denver, Colorado,
this 10th day of May, 1962.

original

(Decision No. 58530)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|-------------------------------------|------------------------------|
| IN RE REQUEST BY THE COLORADO AND) | |
| SOUTHERN RAILWAY COMPANY FOR AU-) | |
| THORITY TO DISCONTINUE AGENCY AT) | |
| LOUISVILLE, BOULDER COUNTY, COLO-) | INVESTIGATION AND SUSPENSION |
| RADO, AND TO CLOSE THE SAME AS AN) | <u>DOCKET NO. 480</u> |
| AGENCY STATION.) | |
| - - - - -) | |

- - - - -
May 3, 1962
- - - - -

S T A T E M E N T

By the Commission:

On January 12, 1962, the Commission entered its Decision No. 57885 in the above-styled matter, suspending the effective date of the proposed station closing at Louisville, Colorado, by The Colorado and Southern Railway Company, for a period of one hundred and twenty (120) days from January 15, 1962, or until May 15, 1962, unless otherwise ordered by the Commission.

The Commission has determined to set said matter for hearing on May 17, 1962, and inasmuch as said period of present suspension will expire prior to date of hearing,

F I N D I N G S

THE COMMISSION FINDS:

That the effective date of the proposed station closing at Louisville, Colorado, by The Colorado and Southern Railway Company should be further suspended, as set forth in the Order following.

That said matter should be set for hearing before the Commission, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:


That the effective date of the proposed station closing at Louisville, Colorado, by The Colorado and Southern Railway Company,

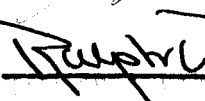
be, and it hereby is, further suspended for a period of ninety (90) days from May 15, 1962, or until August 13, 1962, unless otherwise ordered by the Commission.


That Investigation and Suspension Docket No. 480 be, and the same hereby is, set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, on May 17, 1962, at ten o'clock A. M.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 3rd day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
W. R. STEWART, DOING BUSINESS AS
"WESTCLIFFE MILK PRODUCTS," WEST-
CLIFFE, COLORADO, FOR AUTHORITY TO
EXTEND OPERATIONS UNDER PERMIT NO.
B-4336. } APPLICATION NO. 19048-PP-Extension

May 3, 1962

Appearances: W. R. Stewart, Westcliffe,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No.
B-4336, which authorizes operation as a private carrier by motor ve-
hicle for hire, as follows:

transportation of milk from the area within a
radius of 15 miles of Westcliffe, Colorado,
and 5 miles of Canon City, Colorado, and 5
miles of Florence, Colorado, to Colorado
Springs and Pueblo, Colorado, with return of
empty cans;

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 milk in bulk, in tank trucks,
over the same territory which he now serves;

transportation of (1) milk, in bulk, from the
Myron Stratton Home, Colorado Springs, Colo-
rado, to the IXL Creamery, Colorado Springs,
Colorado; (2) milk, from and to the IXL Cream-
ery, when said milk has been diverted by the IXL
Creamery, to creameries in the State of Colorado,
provided that the transportation of diverted milk
shall be limited to that milk which has been re-
ceived from applicant's regular customers,

and by the instant application, applicant seeks to extend and enlarge

such permit to authorize the transportation of milk, from a point approximately two miles west of Wetmore, Colorado, on Highway 96, to Colorado Springs, Colorado.

The application was set for hearing on April 24, 1962, at ten o'clock A. M., at the County Office Building, Colorado Springs, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That W. R. Stewart, doing business as "Westcliffe Milk Products," Westcliffe, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4336 to include the transportation of milk, from a point approximately two miles west of Wetmore, Colorado, on Highway 96, to Colorado Springs, Colorado, and this Order is the authorization therefor.

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. Negro
Edward C. Hobart
Wm. E. Zindler
Commissioners.

Dated at Denver, Colorado,
this 3rd day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES H. COOK, 132 PERRY STREET,)
DENVER 19, COLORADO.)

PERMIT NO. M-13187

May 10, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles H. Cook,
Denver 19, Colorado

requesting that Permit No. M-13187 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13187, heretofore issued to Charles H. Cook,
Denver 19, Colorado be,
and the same is hereby, declared cancelled effective December 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Kung E. Zerkung
Commissioners

Dated at Denver, Colorado,

this 10th day of May, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CAL F. ADAMS, DOING BUSINESS AS,)
"ADAMS GARAGE", P. O. BOX 460,)
RATON, NEW MEXICO.)
-----)

PERMIT NO. M-15200

May 10, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Cal F. Adams,
doing business as, "Adams Garage", Raton, New Mexico
requesting that Permit No. M-15200 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15200, heretofore issued to Cal F. Adams, doing
business as, "Adams Garage", Raton, New Mexico be,
and the same is hereby, declared cancelled effective April 18, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 10th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR Y. HOKE, 2360 JOLIET STREET,)
AURORA 8, COLORADO.)
-----)

PERMIT NO. M-13413

May 10, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur Y. Hoke,
Aurora 8, Colorado
requesting that Permit No. M-13413 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13413, heretofore issued to Arthur Y. Hoke,
Aurora 8, Colorado be,
and the same is hereby, declared cancelled effective April 22, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 10th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR Y. HOKE, 2360 JOLIET)
STREET, AURORA 8, COLORADO.)

PUC NO. 5225-I

May 10, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Arthur Y. Hoke,
Aurora 8, Colorado

requesting that Certificate of Public Convenience and Necessity No. 5225-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. 5225-I heretofore issued to Arthur Y. Hoke,
Aurora 8, Colorado

be, and the same is hereby, declared cancelled effective April 22, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,
this 10th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN BAUTISTA LANDA, P. O. BOX 958,)
BOULDER, COLORADO.)
-----)

PERMIT NO. M-11634

May 10, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John Bautista Landa,
Boulder, Colorado

requesting that Permit No. M-11634 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11634, heretofore issued to John Bautista Landa,
Boulder, Colorado be,
and the same is hereby, declared cancelled effective November 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 10th day of May, 195/ 62.

original

(Decision No. 58537)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE PUEBLO GAS AND FUEL COMPANY, A)
COLORADO CORPORATION, FOR AN ORDER)
AUTHORIZING AND APPROVING THE RE-)
FUNDING OF CERTAIN REFUND MONIES TO)
ITS GAS CUSTOMERS PURSUANT TO ITS)
GAS REFUND PLAN (1960).)
-----)

APPLICATION NO. 16032
SUPPLEMENTAL ORDER

May 4, 1962

Appearances: Lee, Bryans, Kelly and
Stansfield, Esqs., by
Bryant O'Donnell, Esq.,
Denver, Colorado, for
The Pueblo Gas and Fuel
Company;
E. R. Thompson, Denver, Colo-
rado, and
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

By Decision No. 54798 dated August 3, 1960, the Commission authorized and approved a gas refund plan (herein called the "1960 Gas Refund Plan") proposed by The Pueblo Gas and Fuel Company (Company) and authorized and directed the Company to refund to its gas customers entitled thereto in accordance with said Plan and the aforesaid Decision of the Commission, (a) the refund moneys the Company received from its wholesale gas supplier, Colorado Interstate Gas Company (Interstate) as a result of overcharges paid by the Company to such supplier for gas purchased during the period from January 5, 1958 to November 25, 1959 and (b) certain other monies all as more particularly set forth in said Decision No. 54798.

Pursuant to Decision No. 54798, the Commission retained jurisdiction of the matter, and the Company was ordered to report to the Commission within 180 days after it had mailed the last check under the 1960 Gas Refund Plan, the disbursements made under the Plan,

the unclaimed funds then in its possession, unsatisfied refund claims, and certain related matters. By Decision No. 57010, dated August 11, 1961, the Commission extended to and including November 30, 1961, the time within which refunds should be made by the Company under the 1960 Gas Refund Plan, authorized the payment of certain refund claims and expenses, and directed the Company, within 90 days from November 30, 1961, to file a petition for an order authorizing the payment of any further refund claims and expenses in the completion of the refunding operation and the disposition of any undistributed balance of refund monies remaining in the Company's possession under the 1960 Gas Refund Plan in order to effect the termination of these proceedings.

On February 28, 1962, the Company filed its verified petition for an order in this matter, authorizing the payment of certain small refund claims in the aggregate amount of \$155.71, and expenses in the amount of \$1,849.57 which the Company has incurred in the completion of the refund operation, and disposition of the undistributed and unclaimed balance of the 1960 gas refund monies remaining in the Company's possession, and the termination of the 1960 Gas Refund proceedings pending before this Commission.

By order of the Commission dated March 16, 1962, this matter was set for hearing on April 12, 1962, at ten o'clock A. M., at 532 State Services Building, 1525 Sherman Street, Denver 3, Colorado. The hearing on the aforesaid petition of the Company has held on April 12, 1962, after due notice to all interested parties, and the matter was heard and taken under advisement.

R. D. Speer, Director of Rates and Property Accounting of the Company, appeared as a witness for the Company and testified to the following matters set forth herein in summary form:

1. That the Company has completed the 1960 Gas Refund Plan operation in accordance with such Plan and the Decisions of this Commission pertaining thereto;

2. That the total funds received and available for refund under the 1960 Gas Refund Plan as shown in Exhibit No. 8 received in evidence at the hearing were \$1,113,150.47.

3. That as shown on said Exhibit 8, the total amount of refund monies disbursed to customers entitled thereto under the 1960 Gas Refund Plan and the Commission orders pertaining thereto was \$1,089,983.44.

4. That the total reimbursable expenses incurred by the Company in the implementation and completion of the 1960 Gas Refund Plan was \$13,925.47, as shown on Exhibit No. 6 received in evidence at the hearing; that the Commission has heretofore approved by Decision No. 57010, \$12,075.90 of such expenses; and that the Company now seeks approval of its payment of certain expenses for work incident to the completion of the 1960 refund operation, the reconciliation of balances and the preparation of a final report pertaining to such completion in the amount of \$1,849.57.

5. That notwithstanding the wide publicity given by the Company through the press, television, radio and other media and the extensive efforts of the Company through the cooperation of the United States Post Office Department to locate customers of the Company entitled to refund under the 1960 Gas Refund Plan and the Commission's orders pertaining thereto, who had moved from addresses which were known to the Company and whose present whereabouts after diligent search could not be ascertained, there will remain in the Company's possession an undistributed and unclaimed balance of 1960 Gas Refund Plan monies

in the amount of \$9,085.85 after payment of the small claims aggregating \$155.71 hereinafter authorized and said expenses of \$1,849.57 above referred to; and

6. That included in the undistributed and unclaimed balance of the refund monies remaining in the possession of the Company, there is an amount of \$4,209.03 in excess of the aggregate of the uncashed refund checks which represents in part the difference between the original estimated expense of completing the refund operation and the lower actual expenses incurred and other items. This amount the Company proposed to turn over to the municipalities and counties entitled thereto in the same ratio as the amounts that such municipalities and counties will receive of funds represented by uncashed checks bears to the total amount thereof.

There was also received in evidence at the hearing as Exhibit No. 5, the report and attached exhibits of Arthur Young & Company, certified public accountants, dated February 16, 1962, to the Company's Board of Directors, wherein such firm states, inter alia, that the exhibits attached to such report present fairly, in summary form, the gas refund transactions of the Company under the 1960 Gas Refund Plan, and that The Service Bureau Corporation (an independent non-affiliated data processing Company with whom the Company contracted with Commission approval for the work necessary in the development of the refunds due customers under the Plan and in the issuance of refund checks) has prepared the refund in compliance with the procedures set forth in the 1960 Gas Refund Plan and the Commission orders pertaining thereto.

The Commission has reviewed and considered all of the evidence introduced at the hearing on this matter and the evidence introduced in the other hearings before the Commission on the Company's 1960 Gas Refund Plan. The books and records of the Company

pertaining to the Company's 1960 Gas Refund Plan have been investigated and reviewed by the Commission's Staff, and from such review and investigation the Commission is of the opinion that the Company has made a proper accounting of the 1960 Gas Refund Plan operation in accordance with the Commission orders.

The Commission is satisfied that the Company has made every reasonable effort to locate its former customers entitled to the uncashed refund checks remaining in its possession, that further effort would be futile, and the closing of the Company's 1960 Gas Refund Plan operation is proper and should be approved. The Commission is further of the opinion that the Company should pay the small claims in the amount of \$155.71 which have been determined by the Company to be valid under the terms of the Plan. The Commission is of the further opinion, based upon the evidence submitted at the hearing and upon an investigation by members of its Staff, that the additional expenses incurred by the Company in the amount of \$1,849.57 during the period from July 1, 1961 to February 28, 1962 should be approved.

After allowance for the payment of expenses and for the additional small claims herein authorized there will remain in the possession of the Company \$9,085.85 representing the undistributed and unclaimed balance of the 1960 Gas Refund Plan operation.

Pursuant to the provisions of CRS 1953, 115-8-1 through 115-8-4, unclaimed funds for overcharges representing refunds due to inhabitants of municipalities or counties which refunds could not be made to such inhabitants because of the inability to find the persons entitled thereto within the time limit prescribed by the Commission for the making of such refunds, are to be turned over upon the direction of the Commission to the municipalities or counties in which said inhabitants resided when the rights to the refund accrued. The Company will be authorized and directed to determine from its records the respective amounts and the municipalities and counties to which the unclaimed and undistributed balance of the

refund monies remaining in its possession should be turned over and make such disposition of the unclaimed and undistributed balance of the 1960 Gas Refund Plan monies remaining in its possession pursuant to the aforesaid provisions of the Colorado Statutes.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the Company, the subject matter of this proceeding, and is fully advised in the premises;

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

That the certain additional expenses in the amount of \$1,849.57 incurred by the Company in the completion of its 1960 refunding operation should be authorized and approved for reimbursement as a proper additional expense of the 1960 Gas Refund Plan;

That the final report of the Company on the completion of the 1960 Gas Refund Plan operation in accordance with Decisions Nos. 54798 dated August 3, 1960, as supplemented by Decision No. 57010, dated August 11, 1961, should be accepted and approved, and the Commission should approve and acknowledge the completion of the refunding operation in accordance with the 1960 Gas Refund Plan and the Decisions of the Commission heretofore issued in this matter, subject to the conditions herein contained;

That the Company should be authorized and directed to determine or cause to be determined from its records, in accordance with the methods proposed by the Company, the respective amounts to be turned over, and to pay such amounts to the municipalities and counties entitled to receive the undistributed and unclaimed balance of the 1960 Gas Refund Plan operation remaining in its possession pursuant to the provisions of CRS 1953, 115-8-1 through 115-8-4, together with such supporting data including the name and former address of the former inhabitant-customer of each such municipality and county which the Company has been unable to find, the amount due such former inhabitant-customer and such other pertinent data as will enable such municipalities and counties to carry out their responsibilities in respect of

the amount turned over to them as provided by law; and within fifteen (15) days from the date of making of said remittance, the Company should file with the Commission its verified report of the respective amounts of the unclaimed and undistributed balance of the refund monies turned over to each such municipality and county.

O R D E R

THE COMMISSION ORDERS:

1. That the Company be, and it hereby is, authorized and directed to pay from the undistributed and unclaimed balance of the 1960 Gas Refund monies remaining in its possession the customer refund claims, which the Company received subsequent to the date its 1960 refund records were closed to enable it to make its final report and accounting thereon, in the aggregate amount of \$155.71, which claims upon investigation have been determined to be valid and properly payable under the 1960 Gas Refund Plan and the orders of this Commission;
2. That the additional expense of \$1,849.57 incurred by the Company in the completion of the 1960 Gas Refund Plan be, and it hereby is, approved as a proper reimbursable expense of the 1960 gas refund operation.
3. That the final report and accounting of the Company of the completion of the 1960 Gas Refund Plan in accordance with the Plan and the Decisions of this Commission be, and the same hereby is, accepted and approved. The Commission hereby approves and acknowledges the completion of the 1960 Gas Refund Plan.
4. That the Company be, and it hereby is, authorized and directed to determine or cause to be determined from its records in accordance with the methods proposed by the Company, the respective amounts of the undistributed and unclaimed balance of the 1960 gas refund monies remaining in its possession to be turned over to the municipalities and counties entitled thereto and to turn over to such municipalities and counties the amounts so determined pursuant to the

provisions of CRS 1953, 115-8-1 through 115-8-4, and to accompany each remittance with such supporting data, including the name and former address of the former inhabitant-customer of each such municipality and county which the Company has been unable to find, the amount due such former inhabitant-customer and such other pertinent data as will enable such municipalities and counties to carry out their responsibilities as provided by law in respect of such funds;

5. That the Company, within fifteen (15) days after remitting the amounts of the undistributed and unclaimed balance of the 1960 gas refund monies in its possession to the respective municipalities and counties hereinabove authorized and directed, shall file with the Commission its verified report of the respective amounts of the undistributed and unclaimed balance of the 1960 refund monies in its possession turned over to each such municipality and county;

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph I. Negro
Thomas C. Horton
Henry E. Pelungo
Commissioners.

Dated at Denver, Colorado,
this 4th day of May, 1962.

ea

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|--------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| CHESTER CARLSEN, P. O. BOX 31,) | |
| WALDEN, COLORADO, FOR A CLASS "B") | APPLICATION NO. 19061-PP |
| PERMIT TO OPERATE AS A PRIVATE CAR-) | |
| RIER BY MOTOR VEHICLE FOR HIRE.) | |
| ----- | |

May 4, 1962

Appearances: Chester Carlsen, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, from point to point within a radius of fifty miles of Walden, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, April 26, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 23, 1962, as provided by law, the Commission designated Louis J. Carter, an employee of this Commission, to conduct the hearing on said application.

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

At the hearing, applicant herein appeared and testified in support of his application, stating he is presently operating under Temporary Authority issued by this Commission; that he is owner of a

1959 G.M.C. two and one-half-ton truck and two Caterpillar tractors; that he has a net worth of \$20,000; that he has had operating experience; that he has received many requests for his proposed services; that in the event authority herein sought is granted, he will obey the law and Rules and Regulations of this Commission.

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

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

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the service 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 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.

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 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 following Order.

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 Chester Carlsen, Walden, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for the transportation of logs, between points within a radius of fifty miles of Walden, Colorado.

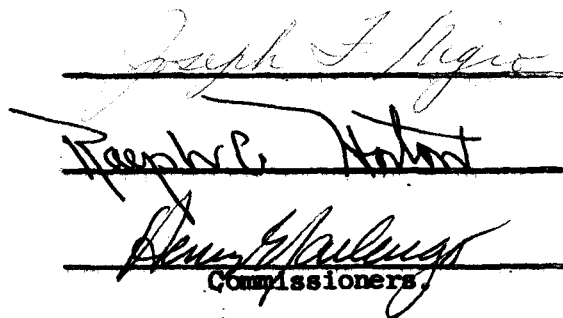
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 4th day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARRY FRANK, BOX 523, SARATOGA,)
WYOMING, FOR A CLASS "B" PERMIT TO :)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19059-PP

May 4, 1962

Appearances: Harry Frank, Saratoga,
Wyoming, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, from point to point within a radius of fifty miles of Walden, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, April 26, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 23, 1962, as provided by law, the Commission designated Louis J. Carter, an employee of this Commission, to conduct the hearing on said application.

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

At the hearing, applicant herein appeared and testified in support of his application, stating he is presently operating under Temporary Authority issued by this Commission; that he is owner of a

1959 International two and one-half ton truck; that he has a net worth of \$3,000; that he has had operating experience; that he has received many requests for his proposed services; that in the event authority herein sought is granted, he will obey the law and Rules and Regulations of this Commission.

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

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

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the service 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 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.

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 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 Harry Frank, Saratoga, Wyoming, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, between points within a radius of fifty miles of Walden, Colorado.


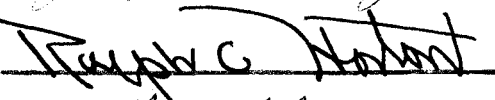

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 4th day of May, 1962.

mls

original

(Decision No. 58540)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ADAM SCHLAGEL, 1661 GENEVA STREET,)
AURORA, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15605

May 4, 1962

S T A T E M E N T

By the Commission:

By the above-styled application, Adam Schlagel, Aurora, Colorado, sought authority to operate as a common carrier by motor vehicle for hire, for the transportation of trash, rubbish, ashes, dirt, sod, fertilizer, junk, waste coal, wood waste, cans, debris, limbs, waste building materials, and other forms of waste, from and to points within the City and County of Denver, and from points within the City and County of Denver, Colorado, to officially-designated and approved dumps and disposal places within the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, November 8, 1957, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, hearing of said application was vacated, upon request of applicant herein, said matter to be later re-set for hearing before the Commission, with notice to all parties in interest.

Since that time, said matter has been held in abeyance by the Commission, and no request has been received from Applicant here-

in for hearing of said application.

The Commission is now desirous of closing its docket on long-pending applications. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application should be dismissed, and the matter closed upon the docket of this Commission.

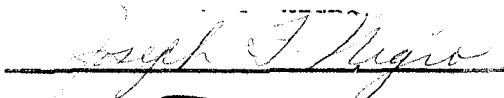
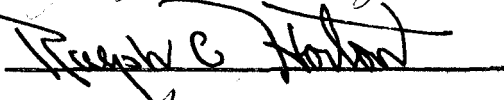

O R D E R

THE COMMISSION ORDERS:

That unless request for hearing of the above-styled application shall be received by the Commission from Applicant herein before the effective date of this Order, said application shall be dismissed, without further notice, and said matter closed upon the docket of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of May, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LESLIE K. FARMER, FRISCO, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)
- - - - -)

APPLICATION NO. 19028

- - - - -
May 4, 1962
- - - - -

Appearances: Thomas O. Miller, Jr., Esq.,
Denver, Colorado, for
Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire in the transportation of garbage and waste products within the boundaries of Summit County, Colorado, and to specifically serve those towns within the said County, consisting of Breckenridge, Frisco, Silverthorn and Dillon.

The application was set for hearing on April 23, 1962, at ten o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That at the commencement of the hearing, applicant herein moved to amend his application as filed by excluding any service to the town of Breckenridge, Colorado, and there being no objection thereto said amendment was permitted.

That the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of Leslie K. Farmer, Frisco, Colorado, for the transportation of garbage, ashes, trash and other waste materials within the entire limits of Summit County, State of Colorado, excluding, however, any service to the City of Breckenridge, 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
Joseph C. Nelson
Henry E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 4th day of May, 1962.

ea

original

(Decision No. 58542)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|---------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| WESTERN POWER & GAS COMPANY, 115) | |
| WEST SECOND STREET, PUEBLO, COLO-) | |
| RADO, FOR A CERTIFICATE OF PUBLIC) | |
| CONVENIENCE AND NECESSITY TO EX-) | APPLICATION NO. 19017 |
| ERCISE RIGHTS UNDER A FRANCHISE) | <u>SUPPLEMENTAL ORDER</u> |
| GRANTED TO APPLICANT BY THE BOARD) | |
| OF TRUSTEES OF THE TOWN OF WEST-) | |
| CLIFFE, IN CUSTER COUNTY, COLORADO.) | |
| -----) | |

May 4, 1962

Appearances: Preston and Altman, Esqs.,
Pueblo, Colorado, by
J. W. Preston, Esq.,
for Applicant;
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

On April 26, 1962, the Commission entered its Decision
No. 58471 in the above-styled application.

Attention of the Commission has now been directed to the
fact that an error appears in said Decision, appearing in the third
line of Page 3 thereof, said line reading:

"as passed and published on February 5,
1962, after final passage,"

whereas, the date should have been "January 5, 1962."

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 58471, of date April 26, 1962, should be
amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:




That Decision No. 58471, of date April 26, 1962, be, and the
same hereby is, amended, nunc pro tunc, as of said 26th day of April,

1962, by substituting the date "January 5, 1962," in lieu of
"February 5, 1962," appearing in the third line on Page 3 thereof,
so that said line, as amended, shall read as follows:

"as passed and published on January 5, 1962,
after final passage,".

That, except as herein amended, said Decision No. 58471
shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 4th day of May, 1962.

ea

original

(Decision No. 58543)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WAYNE E. LARSEN, DOING BUSINESS)
AS "LARSEN TRANSFER & STORAGE)
COMPANY," 2560 BLAKE STREET,)
DENVER, COLORADO.)
-----)

PUC NO. 3571
PUC NO. 3571-I

May 4, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of an application from the above-styled certificate-holder, owner and operator of PUC No. 3571 and PUC No 3571-I, 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 said certificates.

Rule 24 (a) of 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."

Inasmuch as the financial statement of applicant attached to the application, is satisfactory,

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.


O R D E R

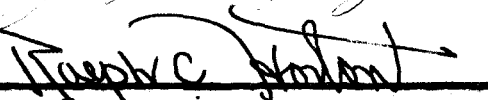
THE COMMISSION ORDERS:


That Wayne E. Larsen, doing business as "Larsen Transfer & Storage Company," Denver, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (2) of Rule 24 of Rules and Regulations Governing Common Carriers by Motor Vehicle, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under PUC No. 3571 and PUC No. 3571-I.

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 4th day of May, 1962.

ea

(Decision No. 58544)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF

CRANE F. TOWRY
TOWRY OIL COMPANY
P.O. Box 327
Delta, Colo.

AUTHORITY NO. M 4828

CASE NO. 8517 Ins.

May 7th, 1962

S T A T E M E N T

By the Commission:

On May 2, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Tigro
Frederick C. Thornton
Wm. E. Zwick
Commissioners.

Dated at Denver, Colorado,
this 7th day of May, 1962

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|--------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| RAYMOND L. HODGE, WALDEN, COLORADO,) | |
| FOR A CLASS "B" PERMIT TO OPERATE) | APPLICATION NO. 19058-PP |
| AS A PRIVATE CARRIER BY MOTOR) | |
| VEHICLE FOR HIRE.) | |
| -----) | |

May 7, 1962

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of one hundred miles of said forests; rough lumber, from sawmills in said one hundred-mile radius, to markets in the State of Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, due notice thereof being forwarded to all parties in interest.

On April 23, 1962, as provided by law, the Commission designated Louis J. Carter, 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, the files were made a part of the record, and the matter was taken under advisement.

Other haulers present at the hearing testified that Mr. Hodge was on vacation, and that he was hauling logs and poles, as set forth in his application, under Temporary Authority issued by this Commission.

The files disclose that applicant is qualified, financially and by experience, to conduct his proposed operations. Certificate of Insurance covering said operations is on file with the Commission.

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

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

Findings of the Examiner are that applicant has sufficient equipment, net worth, and operating experience to render his proposed operations; that no good purpose would be served by dismissing or denying the instant application, as there is presently a need for said service; 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.

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 herein; that said applicant 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 Raymond L. Hodge, Walden, 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, places of storage, and loading points within a radius of one hundred miles of said forests; rough lumber, from sawmills in said one-hundred-mile radius, to markets in the State of Colorado, with no town-to-town service.

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
Raymond C. Norton
Sam E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 7th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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| IN THE MATTER OF THE APPLICATION OF) | |
| F. A. MATHEWS, ROUTE 1, BOX 140,) | |
| LONGMONT, COLORADO, FOR AUTHORITY) | |
| TO LEASE PERMIT NO. A-588 TO MRS.) | APPLICATION NO. 18431-PP-Lease |
| ROSE WOKERSIN, DOING BUSINESS AS) | <u>SUPPLEMENTAL ORDER</u> |
| "WOKERSIN MILK LINES," 1708 COLLYER,) | |
| LONGMONT, COLORADO.) | |
| -----) | |

May 7, 1962

Appearances: F. A. Mathews, Longmont,
Colorado, pro se;
Mrs. Rose Wokersin, Longmont,
Colorado, pro se.

S T A T E M E N T

By the Commission:

On April 21, 1961, the Commission entered its Decision No. 56312, authorizing F. A. Mathews, Longmont, Colorado, to lease Permit No. A-588 to Mrs. Rose Wokersin, doing business as "Wokersin Milk Lines," Longmont, Colorado, for a period of one year, in accordance with agreement between said parties, of date April 3, 1961.

It now appears that said parties desire extension of said lease agreement for a period of one year from April 1, 1962, and request approval of the Commission thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That F. A. Mathews, Longmont, Colorado, be, and he hereby is, authorized to further lease Permit No. A-588 to Mrs. Rose Wokersin, doing business as "Wokersin Milk Lines," Longmont, Colorado, for a period of one year from April 1, 1962, in accordance with agreement

between said parties, of date April 3, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 7th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND NYE, 1423 WEST FRANK)
PHILLIPS BOULEVARD, BARTLESVILLE,)
OKLAHOMA.)

PUC NO. 4028-I

May 7, 1962

Appearances: Garrison, Preston & Preston,
Esqs., Bartlesville, Oklahoma.

S T A T E M E N T

By the Commission:

Heretofore, Raymond Nye, Bartlesville, Oklahoma, was granted a certificate of public convenience and necessity (PUC No. 4028-I), authorizing operation as a common carrier by motor vehicle for hire, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, for the transportation of:

freight, between all points in the State
of Colorado and the Colorado State Bound-
ary Line, where all highways cross the same.

Said Raymond Nye has departed this life, and Dorothy Ona Nye, as Executrix of the Estate of Raymond Elsworth Nye, Deceased, now requests that said operating rights be transferred to her, as Executrix of the Estate of said Raymond Elsworth Nye, Deceased.

Certified copy of Court Order naming said Dorothy Ona Nye Executrix of said Estate has been filed with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

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. 4028-I to be owned by:

"Dorothy Ona Nye,
Executrix of the Estate of
Raymond Elsworth Nye, Deceased,
1423 West Frank Phillips Boulevard,
Bartlesville, Oklahoma,"

in lieu of:

"Raymond Nye,
1423 West Frank Phillips Boulevard,
Bartlesville, Oklahoma."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Nye
Ralph C. Horton
Wm. E. Phillips
Commissioners

Dated at Denver, Colorado,
this 7th day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|-----------------------------------|---------------------|
| RE MOTOR VEHICLE OPERATIONS OF) | |
| WAYNE E. LARSEN, DOING BUSINESS) | |
| AS "LARSEN TRANSFER & STORAGE) | PERMITS NOS. B-3360 |
| COMPANY," 2560 BLAKE STREET,) | <u>B-3360-I</u> |
| DENVER, COLORADO.) | <u>B-5817</u> |
| -----) | |

May 7, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of an application from the above-styled permit-holder, owner and operator of Permits Nos. B-3360, B-3360-I, and B-5817, 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 said permits.

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 attached to the application, is satisfactory,

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.


O R D E R

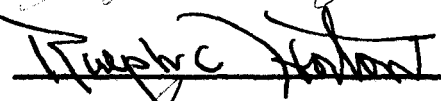
THE COMMISSION ORDERS:


That Wayne E. Larsen, doing business as "Larsen Transfer & Storage Company," Denver, Colorado, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 25 of Rules and Regulations Governing Private Carriers by Motor Vehicle, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under Permits Nos. B-3360, B-3360-I and B-5817.

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 7th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---|--------------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| M. M. YOUNG, DOING BUSINESS AS) | |
| "YOUNG TRANSPORTATION COMPANY," 164) | |
| NORTH THIRD STREET, LARAMIE, WYOMING,) | |
| FOR AUTHORITY TO TRANSFER PUC NO.) | APPLICATION NO. 19057-Transfer |
| 1967 AND PUC NO. 1967-I TO DUDLEY H.) | |
| HOWERY, DOING BUSINESS AS "LARAMIE-) | |
| WALDEN BUS LINE," 303 SOUTH SECOND) | |
| STREET, LARAMIE, WYOMING.) | |
| -----) | |

May 7, 1962

Appearances: M. M. Young, Laramie,
Wyoming, pro se;
Dudley H. Howery, Laramie,
Wyoming, pro se.

S T A T E M E N T

By the Commission:

Heretofore, M. M. Young, doing business as "Young Transportation Company," Laramie, Wyoming, was granted a certificate of public convenience and necessity (PUC No. 1967, PUC No. 1967-I), authorizing operation as a common carrier by motor vehicle, for the transportation of passengers and express, only:

between the Colorado-Wyoming State Line and Walden, Colorado, over Colorado Highways Nos. 127 and 125, via Cowdrey, Northgate, King's Canyon, and Nelson, Colorado, in both intrastate and interstate commerce.

Said certificate-holder is now desirous of transferring said PUC No. 1967 and PUC No. 1967-I to Dudley H. Howery, doing business as "Laramie-Walden Bus Line," Laramie, Wyoming.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, April 26, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 23, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of this Commission, to conduct the hearing on said application.

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

Report of said Examiner states that at the hearing, M. M. Young, transferor herein, appeared and testified in support of the application, stating he has entered into an agreement with Dudley H. Howery, doing business as "Laramie-Walden Bus Line," to sell said operating rights; that said transfer is based on sale, for cash; that there are no outstanding obligations against said certificates; that he has known the transferee for twelve years.

Dudley H. Howery, transferee herein, also appeared and testified at the hearing, stating that he is the owner of a 1960 Chevrolet Station Wagon, and a 1954 Cub Bus; that he has had experience, in that he managed operations under said operating rights for Mr. Young for one year; that he has sufficient net worth, as evidenced by Financial Statement on file with 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 Examiner.

Findings of the Examiner are that transferee herein is a fit and proper person, has sufficient equipment, and is financially able to render and continue operations under PUC No. 1967 and PUC No. 1967-I; that there are no outstanding unpaid operating obligations against said certificates; that the 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:

That the proposed transfer is compatible with the public interest, and should be approved, 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 M. M. Young, doing business as "Young Transportation Company," Laramie, Wyoming, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1967 and PUC No. 1967-I to Dudley H. Howery, doing business as "Laramie-Walden Bus Lines," Laramie, Wyoming, authority thereunder being as set forth in the Statement preceding, which is made a part hereof by reference.

That transfer herein authorized is subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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
Joseph C. Kohn
Alvin J. Adams
Commissioners.

Dated at Denver, Colorado,
this 7th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|---------------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| ROBERT H. JONES, P. O. BOX 553,) | |
| WALDEN, COLORADO, FOR A CLASS "B") | <u>APPLICATION NO. 18717-PP</u> |
| PERMIT TO OPERATE AS A PRIVATE) | |
| CARRIER BY MOTOR VEHICLE FOR HIRE.) | |
| -----) | |

May 7, 1962

Appearances: Robert H. Jones, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of sixty miles of said forests; rough lumber, from sawmills in said sixty-mile radius, to markets in the State of Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, April 26, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 23, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of this Commission, to conduct the hearing on said application.

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

At the hearing, applicant herein appeared and testified in support of his application, stating he is presently operating under Temporary Authority issued by this Commission; that he is the owner

of a 155 G.M.C. two and one-half-ton truck; that he has a net worth of \$3,000; that he has received numerous requests for his proposed service; that in the event authority herein sought is granted, he will obey the law and rules and regulations of this Commission.

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

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

Findings of the Examiner are that applicant herein is a fit and proper person, has sufficient equipment, and is financially able to render the service herein proposed; that there presently is a need for such service; that the granting of authority herein sought will not impair the efficient public service of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

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

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 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 Robert H. Jones, Walden, 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, places of storage, and loading points within a radius of sixty miles of said forests; rough lumber, from sawmills in said sixty-mile radius, to markets in the State of Colorado, with no town-to-town service.


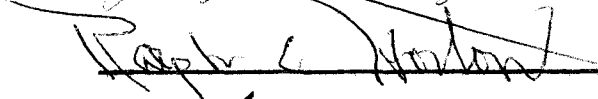

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 7th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|--------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| E. A. URY, WALDEN, COLORADO, FOR A) | |
| CLASS "B" PERMIT TO OPERATE AS A) | APPLICATION NO. 19060-PP |
| PRIVATE CARRIER BY MOTOR VEHICLE) | |
| FOR HIRE.) | |
| -----) | |

May 7, 1962

Appearances: E. A. Ury, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said fifty-mile radius, to markets in the State of Colorado, with no town-to-town service.

Said application was regularly set for hearing before the Commission, at the Court House, Hot Sulphur Springs, Colorado, April 26, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 23, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of this Commission, to conduct the hearing on said application.

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

At the hearing, applicant herein appeared and testified in support of his application, stating he is presently operating under

Temporary Authority issued by this Commission; that he is the owner of a 1956 Ford two-ton truck; that he has a net worth of \$9,000; that he has received numerous requests for his proposed service; that in the event authority herein sought is granted, he will obey the law and rules and regulations of this Commission.

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

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

Findings of the Examiner are that applicant herein is a fit and proper person, has sufficient equipment, and is financially able to render the service herein proposed; that there presently is a need for such service; that the granting of authority herein sought will not impair the efficient public service of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit issue to applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

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

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 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 E. A. Ury, Walden, 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, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said fifty-mile radius, to markets in the State of Colorado, with no town-to-town service.

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. Hegir
Joseph C. Hobart
Henry G. Hallings
Commissioners.

Dated at Denver, Colorado,
this 7th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|--|---------------------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| RAYMOND E. BIEDERMAN, DOING BUSINESS) | |
| AS "FRANKTOWN TRUCK LINE," BOX 26,) | |
| PARKER, COLORADO, FOR AUTHORITY TO) | <u>APPLICATION NO. 19042-Transfer</u> |
| TRANSFER PUC NO. 2470 TO LENNART) | |
| WALLDEN, DOING BUSINESS AS "HILL) | |
| TOP-DENVER TRUCK LINE," PARKER,) | |
| COLORADO.) | |
| -----) | |

May 7, 1962

Appearances: Leslie R. Kehl, Esq.,
 Denver, Colorado, and
 James Whitaker, Esq.,
 Denver, Colorado,
 for Applicants.

S T A T E M E N T

By the Commission:

Heretofore, Raymond E. Biederman, doing business as
"Franktown Truck Line," Parker, Colorado, was granted a certificate
of public convenience and necessity (PUC No. 2470) authorizing
operation as a common carrier by motor vehicle for hire, for the
transportation of:

Transportation of milk and cream in the following-
described area, and between said area and the
City and County of Denver, Colorado, but no
intermediate points: All territory within a
radius of 6 miles of Franktown, Colorado, except
as limited on the east by the Elbert-Douglas
County line. Transportation of milk and cream
to Denver, Colorado, from the following territory:
Beginning at a point on the line south of Section
34, T. 6-S., R. 66-W., where Cherry Creek inter-
sects the Parker-Castle Rock Road; thence east
including service to the O'Brian Ranch a distance
of 6½ miles more or less to the SE corner of
Section 34, T. 6-S., R. 65-W; thence north 6
miles to the NE corner of Section 3, T. 6-S.,
R. 65-W; thence west 3 miles to the NW corner
of Section 5, T. 6-S., R. 65-W; thence south-
westerly approximately 6 miles through the Town
of Parker to an intersection with the channel of
Cherry Creek as located in the SW corner of
Section 22, T. 6-S., R. 66-W; thence southerly
along the channel of Cherry Creek to its inter-
section with the Parker-Castle Rock Road, being

the point of beginning. Milk and cream to Denver from the area described as follows: Beginning at a point south of the Denver-Parker Highway where Cherry Creek intersects the Denver City Limits on the west line of Section 18, T. 4-S., R. 67-W; thence southeasterly along the channel of Cherry Creek to its intersection with the Parker-Happy Canon Road, as located in the NE quarter of Section 21, T. 6-S., R. 66-W; thence northwesterly along said Parker-Happy Canon Road to an intersection with the northwest diagonal line of Section 11, T. 6-S., R. 67-W., as located in the SE quarter of said Section 11; thence northwesterly along a diagonal line to the NW corner of Section 3, T. 6-S., R. 67-W; thence east 1 mile more or less to the SW corner of Section 35, T. 5-S., R. 67-W; thence north 5 miles to the NW corner of Section 11, T. 5-S., R. 67-W; thence west 1 mile; thence north 1 mile; thence west 1 mile to the SW corner of Section 33, T. 4-S., R. 67-W; thence north 2 miles more or less to the channel of Cherry Creek; thence northwesterly along said channel of Cherry Creek to the Denver City Limits, being the point of beginning.

By the above-styled application, said certificate-holder seeks authority to transfer said PUC No. 2470 to Lennart Wallden, doing business as "Hill Top-Denver Truck Line," Parker, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, April 30, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 27, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

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

Report of said Examiner states that at the hearing, Raymond E. Biederman, Transferor herein, appeared and testified in support of the application, stating he had entered into an agreement to transfer PUC No. 2470 to Lennart Wallden; that said certificate is in full force and effect; that there is no indebtedness against said operating rights.

Lennart Wallden, Transferee herein, also appeared and testified, stating he is presently engaged in the business of transporting milk; that he has equipment for transportation of milk, and has a net worth of \$50,000; that the agreement provides for payment of cash for said operating rights.

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, is financially able, and has sufficient equipment to render service under PUC No. 2470; that the transfer herein sought is in the public interest and should be authorized.

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 Raymond E. Biederman, doing business as "Franktown Truck Line," Parker, Colorado, is owner of PUC No. 2470; that Transferee herein is qualified, financially and by experience, to conduct operations under said PUC No. 2470; 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 Raymond E. Biederman, doing business as "Franktown Truck Line," Parker, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2470 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Lennart Wallden, doing business as "Hill Top-Denver Truck Line," Parker, 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.

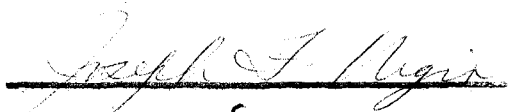
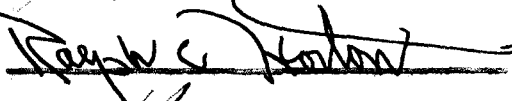
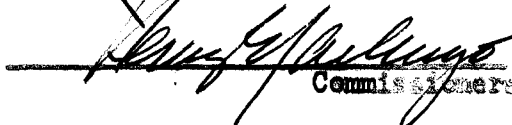
The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 7th day of May, 1962.

ea




Commissioners

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | | |
|---|---|--|
| IN THE MATTER OF THE APPLICATION OF EVERETT GREGORY TRUCKING CONTRACTOR, INC., 3615 BLAKE STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. B-2342 TO EVERETT GREGORY, 2340 BALSAM STREET, DENVER, COLORADO.) | } | <u>APPLICATION NO. 19044-PP-Transfer</u> |
| ----- | | |

May 8, 1962

S T A T E M E N T

By the Commission:

By the above-styled application, Everett Gregory Trucking Contractor, Inc., Denver, Colorado, owner and operator of Permit No. B-2342, sought authority to transfer said operating rights to Everett Gregory, 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, April 30, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 27, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of the Examiner states that prior to the time designated for hearing said application, said Examiner was contacted by Transferee herein, and advised he no longer desired to prosecute said application, and request for dismissal thereof was made.

Report of the Examiner recommends that said request be granted, and said application dismissed.

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, upon request of Transferee herein.

O R D E R


THE COMMISSION ORDERS:

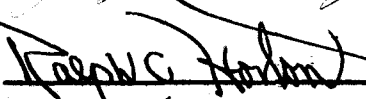
That Report of the Examiner referred to in the above Findings be, and the same hereby is, approved.


That Application No. 19044-PP-Transfer be, and the same hereby is, dismissed, upon request of Transferee herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|--|---------------------------------------|
| IN THE MATTER OF THE APPLICATION OF) WILLIAM A. SHEEHAN, 1891 SOUTH) JULIAN STREET, DENVER, COLORADO,) FOR AUTHORITY TO TRANSFER PUC NO.) 3549 TO REX RALPH WALKER, DOING) BUSINESS AS "REX'S TRASH HAULING,") BOX 672, STOCKYARDS STATION, DENVER,) COLORADO.) | <u>APPLICATION NO. 19043-Transfer</u> |
| ----- | |

May 8, 1962

Appearances: William A. Sheehan, Denver,
Colorado, pro se;
Rex Ralph Walker, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, William A. Sheehan, Denver, Colorado, owner and operator of PUC No. 3549, seeks authority to transfer said certificate to Rex Ralph Walker, doing business as "Rex's Trash Hauling," Denver, Colorado, said PUC No. 3549 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

ashes, trash, and other refuse, between points within the City and County of Denver, and from the City and County of Denver, to regularly-designated and approved dumps and disposal places, in the Counties of Adams, Arapahoe, and Jefferson, 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, April 30, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 27, 1962, as provided by law, the Commission designated Louis J. Carter, an employee of this Commission, to conduct the

hearing on said application.

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

Report of said Examiner states that at the hearing, Transferor herein appeared and testified in support of the application, stating he is owner of PUC No. 3549; that he has entered into an agreement to sell said operating rights to Transferee herein; that there is no outstanding indebtedness against said certificate.

Transferee herein also appeared at the hearing and testified he is the owner of a 1950 Dodge pick-up truck, which he will use in the conduct of operations under said PUC No. 3549, if authority herein sought is granted; that he has been conducting an operation under said operating rights, under Temporary Authority issued by this Commission; that he has sufficient net worth and operating experience to render and continue operations under said PUC No. 3549.

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

The operating experience and financial responsibility of Transferee herein were established to the satisfaction of the Examiner.

Findings of the Examiner are that Transferee herein is a fit and proper person, has sufficient equipment, and is financially able to render operations under PUC No. 3549; that there is no outstanding indebtedness against said certificate; that the transfer herein sought is in the public interest.

Report of the Examiner recommends that the proposed transfer be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a

part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

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

That William A. Sheehan, Denver, Colorado, is the owner of PUC No. 3549; that Transferee herein is qualified, financially and by experience, to conduct operations under said PUC No. 3549; 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 William A. Sheehan, Denver, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3549 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Rex Ralph Walker, doing business as "Rex's Trash Hauling," Denver, 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 F. Hegar
Joseph C. Hobart
Harry E. Paulings
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.

mls

original

(Decision No. 58555)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
AUGUST H. ACKELBEIN, DOING BUSINESS)
AS "SALIDA TRANSFER COMPANY," 248)
WEST THIRD STREET, SALIDA, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
482 AND PUC NO. 482-I TO SALIDA)
TRANSFER COMPANY, A CORPORATION,)
248 WEST THIRD STREET, SALIDA,)
COLORADO.)

APPLICATION NO. 19055-Transfer

IN THE MATTER OF THE APPLICATION OF)
AUGUST H. ACKELBEIN, DOING BUSINESS)
AS "SALIDA TRANSFER COMPANY," 248)
WEST THIRD STREET, SALIDA, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT NO.)
B-963 TO SALIDA TRANSFER COMPANY, A)
CORPORATION, 248 WEST THIRD STREET,)
SALIDA, COLORADO.)

APPLICATION NO. 19056-PP-Transfer

May 8, 1962

Appearances: Rush and Rush, Esqs., by
Robert P. Rush, Esq., Salida,
Colorado, for Transferor;
Gordon H. Rowe, Jr., Esq.,
Monte Vista, Colorado, for
Transferee.

S T A T E M E N T

By the Commission:

August H. Ackelbein, doing business as "Salida Transfer Com-
pany," Salida, Colorado, is the owner of PUC No. 482, PUC No. 482-I,
and Permit No. B-963, with authority as follows:

PUC No. 482, PUC No. 482-I:

Transportation of freight from point to point
within a radius of twenty (20) miles of Salida,
and to or from said radius to or from any point
in the State of Colorado, subject to the follow-
ing terms and conditions:

(a) For the transportation of any and all commo-
dities, except household goods, between points

served singly or in combination by scheduled carriers, the applicant shall charge rates at least twenty per cent higher than those charged by scheduled carriers.

(b) The applicant shall not operate on schedule between any points.

(c) That the applicant shall not be permitted to establish a branch office, or to have an agent employed in any other town or city than Salida, for the purpose of developing business.

Transportation of freight 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.

PERMIT NO. B-963:

Transportation of livestock, potatoes, and coal, from point to point within a radius of twenty-five miles of Center, Colorado, and from and to said points, to and from Walsenburg, Pueblo, and Denver, without the right to render point-to-point service between Walsenburg and Denver and intermediate points; livestock, feed, and prepared feeds to and from Clarence Stone's Feed Store, located in Monte Vista, to and from all points in the State of Colorado. This permit is specifically restricted, by limiting transferee herein to an office in Center, Colorado, only, for the purpose of developing business under operating rights herein authorized to be transferred, without the right to establish a branch office in any town other than Center, Colorado, without permission of this Commission first had and obtained.

Said certificate and permit-holder, by the above-styled applications, seeks authority to transfer said operating rights to Salida Transfer Company, a corporation, Salida, Colorado.

Said applications were regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, April 30, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 27, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of this Commission, to conduct the hearings on said applications.

Said hearings were held at the time and place designated

served singly or in combination by scheduled carriers, the applicant shall charge rates at least twenty per cent higher than those charged by scheduled carriers.

(b) The applicant shall not operate on schedule between any points.

(c) That the applicant shall not be permitted to establish a branch office, or to have an agent employed in any other town or city than Salida, for the purpose of developing business.

Transportation of freight 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.

PERMIT NO. B-963:

Transportation of livestock, potatoes, and coal, from point to point within a radius of twenty-five miles of Center, Colorado, and from and to said points, to and from Walsenburg, Pueblo, and Denver, without the right to render point-to-point service between Walsenburg and Denver and intermediate points; livestock, feed, and prepared feeds to and from Clarence Stone's Feed Store, located in Monte Vista, to and from all points in the State of Colorado. This permit is specifically restricted, by limiting transferee herein to an office in Center, Colorado, only, for the purpose of developing business under operating rights herein authorized to be transferred, without the right to establish a branch office in any town other than Center, Colorado, without permission of this Commission first had and obtained.

Said certificate and permit-holder, by the above-styled applications, seeks authority to transfer said operating rights to Salida Transfer Company, a corporation, Salida, Colorado.

Said applications were regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, April 30, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 27, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of this Commission, to conduct the hearings on said applications.

Said hearings were held at the time and place designated

in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that said applications were consolidated and heard on a joint record, as parties in interest in both applications are the same, and proof and evidence would be the same in each matter.

Report of said Examiner further states that August H. Ackelbein, Transferor herein, appeared at the hearing and testified in support of the application, stating he has entered into an agreement to transfer said operating rights to Salida Transfer Company, a corporation; that said agreement, heretofore filed herein, contains a provision for Chattel Mortgage upon said Certificates and Permit; that said agreement is the Chattel Mortgage, and that he asks the Commission to approve same.

James E. Ashton appeared and testified he is sole owner of stock of Salida Transfer Company, a corporation; that he has entered into a contract with Transferor herein to purchase said operating rights; that he agreed for his corporation that a Chattel Mortgage be issued to secure payment herein on said certificates and permit; that he has had twenty-six years' experience in the transportation business, and that transferee, Salida Transfer Company, a corporation, is in good financial condition, as evidenced by Financial Statement on file with the Commission; that a copy of Articles of Incorporation of Transferee are also on file with 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 Examiner.

Findings of the Examiner are that Transferee herein is fully financed, has sufficient equipment, and its Officers have had

the necessary experience to continue operations under the authorities herein sought to be transferred; that said transfers are in the public interest; that Chattel Mortgage of said operating rights should be approved.

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 Transferor herein is owner of PUC No. 482, PUC No. 482-I, and Permit No. B-963; that Transferee is qualified, financially and by experience, to continue operations under said operating rights; 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 August H. Ackelbein, doing business as "Salida Transfer Company," Salida, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 482 and PUC No. 482-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Salida Transfer Company, a corporation, Salida, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, transfer of PUC No. 482-I being subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 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 August H. Ackelbein, doing business as "Salida Transfer Company," Salida, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-963 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Salida Transfer Company, a corporation, Salida, Colorado, subject to payment of outstanding indebtedness against said permit, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said 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 its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permit up to the time of transfer of said permit.

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

That Chattel Mortgage described in Paragraph (f) of Order of Purchase herein be, and the same hereby is, approved.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regier
Robert C. Woodard
Paul E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|---------------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| CHARLES R. CARTER, DOING BUSINESS) | |
| AS "SAN JUAN STAGES," FOR A CERTI-) | APPLICATION NO. 12275-Extension |
| FICATE OF PUBLIC CONVENIENCE AND) | |
| NECESSITY.) | |

May 8, 1962

S T A T E M E N T

By the Commission:

By the above-styled application, Charles R. Carter, doing business as "San Juan Stages," sought authority to extend operations under PUC No. 2462 to include the right to transport passengers and their baggage, on call and demand, between all points within a radius of fifty miles of Durango, Colorado.

Said matter has been held in abeyance by the Commission since 1953, and no request has been received by said applicant for a hearing on said application.

It now appears that in the interim, said certificate-holder has transferred said operating rights.

The Commission is now desirous of closing its docket on long-pending applications. Therefore,

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be closed upon the docket of the Commission, for the reasons set forth in the Statement preceding, which, by reference, is made a part hereof.

O R D E R

THE COMMISSION ORDERS:

That Application No. 12275-Extension be, and the same hereby

is, closed upon the docket of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Rubén C. Hobart
Sam E. Munn
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
HAROLD'S EXPRESS, INC., (JOHN A.
SEIB AND ERMA SEIB, PRESENT OWNERS
OF ALL CAPITAL STOCK THEREOF), 3930
BLAKE STREET, DENVER, COLORADO, FOR
AUTHORITY TO TRANSFER PUC NO. 3540
AND PUC NO. 3540-I TO HAROLD'S EX-
PRESS, INC., (GLENN H. NEFF, BERT F.
JONES, AND C. L. TERRY, PURCHASERS
OF ALL CAPITAL STOCK OF SAID CORPOR-
ATION), 3930 BLAKE STREET, DENVER,
COLORADO.

APPLICATION NO. 19045-Stock Transfer

May 8, 1962

Appearances: Herbert M. Boyle, Esq., Denver,
Colorado, for Applicants;
John H. Lewis, Esq., Denver,
Colorado, for Transferees.

S T A T E M E N T

By the Commission:

By the above-styled application, transfer of capital stock of Harold's Express, Inc., owner and operator of PUC No. 3540 and PUC No. 3540-I was sought.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, April 30, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 27, 1962, the Commission, as provided by law, designated Louis J. Carter, 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, Herbert M. Boyle, Attorney for Transferor and

Transferee herein, asked that said hearing be continued; whereupon, John H. Lewis, Attorney, stated that he had been retained by Transferees herein, and requested that said hearing proceed.

Report of the Examiner recommends that said matter be continued, to be re-set for hearing at a later date to be determined by the Commission, with notice to all parties in interest.

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 continued, to be re-set for hearing before the Commission at a later date, with notice to all parties in interest.

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 Application No. 19045-Stock Transfer be, and the same hereby is, continued, said matter to be later re-set for hearing before the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Stanton
Henry J. Salinger
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
DENVER CHICAGO TRANSPORT COMPANY,
INC., EAST 45TH AVENUE AT JACKSON
STREET, DENVER, COLORADO, FOR AU-
THORITY TO TRANSFER PUC NO. 1515 AND
PUC NO. 1515-I TO RUAN TRANSPORT
CORPORATION, P. O. BOX 855, DES
MOINES, IOWA.

APPLICATION NO. 19046-Transfer

IN THE MATTER OF THE APPLICATION OF
DENVER CHICAGO TRANSPORT COMPANY,
INC., EAST 45TH AVENUE AT JACKSON
STREET, DENVER, COLORADO, FOR AU-
THORITY TO TRANSFER PERMIT NO.
B-5315 TO RUAN TRANSPORT CORPORA-
TION, P. O. BOX 855, DES MOINES,
IOWA.

APPLICATION NO. 19047-PP-Transfer

May 8, 1962

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicants;
Henry Fabritz, Esq., Des
Moines, Iowa, for Transferee.

S T A T E M E N T

By the Commission:

By the above-styled applications, Denver Chicago Transport Company, Inc., Denver, Colorado, owner and operator of PUC No. 1515, PUC No. 1515-I, and Permit No. B-5315, seeks authority to transfer said operating rights to Ruan Transport Corporation, Des Moines, Iowa, authority under such certificates and permit being as follows:

PUC No. 1515 and PUC No. 1515-I:

Transportation of petroleum products in bulk,
between all points in the State of Colorado;

between all points in Colorado and the Colo-
rado State boundary lines where all highways
cross same in Interstate Commerce, only, sub-
ject to the provisions of the Federal Motor
Carrier Act of 1935, as amended;

transportation of liquid coal products, in bulk, in tank trucks, between all points and places in the State of Colorado;

transportation of liquid acids and liquid chemicals, in bulk, in tank vehicles, from Denver, Colorado, and/or Louviers, Colorado, on the one hand, and points and places in the State of Colorado on the other;

transportation of crude oil, in tank truck lots, between points within the State of Colorado;

transportation, call and demand service, of molasses for industrial use; that is, for any use other than for human consumption, and including beet molasses, blackstrap or cane molasses, beet final molasses, and beet molasses residuum, from point to point throughout the State of Colorado; provided, however, that no authority is granted hereby to transport said commodity in quantities of 80,000 pounds or 100,000 pounds, or multiples thereof, per customer order, to consignees then served by rail;

transportation of acids and chemicals, in bulk, in tank vehicles, from points within ten (10) miles of Denver, Colorado, to all points in the State of Colorado, excluding duplications with present authority;

transportation of hydrazine mix and nitrogen tetroxide, between points within thirty-five miles of Denver, including Denver.

Permit No. B-5315:

Transportation of liquid fertilizer in bulk in tank vehicles, from Henderson, Brush, and Eaton, Colorado, to all points in the State of Colorado, for one customer only, namely, Norco Chemical Co.;

transportation of pyrite cinders, from Denver, Colorado, to Boettcher, Colorado, for the Ideal Cement Company, only.

Said applications were regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, April 30, 1962, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On April 27, 1962, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearings on said applications.

Said matters were heard at the time and place designated in

the Notice of Hearing, and heard on a consolidated joint record, as the parties in each application are the same, and proof and evidence would be the same in both matters, and at the conclusion of the evidence, the matters were taken under advisement by Examiner Carter, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, Melvin C. Cheney appeared and testified that he is Vice-President of Denver Chicago Transport, Inc., Transferor herein; that his company is now carrying on extensive operations under PUC No. 1515, PUC No. 1515-I, and Permit No. B-5315; that his company has entered into a contract to transfer said operating rights to Ruan Transport Corporation; that there are no outstanding unpaid operating obligations against said certificates and permit.

R. J. Denkhoff also appeared at the hearing and testified he is Western Operations Manager of Ruan Transport Corporation, Transferee herein; that said company has many trucks and much equipment, as set out in Description of Equipment on file with the Commission; that said Ruan Transport Corporation has been in business for twenty-nine years, and is fully financed, as evidenced by Financial Statement on file with 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 Examiner.

Findings of the Examiner are that Transferee herein has sufficient equipment, and is financially able to carry on business now being conducted by Denver Chicago Transport Company, Inc., under operating rights herein sought to be transferred; that said Ruan Transport Corporation has had the necessary experience to continue such operation; that the authority 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:

That Denver Chicago Transport Company, Inc., Denver, Colorado, is the owner of PUC No. 1515, PUC No. 1515-I, and Permit No. B-5315; that Ruan Transport Corporation, Des Moines, Iowa, Transferee herein, is qualified, financially and by experience, to continue operations under said operating rights; that the proposed transfer is compatible with the public interest, and should be authorized.

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 Denver Chicago Transport Company, Inc., Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1515 and PUC No. 1515-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Ruan Transport Corporation, Des Moines, Iowa, subject to payment of outstanding indebtedness against said certificates, if any there be, whether secured or unsecured, transfer of PUC No. 1515-I being subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 certificate up to the time of transfer of said certificates.

That Denver Chicago Transport Company, Inc., Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-5315 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Ruan Transport Corporation, Des Moines, Iowa, subject to payment of outstanding indebtedness against said permit, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said 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


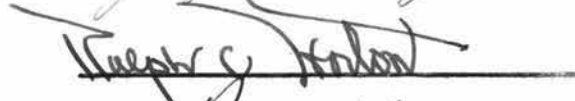

part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.

mls

original

(Decision No. 58559)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DENVER DENTAL LABORATORY COMPANY, A)
COLORADO CORPORATION, 314 EMPIRE)
BUILDING, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 19065-PP

May 8, 1962

Appearances: Harold A. Feder, Esq.,
Denver, Colorado, and
Harry Feder, Esq.,
Denver, Colorado,
for Applicant;
Walter Simon, Esq.,
Denver, Colorado,
for Yellow Cab, Inc.,
Zone Cabs.

S T A T E M E N T

By the Commission:

The above-styled 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, May 3, 1962, and at the conclusion of the evidence, the matter was taken under advisement.

This is an application by Denver Dental Laboratory Company for authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dental supplies, from point to point within the City and County of Denver, and the Metropolitan Area thereof, including Golden, Thornton, Broomfield, Northglenn, Aurora, and Littleton, Colorado.

Evidence adduced at the hearing established that Denver Dental Laboratory Company is a distributor of dental supplies, including, among other things, false teeth, denture base material, dental medicines, dental anesthetics, and dental stone. This company

distributes these products to various dentists located in Denver and the Metropolitan Area thereof.

Hettinger Dental Supply Company is a similar organization, also operating in Denver, and performing substantially the same type of service. Hettinger, however, does not have a delivery service of its own.

By virtue of the immediate needs of dentists, Denver Dental Laboratory Company is generally required to give delivery of their products on the same day they are ordered, on most commodities. Hettinger employs the services of existing carriers, but this service has been unsatisfactory, as to the type of charges, appearance of the driver, relations with customers, mis-deliveries, and lost packages. By a combination of deliveries of Hettinger and Denver Dental Laboratory Company, on the trucks of Denver Dental Laboratory Company, it will provide a more efficient utilization of the existing vehicles of said Denver Dental Laboratory Company, and will enable Hettinger to obtain the type of service it desires.

It was the testimony of Hettinger that the area sought to be served encompasses a radius of twenty-five miles of a point located at Colfax and Broadway, in the City of Denver. There will be approximately 125 packages delivered each week to an over-all list of customers of Hettinger of some three hundred dentists. These packages will vary in weight and size from small, light packages, to bulky packages of light weight, or large packages weighing as much as one hundred pounds.

Hettinger is the only customer that Denver Dental Laboratory Company seeks to serve under a contract arrangement, and under the authority sought herein.

The financial responsibility of the applicant was established to the satisfaction of the Commission.

No one appeared in protest to the application. The other appearing parties adduced no evidence.

F I N D I N G S

THE COMMISSION FINDS:

From the evidence adduced at the hearing, the conclusion is inescapable that the type of service sought is of a highly specialized nature, requiring a personalized service. This service is a type that should be performed by someone acquainted with the specific requirements of the specialized industry or profession. This express-type service on limited type commodities, such as dental supplies for customers of dental laboratories, only, is not normally within the purview of the type of service offered by a common carrier. Although it is the policy of this Commission, as it is of others, to scrutinize attempts by those engaged in a competitive business to utilize a carrier for hire authority as incidental to their business, nevertheless, the needs of specific customers may sometimes dictate deviation from this general policy. It is our opinion, and we so find, that all of those elements enumerated above to warrant such a deviation are present in this case, and that the authority should be granted, limited, however, to Hettinger Dental Supply Company as a customer, and commodities to be transported shall be limited to dental supplies used or useful by dentists in the regular pursuit of their profession, and limited in size to packages not exceeding one hundred pounds, and over an area encompassing a radius of twenty-five miles of the intersection of Colfax and Broadway, in the City and County of Denver, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Denver Dental Laboratory Company, a Colorado corporation, Denver, Colorado, be, and it hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dental supplies, including, among other things, false teeth, denture base material, dental cement, dental instruments, gold, paper towels for dental use, dental medicines, dental anesthetics, and dental stone, viz., commodities used or useful by dentists in the regular pursuit of their profession, from point to point within a

radius of twenty-five miles of the intersection of Colfax and Broadway, in the City and County of Denver, Colorado, limited to service of Hettinger Dental Supply Company, only, and limited to packages not exceeding one hundred pounds in weight.

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
Robert C. Hooton
Henry E. Paulings
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.

ea

(Decision No.)

58560

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF

THOMAS FISHER
903 Bragdon
Pueblo, Colorado

AUTHORITY NO. PUC 3773

CASE NO. 8336 Ins.

May 8, 1962

S T A T E M E N T

By the Commission:

On April 11, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Wm. E. Zwick
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962

copy.
(Decision No. 58561)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF

ROCCO SMALDONE
6100 North Huron
Denver 21, Colorado

AUTHORITY NO. B 5574

CASE NO. 6543 Ins.

May 8, 1962

S T A T E M E N T

By the Commission:

On October 25, 1962, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
James C. Johnson
Arthur E. Ziegler
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962

original

(Decision No. 58562)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE RAILWAY EXPRESS AGENCY, INCOR-)
PORATED, DENVER, COLORADO, TO WITH-)
DRAW ITS EXPRESS AGENCY AT MONTE)
VISTA, COLORADO, AND TO INCLUDE THIS)
AREA WITHIN THE COLLECTION AND DE-)
LIVERY LIMITS OF ITS OFFICE AT)
ALAMOSA, COLORADO.)

APPLICATION NO. 18936

May 8, 1962

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 at Monte Vista, Rio Grande County, Colorado, and to therewith extend pickup and delivery service from its office in Alamosa, Colorado.

In support of the instant request, Applicant states that over a long period of time a separate express office and agent has been maintained at Monte Vista and at Alamosa, Colorado; that the present traffic volumes are now insufficient to justify continuation of a salaried agent at each location; that express shipments are transported by Rio Grande Motorway Truck Line between Alamosa and the Monte Vista office. Applicant proposes to continue the service furnished to and from Monte Vista by its instant request for authority to provide direct pickup and delivery service through the Alamosa office. By the use of its own trucks for the complete haulage and delivery of Railway Express traffic, it is contemplated that an earlier schedule of service

can be provided to the Monte Vista residential area and merchants. Toll-free telephone service will be provided customers in Monte Vista, Colorado, permitting them to call the Alamosa office for pickup of an out-going shipment, delivery of an inbound shipment, or for rates and other information. Extension of delivery limits is also proposed for some new residential areas that are gradually developing in Monte Vista.

Applicant contemplates that with the proposed changes, 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..

Appropriate posting and public notice was given in Monte Vista of the proposed service change. Five complaint letters were received by the Commission and reply information was offered each person by Railway Express Agency.

Commission investigation in the area reveals that the proposed combination of service will actually provide a more direct pattern of distribution from the Alamosa terminal where all shipments arrive; rather than sorting and transfer for continued movement into Monte Vista by common carrier and the secondary handling that must then be performed for Railway Express delivery. In a study of the complaints forwarded to the Commission, it appears only one person was an active patron and no objection to Alamosa delivery was offered; but only that some storage or receiving facility be provided at Monte Vista for the accommodation of patrons from the surrounding farming area and the town of Center, located 12 miles north. In other interviews with local merchants who are active patrons, there was an understanding of the economic problem; the comments being that the truck service was more important than office service - only one customer cited the loss of convenience in being able to make a local telephone call for rate comparisons.

Other data of the investigation reveals that business volume at Alamosa has averaged twenty shipments per day; at Monte Vista, the volume ranges from none to a maximum of forty shipments at Christmas time for an average of ten shipments per day. The proposed installation of an automatic telephone answering and recording machine at Alamosa will provide a record of calls for service and eliminate the toll charge for Monte Vista patrons.

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 reduce expenses but also keep its facilities and service readily available to the public; and should therefore be approved with the condition that a public storage or receiving facility be retained at Monte Vista for accommodation of out-of-town patrons.

It appears the proposed change has received public notice in the area; that protests as received in accordance with the Commission's rule have been investigated; that there will be no lessening of pickup or delivery service by truck, and that the proposed change will be compatible with the public interest. 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 Monte Vista require the continuation of pickup and delivery service as proposed for the City limits area and new annexations.

That transfer of the office services from Monte Vista to Alamosa is now in keeping with the overall business volumes of the area.

That closure of the Monte Vista office will require the maintenance and operation of a public storage or receiving facility at Monte Vista for the benefit of out-of-town patrons.

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 Monte Vista, Colorado, and thereafter offer service from its Alamosa office.
- (b) Extend the Monte Vista pickup and delivery service to include newly developed City additions.

That a public storage or receiving facility be secured and maintained at Monte Vista for the accommodation of its out-of-town patrons.

That appropriate tariff corrections be filed to describe the new area of service and to show:

Monte Vista, Colorado,
Delivers from Alamosa, 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.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Tolant
James E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 8th day of May, 1962.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PROPOSED NEW TARIFF RULES,
REGULATIONS, RATES AND CHARGES
BY SORENSON TRUCK SERVICE, INC.
COVERING THE INTRASTATE TRANSPORTA-
TION OF LIVESTOCK IN COLORADO.

INVESTIGATION AND SUSPENSION

DOCKET NO. 455

May 9, 1962

Appearances: Don Brotzman, Esq., 250 Mercantile
Bank Building, Boulder, Colorado,
for Sorenson Truck Service, Inc.,
respondent;

A. J. Tait, S. J. Philipponne and T. S.
Wood for the staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

By a tariff¹ filed to become effective June 28, 1961, Sorenson Truck Service, Inc., of Longmont, Colorado, sometimes hereinafter called respondent, proposed to cancel its participation in Colorado Motor Carriers' Association, Agent, Tariff No. 14, Colorado P.U.C. No. 13, Section 4, rules, regulations, rates and minimum weights on livestock and to publish, in lieu thereof, new rules and regulations and new less-than-truckload rates; also rates subject to minimum weights of 6,000, 12,000 and 22,000 pounds including incentive rates on that weight in excess of 22,000 pounds transported in a single vehicle or vehicles drawn by a single power unit. The proposed changes result in both increases and reductions in rates and charges for the transportation of livestock moving over the lines of the respondent in the State of Colorado.

Sorenson Truck Service, Inc., holds authority from this Commission, under Certificates numbered 337 and 489 to conduct, on call and demand, a service of transporting livestock in the county of Boulder and occasionally

¹Sorenson Truck Service, Inc., Local Motor Freight Tariff No. 2, Colorado P.U.C. No. 2.

throughout the State. Longmont, in Boulder County, is respondent's principal terminal. Other authority is held by this carrier to conduct a general cartage business in the counties of Adams, Arapahoe, Jefferson and the City and County of Denver, occasional for hire service throughout the State, etc.

Respondent's tariff was suspended until October 25, 1961, upon the protest and petition of Nauta Trucking Company, Livestock Transport, Inc., and J. J. Schaefer Livestock Trucking Company hereinafter called protestants and upon the Commission's own motion by Decision No. 56745 of June 27, 1961. The matters and things involved as a consequence of the suspended schedules were set for hearing at Denver, Colorado, on August 2, 1961. Upon the request of counsel for respondent, the hearing was vacated to be reset at a later date. By Decision No. 56285, dated October 4, 1961, the suspended schedules were further suspended to April 25, 1962. The schedules were voluntarily suspended to May 10, 1962, by respondent.

A petition, filed November 13, 1961, by the respondent requested the Commission to vacate and set aside the order of suspension in this docket and as referred to in Decision No. 57285. Protestants withdrew their protest or protests by a notice to the Commission dated November 14, 1961, and received November 17, 1961. The Commission by Decision No. 57609 dated November 28, 1961, vacated its orders (Decisions numbered 56745 and 57285) and discontinued the proceeding only insofar as the schedules, proceeding and such orders related to livestock movements between points in Adams, Boulder, Larimer and Weld Counties and from and to points in the preceding named four counties to and from the Denver Union Stock Yards and other points located within a five-mile radius of said Stock Yards. Said orders to remain in full force and effect in all other respects. The Commission by Decision No. 56837, dated July 17, 1961, effective September 1, 1961, in Case 1585, Rates, Rules, Regulations and Exceptions, Livestock, etc., provided in its order that the rates, rules, regulations and provisions prescribed therein should not be considered as prescribed on movement of livestock between points in Adams, Boulder, Larimer and Weld Counties, nor, from and to points in these counties to and from the Denver Union Stock Yards and other points within a five-mile radius of the said Stock Yards.

Hearing on the suspended schedules was held in Denver, Colorado, on February 15, 1962, following due notice to all known interested parties.

We are thus concerned here only with the rates, rules and regulations appearing in respondent's tariff as they may be applicable to livestock moving between points in the four counties of Adams, Boulder, Larimer, and Weld, on the one hand, and on the other, all points in the State of Colorado, excluding the Denver Union Stock Yards.

Respondent's president testified that the suspended tariff followed the suggestions appearing in Commission's analysis in Case 5144 (Decision No. 50910 dated September 12, 1958); that the tariff publication was a realistic approach to tariff simplification; that the rates would produce a proper earning and that they were not too high; and that said rates met the conditions in the field today. He expressed the view that, under the present tariff, Colorado Motor Carriers' Association, Agent, Tariff No. 14, hereinafter referred to as Tariff 14, Colorado P.U.C. No. 13, it was hard to compute rates and as a consequence shippers were not treated properly. Tariff 14, this witness stated, provided for a volume truckload of 25,000 pounds or minimum weight, to obtain a specified rate on livestock moving between two given points, with the applicable rate being assessed on that quantity, when tendered, whether transported in one or two trucks. This provision tends, so he stated, to the loading of a truck to less than its capacity, resulting in the need for a second truck and thus occasioning additional costs. Proposal of this respondent provides for incentive loading by offering rates, on weight in excess of 22,000 pounds loaded in a single vehicle or vehicles drawn by a single power unit, ranging from 25 per cent to 65 per cent lower than the rate applicable on the minimum weight of 22,000 pounds. For example, for a plains distance of 100 miles, the rate on a shipment of cattle weighing 35,000 pounds transported in one or two vehicles drawn by a single power unit, would be 30 cents per cwt. on the weight of 22,000 pounds and 18 cents per cwt. on the remaining 13,000 pounds, resulting in an average rate of 25.5 cents per cwt. $(22,000 \times 30 + 13,000 \times 18 = \$89.40 \div 35 = 25.5¢)$. Under Tariff 14, Section 4-A, the comparable rate would be 28 cents per cwt., based on a minimum weight of 25,000 pounds. Rates for selected distances are as follows:

LIVESTOCK,¹ BETWEEN POINTS WITHIN PLAINS TERRITORY²

| <u>Distance</u> | <u>Minimum Weight 22,000 lbs.</u> | <u>Weight Over 22,000 lbs.</u> |
|-----------------|---------------------------------------|------------------------------------|
| 5 miles | 6 | -- |
| 25 " | 13 | -- |
| 50 " | 16 | 12 |
| 100 " | 30 | 18 |
| 150 " | 40 | 21 |
| 200 " | 50 | 23 |
| 250 " | 64 | 26 |
| 300 " | 72 | 28 |
| 350 " | 88 | 31 |
| 400 " | 98 | 33 |

¹ Sheep - additional charges

- a. Weaned and/or adult sheep 3¢ each
- b. Ewe with lamb at side 5¢ per pair

² Rates in mountain territory are the plains rates plus a charge of 15 cents per loaded mile for each mile traveled in mountain territory. If the shipment referred to above, weighing 35,000 pounds had moved 10 miles in mountain territory, the charge to be added to the charge of \$89.40 would have been \$1.50 for a total charge of \$90.90 resulting in an average rate of 26¢.

A comparison of the prescribed rates and minimum weights in Case 1585, Decision No. 56837, with the proposed rates and minimum weights, on livestock, other than sheep or goats, transported a distance of 200 miles discloses that respondent's proposed rates are generally higher on shipments weighing under 22,000 pounds and generally lower on shipments weighing in excess of 22,000 pounds than the rates prescribed by us. Rates and minimum weights are as follows for a distance of 200 miles:

| <u>Quantity</u> | | <u>Plains</u> | <u>Mountain</u> |
|-----------------------|------------|---------------|-----------------|
| Less-than-truckload | Prescribed | 85 | 110 |
| | Proposed | 152 | 152 |
| Minimum 6,000 pounds | Proposed | 127 | 143.6 |
| Minimum 8,000 pounds | Prescribed | 72 | 92 |
| Minimum 12,000 pounds | Proposed | 78 | 94.6 |
| Minimum 16,000 pounds | Prescribed | 54 | 70 |
| Minimum 20,000 pounds | Prescribed | 52 | 67 |
| Minimum 22,000 pounds | Proposed | 50 | 63.6 |
| Over 22,000 pounds | Proposed | 23 | -- |
| Minimum 25,000 pounds | Prescribed | 49 | 64 |
| | Proposed | 46.7 | 58.7 |

A comparison of specifically published and distance rates and minimum weights as follows, reflects a similar relationship (to that of the aforementioned), between the prescribed and the proposed rates and minimum weights on livestock:

PART I

Between Gunnison, Colo.
and Denver, Colorado

| | Livestock - Minimum Weight | | | | | | | | | |
|---------------------------------|----------------------------|-----|-----|----|-----|----|-----|----|-----|----|
| | LTL | | 10M | | 15M | | 18M | | 25M | |
| | A | B | A | B | A | B | A | B | A | |
| Distance 202 miles ¹ | 108 | 124 | 80 | 92 | 69 | 79 | 66 | 76 | | 63 |

| Livestock, Other Than Sheep or Goats - Minimum Weight | | | | | |
|---|----|-----|-----|----------|-----|
| LTL | 6M | 12M | 22M | Over 22M | 25M |

| | | | | | |
|---------------------------------|-----|-----|----|----|----|
| Distance 202 miles ² | 168 | 140 | 84 | 55 | 24 |
|---------------------------------|-----|-----|----|----|----|

Differential Miles

187 x (cents per mi.) 5¢ = 9.35 10¢ = 18.70 15¢ = 28.05 + (30 x 24)

Charges on Minimum

Shipment - Dollars 93.35³ 119.50⁴ 156.25⁵

Average Rate 168¢ 155.7¢ 99.6¢ 62½¢

Sheep or Goats - Add 3¢ per cwt. to livestock, other than sheep or goats.⁶

PART II

Between Gunnison, Colo.
and Longmont, Colorado

| | Livestock - Minimum Weight | | | | | | | |
|---------------------------------|----------------------------|-----|----|----|-----|---|-----|----|
| | LTL | | 8M | | 10M | | 16M | |
| | A | B | A | B | A | B | A | B |
| Distance 236 miles ¹ | 99 | 114 | 85 | 98 | 67 | | 61 | 67 |

Differential Miles

187¹ 24 28 21 24 15 15 17 15

Rate¹

123 142 106 122 82 76 84 73

| Livestock, Other Than Sheep or Goats - Minimum Weight | | | | | |
|---|----|-----|-----|----------|-----|
| LTL | 6M | 12M | 22M | Over 22M | 25M |

| | | | | | |
|---------------------------------|-----|-----|----|----|----|
| Distance 236 Miles ² | 184 | 153 | 90 | 60 | 25 |
|---------------------------------|-----|-----|----|----|----|

Differential Miles

187² x 5¢ = 9.35 10¢ = 18.70 15¢ = 28.05 + (30 x 25)

Charges on Minimum

Shipment \$101.15⁷ \$126.70⁸ \$167.55⁹

Average Rate 184¢ 168.5¢ 105.6¢ 67¢

Sheep or Goats - Add 3¢ per cwt. to Livestock, other than sheep or goats rates.⁶

^ALivestock, other than sheep or goats.

^BSheep or goats rates.

¹Prescribed by Decision No. 56837, Case 1585, July 17, 1961.

²Sorenson Truck Service, Inc., Tariff No. 2, Colorado P.U.C. No. 2.

³60 x 140 = \$84.00 + \$9.35 (187 x 5¢) ÷ 60 = 155.7¢ per cwt.

⁴120 x 84 = \$100.80 + \$18.70 (187 x 10¢) ÷ 120 = 99.6¢ per cwt.

⁵220 x 55 = \$121.00 + \$7.20 (30 x 24) + \$28.05 (187 x 15¢) ÷ 250 = 62½¢ per cwt.

⁶Estimate based on average weight of lambs and ewes at 100 pounds each.

⁷60 x 153 = \$91.80 + \$9.35 (187 x 5¢) ÷ 60 = 168.5¢ per cwt.

⁸120 x 90 = \$108.00 + \$18.70 (187 x 10¢) ÷ 120 = 105.6¢ per cwt.

⁹220 x 60 = \$132.00 + \$7.50 (30 x 25) + 28.05 (187 x 15¢) ÷ 250 = 67¢ per cwt.

The office manager of respondent testified as to cost and revenue studies made relating to various periods. One revenue study for the month of January, 1962, discloses the following:

Comparison of Revenues using Sorenson Tariff No. 2 and C.M.C.A. Tariff No. 14, Section 4 and Section 4-A

Under Sorenson Tariff No. 2, Revenue:

| | |
|-------------|-----------------|
| LTL | \$ 238.14 |
| 6,000 lbs. | 394.36 |
| 12,000 lbs. | 480.51 |
| 22,000 lbs. | <u>7,481.68</u> |
| Total | \$8,594.69 |

Under CMCA Tariff No. 14, Section No. 4, Revenue:

| | |
|-------------|-----------------|
| LTL | \$ 265.41 |
| 5,000 lbs. | 220.95 |
| 10,000 lbs. | 297.56 |
| 15,000 lbs. | 143.20 |
| 20,000 lbs. | <u>6,872.04</u> |
| Total | \$7,799.16 |

Under CMCA Tariff No. 14, Section 4-A, Revenue:

| | |
|-------------|-----------------|
| LTL | \$ 495.25 |
| 8,000 to | |
| 16,000 lbs. | 591.51 |
| 25,000 lbs. | <u>7,503.30</u> |
| Total | \$8,590.06 |

It should be noted that the total charges under Sorenson Tariff No. 2 are but \$4.63 more than the total charges under C.M.C.A. Tariff No. 14, Section 4-A. Rates and minimum weights provided for in the latter tariff are those heretofore prescribed by us and having application throughout the State excluding certain counties and the Denver Union Stock Yards.

Respondent's average cost per truck mile for the period July 1, 1960, to April 30, 1961, was 50.68¢ per mile and its revenue per mile was 50.11 cents.

An analysis of the shipments of livestock hauled by Sorenson Truck Service, Inc., during the period July 1, 1960, to April 30, 1961, shows:

| | |
|-------------------------------|-----------------|
| Weight of livestock hauled as | 57,713,825 lbs. |
| Total revenue received as | \$103,963.18 |
| Total number shipments as | 6,157 |

Broken down into the following weight categories, etc.:

| | | | <u>Per Cent of Total</u> |
|----------------------|---------|-------------|------------------------------|
| Minimum shipments | Number | 864 | 27.36 |
| LTL shipments | Weight | 2,103,842 | 3.65 |
| 5,000 lb. shipments | Revenue | \$7,641.83 | 7.35 |
| 10,000 lb. shipments | Number | 170 | 5.4 |
| | Weight | 2,261,377 | 3.91 |
| | Revenue | \$3,794.31 | 3.65 |
| 20,000 lb. shipments | Number | 2,123 | 67.24 |
| | Weight | 53,348,606 | 94.22 |
| | Revenue | \$92,527.05 | 89.0 |

For the period July 1, 1960, to April 30, 1961, respondent's operating revenues were \$103,963.18, operating expenses were \$105,142.85 resulting in a loss of \$1,179.67 and an operating ratio of 101.13 per cent.

This witness and respondent's president both expressed the view that the proposed rates are just, reasonable and would be compensatory if they are permitted to become effective.

Two shipper witnesses appeared in support of the proposed rates and minimum weights. One shipper, who was a farmer and a cattle feeder stated that the proposal of respondent would result in reducing his rates generally. Another shipper, a cattle feeder and dealer, favored respondent's proposal as it provided a fair basis of charges for both light and heavy livestock loads. This shipper had both light and heavy loads of livestock to be transported. The owner of a marketing agency supported the proposed rates and minimum charges as they represented to him a basis that would enable the carrier to render a satisfactory transportation service which he considered very necessary in the handling of lambs to avoid a flesh shrink.

A member of a tariff publishing agency characterized respondent's tariff as being clear, free of exceptions and more simple than Colorado Motor Carriers' Association, Agent, Tariff No. 14, Colorado P.U.C. No. 13.

A witness for the staff of the Commission made a comparison between the respondent's proposed and the prescribed rates and minimum weights on livestock, other than sheep or goats, for selected distances. By comparison respondent's rates are generally higher on less-than-truckload shipments and shipments weighing 6,000 to 12,000 pounds than the prescribed rates for minimum weights nearest that range in weight. The proposed rates on shipments of 22,000 pounds are somewhat higher than the prescribed rates on shipments

of 25,000 pounds. However, on shipments of 25,000 pounds, because of the incentive rates, the proposed rates of respondent are lower than those we have prescribed for that weight.

Thus respondent has proposed rates based on the carrying capacity of its equipment, such rates, in its judgment being just and reasonable and compensatory. The incentive rates proposed in connection with shipments of livestock weighing in excess of 22,000 pounds transported in a single vehicle or vehicles drawn by a single power unit, will, if permitted to become effective, result in economies to both shipper and carrier.

There is merit in the proposal made by the respondent, but on this record, a showing of sufficient magnitude has not been made that will warrant or justify the setting aside of the rates and minimum weights applicable on livestock as prescribed by us in Case 1585, Decision No. 56837. The magnitude of the showing here made is further lessened when it is considered that respondent's operating authority, within the territory involved in this proceeding, is limited to occasional service. Rates and minimum weights applicable on livestock might very well be on a different basis where the service is occasional as contrasted to a service that must be rendered regularly. Thus the rates and minimum weights here proposed, should they become effective, could result in a breaking down of the existing livestock rate structure to the detriment and harm of both the carriers and the livestock shippers. In the light of the rates and minimum weights on livestock heretofore prescribed by us, we do not believe that it would be in the public interest to approve the proposal of the respondent.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The proposed schedules are not shown to be just and reasonable.
2. The following enumerated items and revised page published in respondent's Tariff No. 2, Colorado P.U.C. No. 2, should be canceled:

Items 10, 20, 60, 70, 220, 230 and 1st Revised Page 11, insofar as they may pertain to the territory set forth in the second paragraph, page 3 of the statement herein.

3. An order should be entered requiring the cancellation of the schedules enumerated in finding number 2 hereof and discontinuing this proceeding.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. That Sorenson Truck Service, Inc., be, and is hereby notified and required to cancel the items, rates, rules and regulations set out in the findings herein, on or before May 21, 1962, upon notice to this Commission and the general public by not less than five (5) days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission and that the proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro

Joseph C. Horton

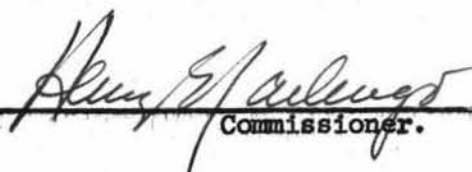
Commissioners.

Dated at Denver, Colorado,
this 9th day of May, 1962.

ph

COMMISSIONER HENRY E. ZARLENGO DISSENTING:

I would find the proposed rates and minimum weights under investigation to be lawful. The respondent has proved, in my judgment, by proper evidence, including cost studies, that the proposed rates will be just, reasonable and compensatory. By denying the proposal of the respondent, the carrier is denied the right to charge increased rates as to certain small shipments proven to be just, reasonable, and compensatory, and necessary to protect his operational stability which is of great importance to the public interest, and the public is denied the advantage of reduced rates on certain heavy shipments which also have been proven to be just, reasonable and compensatory. The proposal is founded on sound rate making principles and should be given an opportunity to be tested in the market crucible. The Commissioners' duty, such as here, is to examine rate proposals to determine factually whether they are just, reasonable and compensatory. The proposed rates are denied by the majority, it appears to me, because they do not conform to rates prescribed for competitors of the respondent. Under the facts as proven in the instant case, and the law applicable thereto, I believe such denial to be contrary to the public interest as well as not in accord with the law.



Commissioner.

Dated at Denver, Colorado,
this 9th day of May, 1962.

ph

original

(Decision No. 58564)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
SOUTHERN UNION GAS COMPANY, FIDELITY }
UNION TOWER, DALLAS, TEXAS, FOR }
AUTHORITY TO ISSUE COMMON STOCK. }

APPLICATION NO. 19018
Securities

May 9, 1962

Appearances: A. S. Grenier, Esq., Dallas,
Texas, and
John R. Barry, Esq., Denver,
Colorado, for Applicant;
J. M. McNulty, Denver, Colo-
rado, and
E. R. Thompson, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

This application was filed March 27, 1962, and originally set for hearing by the Commission's Decision No. 58297, on April 12, 1962, at 2:00 o'clock P. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Subsequently, on March 30, 1962, at the request of Applicant, this hearing date was vacated and re-set to Wednesday, May 2, 1962, at 10:00 o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and at that time the application was heard and taken under advisement by the Commission.

Because of the later hearing date, this application was continued beyond the thirty days set by statute and thus in Commission's Decision and Order No. 58364, April 13, 1962, for reasons set forth therein, Application No. 19018, Securities, was continued to May 16, 1962.

Southern Union Gas Company, the Applicant herein, seeks

authority of the Commission to issue to Applicant's common stockholders not to exceed 663,173 shares of its common stock, par value \$1.00 per share, to consummate a split of Applicant's common stock on the basis of one additional share of common stock for each four shares held on the record date to be fixed for such purpose.

Applicant is a corporation organized, created and existing under the laws of the State of Delaware and is now lawfully transacting a public utility business in the State of Colorado, owning and operating a distribution system serving Durango and vicinity. It is also engaged in the operation of natural gas properties located in Texas, New Mexico and Arizona.

As evidence of the Company's financial position, Applicant introduced into evidence its Balance Sheet as of February 28, 1962, Exhibit No. 1, and a pro forma Balance Sheet of the same date, showing the results of the proposed financing, Exhibit No. 2.

Applicant's witness testified that the proposed amendment to the Articles of Incorporation to increase the authorized number of common shares from 4,000,000 to 6,000,000 and the common stock split was approved by the shareholders at a meeting, April 18, 1962.

No fractional shares of common stock are subject to issue incident to the stock split. Applicant's Board of Directors is to make provision for determining the fair market value of a full share of Applicant's common stock as of the close of business on the record date for the split, such record date expected to be on or about June 25, 1962, and after giving effect to the split. Payment in cash on the basis of such determination will be made to each stockholder whose shares are not evenly divisible by four in lieu of issuing to any such stockholder the fractional share to which he otherwise might be entitled.

F I N D I N G S

THE COMMISSION FINDS:

After careful consideration of the evidence adduced and of the files, records and proceedings herein, the Commission is of the opinion and finds:

That Applicant, Southern Union Gas Company, is a public utility as defined by 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction over and with respect to, Southern Union Gas Company, in certain of its operations 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 issue of not to exceed 663,173 shares of common stock, par value \$1.00 per share, to common stockholders for the purposes of consummating a common stock split on the basis of one additional share for each four shares held on the record date and the transfer of \$663,173 from capital surplus to common stock outstanding account, is reasonably required and necessary for proper corporate financing and should be approved.

That the proposed securities transaction is not inconsistent with the public interest; that the purpose or purposes thereof are permitted by and are not inconsistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

That the Order sought should be issued and be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That Southern Union Gas Company, Dallas, Texas, be, and it hereby is, authorized and empowered to issue not to exceed 663,173 shares of common stock, par value \$1.00 per share, to its common

stockholders for the purpose of consummating a common stock split on the basis of one additional share for each four shares held on the record date and to transfer from capital surplus account to capital stock outstanding account, an amount not to exceed \$663,173.

That Southern Union Gas Company, Dallas, Texas, be, and it hereby is, authorized to take such further steps and actions, in conformity with applicable laws and regulations, as may be necessary, incident or appropriate to the full accomplishment of the transaction hereinabove approved and authorized.

That within ninety (90) days from and after the consummation of the transaction herein authorized, Southern Union Gas Company shall file its report with the Commission showing consummation of such transaction.

That each common stock certificate initially issued by Petitioner pursuant to the authority granted herein shall be identified by a legend appearing thereon as follows: "Colo. PUC No. _____."

That nothing herein shall be construed to imply any recommendation or guarantee of or any obligation with respect to any of the aforesaid securities or the payment of dividends thereon on the part of the State of Colorado.

That the Commission retains 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.

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. Nigro
Thomas C. Horton
Henry E. Culver
Commissioners

Dated at Denver, Colorado,
this 9th day of May, 1962.
mls

IN THE MATTER OF THE APPLICATION OF
THE INTERMOUNTAIN RURAL ELECTRIC
ASSOCIATION, INC., LITTLETON, COLORADO,
FOR AN ORDER AUTHORIZING THE ISSUANCE
OF SECURITIES, AND THE APPLICATION OF
THE PROCEEDS THEREFROM TO CERTAIN LAW-
FUL PURPOSES.

APPLICATION NO. 19073
Securities

S T A T E M E N T

By the Commission:

Upon consideration of the application of The Intermountain
Rural Electric Association, Inc., in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on June 1, 1962,
at 9:00 o'clock A. M., 532 State Services Building, Denver, Colorado,
respecting the matters involved and issues presented in the proceed-
ing. Any interested municipality or any representative of interested
consumers or security holders of applicant corporation, and any other
person whose participation herein is in the public interest, may inter-
vene in said proceedings. Intervention petitions should be filed with
the Commission on or before May 25, 1962, 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 inter-
veners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry Spaulding
Commissioners

Dated at Denver, Colorado,
this 9th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
K. C. ELECTRIC ASSOCIATION FOR EXTEN-)
SION OF ITS PRESENT CERTIFICATES OF)
PUBLIC CONVENIENCE AND NECESSITY AND)
FOR AUTHORITY TO FURNISH ELECTRIC)
ENERGY TO ALL CONSUMERS AND USERS)
THEREOF IN THE COUNTY OF CHEYENNE)
AND STATE OF COLORADO AND IN ALL OF)
THE COUNTY OF KIT CARSON, COLORADO,)
EXCEPTING CONSUMERS WITHIN THE TOWN)
OF BURLINGTON, INCORPORATED, AND)
EXCEPTING SUCH CONSUMERS OUTSIDE OF)
THE TERRITORIAL LIMITS OF THE TOWN)
OF BURLINGTON AS ARE NOW BEING)
SERVED BY THE SAID TOWN.)

APPLICATION NO. 19024-Extension

- - - - -
May 11, 1962
- - - - -

Appearances: Thorton H. Thomas, Esq., Burl-
ington, Colorado, for Appli-
cant;
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:

K. C. Electric Association (Applicant or K. C.) is a rural electric cooperative association, engaged in the business of genera-
tion, transmission, distribution and sale of electric energy in the
Counties of Lincoln, Cheyenne and Kit Carson, Colorado.

In its application, K. C. alleges it is or may be a public utility pursuant to Chapter 115-1-3 Colorado Revised Statutes, 1953, as amended by the Legislature in the session of 1961 and seeks a certificate of public convenience and necessity to furnish electric service in the extended area described in its application.

This matter was set for hearing, and was heard in the Hear-

ing Room of the Commission, 532 State Services Building, Denver, Colorado, on Friday, May 4, 1962, at ten o'clock A. M., after due notice having been given to all interested parties. At the conclusion of the hearing, the matter was taken under advisement.

No petitions of intervention were filed with the Commission and no one appeared at the hearing in opposition to the authority sought by Applicant in this matter.

At the beginning of the hearing, Applicant requested and was granted permission to amend its application in order to exclude the North 1/2 of Section 1, Township 9-South, Range 44-West for electric service to be provided by the Town of Burlington and to exclude those portions of the Southwest 1/4, Section 17 and the Northwest 1/4, Section 20, within Colorado and the South 1/2, Section 18, all in Township 16-South, Range 41-West of the 6th Principal Meridian. The latter portion was requested to be deleted because Applicant was previously unaware the Commission in its Decision No. 57181, of September 19, 1961, granted a certificate of public convenience and necessity to Wheatland Electric Cooperative, Inc., of Scott City, Kansas. It serves no customers in this area.

Applicant showed it now holds a certificate of public convenience and necessity transferred to it by this Commission in its Decision No. 31119, of August 31, 1948, to serve in portions of Cheyenne, Kit Carson, and Lincoln Counties. This Decision transferred the certificate of public convenience and necessity held by Inland Utilities Company.

It also holds a certificate to serve the Town of Kit Carson and areas adjacent thereto. By Decision No. 40225, of March 31, 1953, the certificate held by C. A. Berridge was transferred to Applicant.

This application seeks to extend the areas now held under certificates by Applicant to include the entire Counties of Kit Carson and Cheyenne with the exceptions above noted. There will be no

enlargement of the area now served in Lincoln County. Applicant in prior appearances before this Commission has received authority to issue its mortgage notes to the United States Government for the purposes of financing construction of and extension to its electric transmission and distribution facilities. Its Exhibit No. 1 is a map setting forth the total area it seeks to serve by virtue of certificates now held and the extensions sought in this application. Other exhibits included its Operating Statement and Balance Sheet at December 31, 1961, and a feasibility study showing Applicant's ability to support its debt service requirements as well as operating expense as of the most recent borrowing from the United States Government.

K. C. began its operations as a rural electric cooperative association acquiring the certificates of the Inland Utilities Company in 1948 and of C. A. Berridge in 1953. It serves 3300 customers, both members and non-members, over 1980 miles of distribution lines. In its service area there remain only 98 estimated potential customers. The population of the territory served is estimated to be 12,000. Its power is supplied by Tri-State Generation and Transmission Association, Inc., (also a borrower from the REA) of which K. C. is a member. Tri-State obtains its power supply from the Bureau of Reclamation and is committed to serve the total power requirements of its members. At such time as the Bureau will no longer be able to supply the entire requirements of Tri-State's members, it will build its own generating plants. It has loans committed and plans made to construct a thermo-generating plant. K. C. owns and operates three small generating stations aggregating 1450 kilowatts capacity in three units, located at Hugo, Stratton and Cheyenne Wells. It is proposed to ultimately eliminate these generating units from the system when alternate transmission line feeds are completed. These units are incapable of furnishing the present 3600 KW of peak demand requirements and their ~~will~~

timate elimination will affect a substantial saving in operating expense. Applicant is financed to the extent of 100% of its construction requirements by the Rural Electrification Administration of the United States Government for which K. C. issues its 2% 35-year mortgage notes. It is current on its principal and interest payments on these notes and, in fact, has made advance payments of \$400,000.00, approximately.

In October 1960, Applicant filed with this Commission its rates, rules and regulations as available throughout its entire service territory. These rates were effective as of December 16, 1960.

The only other utilities offering service within the area sought by Applicant are the Town of Burlington (which, substantially, furnishes service to its residents) and the Wheatland Electric Cooperative, Inc., which supplies approximately 60 customers in its service area located along the easterly boundary of Colorado in Cheyenne County.

Customer witnesses residing in the service area of Applicant, who have been customers of Applicant from its inception, testified no other service was available, that they were well satisfied with the present service which they stated was continually improving and they believed the public convenience and necessity required the granting of a certificate by this Commission.

F I N D I N G S

THE COMMISSION FINDS:

That it has jurisdiction of the Applicant and of the subject matter of this application.

That the Commission is fully advised in the premises.

That the above Statement by reference should be made a part of these Findings.

That Applicant has been a public utility in the heretofore acquired areas by transfer from predecessor public utilities.

That Applicant has been and will be performing the functions of a public utility in providing electric service to the area sought in this application.

That Applicant is a public utility pursuant to Chapter 115-1-3 Colorado Revised Statutes, 1953, as amended.

That Applicant should be found to be a public utility within its entire service area and should be granted a certificate of public convenience and necessity to supply electric service in the extended areas sought in this application and as combined with its existing certificate, set forth in the Order below.

ORDER

THE COMMISSION ORDERS:

That Applicant be, and it hereby is, declared to be a public utility, and the public convenience and necessity require and will require the continued operation by Applicant of its electric system as it now exists and as it may be extended from time to time within the territory described below and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That the territory to be served by K. C., including the territory heretofore transferred to it and the extended territory sought in this application is as follows:

- a. All territory within the boundaries of Cheyenne County, Colorado, excepting the area now being served by Wheatland Electric Cooperative, Inc., of Scott City, Kansas, being those portions of the Southwest 1/4 Section 17 and the Northwest 1/4 Section 20, within Colorado and the South 1/2, Section 18, all in Township 16 South, Range 41 West of the 6th P. M.
- b. All territory within the boundaries of Kit Carson County, Colorado, excepting the Town of Burlington, Incorporated, and 37 consumers in the fringe area around said Town receiving electric service, as of the date of this Decision, from the facilities of said Town and excepting the North 1/2 of Section 1, Township 9, South, Range 44 West of the Sixth Principal Meridian, also to be served by said Town.

- c. That portion of Lincoln County, Colorado, now being served by K. C. Electric Association and located within the following described boundaries:

Beginning at the Northeast corner of Township 8 South, Range 52; thence West along the North line of Township 8 South, Ranges 52, 53 and 54, a distance of 17 miles to the Northwest corner of Section 5, Township 8 South, Range 54; thence South along the section lines, a distance of 9 miles, to the Southwest corner of Section 17, Township 9, South, Range 54; thence West 1 mile to the Northwest corner of Section 19, Township 9 South, Range 54; thence South 3 miles along the section lines to the Southwest corner of Section 31, Township 9 South, Range 54; thence West along the Township line 6 miles to the Northwest corner of Township 10 South, Range 55; thence South following the West Range line of Range 55, 12 miles to the Southwest corner of Township 11 South, Range 55; thence East 12 miles along the South line of Township 11 to the Southeast corner of Township 11 South, Range 54; thence North following the East line of Range 54, a distance of 12 miles to the Northeast corner of Township 10 South, Range 54; thence East along the South Township line of Township 9 South, a distance of 12 miles to the Southeast corner of Township 9 South, Range 52; thence North along the East Range line of Range 52, 12 miles, being along the East boundary line of Lincoln County, Colorado, to the Northeast corner of Township 8 South, Range 52, being the point of beginning.

That service shall continue to be available to members and non-members alike and without discrimination.

That Applicant shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

Applicant shall continue the application of its present rates, rules and regulations as now on file with this Commission or as they may be amended pursuant to the rules of this Commission, or according to law.

That it shall maintain its operations as a public utility in accordance with the rules regulating the service of gas and electric utilities as promulgated by this Commission now in effect and as they may be hereafter amended.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Rueby C. Hobart
Alvin E. Hurling
Commissioners

Dated at Denver, Colorado,
this 11th day of May, 1962.

mls

original

(Decision No. 58567)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
EARL HAMILTON, 2335 STOUT STREET,
DENVER, COLORADO, FOR AUTHORITY TO
TRANSFER PUC NO. 3388 TO WARD A.
MACE AND NINA F. MACE, DOING BUSI-
NESS AS "N & W RUBBISH REMOVAL,"
2020 SOUTH HAZEL COURT, DENVER,
COLORADO.

APPLICATION NO. 19068-Transfer

May 11, 1962

Appearances: Robert B. Palmes, Esq., Den-
ver, Colorado, for Transferor.

S T A T E M E N T

By the Commission:

Earl Hamilton, 2335 Stout Street, Denver, Colorado, is the
owner and operator of PUC No. 3388, which authorizes the following:

transportation of ashes, trash and other
waste materials, from point to point with-
in the City and County of Denver, and from
points in the City and County of Denver,
to regularly-established and approved
dumps and disposal places in the Counties
of Adams, Arapahoe, and Jefferson, State
of Colorado.

By the instant application, said certificate-holder seeks
authority to transfer said operating rights to Ward A. Mace and Nina
F. Mace, doing business as "N & W Rubbish Removal," 2020 South Hazel
Court, Denver, Colorado.

The application was regularly set for hearing after
statutory notice to all interested parties on Friday, May 4, 1962, at
two o'clock P. M., at 532 State Services Building, Denver, Colorado,
and was there heard and taken under advisement.

At the hearing, the evidence disclosed that the considera-
tion for the transfer of said operating rights is the sum of \$3,500;

that there are no outstanding operating obligations against the certificate; that the transferee has a net worth of approximately \$16,000; that he has ample and suitable equipment, and is well qualified by experience and financially to carry on the proposed 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.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Earl Hamilton, 2335 Stout Street, Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3388 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Ward A. Mace and Nina F. Mace, doing business as "N & W Rubbish Removal," 2020 South Hazel Court, 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 transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from

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

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

The right of transferees to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Raymond C. Hoban
Henry E. Zullings
Commissioners.

Dated at Denver, Colorado,
this 11th day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
JAMES C. HARRISON, DOING BUSINESS
AS "HARRISON MOVING & EXPRESS COM-
PANY," 942 KALAMATH STREET, DENVER,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 3798 TO JAMES R. NALL, DOING
BUSINESS AS "WALKER PIANO COMPANY,"
1345 SOUTH BROADWAY, DENVER, COLO-
RADO.

APPLICATION NO. 19069-Transfer

May 11, 1962

S T A T E M E N T

By the Commission:

James C. Harrison, doing business as "Harrison Moving & Express Company," 942 Kalamath Street, Denver, Colorado, is the owner and operator of PUC No. 3798, with authority as follows:

Conduct of a general transfer and cartage business between points within the City and County of Denver, State of Colorado.

By the instant application said certificate-holder seeks authority to transfer said operating rights to James R. Nall, doing business as "Walker Piano Company," 1345 South Broadway, Denver, Colorado.

The application was regularly set for hearing after statutory notice to all interested parties, and heard May 4, 1962, at two o'clock P. M., at 532 State Services Building, Denver, Colorado.

When the matter was called for hearing Transferor and Transferee did not appear either in person or by counsel, and 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

herein sought, and it did not appear that the granting of said authority to transfer would impair the efficiency of any common carriers operating in the territory. The files disclosed that transferee has a net worth of approximately \$33,000 and there is no indebtedness against the certificate. The consideration for the transfer is the sum of \$2,500, transferee having sufficient equipment, operating experience and financial responsibility to carry on the proposed operations.

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 James C. Harrison, doing business as "Harrison Moving & Express Company," Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3798 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to James R. Nall, doing business as "Walker Piano Company," 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 author-

ity 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
Wesley C. Hobart
Wesley C. Hobart
Commissioners.

Dated at Denver, Colorado,
this 11th day of May, 1962.

mls

original

(Decision No. 58569)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. BONABEL DAVIS AND FREDERIC A.)
BETHKE, DOING BUSINESS AS "CONSOLI-)
DATED MILK LINES," P. O. BOX 56,)
GILCREST, COLORADO, FOR AUTHORITY)
TO TRANSFER A PORTION OF PUC NO. 557)
TO STAR MILK LINES COMPANY, 9125)
WEST 35TH AVENUE, WHEATRIDGE, COLO-)
RADO.)

APPLICATION NO. 18881-Transfer
SUPPLEMENTAL ORDER

May 14, 1962

Appearances: A. J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for
Transferors and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By Decision No. 58389, dated April 18, 1962, E. Bonabel Davis and Frederic A. Bethke, doing business as "Consolidated Milk Lines," Gilcrest, Colorado, were authorized to transfer a portion of PUC No. 557 to Star Milk Lines Company, Wheatridge, Colorado, said operating rights being assigned a new number, and said portion of PUC No. 557 being set forth in said Decision.

By said Decision No. 58389, E. Bonabel Davis and Frederic A. Bethke, doing business as "Consolidated Milk Lines," Gilcrest, Colorado, were authorized to retain the remainder of said PUC No. 557, which authority to be retained was to be set forth in said Decision.

It now appears that through inadvertance certain rights under PUC No. 557 to be retained by said transferors herein were omitted from Decision No. 58389, and that said Decision No. 58389 should be amended, nunc pro tunc, as of the 18th day of April, 1962,

by correcting the Decision as hereinafter set out.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 58389, dated April 18, 1962, be, and the same hereby is, amended, nunc pro tunc, as of said 18th day of April, 1962, by inserting the following authority after the second paragraph on Page 8 of said Decision No. 58389, to-wit:

On call and demand, the transportation of milk and cream in tank trucks, via irregular routes, from Fort Morgan, Colorado, to Fort Collins, Colorado, and from Fort Collins, Colorado, to Denver, Colorado;

transportation of milk, in bulk, in tank trucks, between Brush and Fort Morgan, Colorado, and the area included within a five-mile radius of the City Limits of the City and County of Denver, Colorado;

transportation of milk and cream in tank vehicles via irregular routes between Golden, Colorado, on the one hand, and on the other hand, all points presently authorized, to-wit:

milk and cream in bulk in tank trucks over U. S. Highway No. 85 and U. S. Highway No. 6 only, between Sterling, Colorado, and Pueblo, Colorado, with no service at intermediate points, except Brush, Fort Morgan, Denver, Larkspur, and Colorado Springs, Colorado; and between Pueblo, Colorado, and Fort Lupton, Colorado, over U. S. Highway No. 85 only, with no service at intermediate points, except Larkspur, Colorado, and Denver, Colorado;

milk and cream, on call and demand, in tank trucks via irregular routes from Fort Morgan, Colorado, to Fort Collins, Colorado, and from Fort Collins, to Denver, Colorado.

That, except as herein amended, said Decision No. 58389 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Holton
Alvin S. Zwick
Commissioners.

Dated at Denver, Colorado,
this 14th day of May, 1962.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---|---------------------------------|
| IN THE MATTER OF THE APPLICATION OF) DENVER-CLIMAX TRUCK LINE, INC.; P.) O. BOX 6735, DENVER, COLORADO, FOR) A CERTIFICATE OF PUBLIC CONVENIENCE) AND NECESSITY, AUTHORIZING EXTENSION) OF OPERATIONS UNDER PUC NO. 1195.) | APPLICATION NO. 18736-Extension |
|---|---------------------------------|

May 14, 1962

Appearances: John H. Lewis, Esq., Denver,
Colorado, and
John P. Thompson, Esq., Den-
ver, Colorado, for Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, for North Park
Transportation Co. and Cur-
now Transportation Co., Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Denver-Climax Truck Line, Inc., Denver, Colorado, is the
owner and operator of PUC No. 1195, authorizing transportation of
freight:

1. Between Denver and five miles thereof, and
Climax and points intermediate between and
including Idaho Springs and Climax, with
off-route points of Empire, Breckenridge,
Montezuma and points within a four-mile ra-
dius of Kokomo, and the points between the
foot of Mt. Vernon Canyon and Idaho Springs,
via Highways Nos. 6 and 40; also serving
points within one mile on each side of Love-
land Pass as far west as Dillon, and from, to
and between all of said points;
2. Between Leadville and the Arkansas Smelter,
on the one hand, and Wheeler, Frisco, Dillon,
Breckenridge, Montezuma, Loveland Pass, Ko-
komo, and a four-mile radius of Kokomo, on
the other hand;
3. Between Idaho Springs and Echo Lake and in-
termediate points;

4. Between all points in Colorado and the Colorado State Boundary Lines, where all highways cross the same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended; subject to the following conditions:

- (a) Provided, however, that no transportation shall be rendered between Denver and Dillon, Breckenridge, Frisco, and Wheeler, requiring special equipment;

- (b) Provided that any and all highways necessary to effect an adequate transportation service hereunder may be used;

and by the instant application seeks authority to extend operations under said PUC No. 1195 to provide scheduled service between points it is presently authorized to serve, on the one hand, and on the other hand, the Urad Mine, which is located in Clear Creek County, Colorado, approximately one and one-half miles south of U. S. Highway 40 at the foot of Berthoud Pass.

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, October 11, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

An objection was made by counsel for applicant to the appearance of North Park Transportation Co. and Curnow Transportation Co., Inc., and the Commission having considered the grounds for such objection overrules the same and confirms the action of the hearing Commissioner allowing appearances.

Robert M. Warman testified for the applicant that he is the Office Manager for C. Ryan & Son, Climax, Colorado; that in connection with the business of the company, which is "contracting," that the company does work for the Climax Molybdenum Company at Climax and also at the Urad Mine, the work consisting of earth moving, sand and gravel production, construction work, heavy construction, excavating and mining; that materials and repair parts are needed which occasion-

ally are shipped from Climax to the Urad Mine and also Denver; that his company would like to have daily common carrier transportation service available.

On cross-examination, the protestants brought out that the company has a number of trucks available for transportation services; that the company has never used North Park Transportation Company; that no substantial investigation was made to discover carriers who might supply the transportation needs.

George E. Lensch, who is connected with a drilling company, having an office in Denver, testified that the company has been serving the Climax company at Climax, Colorado, for many years, where it maintains a stock of supplies; that some work is being done for the Climax company at the Urad Mine in core drilling; that there have been requests in the past to move such commodities from Climax to the Urad Mine and from the Urad Mine to Climax and also between Denver and the Urad Mine; that the Denver-Climax service has been very good; and that if the application is granted, his company would make use of the applicant's service.

Under cross examination, this witness testified that approximately 50% of its transportation needs would originate in Denver and 50% in Climax; that the witness was not aware that North Park Transportation Co. was serving the Urad Mine site under temporary authority, and that the services of such company were never used; that the witness did not know that Curnow Transportation Company holds authority in the area. This witness further testified that it would be very convenient to have scheduled service direct from Climax to the Urad Mine and that he thought daily scheduled service would be sufficient, although the service would be used possibly on the average of once a week over the period of a year.

Several other witnesses also testified on behalf of the applicant concerning the ability of the applicant to carry on the

proposed services.

It appears and the Commission so finds that direct transportation to and from Climax, Colorado, and the Urad Mine would result in savings to the shippers making use of such direct transportation as opposed to the existing service available by interlining.

Several witnesses testified in protest to the granting of the application. The Commission takes official notice of PUC No. 1195, PUC No. 1600, and the fact that North Park Transportation Co., Inc., has been authorized to serve the Urad Mine in connection with its regular routes. From the evidence adduced on behalf of, and in protest to, the application and from the record as made, the Commission finds that public convenience and necessity require extension of the applicant's authority in so far as direct transportation is to be afforded between Climax, Colorado, and the Urad Mine; however, the Commission finds that the applicant has not established by competent and sufficient evidence that public convenience and necessity require extension of its certificate to include the other extended authority applied for.

The Commission finds that there is adequate and satisfactory common carrier service to fulfill the public need and convenience of the Climax Molybdenum Company and others requiring common carrier service to and from the Urad Mine location, with the exception of the transportation services authorized in the following Order.

O R D E R

THE COMMISSION ORDERS:

That authority under PUC No. 1195 of Denver-Climax Truck Line, Inc., Denver, Colorado, be, and the same hereby is, extended to include scheduled service between Climax, Colorado, on the one hand, and on the other, the Urad Mine, which is located in Clear Creek

County, Colorado, approximately one and one-half miles south of U. S. Highway No. 40 at the foot of Berthoud Pass, by the shortest route already authorized under said certificate, without authority to serve intermediate points and without authority to combine or tack this authority with any other held by the applicant so as to provide any additional through service, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

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

That, except as herein authorized, the relief prayed for in the 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. Nigro
Raymond C. Hobart
Paul E. Adams
Commissioners

Dated at Denver, Colorado,
this 14th day of May, 1962.
mls

original

(Decision No. 58571)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PUBLIC SERVICE COMPANY OF COLORADO,
550 FIFTEENTH STREET, DENVER, COLO-
RADO, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO EXER-
CISE FRANCHISE RIGHTS IN THE CITY
OF COMMERCE CITY, COUNTY OF ADAMS,
STATE OF COLORADO, FOR THE PURCHASE,
MANUFACTURE, GENERATION, TRANSMIS-
SION, DISTRIBUTION, AND SALE OF
ELECTRICAL ENERGY AND GAS, EITHER
NATURAL, ARTIFICIAL, OR MIXED, IN
SAID CITY OF COMMERCE CITY.

APPLICATION NO. 18931
AMENDED

May 15, 1962

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., by
Bryant O'Donnell, Esq., Denver,
Colorado, 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:

Public Service Company of Colorado filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the exercise of franchise rights granted by the City of Commerce City, Adams County, Colorado, for the purchase, manufacture, generation, transmission, distribution and sale of electricity, and gas, either natural, artificial or mixed, in said City.

The matter was set for hearing, after due notice to all interested parties, on Monday, April 16, 1962, at two o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The application was heard on said date on a joint record with Applications Nos. 19003, 19004, and 19005, said applications also being for authority to exercise franchise rights by Public Service Company.

At said time and place, the matters were duly heard by Edwin R. Lundborg, an employee of this Commission, designated by the Commission to conduct the hearing on said application. Subsequent to the hearing, Examiner Lundborg submitted a report of the proceedings to the Commission. The Report of the Examiner revealed the following:

At the hearing, Applicant amended its Application No. 18931 to reflect a change in name of the municipality from Commerce Town to Commerce City.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution, and sale of electric energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

Applicant showed that on October 16, 1961, the City Council of the City of Commerce City duly passed and adopted Ordinance No. 100 of the City of Commerce City, which franchise ordinance was introduced in evidence as Exhibit No. 1 and is entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF COMMERCE TOWN, ADAMS COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE CITY OF COMMERCE TOWN, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE CITY OF COMMERCE TOWN AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID CITY OF COMMERCE TOWN, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term of said franchise is for a period of twenty-five years. Attached to the franchise introduced in evidence is a Certificate of Introduction, passage and signature by the Mayor, and a certificate of the recording by the City Clerk and of the acceptance of the franchise by Applicant. Exhibits 2 and 3 are maps of the electric and gas distribution system respectively in the City of Commerce City. These exhibits, by reference, are made a part hereof.

Witness for Applicant, H. M. Edmonds, testified that Applicant obtains its natural gas for distribution and sale in Commerce City from Colorado Interstate Gas Company, and its electric energy from the interconnected electric central system of Applicant.

The existing facilities will be utilized in continuing said gas and electric service. There is no other public utility in the business of distributing gas and electricity in said City of Commerce City. Applicant is serving 2,546 residential gas customers, and 2,895 residential electric customers. The population of Commerce City is 8,970, according to the 1960 U. S. Census.

Witness estimated that additional capital investment in the gas and electric distribution systems in the City of Commerce City during the term of the franchise will amount to approximately \$3,000,000 for the electric distribution system and \$2,700,000 for the gas distribution system.

The Report of the Examiner recommends that the application be granted, and that a fee of \$250 should be charged for the issuance of the certificate in accordance with the rules of the Commission.

It is expressly understood that the estimates of capital to be invested are for the purpose of setting the fee for issuance of the certificate and that the Commission will not be bound by said estimates should the matter of valuation be at issue.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference, and that the Report of the Examiner referred to therein be approved.

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

That public convenience and necessity require the issuance of a certificate of public convenience and necessity to Applicant herein, as set forth in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

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

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 100 of the City of Commerce City, dated October 16, 1961, marked Exhibit No. 1 herein, which, by reference, is made a part hereof, for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas, either natural, manufactured or mixed, by Public Service Company of Colorado in said City, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of electric and gas rates, classifications, 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 Public Service Company of Colorado 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, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Meyer
Ralph C. Hobart
Wm. E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 15th day of May, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
550 FIFTEENTH STREET, DENVER, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO EXER-)
CISE FRANCHISE RIGHTS IN THE CITY)
OF BROOMFIELD, COUNTY OF BOULDER,)
STATE OF COLORADO, FOR THE PURCHASE,)
MANUFACTURE, GENERATION, TRANSMIS-)
SION, DISTRIBUTION, AND SALE OF)
ELECTRICAL ENERGY AND GAS, EITHER)
NATURAL, ARTIFICIAL, OR MIXED, IN)
SAID CITY OF BROOMFIELD,)

APPLICATION NO. 19003

May 15, 1962

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado, by
Bryant O'Donnell, Esq., Denver,
Colorado, 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:

Public Service Company of Colorado filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the exercise of franchise rights granted by the City of Broomfield, County of Boulder, Colorado, for the purchase, manufacture, generation, transmission, distribution and sale of electricity, and gas, either natural, artifical or mixed, in said city.

The matter was set for hearing, after due notice to all interested parties, on Monday, April 16, 1962, at two o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place, the matter was duly heard by Edwin R. Lundborg, an employee of this Commission, designated by

the Commission to conduct the hearing. This application was heard on a joint record with Applications Nos. 18931, 19004 and 19005. Subsequent to the hearing, Examiner Lundborg submitted a report of the proceedings to the Commission. The Report of the Examiner revealed the following:

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

Applicant showed that on December 29, 1961, the City Council of the City of Broomfield duly passed and adopted Ordinance No. 2 of the City of Broomfield, which franchise ordinance was introduced in evidence as Exhibit 4, and is entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF BROOMFIELD, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE CITY OF BROOMFIELD, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE CITY OF BROOMFIELD AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS IN SAID CITY OF BROOMFIELD, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term of said franchise is for a period of twenty-five years. Attached to the franchise introduced in evidence is a Certificate of Introduction, passage and signature by the Mayor, and a certifi-

cate of the recording by the City Clerk and of the acceptance of the franchise by Applicant. Exhibits 5 and 6 are maps of the electric and gas distribution system in the City of Broomfield. These exhibits, by reference, are made a part hereof.

Witness for Applicant, Mr. H. M. Edmonds, testified that Applicant obtains its natural gas for distribution and sale in Broomfield from a pipeline of the Colorado-Wyoming Gas Company in the area, and its electric energy from the interconnected Central System of Applicant.

The existing facilities will be utilized in continuing said gas and electric service. There is no other public utility in the business of distributing gas and electricity in said City of Broomfield. Applicant is serving 1,444 residential gas customers, and 1,482 residential electric customers. The population of Broomfield is 4,535, according to the 1960 U. S. Census.

Witness estimated that additional capital investment in the gas and electric distribution systems in the City of Broomfield during the term of the franchise will amount to approximately \$5,000,000 for the electric distribution system and \$4,500,000 for the gas distribution system. These figures will be utilized in determining the maximum amount of the certificate issuance fee but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

The Report of the Examiner recommends that the application be granted and that a fee of \$250 should be charged for the issuance of a certificate in accordance with the Rules of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein be approved.

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

That the Commission is fully advised in the premises.

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 2 of the City of Broomfield, dated December 29, 1961, for the purchase, manufacture, generation, transmission, distribution and sale of gas and electricity by Public Service Company of Colorado in said City.

O R D E R

THE COMMISSION ORDERS:

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

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 2 of the City of Broomfield, dated December 29, 1961, marked Exhibit 4 herein, which by reference, is made a part hereof, for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas, either natural, manufactured or mixed, by Public Service Company of Colorado, in said City, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of electric and gas rates, classifications, 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 Public Service Company of Colorado 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, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Henry E. Zarlows
Commissioners

Dated at Denver, Colorado,
this 15th day of May, 1962.

mls

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
550 FIFTEENTH STREET, DENVER, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO EXER-)
CISE FRANCHISE RIGHTS IN THE TOWN)
OF MOUNTAIN VIEW, COUNTY OF JEFFER-)
SON, STATE OF COLORADO, FOR THE)
PURCHASE, MANUFACTURE, GENERATION,)
TRANSMISSION, DISTRIBUTION, AND SALE)
OF ELECTRICAL ENERGY AND GAS, EITHER)
NATURAL, ARTIFICIAL, OR MIXED, IN)
SAID TOWN OF MOUNTAIN VIEW.)

APPLICATION NO. 19004

May 15, 1962

Appearances: Lee, Bryans, Kelly & Stansfield,
Esq., Denver, Colorado, by
Bryant O'Donnell, Esq., Denver,
Colorado, 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:

Public Service Company of Colorado filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the exercise of franchise rights granted by the Town of Mountain View, County of Jefferson, Colorado, for the purchase, manufacture, generation, transmission, distribution and sale of electricity, and gas, either natural, artifical or mixed, in said Town.

The matter was set for hearing, after due notice to all interested parties, on April 16, 1962, at two o'clock P. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place, the matter was duly heard by Edwin R. Lundborg, an employee of this Commission, designated by the

Commission to conduct the hearing. This application was heard on a joint record with Applications Nos. 19003, 19005, and 18931. Subsequent to the hearing, Examiner Lundborg submitted a Report of the proceedings to the Commission. The Report of the Examiner revealed the following:

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

Applicant showed that on December 4, 1961, the Board of Trustees of the Town of Mountain View duly passed and adopted Ordinance No. 64 of the Town of Mountain View, which franchise ordinance was introduced in evidence as Exhibit No. 7, and is entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF MOUNTAIN VIEW, JEFFERSON COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF MOUNTAIN VIEW, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE TOWN OF MOUNTAIN VIEW AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF MOUNTAIN VIEW, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term of said franchise is for a period of twenty-five years. attached to the franchise introduced in evidence is a Certificate

of Introduction, passage and signature by the Mayor, and a certificate of the recording by the Town Clerk and of the acceptance of the franchise by Applicant. Exhibits 8 and 9 are maps of the electric and gas distribution system in the Town of Mountain View. These exhibits, by reference, are made a part hereof.

Witness for Applicant, Mr. H. M. Edmonds, testified that Applicant obtains its natural gas for distribution and sale in Mountain View from the Denver distribution system of Public Service Company of Colorado, and its electric energy from the interconnected electric central system of Applicant.

The existing facilities will be utilized in continuing said gas and electric service. There is no other public utility in the business of distributing gas and electricity in said Town of Mountain View. Applicant is serving 283 residential gas customers and 296 residential electric customers. The population of Mountain View is 826, according to the 1960 U. S. Census.

Witness estimated that no additional capital investment in the combined gas and electric distribution systems in the Town of Mountain View during the term of the franchise will be necessary because of the fact that the city is completely developed.

The Report of the Examiner recommends that the application be granted and that a fee of \$25.00 should be charged for the issuance of a certificate in accordance with the Rules of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein be approved.

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

That the Commission is fully advised in the premises.

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 64 of the Town of Mountain View, dated December 4, 1961, for the purchase, manufacture, generation, transmission, distribution and sale of gas and electricity by Public Service Company of Colorado in said Town.

O R D E R

THE COMMISSION ORDERS:

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

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 64 of the Town of Mountain View, dated December 4, 1961, marked Exhibit 7 herein, which by reference is made a part hereof, for the purchase, manufacture, generation, transmission, distribution and sale of electricity, and gas, either natural, manufactured or mixed, by Public Service Company of Colorado in said Town, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of electric and gas rates, classifications, 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 Public Service Company of Colorado 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 test-

ing of meters, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Negro
Walter C. Anton
Henry J. Salinger
Commissioner.

Dated at Denver, Colorado,
this 15th day of May, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PUBLIC SERVICE COMPANY OF COLORADO,
550 FIFTEENTH STREET, DENVER, COLO-
RADO, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY TO CON-
STRUCT A GAS DISTRIBUTION SYSTEM IN
THE TOWN OF SAGUACHE, COUNTY OF
SAGUACHE, STATE OF COLORADO, AND TO
EXERCISE FRANCHISE RIGHTS THEREIN
FOR THE PURCHASE, MANUFACTURE, GEN-
ERATION, TRANSMISSION, DISTRIBUTION
AND SALE OF GAS, EITHER NATURAL,
ARTIFICIAL, OR MIXED, IN SAID TOWN
OF SAGUACHE, AND TO DISTRIBUTE AND
SELL GAS IN THE AREA ADJACENT THERE-
TO AND ALONG THE GAS TRANSMISSION
LINE AND LATERAL TO THE TOWN.

APPLICATION NO. 19005

May 15, 1962

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado, by
Bryant O'Donnell, Esq., Denver,
Colorado, 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:

Public Service Company of Colorado filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the exercise of franchise rights granted by the Town of Saguache, Saguache County, Colorado, for the distribution and sale of gas, either natural, artificial, or mixed, in said town, and for a certificate of public convenience and necessity in the area adjacent thereto, and along the gas transmission line and lateral serving said town.

The matter was set for hearing, after due notice to all interested parties, on April 16, 1962, at two o'clock P. M., in the

Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place, the matter was duly heard by Edwin R. Lundborg, an employee of this Commission, designated by the Commission to conduct the hearing. This application was heard on a joint record with Applications Nos. 18931, 19003, and 19004. Subsequent to the hearing, Examiner Lundborg submitted a Report of the proceedings to the Commission. The Report of the Examiner reveals the following:

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

Applicant showed that on January 4, 1962, the Board of Trustees of the Town of Saguache duly passed and adopted Ordinance No. 15-A, which franchise ordinance was introduced in evidence as Exhibit No. 11, and is entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF SAGUACHE, SAGUACHE COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF SAGUACHE, A PLANT OR PLANTS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, TRANSMISSION AND DISTRIBUTION OF GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID GAS TO THE TOWN OF SAGUACHE, AND THE INHABITANTS THEREOF, FOR HEATING, COOKING, OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, OR OTHERWISE, OVER, UNDER, ALONG, ACROSS AND THROUGH ANY AND ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID TOWN OF SAGUACHE, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term of said franchise is for a period of twenty-five years.

Attached to the franchise introduced in evidence is a Certificate of Introduction, passage and signature by the Mayor, and a certificate of the recording by the Town Clerk and of the acceptance of the franchise by Applicant.

Witness for Applicant, H. D. Edmonds, testified that Applicant will obtain its supply of natural gas for distribution and sale in the Town of Saguache and in areas adjacent thereto along the transmission line from Western Slope Gas Company, a wholly owned subsidiary of Applicant, which was recently authorized by this Commission to extend its transmission line from a point near Del Norte, Colorado, to the Leadville-Climax area, and said transmission pipeline will pass immediately adjacent to the Town.

Exhibit 10 is a map of the proposed gas distribution system to be constructed within the Town, and it is estimated that the cost of such distribution system to be constructed during the first five years of the franchise will be approximately \$75,000, and that during the life of the franchise, an additional \$25,000 will be invested in distribution facilities. These estimates will be used as basis for the fee for the issuance of the certificate but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

Exhibit 12 is a map of the area between Del Norte and Saguache, Colorado, showing the route of the pipeline of Western Slope Gas Company, and the area adjacent to the pipeline is the area for which Applicant requests authority to render natural gas service as requests for service arise.

Applicant estimates that approximately 140 customers will be served by the end of the first year and approximately 270 customers by the end of the fifth year of service to the Town of Saguache and the immediate surrounding area. As of 1960, the Town had a population

of 722. Applicant expects to have the distribution system completed prior to the winter heating season of 1962. All gas will be odorized prior to sale to customers.

The Report of the Examiner recommends that the application be granted and that a fee of \$50.00 should be charged for the issuance of a certificate in accordance with the Rules of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and that the Report of the Examiner referred to therein be approved.

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

That the Commission is fully advised in the premises.

That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 15-A of the Town of Saguache, dated January 4, 1962, for the distribution and sale of gas, either natural, artificial, or mixed, in said Town, and public convenience and necessity require, and will require the distribution of natural gas by Applicant in the area adjacent thereto, and along the gas transmission line and lateral serving said Town.

That Applicant should odorize all gas prior to sale to its customers.

O R D E R

THE COMMISSION ORDERS:

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

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the

franchise rights granted in and by Ordinance No. 15-A of the Town of Saguache, dated January 4, 1962, marked Exhibit No. 11 herein, which, by reference, is made a part hereof, for the distribution and sale of gas, either natural, artificial, or mixed, in said Town, and public convenience and necessity require, and will require, the distribution of natural gas by Applicant in the area adjacent thereto, and along the gas transmission line and lateral serving said Town, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its gas system and supply service in the area heretofore designated in accordance with its schedules of gas rates, classifications, rules and regulations as applicable to its San Luis Valley System, 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 Applicant shall odorize all gas prior to sale to its customers.

That Public Service Company of Colorado 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, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

~~and~~ Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 15th day of May, 1962.

mls

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(Decision No. 58575)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN S. HAINES, RURAL DELIVERY #2,)
MOUNT JOY, PENNSYLVANIA.)
-----)

PERMIT NO. M-11984

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John S. Haines,
Mount Joy, Pennsylvania
requesting that Permit No. M-11984 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11984, heretofore issued to John S. Haines,
Mount Joy, Pennsylvania be,
and the same is hereby, declared cancelled effective May 9, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of May, 1962.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EARL HARRIS, MONTE VISTA, COLORADO.)

PERMIT NO. M-9201

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Earl Harris,
Monte Vista, Colorado

requesting that Permit No. M-9201 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9201, heretofore issued to Earl Harris,
Monte Vista, Colorado be,
and the same is hereby, declared cancelled effective May 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of May, 1957 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

FREEWAY BUILDERS, INCORPORATED,
6090 NORTH BROADWAY, DENVER 16,
COLORADO.

PERMIT NO. M-11910

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Freeway Builders, Inc.,
Denver 16, Colorado

requesting that Permit No. M-11910 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11910, heretofore issued to Freeway Builders, Inc.,
Denver 16, Colorado be,

and the same is hereby, declared cancelled effective May 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES R. WATKINS, DOING BUSINESS)
AS, "WATKINS SCRAP COMPANY", 2001)
RIVER ROAD, FRUITA, COLORADO.)
-----)

PERMIT NO. M-10009

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles R. Watkins,
doing business as, "Watkins Scrap Company", Fruita, Colorado
requesting that Permit No. M-10009 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10009, heretofore issued to Charles R. Watkins,
doing business as, "Watkins Scrap Company", Fruita, Colorado be,
and the same is hereby, declared cancelled effective December 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

ROBERT B. STANLEY, P. O. BOX 81,
MONUMENT, COLORADO.

PERMIT NO. M-7780

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert B. Stanley,
Monument, Colorado

requesting that Permit No. M-7780 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7780, heretofore issued to Robert B. Stanley,
Monument, Colorado be,
and the same is hereby, declared cancelled effective September 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RUDOLPH R. PROCTOR, 260 MARSHALL,)
LAKEWOOD 26, COLORADO.)
-----)

PERMIT NO. M-9616

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rudolph R. Proctor,
Lakewood 26, Colorado

requesting that Permit No. M-9616 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9616, heretofore issued to Rudolph R. Proctor,
Lakewood 26, Colorado be,
and the same is hereby, declared cancelled effective March 23, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm E. Zwick
Commissioners

Dated at Denver, Colorado,

this 17th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JAMES G. RYAN, DOING BUSINESS AS,
"JAMES RYAN AND ASSOCIATES", 388
DENVER CLUB BUILDING, DENVER 2,
COLORADO.
-----)

PERMIT NO. M-14171

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James G. Ryan, doing
business as, "James Ryan and Associates", Denver 2, Colorado

requesting that Permit No. M-14171 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14171, heretofore issued to James G. Ryan, doing
business as, "James Ryan and Associates", Denver 2, Colorado be,
and the same is hereby, declared cancelled effective May 2, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DEE L. SMITH, DOING BUSINESS AS,)
"MODERN AUTO SALVAGE COMPANY", P. O.)
BOX 301, FRUITA, COLORADO.)
-----)

PERMIT NO. M-4484

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dee L. Smith, doing
business as, "Modern Auto Salvage Company", Fruita, Colorado
requesting that Permit No. M-4484 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4484, heretofore issued to Dee L. Smith, doing
business as, "Modern Auto Salvage Company", Fruita, Colorado be,
and the same is hereby, declared cancelled effective April 27, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Houten
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 17th day of May, 195/ 62.

PERMIT NO. M-13623

STATEMENT

FINDINGS

ORDER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WEST TEXAS EXPLOSIVES, INCORPORATED,)
P. O. BOX 28, LAMESA, TEXAS.)
_____))
_____)

PERMIT NO. M-1020

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from West Texas Explosives,
Inc., Lamesa, Texas

requesting that Permit No. M-1020 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1020, heretofore issued to West Texas Explosives,
Inc., Lamesa, Texas be,

and the same is hereby, declared cancelled effective April 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry E. Ziehlings
Commissioners

Dated at Denver, Colorado,

this 17th day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT ORNDUFF AND MERLE E. FREEBURN,)
DOING BUSINESS AS, "GOLD STAR MOBILE)
HOME SERVICE", RAILROAD STREET,)
LOVELAND, COLORADO.)
-----)

PERMIT NO. M-15839

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert Ornduff and
Merle E. Freeburn, dba "Gold Star Mobile Home Service", Loveland, Colorado
requesting that Permit No. M-15839 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15839, heretofore issued to Robert Ornduff and
Merle E. Freeburn, dba "Gold Star Mobile Home Service", Loveland, Colorado be,
and the same is hereby, declared cancelled effective May 5, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Hodson
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 17th day of May, 195/ 62.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58586)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RUDOLPH R. PROCTOR, 260 MARSHALL)
LAKEWOOD 26, COLORADO.)

PERMIT NO. B-6084

May 22, 1962

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-6084 be suspended
for six months from March 23, 1962.

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 Rudolph R. Proctor, Lakewood 26, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6084 until September 23, 1962.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zink
Commissioners

Dated at Denver, Colorado,
this 22nd day of May, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROCKY MOUNTAIN FEED COMPANY (A CORP-)
ORATION), P. O. BOX 6795, DENVER 16,)
COLORADO.)
-----)

PERMIT NO. M-137

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rocky Mountain Feed
Company (A Corporation), Denver 16, Colorado

requesting that Permit No. M-137 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-137, heretofore issued to Rocky Mountain Feed
Company (A Corporation), Denver 16, Colorado be,
and the same is hereby, declared cancelled effective April 19, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Garth C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 22nd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROCKY MOUNTAIN FEED COMPANY)
(A CORPORATION), P. O. BOX 6795)
DENVER 16, COLORADO.)

PUC NO. 4130-I

May 22, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Rocky Mountain
Feed Company (A Corporation), Denver 16, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4130-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. 4130-I heretofore issued to Rocky Mountain
Feed Company (A Corporation), Denver 16, Colorado

be, and the same is hereby, declared cancelled effective April 19, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Weston
Paul E. Zwick
Commissioners

Dated at Denver, Colorado,
this 22nd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD C. EBERLY, DOING)
BUSINESS AS, "ROCKY MOUNTAIN)
PRETZEL COMPANY", 419 SOUTH EL)
PASO STREET, COLORADO SPRINGS,)
COLORADO.)

PUC NO. 4500-I

May 22, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Richard C. Eberly,
doing business as, "Rocky Mountain Pretzel Company", Colorado Springs, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4500-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. 4500-I heretofore issued to Richard C.
Eberly, doing business as, "Rocky Mountain Pretzel Company", Colorado Springs,
Colorado

be, and the same is hereby, declared cancelled effective May 10, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,
this 22nd day of May, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58590)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT JACK HICKS, HOTCHKISS,)
COLORADO.)
)
)
)

PERMIT NO. B-4769 & I

May 22, 1962

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-4769 & I be suspended
one year
for ~~six months~~ from May 9, 1962.

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 Robert Jack Hicks, Hotchkiss, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-4769 & I until May 9, 1963.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 22nd day of May, 19 62.

orig copy
(Decision No.)

58591

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF

D AND S MOTOR FREIGHT, INC.
2002 Delgany Street
Denver 5, Colorado

AUTHORITY NO. A 339 & I

CASE NO. 5422 Ins.

May 16, 1962

S T A T E M E N T

By the Commission:

On July 18, 1961, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 16th day of May, 1962

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DOMINIC CARESTIA AND TONY)
CARESTIA, DOING BUSINESS AS,)
"GOLDEN QUALITY COAL COMPANY",)
ROUTE 1 BOX 154, CANON CITY,)
COLORADO.)

PERMIT NO. B-5165

May 17, 1962

S T A T E M E N T

By the Commission:

On February 16, 1962, the Commission authorized Dominic Carestia and Tony Carestia, doing business as, "Golden Quality Coal Company", to suspend operations under their Permit No. B-5165, until February 16, 1963.

The Commission is now in receipt of a communication from the above-named permittee requesting that their Permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-5165, should be, and the same hereby is, reinstated as of May 11, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of May, 1962.

original

(Decision No. 58593)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LLOYD E. GERBITZ, ROUTE 2, BOX 274,)
BOULDER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 18988-Amended

May 15, 1962

Appearances: Stanley F. Johnson, Esq.,
Boulder, Colorado,
for Applicant;
James G. Martin, Esq.,
Boulder, Colorado,
for Broomfield Rubbish
Removal and Northglenn
Sanitary Service.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of rubbish, trash, scrap metals, refuse and other materials discarded by residential home owners or retail merchants in the territory including a radius of ten miles in and around the City of Boulder, State of Colorado.

The application was set for hearing on April 9, 1962, at ten o'clock A. M., at the Court House, Boulder, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That at the commencement of the hearing, applicant herein moved to amend his application to seek the following authority:

transportation of rubbish, trash, scrap metals, refuse and other materials discarded by residential home owners and/or retail merchants in Boulder, Colorado, and the territory including a radius of 5 miles in and around the City of Boulder, State of Colorado.

That all parties appearing at the hearing agreed and stipulated to the above stated restrictive amendment, and the same was allowed.

That a definite need exists in the area herein involved for applicant's proposed service; that the present carrier service is inadequate; that applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of Lloyd E. Gerbitz, Boulder, Colorado, for the transportation of rubbish, trash, scrap metals, refuse and other materials discarded by residential home owners and/or retail merchants in Boulder, Colorado, and the territory including a radius of five miles in and around the City of Boulder, 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 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
Robert C. Hobart
Alvin E. Paulsen
Commissioners.

Dated at Denver, Colorado,
this 15th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ISIAH E. CLEAVER, 3223 JOSEPHINE)
STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AUTHORIZING OPERA-)
TIONS AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 19020-Amended

May 15, 1962

Appearances: Martin Kane, Esq., Denver,
Colorado, for Applicant;
Bennett S. Aisenberg, Esq.,
Denver, Colorado, for
Don G. Freehling.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of ashes, trash, rubbish, and other debris in the territory known and described as the City and County of Denver.

The application was set for hearing on April 26, 1962, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That at the commencement of the hearing, the applicant herein moved to amend his application as filed, to seek authority to serve residences only.

That in view of said amendment, protestant herein withdrew its protest to the granting of the application as amended.

That the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:


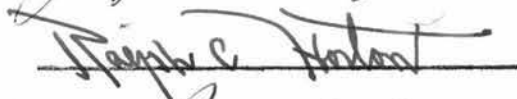

That public convenience and necessity require the proposed motor vehicle transportation service of Isiah E. Cleaver, Denver, Colorado, for the transportation of ashes, trash and other waste materials, from residences only, between points and places within the City and County of Denver, and from points and places within the City and County of Denver to regularly-designated and approved dumps and disposal places in Adams, Arapahoe, Denver and Jefferson Counties, 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 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 15th day of May, 1962.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY H. FOSS, 322 - 14TH STREET,)
GREELEY, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY) APPLICATION NO. 19032
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

May 15, 1962

Appearances: Henry H. Foss, Greeley,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of ashes and trash in the City of Greeley and a radius of ten miles thereof.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., in the Court House, Greeley, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of Henry H. Foss, Greeley, Colorado, for the transportation of ashes, trash, and other waste materials, from points within the City Limits of Greeley, Colorado, and a ten-mile radius thereof, to regularly-designated and approved dumps and disposal places, 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. Nigro
Joseph C. Johnson
Henry E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 15th day of May, 1962.

ea

original

(Decision No. 58596)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|-------------------------------------|------------------------------|
| RE INCREASED RATES ON HOUSEHOLD) | |
| GOODS - MERRITT PACKING & CRATING) | |
| SERVICE APPLYING BETWEEN POINTS) | INVESTIGATION AND SUSPENSION |
| IN THE STATE OF COLORADO.) | <u>DOCKET NO. 484</u> |
| -----) | |

May 15, 1962

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at 2:00 o'clock P. M., May 8, 1962.

When said matter was called for hearing, A. J. Tait, appearing for the Commission, at the request of applicant, requested that said matter be continued for hearing at a future date to be determined by the Commission, due to the illness of John Norman, who represents the applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled matter should be, and the same hereby is, continued for hearing at a future date to be determined by the Commission, with notice to all parties in interest.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Stanley J. [Signature]
Commissioner

Dated at Denver, Colorado,
this 15th day of May, 1962.

IN THE MATTER OF THE APPLICATION
OF PLATEAU NATURAL GAS COMPANY,
20 BOULDER CRESCENT, COLORADO
SPRINGS, COLORADO, FOR AN ORDER
AUTHORIZING THE ISSUANCE OF
\$600,000 OF SUBORDINATED PROMISSORY
NOTES

APPLICATION NO. 19085
Securities

S T A T E M E N T

By the Commission:

Upon consideration of the application of Plateau Natural Gas Company, a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on June 1, 1962, at 10:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting the matters involved and issues presented in the 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 May 25, 1962, 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. Negro
Ralph C. Stanton
Henry E. Salinger

Dated at Denver, Colorado,
this 14th day of May, 1962.

original

(Decision No. 58598)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NATHAN NEMIROW, 130 SOUTH JERSEY)
STREET, DENVER, COLORADO, SAMUEL)
NEMIROW, 690 BELLAIRE STREET, DEN-)
VER, COLORADO, AND J. V. CONDON,)
1451 FLORENCE, AURORA, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY AUTHORIZING)
OPERATION AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 18991
SUPPLEMENTAL ORDER

May 16, 1962

Appearances: J. V. Condon, Esq., Aurora,
Colorado, for Applicants;
Walter M. Simon, Esq.,
Denver, Colorado, for
Yellow Cab, Inc.;
John F. Mueller, Esq.,
Denver, Colorado, for
Cabs, Inc.;
William Mott, Broomfield,
Colorado, for Broomfield
Cab Company.

S T A T E M E N T

By the Commission:

On April 30, 1962, the Commission entered its Decision No. 58504 in the above-styled matter, denying said application.

On May 10, 1962, "Petition for Rehearing" was filed with the Commission by Applicants herein.

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.

F I N D I N G S

THE COMMISSION FINDS:

That said Petition for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing, filed May 10, 1962, by Applicants

herein, 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. Negro
George C. Norton
Philip E. Salinger
Commissioners.

Dated at Denver, Colorado,
this 16th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HEUBERT CANTRELL, 517 FIFTH STREET,)
GREELEY, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 19036-PF

May 16, 1962

Appearances: Heubert Cantrell, Greeley,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of baled hay and straw, between points within a radius of fifty miles of Greeley, Colorado, and from and to points within said fifty-mile radius of Greeley, Colorado, to and from all points in the State of Colorado; sacked feed in above-described territory; with no town-to-town service, as a Class "B" private carrier by motor vehicle for hire.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., at the Court House, Greeley, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation, and the applicant's

financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Heubert Cantrell, Greeley, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of baled hay and straw, between points within a radius of fifty miles of Greeley, Colorado, and from and to points within said fifty-mile radius of Greeley, Colorado, to and from all points in the State of Colorado; sacked feed in above-described territory; with no town-to-town service, and this Order is a permit therefor.

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. Regio
Ralph C. Horton
Harry Spaulding
Commissioner

Dated at Denver, Colorado,
this 16th day of May, 1962.
ea

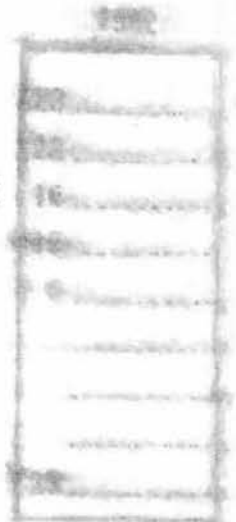
original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY B. WILSON, DOING BUSINESS AS)
"LUCKY'S A-1 APPLIANCE REPAIR,")
ROUTE 3, BOX 39, LONGMONT, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
- - - - -)

APPLICATION NO. 19034-PF



- - - - -
May 16, 1962
- - - - -

Appearances: Howard C. Current, Esq.,
Longmont, Colorado,
for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of home appliances (including installation of same), from Longmont, Colorado, to points within a radius of ten miles of Longmont, Colorado, as a Class "B" private carrier by motor vehicle for hire.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., at the Court House, Greeley, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted, as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Henry B. Wilson, doing business as "Lucky's A-1 Appliance Repair," Longmont, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of home appliances (including installation of same), from Longmont, Colorado, to points within a radius of ten miles of Longmont, Colorado, and this Order is a permit therefor.

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 May, 1962.
ea

original

(Decision No. 58601)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|--------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| LESLIE ELLERMAN, 205 NORTH OVERLAND) | |
| TRAIL, LA PORTE, COLORADO, FOR A) | |
| CLASS "B" PERMIT TO OPERATE AS A) | APPLICATION NO. 19037-PP |
| PRIVATE CARRIER BY MOTOR VEHICLE) | |
| FOR HIRE.) | |
| -----) | |

May 16, 1962

Appearances: Leslie Ellerman, La Porte,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said fifty-mile radius, to markets in the State of Colorado, with no town-to-town service, as a Class "B" private carrier by motor vehicle for hire.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., at the Court House, Greeley, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one appeared in opposition to the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to

properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted, as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Leslie Ellerman, La Porte, Colorado, be, and hereby is, authorized to operate as a Class "E" private carrier by motor vehicle for hire, for the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said fifty-mile radius, to markets in the State of Colorado, with no town-to-town service, and this Order is a permit therefor.

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
Harold C. Hutton
Samuel G. Mulvey
Commissioners.

Dated at Denver, Colorado,
this 16th day of May, 1962.
ea

original

(Decision No. 58602)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
CECIL B. THOMPSON, BOX 432, SARATOGA, }
WYOMING, FOR A CLASS "B" PERMIT TO }
OPERATE AS A PRIVATE CARRIER BY }
MOTOR VEHICLE FOR HIRE. }

APPLICATION NO. 19038-PP

May 16, 1962

Appearances: Cecil B. Thompson, Saratoga,
Wyoming, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of logs, poles, and timber products, from forests to sawmills, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said fifty-mile radius, to markets in the State of Colorado, with no town-to-town service, as a Class "B" private carrier by motor vehicle for hire. Applicant requests, in the event authority herein sought is granted, that operating rights bear the number "B-5766," being the number of a permit formerly held by him.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., at the Court House, Greeley, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one appeared in opposition to the application.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Cecil B. Thompson, Saratoga, Wyoming, be, and 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, places of storage, and loading points within a radius of fifty miles of said forests; rough lumber, from sawmills in said fifty-mile radius, to markets in the State of Colorado, with no town-to-town service, and this Order is a permit therefor, and that operating rights herein granted be known as "Permit No. B-5766."

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Samuel E. Pauling
Commissioners.

Dated at Denver, Colorado,
this 16th day of May, 1962.

mls

original

(Decision No. 58603)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND A. PIERSON, BOX 76, WELLING-)
TON, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19039-PP

May 16, 1962

Appearances: O. Rex Wells, Fort Collins,
Colorado, for Applicant;
Marion F. Jones, Esq., Den-
ver, Colorado, for Denver
Chicago Transport Co.,
Inc., Melton Transporta-
tion Co., Ward Transport,
Inc., Consolidated Freight-
ways Corp. of Delaware,
Neff Trucking Company, Inc.,
L. E. Whitlock Truck Ser-
vice, Inc., Turner Bros.
Trucking Co., B. F. Walker,
Inc., and Red Ball Motor
Freight, Inc.;
J. H. Cornelius, La Junta,
Colorado, for Cornelius
Transfer.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks authority to engage in the transportation of crude oil, water for drilling, drilling mud, pipe casing, and oil field equipment used in drilling, from point to point within the State of Colorado.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., at the Court House, Greeley, Colorado. The same was then and there called for hearing by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a

written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That at the commencement of the hearing, applicant moved that the instant matter be continued in order that he may file an amended application with the Commission, and there being no objection by any of the protestants herein the motion was permitted.


That the above-styled application should be continued to be re-set at some future date convenient to the Commission.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, continued, to be re-set at some future date convenient to the Commission with notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Meier
Ralph C. Holm
Samuel J. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 16th day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH D. FOOSE AND ROBERT L. FOOSE,)
DOING BUSINESS AS "FOOSE COMPANY,")
1918 27TH STREET, GREELEY, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
- - - - -

APPLICATION NO. 19064-PP

- - - - -
May 16, 1962
- - - - -

Appearances: Ralph D. Foose, Greeley,
Colorado, for Applicants.

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 homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., at the Court House, Greeley, Colorado. The same

was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That there is a need for the proposed transportation services and the applicants will have sufficient equipment and experience to properly carry on the proposed operation and the applicants' financial standing is established to the satisfaction of the Commission.

That granting the authority will be in the public interest and the application should be granted as provided in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Ralph D. Foose and Robert L. Foose, doing business as "Foose Company," Greeley, 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.

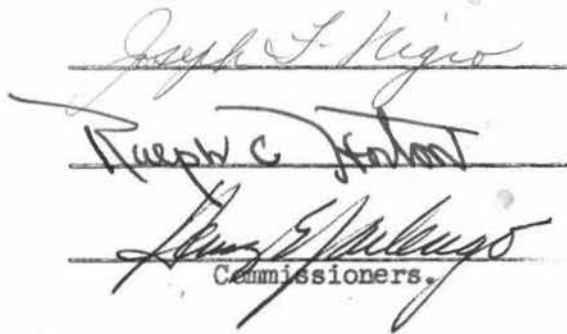
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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


Commissioners.

Dated at Denver, Colorado,
this 16th day of May, 1962.

mls

original

(Decision No. 58605)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES J. DOYLE, P. O. BOX 169,)
SALIDA, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 19029
Amended

May 17, 1962

Appearances: Peter J. Crouse, Esq., Denver,
Colorado, for Applicant;
John R. Barry, Esq., Denver,
Colorado, for Continenal
Bus System, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicant seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of passengers from Leadville, Colorado, to Climax, Colorado, and return.

The application was set for hearing on April 23, 1962, at ten o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That during the course of the hearing applicant moved to amend his application to seek the following authority, to-wit:

transportation of employees and persons having business with the Climax Molybdenum Company, between Leadville and Climax, Colorado; provided, however, that all of said transportation shall be as "worker schedules;"

that all parties appearing at the hearing agreed and stipulated to the amendment, which was permitted, and protestants withdrew their protests to granting the authority herein sought, as amended.

That Applicant desires that said authority, if granted, be issued to The Leadville Transit Company, Inc., a Colorado corporation, which will be formed by him if and when the authority herein sought is granted; that the corporation will have ample and suitable equipment, sufficient net worth and operating experience to render the proposed service herein sought; and that there is a need for the proposed transportation service.

That public convenience and necessity require the transportation services for which applicant herein seeks authority and the application should be granted, and issued to The Leadville Transit Company, Inc., a Colorado corporation, subject to filing of Articles of Incorporation.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of The Leadville Transit Company, Inc., a Colorado corporation, Salida, Colorado, for the transportation of employees and persons having business with the Climax Molybdenum Company, between Leadville and Climax, Colorado; provided, however, that all of said transportation shall be conducted on "worker schedules," subject to filing of Articles of Incorporation, 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 regu-

lations 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. Negro
Joseph C. Horton
Henry E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

COWEN TRANSFER & STORAGE CO., INC.,
DALBY TRANSFER & STORAGE, INC.,
DANIELS MOVING & STORAGE CO.,
MC CANN BROS. TRANSFER & STORAGE CO.,
NICOLL WAREHOUSING CO., INC., AND
WANDELL & LOWE TRANSFER AND STORAGE
COMPANY,

Complainants,

vs.

CASE NO. 5200

WILLIAM R. MOORE, INDIVIDUALLY AND
DOING BUSINESS AS "MOORE & MOORE
MOVING & STORAGE COMPANY," AND/OR
DOING BUSINESS AS "MOORE & MOORE
MOVING & PACKING SERVICE," AND/OR
DOING BUSINESS AS "GREYHOUND VAN
LINES,"

Respondent.

May 17, 1962

Appearances: Horn, Anderson & Johnson, Esqs.,
Colorado Springs, Colorado,
by F. T. Henry, Esq., and
Louis Johnson, Esq., for Com-
plainants;
Stockton, Linville, Lewis &
Mitchell, Esqs., Denver, Colo-
rado, by Truman Stockton, Esq.,
for Respondent.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The above-styled matter was set for hearing January 17,
1961, at the City Auditorium, Colorado Springs, Colorado, vacated,
and re-set for hearing on February 6, 1961, at the Court House, Colo-
rado Springs, Colorado, at which time and place said matter was heard
and taken under advisement. Briefs were later filed by the parties.

The Commission having considered the evidence presented at

the hearing of the within matter and the whole record pertaining to the issues involved and having considered the Briefs of counsel for the Complainants and for the Respondent, and being advised in the premises, states and finds as hereinafter set out:

It appears to the Commission and the Commission so finds that the Respondent has engaged in the transportation of commodities under an agreement with the United States, dated on or about October 1, 1958, within a radius of 15 miles of Colorado Springs, under which agreement he has handled a total of 218 orders or shipments, 87 of which have been removed from his warehouse and 131 of these shipments still remain in storage. Of the 87 shipments which have gone out the average duration of storage is seven months. Some of the shipments remain in storage for only a few days, but others have remained for as long as two years, and, as indicated above, 131 shipments of the total of 218 still remain in the warehouse. When these goods are picked up and carried to the warehouse there is no intention as to destination therefor except to the warehouse. Respondent has no authority from the Public Utilities Commission for intrastate moves.

The question before the Commission is, is this transportation to be considered intrastate or interstate transportation?

Approximately 95% of the shipments handled by the Respondent ultimately are shipped from the warehouse to points outside the State and approximately 5% never find their way into interstate transportation.

The crux of the matter is that each shipment must be considered standing by itself and at the time each particular shipment was initiated, or began, to the warehouse, it was unknown whether that particular shipment would ultimately, after stopping at the warehouse, remain within the State of Colorado or ultimately be shipped to some point out of the State.

The evidence is clear and convincing and from such evidence

the Commission finds that no one knows where each particular shipment at its inception will ultimately terminate, whether within or without the State of Colorado. Intention as to the ultimate destination of the particular shipment is controlling and this question of intention is a question of fact and should be clear and definite and in existence when the shipment is originated. How the shipment is treated or considered by the carrier, or others, may shed some light on the actual intention of the shipper, however, such evidence is far from conclusive. In 15 C.J.S., Section 25, Page 295, in speaking of the character of a shipment as to whether it be interstate or intrastate, the law is stated, to-wit:

"Where the shipper's intention at all times was to make the shipment to the ultimate destinations, these incidents are without legal significance as bearing on the character of the traffic. Thus a complainant's conclusion that an interruption of the movement in and of itself is insufficient to destroy its interstate character and their ultimate conclusion that the placing of goods in storage for example destroys its interstate carriage is not sustained by the law."

and as to the question of presumptions and burden of proof as to the character of the commerce or traffic, at pages 286 and 287, we find the law stated:

"Whether transportation was at a given time interstate commerce is a question of fact----any serious doubt will be resolved in favor of the intrastate character of the transaction."

In the instances of shipments herein involved, we do find that with regard to any particular shipment to the warehouse the chances are 95 out of 100 that later on the particular shipment will go into interstate commerce; however, and what is controlling, is that with regard to each particular shipment there was at the time it was first transported to the warehouse no clear and definite intention that it be an interstate shipment. This intention came, or would come, into being at a later time when the necessary knowledge to form

an intention came to the shipper. To conclude otherwise, and the absurdity is obvious, would be to determine that the 5% of the shipments which finally remained in Colorado were interstate shipments. Actually two transportations are involved in each instance -- one to the warehouse -- intrastate -- and the other later on from the warehouse to some point outside of Colorado -- interstate.

We recognize that there may be shipments which are stopped enroute within the State and still be in interstate traffic, but in such cases, even though the point out of State is unknown, at the inception of the particular shipment there is a clear and definite intention that the shipment will continue to a point out of State when that point out of State is determined upon. If the shipper is undecided, or does not have the necessary knowledge to form an intention, he cannot have the clear and definite intention of interstate shipment which is necessary, as the intention existing at the time the movement starts governs and fixes the character of the shipment.

The Commission finds from the evidence further that the Respondent has held himself out to perform local transportation and even though he contends that he acted without proper knowledge or without bad faith he still has acted in violation of the statutes.

The Commission finds that the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

That the Respondent cease and desist from providing any intrastate transportation and holding himself out to provide local transportation and more particularly that the Respondent cease and desist from providing transportation services similar to the services hereinabove found by the Commission to be intrastate transportation.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Raymond C. Herbert
Alvin E. Pauling
Commissioners

Dated at Denver, Colorado,
this 17th day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT C. OVERTON, BUD W. LIONBERGER)
AND ALBERT B. CAMPBELL, JR., A)
PARTNERSHIP, DOING BUSINESS AS)
"WESTERN FURNITURE & SUPPLY CO.,")
121 NORTH MAIN STREET, GUNNISON,)
COLORADO, FOR AUTHORITY TO TRANS-)
FER PERMIT NO. B-6043 TO W. FRED)
MONSON AND GEORGIA MARIE MONSON,)
AS JOINT TENANTS, DOING BUSINESS)
AS "GORDON TRANSFER & STORAGE CO.,")
GUNNISON, COLORADO.)
-----)

APPLICATION NO. 19099-PP-Transfer

May 14, 1962

S T A T E M E N T

By the Commission:

By Decision No. 55172, dated October 3, 1960, in Application No. 17927-PP, Robert C. Overton, Albert B. Campbell, Jr., and Bud W. Lionberger, co-partners, doing business as "Western Furniture & Supply Company," Gunnison, Colorado, were authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

Uncrated, used household goods and personal effects, from any point within the State of Colorado, to the City of Gunnison, Colorado, and from the City of Gunnison, Colorado, to any point within the State of Colorado,

said operating rights being known as "Permit No. B-6043."

By the instant application, said permit-holders seek authority to transfer Permit No. B-6043 to W. Fred Monson and Georgia Marie Monson, as joint tenants, doing business as "Gordon Transfer & Storage Co.," Gunnison, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that there are no outstanding unpaid operating obligations

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

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Robert C. Overton, Albert B. Campbell, Jr., and Bud W. Lionberger, co-partners, doing business as "Western Furniture & Supply Company," Gunnison, Colorado, be, and hereby are, authorized to transfer all their right, title and interest in and to Permit No. B-6043, being the operating rights granted by Decision No. 55172, dated October 3, 1960, to W. Fred Monson and Georgia Marie Monson, as joint tenants, doing business as "Gordon Transfer & Storage Co.," Gunnison, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors and transferees, 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.

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
Harry E. Spence
Commissioners.

Dated at Denver, Colorado,
this 14th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
KNAUS TRUCK LINES, INC., 801
EAST 17TH STREET, KANSAS CITY,
MISSOURI.

}
}
}
}
}
PUC NO. 3187-I

May 17, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, advising that the corporate name of said corporation has been changed to: "Missouri Consolidated Freightways Corporation," and that its address is now: "4207 Gardner Lane, Kansas City, Missouri." Request is made that the Commission change its records so as to reflect said changes.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

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. 3187-I to be owned and operated by:

"Missouri Consolidated Freightways Corporation,
4207 Gardner Lane,
Kansas City, Missouri,"

in lieu of:

"Knaus Truck Lines, Inc.,
801 East 17th Street,
Kansas City, Missouri."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Meyer
Raymond C. Hobart
Henry E. Kullback
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
ED TUXHORN, DOING BUSINESS AS BYERS-
DENVER TRUCK LINE," BYERS, COLORADO,
FOR AUTHORITY TO TRANSFER PUC NO.
272 TO ERVIN D. TUXHORN, E.R. ABER-
CROMBIE, AND V. A. GOLDEN, 4201
FILLMORE STREET, DENVER, COLORADO,
DOING BUSINESS AS "BYERS-DENVER
TRUCK LINE."
-----)

APPLICATION NO. 19088-Transfer

IN THE MATTER OF THE APPLICATION OF
ED TUXHORN, DOING BUSINESS AS
"BYERS-DENVER TRUCK LINE," BYERS,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 2030 TO ERVIN D. TUXHORN,
E. T. ABERCROMBIE, AND V. A. GOLDEN,
4201 FILLMORE STREET, DENVER, COLO-
RADO, DOING BUSINESS AS "BYERS-
DENVER TRUCK LINE,"
-----)

APPLICATION NO. 19089-Transfer

RE MOTOR VEHICLE OPERATIONS OF
ED TUXHORN, DOING BUSINESS AS
"BYERS-DENVER TRUCK LINE," BYERS,
COLORADO.
-----)

PERMIT NO. M-4673

May 17, 1962

Appearances: Jones, Meiklejohn Kilroy and
Kehl, Esqs., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

On May 7, 1962, applications were filed with the Commission
by the above-styled applicants, seeking authority to transfer PUC
No. 272, PUC No. 2030, and Permit No. M-4673.

The Commission is now in receipt of a communication from
Attorneys for Applicants herein, stating said Applicants no longer
desire to prosecute said applications, and requesting dismissal thereof.
Request was also made for refund of filing fees in said matters.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled applications should be dismissed, as

requested by applicants herein, and filing fees refunded.

O R D E R

THE COMMISSION ORDERS:

That the above-styled applications be, and the same hereby are, dismissed, upon request of Applicants herein.

That filing fees paid by applicants in said applications shall be refunded to them.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Kegin
Benjamin C. Hobart
Henry E. Jellings
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RONALD ACTON, WAUNETA, NEBRASKA.)
)
)
)
-----)

PERMIT NO. M-11058

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ronald Acton,
Wauneta, Nebraska

requesting that Permit No. M-11058 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11058, heretofore issued to Ronald Acton,
Wauneta, Nebraska be,
and the same is hereby, declared cancelled effective April 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Holcomb
Henry L. Zarlengo
Commissioners

Dated at Denver, Colorado,

this 22nd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RONALD ACTON, WAUNETA, NEBRASKA)

PUC NO. 4588-I

May 22, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Ronald Acton,
Wauneta, Nebraska

requesting that Certificate of Public Convenience and Necessity No. 4588-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. 4588-I heretofore issued to Ronald
Acton, Wauneta, Colorado

be, and the same is hereby, declared cancelled effective April 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Houtman
Wm. E. Zurlings
Commissioners

Dated at Denver, Colorado,
this 22nd day of May, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 58612)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PAUL V. HICKMAN, DOING BUSINESS)
AS "YUMA COUNTY TRANSPORTATION")
306 EAST 2ND AVENUE, YUMA,)
COLORADO.)

PERMIT NO. A-1603

May 22, 1962

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. A-1603 be suspended
one year
for ~~six months~~ from May 3, 1962.

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 Paul V. Hickman, doing business as, "Yuma County Transportation",
Yuma, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. A-1603 until May, 3, 1963.

That unless said permit-holder shall, prior to the expiration of said
suspension period, make a request in writing for the reinstatement of said permit,
file insurance and otherwise comply with all rules and regulations of the Commission
applicable to private carrier permits, said permit, without further action by the
Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 22nd day of May, 1962.

PERMIT NO. M-12093

STATEMENT

requesting that Permit No. M-12093 be cancelled.

That the request should be granted.

That Permit No. M-12093, heretofore issued to Carl Livesay,
Boulder, Colorado be,
and the same is hereby, declared cancelled effective April 15, 1962.

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

he

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE A. STOLLEY, 2821 WEST 1ST)
AVENUE, DENVER 19, COLORADO.)
-----)

PERMIT NO. M-7854

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George A. Stolley,
Denver 19, Colorado

requesting that Permit No. M-7854 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7854, heretofore issued to George A. Stolley,
Denver 19, Colorado be,
and the same is hereby, declared cancelled effective April 10, 1962

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Woodson
Henry E. Zepher
Commissioners

Dated at Denver, Colorado,

this 22nd day of May, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLAYTON L. CROMWELL, DOING BUSINESS)
AS, "NOB HILL FEED AND SUPPLY COMPANY",)
2523 NORTH MAIN, COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. M-1877

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clayton L. Cromwell,
doing business as, "Nob Hill Feed & Grain Company", Colo. Springs, Colorado
requesting that Permit No. M-1877 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1877, heretofore issued to Clayton L. Cromwell, doing
business as, "Nob Hill Feed & Grain Company", Colo. Springs, Colorado be,
and the same is hereby, declared cancelled effective April 30, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 22nd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLIFFORD C. WILSON, 3001 EAST OAK)
STREET, LITTLETON, COLORADO.)
-----)

PERMIT NO. M-12343

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clifford C. Wilson,
Littleton, Colorado
requesting that Permit No. M-12343 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12343, heretofore issued to Clifford C. Wilson,
Littleton, Colorado be,
and the same is hereby, declared cancelled effective May 14, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Wm E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 22nd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. F. WALL, DOING BUSINESS AS, "WALL)
CONSTRUCTION COMPANY", P. O. BOX 591,)
PAGOSA SPRINGS, COLORADO.)
-----)

PERMIT NO. M-4617

May 17, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. F. Wall, doing
business as, "Wall Construction Company", Pagosa Springs, Colorado
requesting that Permit No. M-4617 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4617, heretofore issued to W. F. Wall, doing business
as, "Wall Construction Company", Pagosa Springs, Colorado be,
and the same is hereby, declared cancelled effective March 19, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 17th day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REQUEST OF A. A. TAXICAB COMPANY,)
1101 EAST ABRIENDO AVENUE, PUEBLO,)
COLORADO, FOR RATE STABILIZATION AND)
EQUALIZATION, AND THE INSTALLATION)
OF METERS IN ALL TAXICABS OPERATING)
IN THE CITY OF PUEBLO, COLORADO.)
-----)

CASE NO. 5204

May 17, 1962

Appearances: John R. Barry, Esq.,
Denver, Colorado,
for Complainant;
Gaspar F. Perricone, Esq.,
Denver, Colorado,
for Respondent;
A. J. Tait, Denver, Colo-
rado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

The A. A. Taxicab Company is a motor vehicle common carrier by taxicab, based in Pueblo, Colorado, operating ten taxicabs under Certificate of Public convenience and Necessity No. 1007, with authority substantially as follows:

Transportation of passengers between points (excluding Boone and points east thereof on line of Missouri Pacific Trans. Co.), within a radius of twenty-five miles of Pueblo, and from and to Pueblo and from Beulah. Transportation of passengers and hand baggage throughout the San Isabel Forest area, and between Pueblo on the one hand and Beulah, Rye, Westcliffe, Wetmore, and San Isabel City on the other. (a) Transportation of passengers, on call and demand, by five passenger taxicabs, only, from points in the City of Pueblo, Colorado, and points within a radius of twenty-five miles thereof, and from Beulah and the San Isabel National Forest area, to all other points in the State of Colorado; and (b) subject to rates for service performed under sub-paragraph (a) shall not be less than those set forth in the Statement of this order, unless permission to do so be first

obtained from the Commission after notice of application therefor to all competing carriers. Transportation of passengers and their hand baggage which applicant is now authorized to transport, from point to point within the City of Pueblo, 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.

Transportation of air freight, to and from the Pueblo Airbase from and to Pueblo, and to and from all points in Pueblo County, Colorado, provided, however, that this authority shall be restricted to transportation of freight that is being delivered to Pueblo County, or destined from Pueblo County, by scheduled air carriers.

The City Cab Company is also a taxicab company operating thirteen taxicabs in Pueblo, Colorado, and is the holder of Certificate of Public Convenience and Necessity No. 2282, with authority substantially as follows:

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.

Transportation of 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 has 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.

On May 16, 1961, A. A. Taxicab Company filed its Complaint, wherein applicant alleges:

The zone or block system calls for the same fare from one designated zone to another, regardless of the size of the zone, while the meter fare calls for the exact amount from one specific point to another specific point. This results in the two taxicab companies operating on two different rate bases and results in a different charge to the public for a given tariff, depending upon which taxicab company the individual member of the public might choose to ride.

Section 115-3-1 of the Public Utilities Act of the State of Colorado, provides as follows:

"115-3-1. Reasonable charges - adequate service.

(1) All charges made, demanded or received by any public utility, or by any two or more public utilities, for any rate, fare, product or commodity furnished or to be furnished or any service rendered or to be rendered shall be just and reasonable. Every unjust or unreasonable

charge made, demanded or received for such rate, fare, product or commodity or service is hereby prohibited and declared unlawful. (2) Every - public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the safety, health, comfort and convenience of its patrons, employees and the public, and as shall in all respects be adequate, efficient, just and reasonable."

The complainant requests that its complaint be set for hearing and asks that all taxicabs operating in the City of Pueblo and its environs be operated in such manner that computation of fares shall be by meter only. Complainant further alleges that the present operation results in discrimination.

The above complaint was regularly set for hearing, and heard, after statutory notice to all interested parties, on January 5, 1962, in the County Commissioners' Room of the Court House in Pueblo, Colorado, and at the conclusion of the hearing, the complaint was taken under advisement.

The record discloses that the A. A. Taxicab Company is operating under meters and has filed its tariffs on meter mileage, while City Cab Company has filed its rates on zones and, as a result, we find some fares lower by meter and some are lower by zone. It therefore follows that we do not have a uniformity of rates. It would be a physical and practical impossibility to have uniform rates under the two systems. The Staff of the Commission, in their report, being Exhibit No. 10, states:

"A second visit to both taxi companies was made on February 7, 1961, to obtain the reaction to our first investigation.

"Mr. Farmer of A. A. Taxicab was of the opinion that both companies should operate on the meter plan.

"Mr. Gasper Perricone, representing City Cab Company, expressed his opinion and did not favor the meter plan but was in favor of adjusting City Cab fares on a Zone basis so they would come as close to A. A. fares as possible.

"P.U.C. investigators suggested to both parties to meet to see if they could come to a mutual understanding on the matter in order to avoid a hearing by the Commission."

The Commission is not happy with the results as disclosed by the record herein. We find A. A. Taxicab Company with a much higher operating ratio. This is not altogether conclusive for the reason that the operations are not similar, as City Cab operates under a modified pay-off plan.

The Commission hesitates to order either company to adopt a uniform rate structure. The record, in our opinion, discloses advantages to the public in both systems. The Commission has recognized both rate structures by the filing thereof, and the parties have operated under these two systems for approximately two years with only negligible complaints from the riding public.

Statements of position by complainant, respondent, and the Staff, have not helped us materially in our deliberations.

F I N D I N G S

THE COMMISSION FINDS:

1. That Complainant has failed to establish that the installation of taxicab meters for all taxicab operations based in Pueblo, Colorado, and its environs, is in the public interest.
2. The Commission recognizes that we do not have a uniformity of taxicab rates in Pueblo and adjacent territory.
3. The Commission further finds that uniformity of rates is desirable, but not mandatory upon the Commission.
4. That on the record before the Commission, we cannot say that the public is injured by the lack of uniformity, nor is the public discriminated against. The public may choose between either of the two taxicab companies for any desired taxicab service.
5. The Commission further finds that as long as the two systems are permitted in Pueblo, you cannot have identical rates, with the result that certain rates will be higher while other rates will be lower.

O R D E R

THE COMMISSION ORDERS:

That the complaint of A. A. Taxicab Company, be, and the same is hereby, dismissed.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hutton
Wm. E. Ziegler
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

ea

original

(Decision No. 58619)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALFRED'S TRAILER PARK & SALES COM-)
PANY, A CORPORATION, 302 SOUTH 8TH)
STREET, COLORADO SPRINGS, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
2636 TO NATIONAL TRAILER CONVOY,)
INC., 1916 NORTH SHERIDAN ROAD,)
TULSA, OKLAHOMA.)
- - - - -)

APPLICATION NO. 19067-Transfer

- - - - -
May 17, 1962
- - - - -

Appearances: Harold D. Torgan, Esq.,
Denver, Colorado, for
Transferor and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Alfred's Trailer Park & Sales Company, a corporation,
Colorado Springs, Colorado, is the owner and operator of PUC
No. 2636, authorizing:

Transportation of coach, house, commercial,
laboratory, cabin, bungalow, and special-
purpose trailers, in towaway service, on
call and demand, to and from all points
within the State of Colorado, over all
routes.

Transportation of coach, house, commercial,
laboratory, cabin, bungalow, and special-
purpose trailers, in towaway service, from
point to point within the City of Colorado
Springs, Colorado,

and by the instant application seeks authority to transfer said PUC
No. 2636 to National Trailer Convoy, Inc., Tulsa, Oklahoma.

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 Office Building, Denver, Colorado,
May 9, 1962, and at the conclusion of the evidence, the matter was
taken under advisement.

Alfred D. Sautels testified on behalf of the Transferor
that the contract attached to the application was entered into

with the transferee; that no debts against the operation excepting current debts exist, and that the current debts are being paid.

O. L. Thee testified on behalf of the transferee that the transferee has been in operation since 1947, and that Exhibits I and II entered in evidence are correct, which Exhibits indicate financial status and equipment available for use in Colorado in the operation.

No one appeared in opposition to the proposed transfer.

That the transferee is qualified and 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 Alfred's Trailer Park & Sales Company, a corporation, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all its right, title, and interest in and to PUC No. 2636 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to National Trailer Convoy, Inc., Tulsa, Oklahoma, 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 upon

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
Walter G. Horton
Henry E. Zarlunger
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT A. CONNELL, ROUTE 2, BOX 223,)
LONGMONT, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-6096 TO) APPLICATION NO. 19035-PP-Transfer
RICHARD A. DE NEUI, ROUTE 2, BOX 266,)
LOVELAND, COLORADO:)
- - - - -)

- - - - -
May 17, 1962
- - - - -

Appearances: Richard A. De Neui,
Loveland, Colorado,
for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Robert A. Connell, Longmont, Colorado, is the owner and
operator of Permit No. B-6096, authorizing:

Transportation of hay (baled or loose), grain
(in bulk), and processed feeds (in sacks), from,
to and between points within a 30-mile radius
of Loveland, Colorado, to and from all points
in the State of Colorado, in intrastate commerce,
only, with no town-to-town service,

and by the instant application seeks authority to transfer said
Permit No. 6096 to Richard A. DeNeui, Loveland, Colorado.

The application was set for hearing on April 30, 1962, at
ten o'clock A. M., at the Court House, Greeley, Colorado. The same
was then and there heard by an Examiner duly designated and to whom
the hearing was assigned by the Commission. After the conclusion of
the hearing, said Examiner transmitted to the Commission the record
and exhibits of said proceeding, together with a written statement of
his findings of fact and conclusion.

The Commission having considered the record and the written
report of the Examiner, states and finds:

That no one protests the granting of the proposed transfer.

That the consideration for the transfer is \$700.00; that the
transferee is a fit and proper person, has sufficient equipment, and is

financially able to render and continue operations under said permit.

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 A. Connell, Longmont, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-6096 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Richard A. DeNeui, Loveland, 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. Negro
Frederic C. Hobart
Henry E. Zalusky
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

ea

original

(Decision No. 58621)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
OSCAR A. OHLDE, DOING BUSINESS AS }
"G L B EXPRESS LINE," 1440 23RD }
AVENUE COURT, GREELEY, COLORADO, FOR }
AUTHORITY TO TRANSFER PUC NO. 301 TO }
ROBERT STEELE, JR., DOING BUSINESS }
AS "G L B EXPRESS LINE," 1102 7TH }
AVENUE, GREELEY, COLORADO. }

APPLICATION NO. 19031-Transfer

May 17, 1962

Appearances: Oscar A. Ohlde, Greeley,
Colorado, for Transferor;
Robert Steele, Jr., Greeley,
Colorado, for Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Oscar A. Ohlde, doing business as "G L B Express Line,
Greeley, Colorado, is the owner and operator of PUC No. 301, author-
izing:

transportation of passengers and their baggage,
and express, between Greeley, Colorado, and
Longmont, Colorado, and intermediate points via
Milliken, Johnstown, and Mead, Colorado, on
schedule;

transportation of passengers, and their baggage
and express between Longmont, Colorado, and
Boulder, Colorado, via Niwot, on State Highway
No. 119,

and by the instant application seeks authority to transfer said PUC
No. 301 to Robert Steele, Jr., doing business as "G L B Express Line,"
Greeley, Colorado.

The application was set for hearing on April 30, 1962, at
ten o'clock A. M., at the Court House, Greeley, Colorado. The same
was then and there heard by an Examiner duly designated and to whom
the hearing was assigned by the Commission. After the conclusion of

the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the proposed transfer.

That the transferee is a fit and proper person, has sufficient equipment and is financially able to render and continue operations under said certificate; that the consideration for the transfer is \$10,000.00.

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 Oscar A. Ohlde, doing business as "G L B Express Line," Greeley, Colorado, be, and hereby is, authorized to transfer PUC No. 301 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Robert Steele, Jr., doing business as "G L B Express Line," Greeley, 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 with 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. Negro
Ralph C. Hobart
Henry J. Palmer
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

mls

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|--|---------------------------------------|
| IN THE MATTER OF THE APPLICATION OF) ARTHUR HILL AND VERNON CRAVEN, DOING) BUSINESS AS "HILL & CRAVEN," LA) SALLE, COLORADO, FOR AUTHORITY TO) TRANSFER PUC NO. 678 TO PAUL J.) CLARKSON, ROUTE 1, BOX 121-A, LA) SALLE, COLORADO.) | <u>APPLICATION NO. 19063-Transfer</u> |
|--|---------------------------------------|

May 17, 1962

Appearances: Arthur Hill, La Salle,
Colorado, for Transferors;
Paul J. Clarkson, La Salle,
Colorado, for Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Arthur Hill and Vernon Craven, doing business as "Hill & Craven," La Salle, Colorado, are the owners and operators of PUC No. 678, authorizing:

transportation of milk to the Ft. Lupton plant of the Colorado condensed Milk Company from points along and within a mile of the following described territory:

Beginning at the Town of LaSalle; thence along the main highway to the City of Greeley; thence to the Town of Kersey along the old highway running from Greeley thereto; thence 1 mile east; thence in a southeasterly direction for a distance of about 3½ miles to a point at which is located a filling station known as the Cheek & Beirs Filling Station; thence south 2 miles; thence west 1 mile; thence south 1 mile; thence west 1 mile; thence south 2 miles; thence west 2 miles; thence north 1 mile; thence west 4 miles; thence north 1 mile; thence west ½ mile; thence north ½ mile; thence west ½ mile; thence north 1½ miles; thence west to the Town of La Salle;

transportation of milk from farms within the territory described as follows:

Beginning at the northwest corner of Section 20, T. 6 N., R. 64 W.; thence east 9 miles to the northeast corner of Section 22, T. 6 N., R. 63 W.; thence south 9 miles to the southeast corner of Section 34, T. 5 N., R. 63 W.; thence west 4 miles to the southwest corner of Section 31, T. 5 N., R. 63 W.; thence north 1 mile; thence in a northwesterly direction along the main highway to the Town of Kersey; thence north 1 mile; thence west 1 mile to the southwest corner of Section 8, T. 5 N., R. 64 W.; thence north 5 miles to the place of beginning, to the plants of the Colorado Condensed Milk Company, at Fort Lupton and Johnstown, Colorado,

and by the instant application seek authority to transfer said PUC No. 678 to Paul J. Clarkson, La Salle, Colorado.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., at the Court House, Greeley, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the application.

That there is no consideration for the proposed transfer; that the transferee is a fit and proper person, has sufficient net worth and ample and suitable equipment to render and continue operations under said certificate.

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

ORDER

THE COMMISSION ORDERS:

That Arthur Hill and Vernon Craven, doing business as "Hill & Craven, La Salle, Colorado, be, and hereby are, authorized to trans-

fer all their right, title and interest in and to PUC No. 678 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Paul J. Clarkson, La Salle, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

The tariff of rates, rules, and regulations of transferors shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.


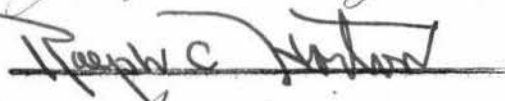

The right of transferee to operate under this Order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 17th day of May, 1962.

mls




Commissioners.

original

(Decision No. 58623)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER J. BOURN, P. O. BOX 116,)
DACONO, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING OPERATIONS AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 18783
SUPPLEMENTAL ORDER

May 17, 1962

Appearances: Bailey Belfor, Esq.,
Denver, Colorado, for
Pete Marcantonio and
Joe A. Sarmiento.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The instant application was re-set for hearing before the Commission at ten o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, May 14, 1962, at which time it was called up for hearing and the applicant did not appear in person or by Attorney, nor was the Commission in receipt of any communication from the Applicant explaining his absence.

Two protestants appeared, represented by counsel, who had come from quite a distance. Attorney for protestants moved that the application be dismissed on the ground that the matter had been continued a number of times, due to action on the part of the Applicant.

The Commission finds that the 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. Nigro
Raymond C. Hobart
Samuel E. Gallups
Commissioners.

Dated at Denver, Colorado,
this 17th day of May, 1962.

ea

original

(Decision No. 58624)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHERN UNION GAS COMPANY, FIDELITY)
UNION TOWER, DALLAS, TEXAS, FOR AU-)
THORITY TO ISSUE COMMON STOCK.)
-----)

APPLICATION NO. 19018-Securities
SUPPLEMENTAL ORDER

May 16, 1962

Appearances: A. S. Grenier, Esq., Dallas,
Texas, and
John R. Barry, Esq., Denver,
Colorado, for Applicant;
J. M. McNulty, Denver, Colo-
rado, and
E. R. Thompson, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

On May 9, 1962, by Decision No. 58564, the Commission
issued its order in the above-entitled matter. On Line 16 of
Page 4 of the Order, an identifying legend appears, as follows:

"Colo. PUC No. _____".

The digits 58564 should have been inserted in the blank space, and
the Order of the Commission should be changed to include such digits
58564.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 58564 should be amended nunc pro tunc,
to show "Colo. PUC No. 58564" on Line 16 of Page 4 of the Order.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 58564, of May 9, 1962, shall be, and the
same hereby is, amended, nunc pro tunc, as of said May 9, 1962, by
inserting in Line 16 of Page 4 of the Order, the digits 58564, so
that the identifying legend is "Colo. PUC No. 58564".

That, except as herein amended, Decision No. 58564
shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higro
Ralph C. Hotal
Wm. E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 16th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM LINZY, LONG ROAD, ROUTE 2,)
LITTLETON, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY, AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 3580.)
-----)

APPLICATION NO. 19066-Extension

May 18, 1962

Appearances: Robert G. McIlhenny, Esq.,
Denver, Colorado,
for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of PUC No. 3580, which author-
izes operation as a common carrier by motor vehicle for hire, as
follows:

Transportation of ashes, trash, garbage, and
other waste materials, from points within the
following described territory: commencing at
the southeast corner of East Hampden Avenue
and South Clarkson Street; thence east to the
intersection of said East Hampden Street and
the Valley Highway; thence southeasterly along
the west side of said Valley Highway to Orchard
Avenue; thence westerly on said Orchard Avenue
to South Washington Street; thence northerly to
East Bellview Avenue; thence easterly to South
Clarkson Street; thence northerly to the point
of beginning, to dumps and disposal places
within said territory.

Transportation of ashes, trash, and other debris,
from point to point within the following des-
cribed area: beginning at the intersection of
East Hampden Avenue and the Valley Highway;
thence east to Cherry Creek; thence south-
easterly along Cherry Creek to the point where
East Orchard Avenue extended would intersect
with Cherry Creek; thence west to the inter-
section of East Orchard Avenue and the Valley
Highway; thence northwesterly along the Valley
Highway to the point of beginning, and from
said area to and from regularly designated and
approved dumps and disposal places in the Counties
of Arapahoe, Jefferson, and Denver, State of
Colorado,

and by the instant application, applicant seeks to extend and enlarge such certificate to authorize the transportation of ashes, trash and other debris from point to point within the following described area, and from the area to and from proper dumps in Arapahoe, Jefferson and Denver Counties, as follows: Beginning at the intersection of University Boulevard and East Orchard Avenue, thence South along said University Boulevard for a distance of one (1) mile; thence East on a line parallel with East Orchard Avenue to Cherry Creek; thence North along Cherry Creek to a point where East Orchard Avenue extended would intersect with Cherry Creek; thence West along East Orchard Avenue to the point of beginning.

The application was set for hearing on May 14, 1962, at two o'clock P. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That no one protests the granting of the application.

That there is a definite need for the proposed service and the applicant will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier service of William Linzy, Littleton, Colorado, under PUC No. 3580, to include the transportation of ashes,

trash and other debris, from point to point within the following described area: Beginning at the intersection of University Boulevard and East Orchard Avenue; thence south along said University Boulevard for a distance of one (1) mile; thence east on a line parallel with East Orchard Avenue to Cherry Creek; thence north along Cherry Creek to a point where East Orchard Avenue extended would intersect with Cherry Creek; thence west along East Orchard Avenue to the point of beginning, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Robert C. Horton
Henry E. Johnson
Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
B. D. GOFORTH AND V. M. GOFORTH,
DOING BUSINESS AS "GOFORTH
BROTHERS," 1122 SIXTH STREET,
GREELEY, COLORADO, FOR REIN-
STATEMENT OF PERMIT NO. B-6120
FOR PURPOSE OF TRANSFER.

PERMIT NO. B-6120

IN THE MATTER OF THE APPLICATION OF
B. D. GOFORTH AND V. M. GOFORTH,
DOING BUSINESS AS "GOFORTH
BROTHERS," 1122 SIXTH STREET,
GREELEY, COLORADO, FOR AUTHORITY
TO TRANSFER PERMIT NO. B-6120 TO
VERLIN M. GOFORTH, 1703 CEDAR
AVENUE, GREELEY, COLORADO.

APPLICATION NO. 19033-PP-Transfer

IN THE MATTER OF THE APPLICATION OF
VERLIN M. GOFORTH, 1703 CEDAR AVE-
NUE, GREELEY, COLORADO, (IN THE
EVENT AUTHORITY SOUGHT IN APPLI-
CATION NO. 19033-PP-TRANSFER IS
GRANTED), FOR AUTHORITY TO EXTEND
OPERATIONS UNDER PERMIT NO. B-6120.

APPLICATION NO. 19040-PP-Extension

May 18, 1962

Appearances: Mrs. Marion Goforth,
Greeley, Colorado,
for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

B. D. Goforth and V. M. Goforth, doing business as "Goforth
Brothers," Greeley, Colorado, are the owners and operators of Permit
No. B-6120, authorizing:

Transportation of hay, alfalfa and straw,
between points in Jackson, Larimer, Boulder,
Adams, Weld, Morgan, Arapahoe, Logan, Phillips
and Yuma Counties, and also from said Counties,
to points in the City and County of Denver,
Colorado, for Magnuson Wholesale Feeds, of
Greeley, Colorado, only; pellets, from Milliken,
Colorado, to farms in the above listed Counties,
excepting the City and County of Denver, Colo-
rado, for Magnuson Wholesale Feeds, of Greeley,
Colorado, only.

By Decision No. 57157, dated September 21, 1961, the Commission suspended operations under said Permit No. 6120 until February 4, 1962, and by Decision No. 58074, dated February 21, 1962, further suspended operations under said Permit No. B-6120 until August 4, 1962. Said permit-holders now seek authority to reinstate said Permit No. B-6120 for the purpose of transfer.

By application filed March 30, 1962, said permit-holders seek authority to transfer said Permit No. 6120 to Verlin M. Goforth, Greeley, Colorado.

By application filed March 30, 1962, Verlin M. Goforth, Greeley, Colorado, (in the event authority sought in the above application is granted) seeks authority to extend operations under said Permit No. B-6120, to serve one additional customers, viz., B. H. & R. K. McConnell, 1729 - 12th Avenue, Greeley, Colorado.

The application was set for hearing on April 30, 1962, at ten o'clock A. M., in the District Court Room of the Court House, Greeley, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That at the outset of the hearing, a motion was duly made that these matters be consolidated for hearing, which motion was granted, and the applications were consolidated and heard on a joint record.

That Permit No. B-6120 should be reinstated for the purpose of transfer.

That the transferee is a fit and proper person, has sufficient equipment, and is financially able to render and continue operations under said permit.

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

It does not appear that the granting of the extended authority as herein sought will impair the efficient public service of any authorized motor vehicle common carrier.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-6120 be, and the same hereby is, reinstated for purpose of transfer only, as of the effective date of this Order.

That B. D. Goforth and V. M. Goforth, doing business as "Goforth Brothers," Greeley, Colorado, be, and hereby are, authorized to transfer all their right, title and interest in and to Permit No. B-6120 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Verlin M. Goforth, Greeley, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

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

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

That Verlin M. Goforth, Greeley, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6120, to include the right to serve one additional customer, viz., B. H. & R. K. McConnell, Greeley, Colorado.

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. Negro
Ralph C. Norton
Henry E. Peltus
Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF PUB-)
LIC CONVENIENCE AND NECESSITY,)
UNDER CHAPTER 115, SESSION LAWS)
OF COLORADO, 1953, FOR EMERGENCY)
MOVEMENT OF WHEAT.)

APPLICATION NO. 19087

May 18, 1962

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 will exist because of shortage of trucks for the transportation of wheat, from June 15, 1962, to July 15, 1962, in the Counties of Las Animas, Baca, Otero, Bent, Prowers, Kiowa, Crowley, Lincoln, Elbert, Cheyenne, Kit Carson, Washington, Yuma, Phillips, Sedgwick, Logan, Weld, Morgan, Adams, and Arapahoe, in the State of Colorado.

Request is made for an Order of this Commission relative to the issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said wheat crop in the counties above set forth.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency will exist because of shortage in certificated trucks for transportation of wheat in the Counties set forth in the preceding Statement, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for transporta-

tion of wheat to markets or places of storage, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1953, said certificates to be effective for a period of thirty (30) days, or from June 15, 1962, to and including July 15, 1962.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and they hereby are, authorized to be issued for the operation of motor vehicles, for transportation of wheat, to markets or places of storage, in the Counties of Las Animas, Baca, Otero, Bent, Prowers, Kiowa, Crowley, Lincoln, Elbert, Cheyenne, Kit Carson, Washington, Yuma, Phillips, Sedgwick, Logan, Weld, Morgan, Adams, and Arapahoe, in the State of Colorado, said certificates to be effective June 15, 1962, to July 15, 1962, both dates inclusive, no such certificate to issue for transportation of such product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Thomas C. Hutton
Henry E. Paulding
Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1962.

mls

original

(Decision No. 58628)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
UNION PACIFIC MOTOR FREIGHT COMPANY,
535 17TH STREET, DENVER, COLORADO,
FOR AN ORDER MODIFYING KEY POINT
RESTRICTIONS TO COINCIDE WITH PRE-
SENT KEY POINT RESTRICTIONS IMPOSED
BY THE INTERSTATE COMMERCE COM-
MISSION.

APPLICATION NO. 19096-Extension

May 18, 1962

S T A T E M E N T

By the Commission:

Heretofore applicant filed its application for authority to modify key point restrictions to coincide with present key point restrictions imposed by the Interstate Commerce Commission.

Said matter was regularly set for hearing May 23, 1962, at 11:00 o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

The Commission is now in receipt of information from the Attorneys for applicant that said applicant does not desire to prosecute the instant application and requesting that the same be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 19096-Extension be, and the same hereby is, dismissed.

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. Patton
Henry E. Ziegler
Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1962.

als

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD L. DILLINGER, DOING BUSINESS)
AS, "PENGUIN FROZEN FOODS", 442 SOUTH)
LAMAR COURT, DENVER 15, COLORADO.)
-----)

PERMIT NO. M-2351

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold L. Dillinger,
doing business as, "Penguin Frozen Foods", Denver 15, Colorado
requesting that Permit No. M-2351 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2351, heretofore issued to Harold L. Dillinger,
doing business as, "Penguin Frozen Foods", Denver 15, Colorado be,
and the same is hereby, declared cancelled effective May 12, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 22nd day of May, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE WITHDRAWAL OF)
CUSTODIAN SERVICE AT LAIRD, YUMA)
COUNTY, COLORADO, BY CHICAGO, BUR-)
LINGTON & QUINCY RAILROAD COMPANY.)
-----)

APPLICATION NO. 19104

May 18, 1962

S T A T E M E N T

By the Commission:

Pursuant to the Rules and Regulations of this Commission Pertaining to Railroads and Express Companies Operating in the State of Colorado, the above Applicant, by its attorney, on January 5, 1962, requested authority to discontinue its custodian at Laird, Yuma County, Colorado.

Laird is located on the Burlington main line of railroad, extending between Denver, Colorado, and Chicago, Illinois. It is six miles east of Wray, Colorado, and ten miles west of Haigler, Nebraska. The accounting for Laird is handled at the open station of Wray, while Haigler is also an open station on said railroad line. A small warehouse is provided for public storage of cream cans that move in Baggage service.

Six main line passenger trains operate daily through Laird; regular stop is made by an eastbound train at 2:51 A. M., to pick up cans of milk and set off empty containers. Work of loading milk cans is now performed by a Baggage Messenger who rides the train. Formerly, the work was included in the duties of a Custodian who also handled mail and acted as Caretaker for the railroad property at Laird.

It appears that more recently the mail has been withdrawn from rail movement and there is no longer a need for service of the custodian. Applicant cites that all accounting and records are handled

by the Agent at Wray, Colorado; that L.C.L. shipments are handled by Burlington Truck Lines, as a subsidiary of the Railroad Company, and with no assistance from the Custodian; that service in handling carload shipments will continue to be offered by the train crews as in the past.

Since the services of a custodian at Laird are not required for train operation nor for the safety of the traveling public, and with the new transfer of duties, it now appears that there is very little public convenience or necessity to justify the continued wage expense for custodian service.

Investigation by the Commission's Staff has verified the situation as presented by the Railroad. The small storage shelter (10 feet by 15 feet), provides for the seasonal movement of cream cans. Public inquiries revealed the local mercantile store closed in March, 1962, and that there was very little interest in the custodian matter. Hence, since no protests appear in the files of the Commission, the Commission determined to hear, and has heard, said matter forthwith, and without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That safe and economical railroad operation does not require the maintenance of a custodian at Laird, Colorado.

That public convenience and necessity in the Laird area can be adequately served by other agency stations and retention of a freight storage shelter house.

That the foregoing Statement, by reference, is made a part of these Findings.

That authority sought in the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Applicant, Chicago, Burlington & Quincy Railroad Company, be, and is hereby, authorized to withdraw the service of a custodian

at Laird, Yuma County, Colorado, and to thereafter provide only a freight storage shelter house.

That reference shall be made to this decision in the affected tariff schedules, to show the closing of said station and as authority for such action.

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. Hahn
George E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RAVEL BROTHERS, INCORPORATED, P. O.)
BOX 462, ALBUQUERQUE, NEW MEXICO.)
-----)

PERMIT NO. M-13794

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ravel Brothers, Inc.,
Albuquerque, New Mexico
requesting that Permit No. M-13794 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13794, heretofore issued to Ravel Brothers, Inc.,
Albuquerque, New Mexico be,
and the same is hereby, declared cancelled effective May 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 22nd day of May, 1962.

original

(Decision No. 58632)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. J. WEBER, DOING BUSINESS AS)
"WEBER'S HAULING SERVICE," 3645)
IVY STREET, DENVER, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS)
UNDER PUC NO. 3322.)
-----)

APPLICATION NO. 17809-Extension
SUPPLEMENTAL ORDER

May 18, 1962

Appearances: Robert E. McLean, Esq.,
Denver, Colorado,
for Applicant;
Tull, Hays and Thompson,
Esqs., Denver, Colo-
rado, by
John P. Thompson, Esq.,
Denver, Colorado, for
Fred A. Schroeder, Jr.,
A. R. Lenderink, and
Clyde Persinger.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Whereas, in the within proceeding, an Order was entered by the Commission to which Order certain protestants filed Motion to Vacate and set the said matter for rehearing, relative to which Briefs have been filed by all parties, and

Whereas, the Commission has received a request by the applicant, dated May 15, 1962, to withdraw his application, and it appears to the Commission that a Decision on the Motion to Vacate and to set the matter for rehearing will become moot if the following Order be entered, and the Commission finds that said request should be granted and the entry of the following Order is not contrary to to the public interest:

IT IS ORDERED that Motion to Vacate the Commission's Decision and for rehearing is denied, and that Decision No. 54631, dated July 6, 1960, of the Commission, be, and the same hereby is, vacated and held

for naught, and that Application No. 17809-Extension be, and the same hereby is, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Harold C. Hobart
Harry E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1962.

ea

original

(Decision No. 58633)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|---------------------------------------|---------------------------------|
| IN THE MATTER OF THE APPLICATION OF) | |
| W. J. WEBER, DOING BUSINESS AS) | |
| "WEBER'S HAULING SERVICE," 3645) | |
| IVY STREET, DENVER, COLORADO, FOR) | APPLICATION NO. 18566-Extension |
| A CERTIFICATE OF PUBLIC CONVENIENCE) | |
| AND NECESSITY AUTHORIZING EXTENSION) | |
| OF OPERATIONS UNDER PUC NO. 2127.) | |
| -----) | |

May 18, 1962

STATEMENT AND FINDINGS OF FACT

By the Commission:

Whereas, on May 15, 1962, applicant in the above mentioned proceedings filed with the Commission a request to withdraw his application and it appears to the Commission, and the Commission so finds, that it will not be contrary to the public interest to grant said request and enter the following Order:

IT IS ORDERED that Application No. 18566 be, and the same hereby is, dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zulawski
Commissioners.

Dated at Denver, Colorado,
this 18th day of May, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD'S EXPRESS, INC., (JOHN A.)
SEIB AND ERMA SEIB, PRESENT OWNERS)
OF ALL CAPITAL STOCK THEREOF), 3930)
BLAKE STREET, DENVER, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 3540)
AND PUC NO. 3540-I TO HAROLD'S)
EXPRESS, INC., (GLENN H. NEFF, BERT)
F. JONES, AND C. L. TERRY, PUR-)
CHASERS OF ALL CAPITAL STOCK OF)
SAID CORPORATION), 3930 BLAKE)
STREET, DENVER, COLORADO.)
-----)

APPLICATION NO. 19045
STOCK TRANSFER

May 21, 1962

Appearances: Herbert M. Boyle, Esq.,
Denver, Colorado,
for Applicants;
John H. Lewis, Esq.,
Denver, Colorado,
for Transferees.

S T A T E M E N T

By the Commission:

On March 20, 1962, the above-styled application was filed with the Commission. The matter was regularly set for hearing on April 30, 1962, with due notice to all interested parties. At the hearing, after some discussion, the Examiner taking the hearing on said application recommended that the matter be continued, to be re-set at a future date, at the convenience of the Commission.

The application was again set for hearing on May 23, 1962, with notice to all interested parties. However, on May 17, 1962, the Attorney for Transferors filed "Petition to Dismiss," requesting that the application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and it hereby
is, dismissed, at the request of Attorney for Applicants.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Nigro
Ralph C. Holton
Amos E. Zuleygo
Commissioners.

Dated at Denver, Colorado,
this 21st day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE ELIMINATION OF ITEM NOS. 1230,)
(IN PART), 1383 AND 2040 AND)
SUBSTITUTING IN LIEU THEREOF ITEM)
NO. 1215 FOR ACCOUNT OF DENVER-)
CLIMAX TRUCK LINE, INC.)

CASE NO. 1585

May 18, 1962

S T A T E M E N T

BY THE COMMISSION:

On April 11, 1962, the Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed schedules with the Commission on statutory notice published to become effective May 18, 1962, designated as set forth in Appendix "A" attached hereto and made a part hereof.

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

In justification of the following changes, the Commission has been informed by the Chief of Tariff Bureau for the Association that the Denver-Climax Truck Line, Inc., under these proposals are eliminating the provisions presently under Item Nos. 1230, 1383, and 2040 and substituting the provisions of Item 1215 for the following reasons:

"All of the presently effective rates in those items, except that one subject to a minimum weight of 30,000 pounds, are the same as those published for account of irregular route carriers in the Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 13, Colorado P.U.C. No. 12, and were published so that the regular route carrier could compete with the irregular route carriers for this traffic.

"It now develops that there are certain other so-called heavy commodities, other than those named in Items 1230, 1383 and 2040, moving between Denver and Climax and intermediate points, and the regular route carrier must meet the rates of the irregular route carrier on those heavy commodities not now named in Items 1230, 1383 and 2040 if it is to be in a position to compete for this additional traffic and also retain its present traffic.

"Inasmuch as Item No. 1215, through reference to Item 1150, provides rates to apply on practically all of the heavy commodities named in Motor Freight Tariff No. 13, the Denver-Climax Truck Line, Inc., management has decided to meet all of this potential irregular route carrier competition with one all-inclusive publication rather than to meet it on a piece-meal basis as the movements arise.

"Insofar as the 43 cent rate, subject to a minimum weight of 30,000 pounds is concerned, it now applies on shipments of Mine Balls, Mining and Milling Machinery and Parts, as described under the heading "Mining, Ore Milling or Smelting Machinery and Parts," in the current classification, Mine Car Loaders, Ore Crushers and Parts, Ball Mills and Parts and Castings, iron or steel, between Denver and Climax and Kokomo, as shown in Item 1230. The carrier represents that these commodities constitute the bulk of the so-called heavy commodities being moved between points on its line and believes that, because of this fact and in fairness to the shipping public, the 43 cent rate subject to a minimum weight of 30,000 pounds should also be applied to the relatively small remainder of the traffic involved."

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in the Appendix "A", attached hereto, of this order on the basis of the facts presented appear to represent just, fair and reasonable rates and charges and should be authorized and an order entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, 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 the Appendix "A" attached hereto, shall on May 18, 1962, 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 May 18, 1962, 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 May 18, 1962, 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

Joseph F. Nigro
Ralph C. Horton
Dean E. Zurling
Commissioners

Dated at Denver, Colorado,
this 18th day of May, 1962.

ph

APPENDIX "A"

Changes Effective May 18, 1962:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT Local and Joint Freight Tariff No. 12-A Colorado P.U.C. No. 11

| SECTION NO. 2 COMMODITY RATES (For Application, See Page No. 190 of Tariff) | | | | |
|---|--|---|----|--------------------|
| Rates are in Cents per 100 Pounds | | | | |
| Item No. | Commodity Commodities in the same item may be shipped in straight or mixed truck loads. | From (Except as noted in individual items) | To | Rates Route No. |

8th Revised Page No. 191-C: Cancel portion of Item No. 1230 as follows. Balance of item not show as not pertinent here.

| | | | | | |
|------|---|---------------------------------|--|------|----|
| 1230 | Balls, mine; Mining and Milling Machinery and Parts, as described under the heading "Mining, Ore Milling or Smelting Machinery and Parts," including "Mine Car Loaders"; Crushers, Ore, and Parts; Mills, ball, and Parts; Castings, iron or steel, in the rough. ① Minimum weight 10,000 pounds. ② minimum weight 15,000 pounds. ③ minimum weight 20,000 pounds. ④ Minimum weight 30,000 pounds. (Subject to Item No. 770.) | <u>BETWEEN</u> Denver, Colo. | <u>AND</u> Climax, Colo. Kokomo, Colo. | ① 52 | 30 |
| | | | | ② 47 | |
| | | | | ③ 46 | |
| | | | | ④ 43 | |
| | | | | | |

12th Revised Page No. 195:

| | | | | | |
|------|--|---------------|---------------|----|----|
| 1383 | Building Metal Work, as described under that heading in the governing classification, except roof trimmings or guttering or ventilators, minimum weight 20,000 pounds. | Denver, Colo. | Climax, Colo. | 46 | 30 |
|------|--|---------------|---------------|----|----|

6th Revised Page No. 217:

| | | | | | |
|------|---|---------------|---|--------------|----|
| 2040 | Iron or Steel articles, viz.: Structural Iron or Steel, including Plate Girders, Stringers and Fabricated Trusses; Steel Concrete Construction Frames; Reinforcement, concrete or plaster, iron or steel. ② Minimum weight 15,000 pounds. ③ Minimum weight 20,000 pounds. | Denver, Colo. | Climax, Colo. Dillon, Colo. Frisco, Colo. | ② 47 ③ 46 | 30 |
|------|---|---------------|---|--------------|----|

5th Revised Page No. 191-B: Add the following to Item No. 1215. Complete item not shown since it is not pertinent there.

| SECTION NO. 2 COMMODITY RATES (For Application, See Page No. 190 of Tariff) | | | | | | |
|---|---|---|-------------------------------------|---------|---------|-----------|
| Rates are in Cents per 100 Pounds | | | | | | |
| Item No. | Commodity Commodities in the same item may be shipped in straight or mixed truck loads. | From (Except as noted in individual items) | To | Rates | | Route No. |
| 1215 | Articles, as described in Item No. 1150. ① Min. Wt. 10,000 lbs. ② Min. Wt. 15,000 lbs. ③ Min. Wt. 20,000 lbs. ④ Min. Wt. 30,000 lbs. (Subject to Item 770.) | <u>BETWEEN</u> Denver, Colo. (See Note 2) | <u>AND</u> + ③ Climax, Colo. | ① 52 | ② 47 | ③ 46 |
| | NOTE 2: Where reference is made to this note, rates will apply on both interstate and intrastate traffic. Rates published in this item will also apply at directly intermediate points via routes specified. | | | | | |

⑤ - Denotes elimination.

③ - Denotes a change resulting in neither an increase nor a reduction.

+ - Denotes addition.

④ - Denotes reduction.

Route No. 30 - Denver-Climax Truck Line, Inc. Direct.

original

(Decision No. 58636)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

| | |
|------------------------------------|------------------------------|
| REDUCED DISTANCE COMMODITY RATES) | |
| ON SHEEP FOR ACCOUNT OF BALLAN-) | INVESTIGATION AND SUSPENSION |
| TYNE TRUCKING COMPANY.) | <u>DOCKET NO. 488</u> |
| -----) | |

May 21, 1962

S T A T E M E N T

By the Commission:

On April 4, 1962, the Commission set the above-styled matter for hearing on May 25, 1962, at ten o'clock A.M., at 532 State Services Building, Denver, Colorado.

Applicant has now requested the Commission to dismiss the application for reduced distance commodity rates on sheep.

F I N D I N G S

THE COMMISSION FINDS:

That the request of applicant should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and it is hereby, dismissed, at the request of applicant.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Raymond C. Horton
Henry E. Zilinger
Commissioners.

Dated at Denver, Colorado,
this 21st day of May, 1962.
ea

original

(Decision No. 58637)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE CITY OF COLORADO SPRINGS, DE-)
PARTMENT OF PUBLIC UTILITIES, TO)
ADD AREAS TO, AND DELETE OTHER AREAS)
FROM, ITS CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY WHICH AUTH-)
ORIZES THE CONSTRUCTION AND OPERA-)
TION OF NATURAL GAS SYSTEMS FOR THE)
TRANSMISSION, DISTRIBUTION AND SALE)
OF NATURAL GAS IN CERTAIN AREAS OF)
EL PASO COUNTY, COLORADO.)
-----)

APPLICATION NO. 19027

May 21, 1962

Appearances: Louis Johnson, Esq.,
Colorado Springs, Colo-
rado, 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:

On April 4, 1962, the Department of Public Utilities of the City of Colorado Springs, filed the above-entitled application seeking to amend its existing certificate of public convenience and necessity to render gas service outside the City Limits of Colorado Springs.

By order of April 17, 1962, the Commission set the applica-
tion for hearing on May 4, 1962, at one thirty o'clock P. M., in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado, after due notice to all interested parties. At said time and place, this matter was duly heard by the Commission and at the conclusion of the hearing, taken under advisement.

Applicant presently holds a certificate of public conven-
ience and necessity to render gas service as a public utility outside of the City Limits of Colorado Springs in certain specified territory in El Paso County. This authority was granted to Applicant in

Application No. 13143, by Decision No. 43973, of February 17, 1955.

Applicant has been rendering gas service under the rates, rules and regulations presently on file with this Commission, and as to its operations outside the City limits in its certificated area, it is subject to the jurisdiction of this Commission.

Testimony at the hearing revealed that by the instant application the City seeks to delete from its presently-authorized territory for service, the following areas:

Sections 33-34-35-36, Township 11-South, Range 67-West.

Sections 31-32-33, Township 11-South, Range 66-West.

Section 4, Township 12-South, Range 66-West.

North 1/2 Section 29, Township 12-South, Range 65-West.

Apparently, the City has no gas distribution mains in close proximity to the above areas and wishes to release these areas, since, according to the witness, the areas can be better served by another gas utility situated closer to said areas.

The City also seeks, by this Application, an addition to its existing certificate, consisting of the following territory:

Sections 33-34, Township 12-South, Range 65-West.

Sections 4-3-9-10-16-15-21-22-28-27-33-34, Township 13-South, Range 65-West.

Sections 4-3-9-10, Township 14-South, Range 65-West.

At the present time, Plateau Natural Gas Company is serving the Lewis Ranch, which is located in Section 9, Township 14-South, Range 65-West, and the City is willing to except service to this Ranch by Plateau within the area within which it seeks an enlargement of its certificate. According to the testimony of the witness, the additional area sought is adjacent to presently-certificated territory and the City is desirous of permission to extend its facilities into this territory as the demand for service arises.

It is apparent from the testimony herein that the deletions and additions sought by the City are desirous from the standpoint of an orderly development of the area and that the certificate sought should be granted.

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

At the request of the Staff, Applicant filed a late-filed exhibit, being a map of the area reflecting Applicant's territory for service with the deletions and additions, as proposed in the instant application. A written description of the outer boundary of said area was also included.

F I N D I N G S

THE COMMISSION FINDS:

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

That the Commission has jurisdiction of the Department of Public Utilities of the City of Colorado Springs as it pertains to the rendering of gas service as a public utility outside of the City of Colorado Springs.

That the Commission is fully informed in the premises.

That the application sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 19027, of the Department of Public Utilities of the City of Colorado Springs, Colorado, to delete certain territory from its certificate of public convenience and necessity and to add certain territory to said certificate, within which territory the City proposes to render gas service as a public utility be, and hereby is, granted.

That the certificate of public convenience and necessity herein granted to the Department of Public Utilities of the City of Colorado Springs supersedes and replaces the certificate previously granted.

That the area of service within which Applicant is presently authorized to render gas service as a public utility is defined as follows:

Starting at the NW corner of Section 31, T. 11-S., R. 67-W., thence easterly to the NE corner of Section 32, T. 11-S., R. 67-W., thence southerly to the SW corner of Section 33, T. 11-S., R. 67-W., thence easterly to the NE corner of Section 5, T. 12-S., R. 66-W., thence southerly to the SW corner of Section 4, T. 12-S., R. 66-W., thence easterly to the NE corner of Section 9, T. 12-S., R. 66-W., thence southerly to the SW corner of Section 22, T. 12-S., R. 66-W., thence easterly to the NE corner of Section 30, T. 12-S., R. 65-W., thence southerly to a point 1/2 mile S. of the NE corner of Section 30, T. 12-S., R. 65-W., thence easterly to a point 1/2 mile N. of the SW corner of Section 28, T. 12-S., R. 65-W., thence southerly to the SW corner of Section 28, T. 12-S., R. 65-W., thence easterly to the NE corner of Section 34, T. 12-S., R. 65-W., thence southerly to the SE corner of Section 10, T. 14-S., R. 65-W., thence westerly to the NW corner of Section 16, T. 14-S., R. 65-W., thence southerly to the SE corner of Section 17, T. 15-S., R. 65-W., thence westerly to the NW corner of Section 24, T. 15-S., R. 66-W., thence southerly to the SE corner of Section 26, T. 15-S., R. 66-W., thence westerly to the NW corner of Section 34, T. 15-S., R. 66-W., thence southerly to the SE corner of Section 21, T. 16-S., R. 66-W., thence westerly to the SW corner of Section 19, T. 16-S., R. 67-W., thence northerly to the SW corner of Section 7, T. 15-S., R. 67-W., thence westerly to the SW corner of Section 7, T. 15-S., R. 68-W., thence northerly to the NE corner of Section 36, T. 14-S., R. 69-W., thence westerly to the SW corner of Section 27, T. 14-S., R. 69-W., thence northerly to the NW corner of Section 3, T. 14-S., R. 69-W., thence easterly to the SE corner of Section 36, T. 13-S., R. 68-W., thence northerly to the NW corner of Section 31, T. 11-S., R. 67-W., point of beginning.

That the area within the City Limits of the City of Colorado Springs is excepted from the above described territory.

That also excepted from the above described area is gas service to the Lewis Ranch situated in Section 9, Township 14-South, Range 65-West, which service has been authorized to be performed by Plateau Natural Gas Company, its successors or assigns (See Application No. 18735, Decision No. 58508, of May 1, 1962).

That Applicant shall continue to maintain its books of accounts in accordance with the Uniform System of Accounts, as prescribed by this Commission.

That Applicant shall install, operate and maintain its gas distribution system and render gas service in the above-described

territory in accordance with the rates, rules and regulations and extension policies now on file with the Commission, until changed according to law and the rules and regulations of this Commission.

That Applicant shall maintain its operations and records in accordance with the Rules Regulating the Service of Gas and Electric Utilities, as prescribed by this Commission.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higin
Ralph C. Horton
Wm. E. Sullivan
Commissioners.

Dated at Denver, Colorado,
this 21st day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF WITHDRAWAL OF)
CUSTODIAN SERVICE AT ROGGEN,)
WELD COUNTY, COLORADO, BY)
CHICAGO, BURLINGTON & QUINCY)
RAILROAD COMPANY.)
-----)

APPLICATION NO. 19107

May 21, 1962

S T A T E M E N T

By the Commission:

Pursuant to the Rules and Regulations of this Commission Pertaining to Railroads and Express Companies Operating in the State of Colorado, the above Applicant, by its Attorney, on January 5, 1962, requested authority to discontinue its custodian at Roggen, Weld County, Colorado.

Roggen is located on the Burlington main line of railroad extending between Denver, Colorado, and Chicago, Illinois. It is ten miles east of Keenesburg, Colorado, and seventeen miles west of Wiggins, Colorado. The accounting for Roggen is handled at the open station of Keenesburg, while Wiggins is also an open station on said railroad line.

Six main line passenger trains operate daily through Roggen. The Railroad Company has provided for a Custodian to be on duty for fifty minutes on Monday through Friday. However, the Custodian has been maintained largely as a caretaker of railroad property since withdrawal of regular station agent service that was authorized by this Commission in Decision No. 50276, May 14, 1958, Application No. 15791.

In the instant request it is cited that population is approximately 150 persons; that the main occupation of the area is cattle ranching and farming, with rail business being handled through

the Keenesburg station. The L.C.L. shipments are handled by Burlington Truck Lines as a subsidiary of the Railroad Company; deliveries are made to the local store, garage and grain elevator, with no assistance from the Custodian.

It appears that the Custodian's duties formerly included the assignment to meet the night train at 12:12 A. M. for milk-can handling. Recently, that work was given to a Baggage Messenger who rides with the train. Hence, it now develops that very little public service is now offered or demanded from the Custodian.

Since the services of a Custodian at Roggen are not required for train operation, nor for the safety of the traveling public, and with the new transfer of duties, it appears there is not sufficient public convenience or necessity to justify the continued wage expense for Custodian service.

Investigation by the Commission's Staff has verified the situation as presented by the railroad. Storage facilities are available for seasonal movement of cream cans. Handling of mail between the Post Office and Rail station is a separate function under the Postal Service, and is not involved in the Custodian withdrawal. Inquiries among local patrons indicated satisfaction with the store-door service of the Burlington Truck Lines, and no concern was expressed in the Custodian matter. Hence, since no protests appear in the files of the Commission, the Commission determined to hear, and has heard, said matter forthwith, and without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That safe and economical railroad operation does not require the maintenance of a Custodian at Roggen, Colorado.

That public convenience and necessity in the Roggen area can be adequately served by other agency stations and use of substituted rail service, as provided by Burlington Truck Lines for L.C.L. handling.

That the foregoing Statement, by reference, is made a part of these Findings.

That authority sought in the instant application should be granted.

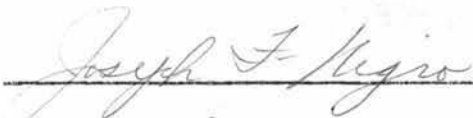
O R D E R

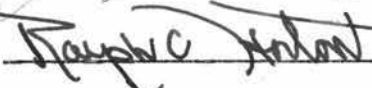
THE COMMISSION ORDERS:


That Applicant, Chicago, Burlington & Quincy Railroad Company, be, and it hereby is, authorized to withdraw the service of a Custodian at Roggen, Weld County, 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 21st day of May, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAFE LITE GLASS CORPORATION, 322)
NORTH WASHINGTON, WICHITA, KANSAS.)
-----)

PERMIT NO. M-11684

May 22, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Safe Lite Glass
Corporation, Wichita, Kansas
requesting that Permit No. M-11684 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11684, heretofore issued to Safe Lite Glass
Corporation, Wichita, Kansas be,
and the same is hereby, declared cancelled effective January 31, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 22nd day of May, 1962.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARCHIE C. WOOLSEY, DOING BUSINESS AS)
"ARCHIE WOOLSEY," 2304 PEARL STREET,) APPLICATION NO. 18987-PP-Extension
BOULDER, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMIT NO.)
B-4625.)

May 22, 1962

Appearances: Herbert M. Boyle, Esq., Den-
ver, Colorado, for Applicant;
Donald G. Brotzman, Esq.,
Boulder, Colorado, for Pher-
son Trucking Co.;
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No.
B-4625, which authorizes operation as a private carrier by motor ve-
hicle for hire, as follows:

transportation of sand, gravel, and other road-
surfacing materials used in the construction of
roads and highways from pits and supply points
in the State of Colorado, to road jobs within a
radius of 50 miles of said pits and supply
points, and for the transportation of sand,
gravel, dirt, stone and refuse from and to
building construction jobs to and from points
within a radius of fifty miles of said jobs,

and by the instant application, applicant seeks to extend and enlarge
such permit to authorize 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 to the use of tank vehicles; light-weight aggregate, from Idealite Plant, Rocky Flats, Colorado, to Ready-mix Plants and processing plants in Boulder, Colorado, and a five-mile radius thereof; coal, from mines in the northern Colorado coal fields, to dealers and supply points within a radius of fifty miles of said mines.

The application was set for hearing on April 9, 1962, at ten o'clock A. M., at the County Court Room, Court House, Boulder, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That at the commencement of the hearing, protestants indicated that it was their express intention to protest only that part of the application pertaining to the transportation of light-weight aggregate.

That the evidence presented in opposition to the granting of transportation of light-weight aggregate is of sufficient weight and competency for the Commission to be of the opinion that the operation will impair the efficient public service of authorized motor vehicle common carrier service now adequately serving the same territory.

over the same general highway route or routes, and that said authority should be denied.

That there is a need for the authority as set forth in the Order following.

That the applicant is a fit and proper person, has sufficient equipment and experience to properly carry on the proposed operation and the applicant's financial standing is established to the satisfaction of the Commission; and that granting the authority as set forth in the Order following will not impair the efficient public service of any authorized motor vehicle common carrier.

O R D E R

THE COMMISSION ORDERS:

That Archie C. Woolsey, doing business as "Archie Woolsey," Boulder, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4625 to include the right to transport sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 50 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 50 miles of said pits and supply points; sand, gravel, drit, stone, and refuse, from and to building construction jobs, to and from points within a radius of 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials restricted against the use of tank vehicles; coal, from mines in the Northern Colorado coal fields, to dealers and supply points within a 50 mile radius of said mines.

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

That, except as herein authorized, the above-styled application be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Holton
Wm. E. Zuley
Commissioners.

Dated at Denver, Colorado,
this 22nd day of May, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE MILLER, VIRGIL PARKER, AND)
WILLIAM FARROW, DOING BUSINESS AS)
"M P & F RUBBISH REMOVAL," 25 SOUTH)
EVERETT STREET, LAKEWOOD, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 18851

May 22, 1962

Appearances: Robert McLean, Esq., Denver,
Colorado, for Applicant;
Bennett S. Aisenberg, Esq.,
Denver, Colorado, for Sam's
Ash & Trash Hauling Service,
Best-Way Disposal, and
Mountain View Rubbish Re-
moval Co.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicants seek a certificate of public convenience and necessity to operate as a common carrier by motor vehicle in the transportation of ashes, trash, rubbish, and other debris, in the territory known and described as follows: beginning at First Avenue and Sheridan Boulevard; thence due West on First Avenue, as extended, to the Hog Back Road; thence in a southerly direction along the Hog Back Road to where the Hog Back Road and Morrison Road intersect; thence east and northeast following Morrison Road to Sheridan Boulevard; thence north along Sheridan Boulevard to the point of beginning.

The application was set for hearing on April 23, 1962, at one o'clock P. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there

heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That there is a need for the proposed transportation service and the applicants are fit and proper persons, will have sufficient equipment and experience to properly carry on the proposed transportation services and the applicants' financial standing is established to the satisfaction of the Commission.

That the evidence presented in opposition to the granting of the application is too general, indefinite, and uncertain for the Commission to be of the opinion that the proposed operation as hereinafter authorized will impair the efficient public service of any authorized motor vehicle common carrier or carriers adequately serving the same territory over the same general highway route or routes.

That public convenience and necessity require the transportation services for which applicants herein seek authority, and the application should be granted, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of Lawrence Miller, Virgil Parker, and William Farrow, doing business as "M P & F Rubbish Removal," Lakewood, Colorado, for the transportation of ashes, trash, rubbish, and other debris, in the territory known and described as follows: beginning at First Avenue and Sheridan Boulevard; thence due west on First Avenue, as extended, to the Hog Back Road; thence in a southerly

direction along the Hog Back Road to where the Hog Back Road and Morrison Road intersect (U. S. 285); thence east and northeast following Morrison Road (U. S. 285) to Sheridan Boulevard; thence north along Sheridan Boulevard 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 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 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
Ralph C. Hobart
Henry E. Jellings
Commissioners

Dated at Denver, Colorado,
this 22nd day of May, 1962.

mls

original

(Decision No. 58642)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY LEE YATES, 635 EAST SANTA FE,)
COLORADO SPRINGS, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COM-)
MON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)
-----)

APPLICATION NO. 19054

May 22, 1962

Appearances: Rector and Kane, Esqs.,
Colorado Springs, Colo-
rado, for Applicant;
Karl R. Ross, Esq., Colo-
rado Springs, Colorado,
and
Marilyn Cimino, Esq., Colo-
rado Springs, Colorado,
for Estes Service Co.,
Garbage Service Co., Inc.,
Becker's Ash & Trash,
Sanitary Garbage & Trash
Removal, Johnson's Ash &
Trash Service, and Security
Garbage Co.

S T A T E M E N T

By the Commission:

By the instant application, the applicant seeks a certifi-
cate of public convenience and necessity to operate as a common
carrier by motor vehicle in the transportation of ashes, trash, dirt,
rock, fertilizer, rubbish, grass clippings, brush, leaves and other
waste materials, between points within a radius of approximately 15
miles of the corner of Pikes Peak and Nevada in Colorado Springs,
Colorado, which will include municipal dumps, county dumps and any
and all dumps which are now or which may hereafter be located in
the area above described.

The application was set for hearing on April 24, 1962, at
ten o'clock A. M., at the County Office Building, Colorado Springs,
Colorado. The same was then and there heard by an Examiner duly
designated, and to whom the hearing was assigned by the Commission.

After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That the evidence presented in opposition to the granting of the application is too general, indefinite, and uncertain for the Commission to be of the opinion that the proposed operation, as hereinafter authorized, will impair the efficient public service of any authorized motor vehicle common carrier or carriers adequately serving the same territory over the same general highway route or routes.

That there is a need for the proposed transportation services and the applicant will have sufficient equipment and experience to properly carry on the proposed operation, and the applicant's financial standing is established to the satisfaction of the Commission.

That public convenience and necessity require the transportation services for which applicant herein seeks authority, and the application should be granted, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle transportation service of Henry Lee Yates, Colorado Springs, Colorado, for the transportation of ashes, trash, dirt, rock, fertilizer, rubbish, grass clippings, brush, leaves, and other waste materials, between points within a radius of fifteen miles of the corner of Pikes Peak and Nevada, in Colorado Springs, Colorado, to regularly approved and designated dumps and disposal places, 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. Nigro
Ralph C. Norton
Sam E. Zullinger
Commissioners.

Dated at Denver, Colorado,
this 22nd day of May, 1962.

ea

(Decision No. 58643)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DELTA-MONTROSE RURAL POWER LINES)
ASSOCIATION, OF DELTA, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY FOR TER-)
RITORY LOCATED IN DELTA, MONTROSE,)
SAN MIGUEL, OURAY, HINSDALE AND)
GUNNISON COUNTIES IN THE STATE OF)
COLORADO.)
-----)

APPLICATION NO. 18619

May 24, 1962

Appearances: Moses & DeSouchet, Esqs.,
Alamosa, Colorado, by
Raphael J. Moses, and
Roderick N. Stewart, Esq.,
Delta, Colorado, for
Delta-Montrose Rural
Power Lines, Association;
Harrison Loesch, Esq.,
Montrose, Colorado, and
S. G. Baucom, Esq., Salt Lake
City, Utah, for Western
Colorado Power Company;
J. M. McNulty, 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 was filed with this Com-
mission on June 11, 1961, seeking a certificate of public convenience
and necessity in certain defined territory as described as a part of
said application. The matter was set for hearing by the Commission,
after due notice to interested parties, on Tuesday, October 17, 1961,
in the District Court Room, in Delta, Colorado. Applicant presented
its case in chief on October 17th and 18th, and the matter was recessed
for further hearing to December 12, 1961, at the same location. The
hearing concluded on December 13, 1961, and at the conclusion thereof,
the Commission took the matter under advisement. Briefs, written
Arguments, Reply Briefs and Answering Arguments were also timely filed.

Applicant (Delta-Montrose), is a Colorado corporation duly organized and existing under the laws of the State of Colorado, more particularly, Article 20, Chapter 31, Colorado Revised Statutes, 1953. Its Articles of Incorporation were introduced at the hearing as Exhibit No. 18. Delta-Montrose is a non-profit cooperative association, engaged in distributing electrical energy to its customers in Delta, Montrose, Ouray and Gunnison Counties. Applicant is requesting, as a part of its area for service, territory in San Miguel, Hinsdale and Mesa Counties, although it is not presently serving any customers in these counties. Applicant obtains its financing through the Rural Electrification Administration in Washington, D. C., and Exhibit No. 8, the balance sheet admitted in evidence at the hearing, reveals that as of March 31, 1961, the outstanding long-term debt from this source amounts to \$1,655,187.68. Delta-Montrose was incorporated in 1938, and shortly thereafter began construction of its electric facilities. At the present time it has 2,403 meters, 809½ miles of distribution line, 37½ miles of transmission line, and 6 sub-stations, located near Montrose, Delta, Cedaredge, Hotchkiss, Olathe and Oliver. These sub-stations have a combined capacity of 5,300 KVA. Applicant now purchases its power at wholesale from the Colorado Ute Electric Association, but until May of 1960, it purchased its electric power from Western Colorado Power Company. Since its origin in 1938, Applicant has been serving members only, but in February 1961, it amended its Articles of Incorporation to serve non-members, and, according to the testimony at the hearing, it presently does serve some non-members.

Several witnesses testified on behalf of Applicant, and the gist of their testimony was to the effect that they are presently being served by Delta-Montrose and that they are satisfied with the service. Some of the witnesses also testified that prior to the obtaining of service from Delta-Montrose, they were unable to obtain service from Western Colorado Power Company. In certain instances, it was not economically feasible for the Western Colorado Power Company

to extend its services under the extension policy of the Company, and the prospective customers were unable to contribute toward the cost of construction so as to make the extension feasible. At least in one instance, however, it is not too clear why service was not rendered by Western Colorado Power Company since it was not shown that economical feasibility precluded the rendering of this service. The rendering of service by Delta-Montrose at a later date obviated further negotiations with Western Colorado Power in regard to this particular service.

It is apparent from the record herein that Delta-Montrose has been rendering electric service in certain areas in the counties of Delta, Montrose, Ouray and Gunnison, and that there has been a definite need for said service.

The Colorado Legislature of 1961 passed House Bill 245, thereby amending the Public Utilities Act, declaring, as a matter of law, that "Every cooperative electric association, or non-profit electric corporation or association, and every other supplier of electrical energy, whether supplying electric energy for the use of the public or for the use of its own members, is hereby declared to be affected with a public interest and to be a public utility and to be subject to the jurisdiction, control and regulation of the Commission * * *." Applicant filed its application herein subsequent to the above enumerated amendment of the Public Utilities Act. (Chapter 115-1-3, CRS 1953).

The above amendment of the Public Utilities Act declared every cooperative electric association to be a public utility; however, we believe that Applicant has been operating as a public utility since February 1961, when it amended its Articles of Incorporation to serve non-members as well as members. Delta-Montrose is in fact a public utility since it holds itself out to serve the public generally. We feel that irrespective of the amendment to the Public Utilities Act by the Legislature in 1961, Delta-Montrose, by its actions, is a public utility subject to the jurisdiction of this Commission.

Western Colorado Power Company appeared in protest to the granting of the application of Delta-Montrose. Western is a Colorado corporation, operating as a public utility and subject to the jurisdiction of this Commission. It is a subsidiary of Utah Power and Light Company of Salt Lake City, Utah. Western holds various certificates of public convenience and necessity from this Commission, and copies of these certificates were introduced as Exhibits G to DD, inclusive. These certificates range in time from January 1920 to November 1959. These are not all of the certificates held by Western, but are the ones that are pertinent to the area involved in the application of Delta-Montrose.

Western holds various franchises for service in incorporated cities and towns in Delta, Montrose and Ouray Counties. Delta-Montrose is not seeking a certificate in any incorporated city or town. However, Delta-Montrose is seeking to have certificated to it territory in which Western claims it has been serving as a public utility.

According to applicant, it proposes to seek a certificate of public convenience and necessity on an exclusive basis in any area where Western does not presently have distribution lines, and to serve on a non-exclusive basis with Western the areas in which it and Western presently have distribution lines. It would not seek to serve or to have certificated to it any territory presently served by Western where it does not now have distribution lines. Territory where neither Delta-Montrose nor Western have lines, Delta-Montrose wants as additional territory for its exclusive service. In general, Delta-Montrose has extended this area to take in all the territory not presently being served by either utility up to the boundaries claimed by other utilities, i. e., Gunnison County Electric Association on the east, San Miguel Rural Power Line on the southwest, Grand Valley Rural Power Lines on the west, and Holy Cross Rural Electric Cooperative on the north. The intent of Delta-Montrose is to have a common boundary with adjacent utilities. Of the adjacent utilities, San Miguel and Gunnison County have certificates from this Commission, while Grand Valley has an application pending.

At the time that Delta-Montrose first began its service, it purchased its energy requirements from the municipal plant of the City of Delta. It soon became apparent, however, that Delta would not be able to continue this service because of the load growth and, therefore, Delta-Montrose entered into a contract for the purchase of power from Western. In May of 1960, Delta-Montrose entered into a contract to purchase all of its power requirements from Colorado Ute.

Colorado Ute is a Colorado corporation engaged in the generation and transmission of power to and for its member corporations. All of its member corporations, ten in number, are rural electric cooperatives, nine of which are located in Colorado and one in Wyoming. Colorado Ute has a steam electric plant located at Nucla, Colorado, with a capacity of 38 megawatts. In addition, Colorado Ute has contracted for the full output of the Collbran power plants located at Molina, Colorado, with a total capacity of 13,500 KW. Colorado Ute also expects to contract in the future for power from the Upper Colorado River Storage Project of the Bureau of Reclamation. This source of power will include the Flaming Gorge and Glen Canyon units.

Colorado Ute and Western entered into an operating agreement (Exhibit No. 7), in April, 1955, whereby Western would operate the Nucla plant of Colorado Ute. Among other things, this agreement provides that Colorado Ute has first call on all of the power capable of being generated by the plant, but in the event it does not need all of the power, the remainder shall belong to Western, to be used by it as it sees fit, with the provision that Western will pay Colorado Ute a rate to be agreed upon for all such energy generated in excess of fifty million Kwh annually. The agreement also provides that either party may use the transmission facilities of the other if excess capacity is available. There is also a provision in regard to reserve capacity of each party and of combined reserve capacity.

it being the intent of the agreement that by its application, both parties would benefit by a pooling arrangement. Another part of the agreement is to the effect that neither party would endeavor to furnish service to a premise that is already being served by the other, or whose premises are capable of being served by the existing facilities of either if such extension could be made by extending the lines not over 300 feet in length. This mutual restriction is binding on all of the member cooperatives of Colorado Ute and, therefore, as a member of Colorado Ute, Delta-Montrose is covered. With possibly minor exceptions, this agreement in regard to line extensions has worked fairly well since, apparently, both Western and Delta-Montrose have tried to abide by it with a minimum of contention. Despite the fact that there has been an extension agreement between Applicant and Western, we, nevertheless, are confronted with the fact that certain of the distribution lines are intermingled, and in many instances there is a duplication of facilities. As has been stated in this record, it is now the duty of this Commission to do the best it can to arrive at an answer to the problem.

Whatever the reasons that might be advanced as to how Delta-Montrose was able to connect and serve over 2,000 customers in an area of service claimed by another public utility are beside the point, since we are today faced with the fact that now both are public utilities, operating in many instances side by side. Delta-Montrose has proposed that it be granted a certificate to render service as a public utility in an area exclusive to itself where it is the only utility presently serving. In view of the facts as we find them today, we feel that there is merit to this contention, and we will designate in the Appendix attached to our Order herein an area for exclusive service to Delta-Montrose. However, we do not believe that all of the territory sought as an exclusive area should be granted to Applicant. There is testimony in this record that much of this area is presently unserved, and Delta-Montrose admittedly has no lines or customers therein, and apparently no prospects for such in the foreseeable future. The granting of additional exclusive

territory so as to enable Applicant to have a common boundary with other utilities is not justified. At this time we see no merit in allocating to an applicant large sections of territory that may or may not require electric service. At such time as there is a need for service in these unallocated areas, Delta-Montrose or any other applicant may petition to render the service. The facts as presented at that time would necessarily govern the granting of a certificate to serve.

Delta-Montrose has also elected in its application to delineate certain areas within which it admits that Western is presently rendering service, and within which it does not seek to serve. These areas include all of the cities and towns within which Western presently holds franchises and is authorized by this Commission by certificates of public convenience and necessity to exercise the franchise rights, as well as certain other areas.

There is a third area within which Delta-Montrose proposes to render electric service in conjunction with Western since both have lines intermingled within the territory. Delta-Montrose has suggested that as to this non-exclusive area, the Commission prescribe a method of operation similar to that set forth in our Decision No. 47074, of January 7, 1957, in Application No. 13576, of Union Rural Electric Association, Inc. By this decision, the Commission permitted the parties, without further authority from the Commission, to make extension of their facilities or extensions in the aggregate, which do not exceed 300 feet in length. The Commission also prescribed the procedure to be followed in the event both parties were more than 300 feet distant from a prospective customer. We feel that this type of procedure is applicable in the non-exclusive areas in the instant matter, and our Order will so provide.

It has not been possible to delineate the three areas, i. e., exclusive to Delta-Montrose, exclusive to Western, and non-exclusive, without some minor conflicts. In delineating the exclusive areas, as set forth in the Appendix, it is our intent that where a distribution or transmission line of the other party lies within a boundary design-

nated as exclusive, the utility can continue to render service on its lines to existing customers or their assignees, and can enlarge its service to its existing customers and their assignees, but it is not to extend its facilities to additional or new customers in the exclusive territory of the other party. This procedure is to hold true for both parties in all so-called exclusive areas. All parties, at all times, have the right to traverse an exclusive area of the other with distribution or transmission lines or for the locating of sub-stations, always with the proviso that no service will be rendered to other than existing customers or assignees in the exclusive area of the other by said facilities. As has been stated, we will provide a method of operation open to both parties in the so-called non-exclusive areas.

The Commission gave some consideration in defining exclusive territories to the possibility of having one party transfer its facilities to the other party in order to more effectively make a delineation of the exclusive areas. It is very difficult by looking only at a map to make such a decision. To be fair to both parties, the type of load must be considered, i. e., whether or not it is residential, commercial, industrial, large or small, the amount of investment that has been required to render service, and whether or not the customer has a high or low load factor. We feel that this record is not sufficient to enable us to make such a decision. We would strongly urge, however, that in the interest of the public, both parties herein should endeavor to eliminate duplication of facilities and, where feasible, to negotiate to buy, sell or exchange facilities and customers, all in the interest of arriving at territories that would be more economically served by a single utility. While we must at this time make the best of the present situation, we feel that over a period of years, the parties working together can best solve this problem, and the Commission would look with favor upon future applications to accomplish this end.

As has been previously stated, Western presently holds various certificates of public convenience and necessity which it has acquired over a period of years. The certificates held by Western in regard to the exercise of franchise rights in the various cities and towns within the territory covered by the instant application are not affected by the application of Delta-Montrose since it is not seeking service territory within these incorporated cities and towns. Some disposition must be made, however, of the certificates held by Western under which it claims it is entitled to serve in much of the area sought to be served by Delta-Montrose either on an exclusive or non-exclusive basis. It is the desire of the Commission, as previously indicated, to eliminate duplication and competition between Applicant and Western, and so in our Order to follow, we will provide that the certificate to be issued herein will supersede any prior certificates in the territory covered by the instant application and any conflicts with prior certificates are to be resolved in favor of the certificate to be issued herein.

There was considerable testimony at the hearing in regard to the financial condition of Delta-Montrose. It is true that the latest operating statement shows a Patronage Margin deficit, yet the testimony also revealed that Applicant is current in its payment to REA on its principal and interest. A current operating deficit can be eliminated in one of several ways. It might be possible for Applicant to reduce expenses, or it might be necessary to increase rates. Either, or a combination of both, would put the operation in the black. Submitted as a late-filed exhibit was a pro forma operating statement of Delta-Montrose, showing what might happen in the event that it would transfer to Colorado Ute all of its present transmission lines and sub-stations. This would be done, according to the testimony, by Colorado Ute assuming the outstanding obligations of REA that were used to finance the building of these facilities. According to the exhibit, the depreciated cost to be transferred would amount to \$236,249. This same exhibit reveals that this proposed transfer would

decrease the net loss from \$20,181 to a net loss of \$5,077. On a cash basis, after the transfer, Delta-Montrose would be able to pay its operating expenses, taxes, interest on its debt, and the principal payment, and have a balance of cash in the amount of \$4,160.

The witness for Colorado Ute also testified at the hearing that Colorado Ute hoped to make a reduction in the cost of power to Delta-Montrose of from two to three mills per Kwh in the near future. If a reduction of power cost amounting to two mills per Kwh were made, this exhibit reveals that this, together with transfer of the property outlined above, would result in a net margin for the year ending March 31, 1961, on a pro forma basis, of \$20,540. On this same basis Applicant would have a net cash surplus, after payment of its operating expenses, taxes, interest and principal, of \$29,777.

While it is true that for the year ending March 31, 1961, Applicant failed to earn its interest on its long-term debt, this condition need not continue. In the event that Applicant's plans do not materialize as to the transfer of property and reduction of power costs, it still can apply for a rate increase in order to meet its financial obligations.

Part of the cross-examination at the hearing by Western had to do with whether or not Delta-Montrose could, in fact, be subject to this Commission because of a possible conflict of interest between its Board of Directors, or its banker the REA, and the Commission. This Commission in many instances has approved other cooperatives' borrowings from the REA. Any banker endeavors to secure its loans to the best of its ability by not only mortgaging the plant to be constructed with the money, but also outlining procedures in the event of a default on the loan. The REA in these respects is no different than many other lenders involving utilities. It must be remembered that in granting a certificate, this Commission is also interested in the financial well being of the Applicant, since continuity of good service to the public is a prime requisite. We do not envision a circumstance in which if a default on the loan would occur

the interests of the banker and the Commission would be at such odds so as to cause an impasse for the continued operation of the utility.

In order that there will be no doubt as to the operating procedure of Applicant under the certificate of public convenience and necessity to be granted herein, we would remind Applicant that all the rates, rules and regulations and extension policies which Applicant will operate under now and in the future must be filed with and be accepted by this Commission before they become a legal tariff. Management and the Board of Directors are responsible for running the cooperative, but such management must be within the framework of the Public Utility Act and the rules and regulations as prescribed by this Commission.

At the hearing, the attorney for Western made several motions all seeking, for one reason or another, to have the instant application dismissed. At that time, we reserved ruling on these motions. After reviewing said motions and the record herein, including the written arguments of Western, we now rule that all the motions made by Western should be denied.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That the Commission is fully informed in the matter.

That Applicant, Delta-Montrose Rural Power Lines Association, should be declared to be a public utility in accordance with Chapter 115-1-3, Colorado Revised Statutes, 1953, and granted a certificate of public convenience and necessity, in accordance with the Order to follow.

That Applicant, Delta-Montrose Rural Power Lines Association, should be declared to be a public utility in fact since it has amended its Articles of Incorporation to serve and is now serving its members

as well as members, i. e., the public generally, and therefore should be granted a certificate of public convenience and necessity in accordance with the Order to follow.

That the certificate of public convenience and necessity granted to Applicant be set forth in an Appendix attached to the Order herein, and made a part of these Findings by reference.

That a certificate of public convenience and necessity should not be granted to Applicant for territory in which there is no present need for service and, therefore, that part of the instant application should be denied.

That as to the certificated areas designated "exclusive," where the other party is presently rendering service, such service should be permitted to continue with the understanding that no extension of facilities to serve additional customers should be permitted, however, this is not to limit increased service to those customers, or their assignees or successors presently being served.

That as to the areas that are unassigned to either Applicant or Western, either or both should be permitted to make application to this Commission for service therein at such time as there is a demand for service.

That any utility should be permitted to traverse the so-called "exclusive" areas with distribution and transmission lines or to erect sub-stations therein, provided no service is rendered to additional customers in the "exclusive" territory of the other utility.

That as to the certificated areas designated as "exclusive" to Applicant or to Western, no further authority should be required by the designee from this Commission to continue to render service or to make such extensions for service as are necessary within the said "exclusive" territory.

That as to the certificated areas designated as "non-exclusive", both parties should be prohibited from making any extension of facilities, or extensions in the aggregate, exceeding 300 feet in length, unless in accordance with the procedure set forth in the Order to follow.

That as to the certificated areas designated as "non-exclusive", if a prospective customer is within 300 feet of both utilities, the utility closest to said prospective customer should render the service.

That Delta-Montrose is not seeking to serve within any incorporated cities or towns and, therefore, the existing certificates of Western to exercise franchise rights are not affected by the instant application.

That the Order to follow herein, granting a certificate of public convenience and necessity to Delta-Montrose, should supersede any prior certificates of public convenience and necessity in the territory located outside the boundaries of cities and towns covered by the Appendix, and any conflicts with prior certificates should be resolved in favor of the certificate to be issued herein.

The use of the terms "exclusive" and "non-exclusive," throughout the Statement, Findings and Orders, have been used by the Commission as terms of convenience and of description rather than terms of grant. In no wise does the Commission intend to derogate from its own responsibilities and duties in determining in all proper cases public convenience and necessity after hearing had upon due and proper notice and subject to review by the courts, nor does the Commission intend to grant rights above and beyond those that may be contained in the Constitution and Public Utility Laws of the State of Colorado. Thus, in this Order, in the grant of any authority under exclusive or non-exclusive conditions, all parties are admonished that these descriptive terms in no way impinge upon what future public convenience and necessity may show at any given time.

That Applicant should file within thirty (30) days of the effective date of the Order herein, and have accepted by the Commission, the rates, rules, regulations and extension policies under which it proposes to render service under the certificate granted herein.

O R D E R

THE COMMISSION ORDERS:

That Delta-Montrose Rural Power Lines Association, be, and it hereby is, declared to be a public utility authorized to distribute electricity in both "exclusive" and "non-exclusive" territory in certain areas in Montrose, Delta, Gunnison and Ouray Counties described in the Appendix attached hereto, which, by reference, is incorporated herein and made a part of this Order, by reference. Said Association shall operate subject to the further provisions of this Order, and subject to regulation by this Commission, pursuant to authority now and hereafter vested in the Commission, by the Legislature and the people of the State of Colorado.

That, except as to the specific areas certificated on an "exclusive" and "non-exclusive" basis to Delta-Montrose Rural Power Lines Association in said Appendix, the application be, and it hereby is, denied.

That as to the certificated areas designated "exclusive" to one party where the other party is presently rendering service, such service be and it hereby is authorized to be continued, with the understanding that no extension of facilities to serve additional customers shall be permitted, however, this is not to limit increased service to those customers, or their assignees, presently being served.

That as to areas that are unassigned to either Applicant or Western, either or both be and they hereby are, permitted to make application to this Commission for service therein at such time as there is a demand for service.

That any utility be, and it hereby is, permitted to traverse the so-called "exclusive" areas with distribution and transmission lines or to erect sub-stations therein, provided no service is rendered to additional customers in the "exclusive" territory of another utility.

That as to the certificated areas designated as "exclusive" to Applicant or to Western, no further authority is required by the designee from this Commission to continue to render service or to make

Such extensions for service as are necessary within the said "exclusive" territory.

That as to the certificated areas designated as "non-exclusive", both parties be, and they hereby are, prohibited from making any extension of facilities, or extensions in the aggregate, exceeding 300 feet in length, unless in accordance with the following procedure:

Upon application by a customer over 300 feet distant from the existing facilities of either party, the utility receiving the application shall notify the other party in writing that it has received said application from the customer and that it intends to serve said customer by the extension of its facilities unless there is objection by the other party. If the other party replies in writing that it has no objection, the extension shall be made forthwith. If no reply is received from the other party within five (5) working days of the receipt of said letter of intent, it shall be deemed that no objection is forthcoming and service shall be rendered as soon as practical after the fifth working day. In the event the other party protests in writing, the extension of the facilities within the prescribed five working day limit, then either or both parties may make application to this Commission in accordance with the "Rules of Practice and Procedure" to render the service, and no service shall be rendered unless and until an Order is issued by this Commission.

In the event a prospective customer is within 300 feet of existing facilities of one utility and over 300 feet from facilities of the other, no application to the Commission need be filed, and no letter

of intent is necessary since service is hereby authorized to be rendered by the utility within the 300 foot limit.

Where a prospective customer is within 300 feet of the facilities of both utilities, the utility nearest said customer is hereby authorized to render the service, and no application to the Commission or letter of intent to the other utility is required.

That the certificate issued to Applicant herein for both "exclusive" and "non-exclusive" territory located outside the boundaries of cities and towns as set forth in the Appendix, supersedes any prior certificates in the delineated territory, and any conflicts with said prior certificates be, and they hereby are, resolved in favor of the certificate of public convenience and necessity issued herein.

That Applicant shall file within thirty (30) days of the effective date of the Order herein, and have accepted by the Commission, the rates, rules, regulations, and extension policies under which it proposes to render service under the certificate granted herein.

That Applicant shall set up and maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That Applicant shall at all times comply with the "Rules Regulating the Service of Gas and Electric Utilities" as prescribed by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Higgins
Joseph C. Antin
Alvin E. Jenkins
Commissioner

Dated at Denver, Colorado,
this 24th day of May, 1962.

ea

APPLICATION NO. 18619

APPENDIX

MONTROSE COUNTY

Exclusive territory granted Delta-Montrose Rural Power Lines Association within the following-described areas:

AREA I

Beginning at a point on Montrose-Delta County line where west section line Section 23, Township 51-North, Range 12-West intersects said county line, thence East 3 miles along said county line to intersection with east section line Section 19, Township 51-North, Range 11-West; thence South 2-1/4 miles, more or less, to Southeast corner Section 31, Township 51-North, Range 11-West; thence East 1 mile to Northeast corner Section 5, Township 50-North, Range 11-West; thence South 2 miles to Southeast corner Section 8, Township 50-North, Range 11-West; thence East 1 mile to Northeast corner Section 16, Township 50-North, Range 11-West; thence South 2 miles to Southeast corner Section 21, Township 50-North, Range 11-West; thence East 1 mile to Northeast corner Section 27, Township 50-North, Range 11-West, thence South 4 miles to Southeast corner Section 10, Township 49-North, Range 11-West; thence East 3 miles to Northeast corner Section 18, Township 49-North, Range 10-West; thence South 2 1/2 miles to East 1/4 corner Section 30, Township 49-North, Range 10-West; thence East 3 miles to East 1/4 corner Section 27, Township 49-North, Range 10-West; thence South 1 1/2 miles to Southeast corner Section 34, Township 49-North, Range 10-West; thence East 1 mile to Southeast corner Section 35, Township 49-North, Range 10-West; thence North 1/2 mile to West 1/4 corner Section 36, Township 49-North, Range 10-West; thence East 1/2 mile to center of Section 36, Township 49-North, Range 10-West; thence South 1/2 mile to South 1/4 corner Section 36, Township 49-North, Range 10-West; thence East to North 1/4 corner Section 2, Township 48-North, Range 10-West; thence South 3/4 mile to Southwest corner of the Northwest 1/4 of Southeast 1/4 Section 2, Township 48-North, Range 10-West; thence East 1/2 mile to the Southeast corner of Northeast 1/4 of Southeast 1/4 Section 2, Township 48-North, Range 10-West; thence South 1/4 mile to Southeast corner of said Section 2; thence East 1 1/2 miles to North 1/4 corner Section 7, Township 48-North, Range 9-West; thence South 2 miles to South 1/4 corner Section 18, Township 48-North, Range 9-West; thence East 1 1/2 miles to Northeast corner Section 20, Township 48-North, Range 9-West; thence South 1 mile to Southeast corner Section 20, Township 48-North, Range 9-West; thence East 1 mile to Northeast corner Section 28, Township 48-North, Range 9-West; thence South 2 miles to Southeast corner Section 33, Township 48-North, Range 9-West; thence West 12 miles to Southwest corner Section 34, Township 48-North, Range 11-West; thence North 6 miles to Northwest corner Section 3, Township 48-North, Range 11-West; thence West 4 miles, more or less, to

Southwest corner Section 31, Township 49-North, Range 11-West; thence North 10 miles to Northwest corner Section 18, Township 50-North, Range 11-West; thence West 2 miles to Southwest corner Section 11, Township 50-North, Range 12-West; thence North $4\frac{1}{4}$ miles, more or less, to the point of beginning.

AREA II

South $\frac{1}{2}$ Section 17, Southeast $\frac{1}{4}$ Section 18, all Section 20, East $\frac{1}{2}$ Section 19, all Section 29, East $\frac{1}{2}$ Section 30, all in Township 50-North, Range 10-West.

AREA III

Beginning at a point on the Delta-Montrose County line where the West section line Section 21, Township 51-North, Range 10-West intersects said county line, thence East along said county line 6 miles to the intersection of the East section line of Section 20, Township 51-North, Range 9-West with said county line; thence South approximately $2\frac{1}{4}$ miles to Southeast corner Section 32, Township 51-North, Range 9-West; thence East 2 miles to Northeast corner Section 3, Township 50-North, Range 9-West; thence South 5 miles to Northeast corner Section 34, Township 50-North, Range 9-West; thence East 7 miles to Northeast corner Section 35, Township 50-North, Range 8-West; thence South 1 mile to Southeast corner Section 35, Township 50-North, Range 8-West; thence East 1 mile to Northeast corner Section 1, Township 49-North, Range 8-West; thence South 2 miles to Southeast corner Section 12, Township 49-North, Range 8-West; thence East 6 miles to Southeast corner Section 12, Township 49-North, Range 7-West; thence North 2 miles to Northeast corner Section 1, Township 49-North, Range 7-West; thence West 1 mile to Southwest corner Section 36, Township 50-North, Range 7-West; thence North 6 miles to Northwest corner Section 1, Township 50-North, Range 7-West; thence West 11 miles to Southwest corner Section 31, Township 51-North, Range 8-West; thence North approximately $2\frac{1}{4}$ miles to Delta-Montrose County line; thence East approximately $16\frac{1}{2}$ miles to intersection of said County line with the Gunnison County line; thence South along Gunnison-Montrose County line, approximately $22\frac{1}{4}$ miles to the Southeast corner Section 10, Township 47-North, Range 6-West; thence West 4 miles to the Southwest corner Section 7, Township 47-North, Range 6-West; thence North 2 miles to the Northwest corner Section 6, Township 47-North, Range 6-West; thence West 6 miles to the Northwest corner Section 6, Township 47-North, Range 7-West; thence South approximately $2\frac{1}{2}$ miles to the Montrose-Ouray County line; thence West 5 miles along said county line to its intersection with the West section line of Section 17, Township 47-North, Range 8-West; thence approximately $2\frac{1}{4}$ miles north to Northwest corner Section 5, Township 47-North, Range 8-West; thence West 1 mile to Southwest corner Section 31, Township 48-North, Range 8-West; thence North 2 miles to Northwest corner Section 30, Township 48-North, Range 8-West; thence West 1 mile to Southwest corner Section 24, Township 48-North, Range 9-West; thence

North 1 mile to Northwest corner said Section 24; thence West 1 mile to Southwest corner Section 14, Township 48-North, Range 9-West; thence North 2 miles to Northwest corner Section 11, Township 48-North, Range 9-West; thence West 1 mile to Southwest corner Section 3, Township 48-North, Range 9-West; thence North 1 mile to Northwest corner Section 3, Township 48-North, Range 9-West; thence East approximately $\frac{3}{4}$ mile to Southeast corner Section 35, Township 49-North, Range 9-West; thence North 1 mile to Northeast corner Section 35, Township 49-North, Range 9-West; thence East 3 miles Northeast corner Section 32, Township 49-North, Range 8-West; thence North 2 miles to Southeast corner Section 17, Township 49-North, Range 8-West; thence West 3 miles to Southwest corner Section 13, Township 49-North, Range 9-West; thence North 1 mile to Northwest corner Section 13, Township 49-North, Range 9-West; thence West 1 mile to Northwest corner Section 14, Township 49-North, Range 9-West; thence South 1 mile to the Southwest corner Section 14, Township 49-North, Range 9-West; thence West 1 mile to the Southwest corner Section 15, Township 49-North, Range 9-West; thence South $\frac{1}{2}$ mile to the East $\frac{1}{4}$ corner Section 21, Township 49-North, Range 9-West; thence West 1 mile to West $\frac{1}{4}$ corner Section 21, Township 49-North, Range 9-West; thence North $\frac{1}{2}$ mile to Northwest corner Section 21, Township 49-North, Range 9-West; thence West $\frac{1}{2}$ mile to South $\frac{1}{4}$ corner Section 17, Township 49-North, Range 9-West; thence North 1 mile to North $\frac{1}{4}$ corner Section 17, Township 49-North, Range 9-West; thence West 1 mile to the North $\frac{1}{4}$ corner Section 18, Township 49-North, Range 9-West; thence North $\frac{1}{2}$ mile to the center of Section 7, Township 49-North, Range 9-West; thence West $\frac{1}{2}$ mile to the West $\frac{1}{4}$ corner Section 7, Township 49-North, Range 9-West; thence North 1 mile to the West $\frac{1}{4}$ corner Section 6, Township 49-North, Range 9-West; thence West 2 miles to the West $\frac{1}{4}$ corner of Section 2, Township 49-North, Range 10-West; thence North $1\frac{1}{2}$ miles to the Northwest corner Section 35, Township 50-North, Range 10-West; thence East $\frac{1}{2}$ mile to the North $\frac{1}{4}$ corner Section 35, Township 50-North, Range 10-West; thence North $1\frac{1}{2}$ miles to the center of Section 23, Township 50-North, Range 10-West; thence West $\frac{1}{4}$ mile to the Southwest corner of Southeast $\frac{1}{4}$ Northwest $\frac{1}{4}$ Section 23, Township 50-North, Range 10-West; thence $\frac{1}{4}$ mile North to the Southwest corner, Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of said Section 23; thence West $\frac{1}{4}$ mile to Southwest corner of Northwest $\frac{1}{4}$, Northwest $\frac{1}{4}$ said Section 23; thence North approximately $1\frac{1}{4}$ miles to the Southeast corner Section 10, Township 50-North, Range 10-West; thence West approximately $\frac{1}{4}$ mile to the East city limits of Olathe; thence North along said city limits to the Northeast corner of said city limits; thence West approximately 1 mile to the intersection of said city limits with the Uncompaghere River; thence northerly along the Uncompaghere River approximately 3 miles to the intersection of said River with the East section line of Section 29, Township 51-North, Range 10-West; thence North along the East section line of said section line approximately $\frac{3}{4}$ mile to the point of beginning.

MONTROSE COUNTY

Territory granted to Delta-Montrose Rural Power Lines Association
on a non-exclusive basis with the Western Colorado Power Company:

Township 51-North, Range 11-West
The portions of Section 20, 21, 22 and
West 1/2 23 in Montrose County; West
1/2 Section 26, all of 27, 28, 29, 32,
33, 34 and West 1/2 35.

Township 50-North, Range 11-West
West 1/2 Section 2, all of Sections 3,
4, 9, 10, West 1/2 11, West 1/2 14, all
Section 15, 22, 23, West 1/2 25, South-
east 1/4 25, all 26, 35, 36.

Township 50-North, Range 10-West
Southwest 1/4 30, all Section 31.

Township 49-North, Range 10-West
West 1/2 16, all 17, 20, West 1/2 21;
Northwest 1/4 28, North 1/2 29, South
1/2 26, all 35.

Township 49-North, Range 9-West
All 14, 22, 23, 24, 25, 26 and 35.

Township 49-North, Range 8-West
All 19, 20, 29, 30.

Township 48-North Range 9-West
All 4, 5, East 1/2 6, East 1/2 7,
all 8, 9, 10, 15, 16, 17, East 1/2 18,
all 21, 22, 23, 25, 26, 27, 34, 35, 36.

Township 47-North, Range 9-West
All 1, 2, 12, that portion of 13 in
Montrose County.

Township 47-North, Range 8-West
All 6, 7, that portion 18 in Montrose County.

MONTROSE COUNTY

Exclusive territory of Western Colorado Power Company:

Township 51-North, Range 11-West
The portions of Sections 24 and the
East 1/2 of Section 23 in Montrose County;
all of Sections 25 and 36, and the East
1/2 of Sections 26 and 35.

Township 51-North, Range 10-West
The portion of Section 19 in Montrose
County; Sections 29, 30, 31, 32
The portion of Sections 28 and 33
West of the Uncompaghe River.

Township 50-North, Range 11-West
Section 1, East 1/2 of Sections 2, 11,
and 14; all of Sections 12, 13, 24, and
the Northeast 1/4 of Section 25.

Township 50-North, Range 10-West
The portion of Sections 4 and 9 West
of the Uncompaghe River, all of Sections
5, 6, 7 and 8, and the portion of Sections
9 and 10 within the City limits of Olathe,
all of Sections 15, 16, the North 1/2 of 17,
North 1/2 and the Southwest 1/4 of 18,
West 1/2 of 19, all of Sections 21, 22,
the Southwest 1/4 and Southwest 1/4 of the
Northwest 1/4 of Section 23, the West 1/2
of 26, all of Sections 27, 28, 32, 33, 34.

Township 49-North, Range 11-West
Sections 1, 2, 11 and 12.

Township 49-North, Range 10-West
South 1/2 of Section 1 and 2; all of
Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,
13, 14, 15, East 1/2 of 16 and 21; all of
Sections 22, 23, 24, 25, North 1/2 of 26
and 27; Northeast 1/4 of 28; North 1/2 and
Southeast 1/4 of 36.

Township 49-North, Range 9-West
Southwest 1/4 of Section 7; West 3/4 of
Section 17, all of 18, 19, 20; South 1/2
of 21, all of Sections 27, 28, 29, 30,
31, 32, 33 and 34.

Township 48-North, Range 10-West
Section 1; Northeast 1/4 and the North-
east 1/4 of the Southeast 1/4 of Section 2.

Township 48-North, Range 9-West
West 1/2 of Section 6.

DELTA COUNTY

Exclusive territory granted to Delta-Montrose Rural Power Lines Association within the following described areas:

AREA I

Beginning at a point where the Delta-Montrose County line intersects the Mesa County line in Section 24, Township 51-North, Range 14-West; thence North along the Mesa-Delta County line about 6 miles to the Southwest corner of Section 8, Township 15-South, Range 98-West, 6th Principal Meridian; thence East 5 miles to the Southeast corner of Section 12, Township 15-South, Range 98-West; thence North along the East boundary line of said Section 12, about 1/5 mile to its intersection with the South section line of Section 32, Township 4-South, Range 3-West, Ute Meridian; thence East along the South boundary of said Section 32 to the Southeast corner of said Section 32; thence North 6 miles to the Northeast corner of Section 5, Township 4-South, Range 3-East, Ute Meridian; thence East to the Southeast corner of Section 7, Township 14-South, Range 97-West, 6th P. M.; thence North about 1.6 miles to the Mesa-Delta County line; thence in a northeasterly direction along the Mesa-Delta County line to a point where the county line intersects the East section line of Section 25, Township 11-South, Range 94-West; South 8 miles more or less to the Northeast corner of Section 1, Township 13-South, Range 94-West; thence East approximately 15 miles to the Northeast corner of Section 4, Township 13-South, Range 91-West; thence South 2 miles to the Southeast corner of Section 9, Township 13-South, Range 91-West; thence West 3 miles to the Southwest corner of Section 7, Township 13-South, Range 91-West; thence South 2 miles to the Southeast corner of Section 24, Township 13-South, Range 92-West; thence West 3 miles to the Southwest corner of Section 22, Township 13-South, Range 92-West; thence South 3 miles to the Southeast corner of Section 4, Township 14-South, Range 92-West; thence 1 mile West to the Southwest corner of said section; thence South 1 mile to the Southeast corner of Section 8, Township 14-South, Range 92-West; thence West 1 mile to the Southwest corner of said section; thence South 1 mile to the Southeast corner of Section 18, Township 14-South, Range 92-West; thence West 5 miles to the Northwest corner of Section 21, Township 14-South, Range 93-West; thence South 1 mile to the Southwest corner of said Section 21; thence West 7 miles to the Southwest corner of Section 20, Township 14-South, Range 94-West; thence North 3 miles to the Northwest corner of Section 8, Township 14-South, Range 94-West; thence East 1/2 mile to the center of the South section line of Section 5, Township 14-South, Range 94-West; thence North 1 mile to the center of the North section line of said Section 5; thence East 1 mile to the center of the North section line of Section 4, Township 14-South, Range 94-West; thence North 3 miles to the center of the North section line of Section 21, Township 13-South, Range 94-West; thence West 1/2 mile to the Northwest corner of said Section 21; thence North 1/2 mile to the center of the East section line of Section 17, Township 13-South, Range 94-West; thence West 3/4 mile to the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 17; thence South 1/2 mile to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 17; thence West 1-3/4 miles to the mid-point of the South section line of Section 13, Township 13-South, Range 95-West; thence South 1 1/2 miles to the center of Section 25,

Township 13-South, Range 95-West; thence East 1 mile to the center of Section 30, Township 13-South, Range 94-West; thence South 1 mile to the center of Section 31, Township 13-South, Range 94-West; thence West $1\frac{1}{2}$ miles to the mid-point of the West section line of Section 36, Township 13-South, Range 95-West; thence South 2 miles to the mid-point of the West section line of Section 11, Township 14-South, Range 95-West; thence West 1 mile to the mid-point of the West section line of said Section 11; thence South $1\frac{1}{2}$ miles to the Southeast corner of Section 15, Township 14-South, Range 95-West; thence East $\frac{1}{2}$ mile to the mid-point on the North section line of Section 23, Township 14-South, Range 95-West; thence South 1 mile to the mid-point of the South section line of said Section 23; thence West $\frac{1}{2}$ mile to the Southwest corner of said Section 23; thence South $\frac{1}{4}$ mile to the Southeast corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27, Township 14-South, Range 95-West; thence West $\frac{1}{4}$ mile to the Southwest corner of said Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27, Township 14-South, Range 95-West; thence South $\frac{3}{4}$ mile to the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 27, Township 14-South, Range 95-West; thence West $\frac{3}{4}$ mile to the Southwest corner of said Section 27; thence South 2 miles to the Southeast corner of Section 4, Township 15-South, Range 95-West; thence West 4 miles to the Southwest corner of Section 1, Township 15-South, Range 96-West; thence South $1\frac{1}{2}$ miles to the mid-point on the East section line of Section 14, Township 15-South, Range 96-West; thence West 1 mile to the mid-point on the West section line of said Section 14; thence South $\frac{1}{2}$ mile to the Southwest corner of said Section 14; thence West $1\frac{1}{2}$ miles to the mid-point of the South section line of Section 16, Township 15-South, Range 96-West; thence South 2 miles to the mid-point on the South section line of Section 28, Township 15-South, Range 96-West; thence East $\frac{1}{2}$ mile to the Southeast corner of said Section 28; thence South 1 mile to the Southeast corner Section 33, Township 15-South, Range 96-West; thence East approximately $\frac{1}{4}$ mile to the East section line of Section 8, Township 51-North, Range 11-West; thence South approximately 2 miles to the Delta-Montrose County line where the East section line of Section 20 intersects said County line; thence West along the Delta-Montrose County line approximately $14\frac{1}{2}$ miles to the point of beginning.

AREA II

Beginning at a point on the West section line of Section 21, Township 51-North, Range 10-West where said section line intersects the Delta-Montrose County line; thence North approximately 2 miles to the 3rd Correction Line South on the South section line of Section 34, Township 15-South, Range 95-West; thence West approximately $\frac{1}{4}$ miles to the Southwest corner of said Section 34; thence North 1 mile to the Northwest corner of said Section 34; thence East 1 mile to the Northwest corner of said Section 34; thence North 1 mile to the Northeast corner of said Section 34; thence North 3 miles to the Northwest corner of Section 14, Township 15-South, Range 95-West; thence East 3 miles to the

Northeast corner of Section 18, Township 15-South, Range 94-West; thence North 1 mile to the Northwest corner of Section 8, Township 15-South, Range 94-West; thence East 2 miles to the Northeast corner of Section 9, Township 15-South, Range 94-West; thence South 5 miles to the 3rd Correction Line South; thence East about $1\frac{1}{4}$ mile along said Correction Line to the East section line of Section 8, Township 51-North, Range 9-West; thence South about 2 miles to the Delta-Montrose County line; thence West along the Delta-Montrose County line about 6 miles to the point of beginning.

AREA III

Beginning at a point on the West section line of Section 19, Township 51-North, Range 8-West, where the Delta-Montrose County line intersects said West section line; thence North about 2 miles to the 3rd Correction Line South; thence West about $1\frac{1}{4}$ mile more or less, to the Southwest corner of Section 32, Township 15-South, Range 93-West; thence North 1 mile to the Northwest corner of said Section 32; thence East 5 miles to the Northwest corner of Section 31, Township 15-South, Range 92-West; thence North 2 miles to the Northwest corner of Section 19, Township 15-South, Range 92-West; thence East 2 miles to the Northeast corner of Section 20, Township 15-South, Range 92-West; thence South 2 miles to the Southeast corner of Section 29, Township 15-South, Range 92-West; thence East 2 miles to the Northeast corner of Section 34, Township 15-South, Range 92-West; thence South 1 mile to the Southeast corner of said Section 34, being a point on the 3rd Correction Line South; thence East about $2\frac{1}{4}$ miles more or less to the East section line of Section 11, Township 51-North, Range 7-West; thence South about $1\frac{1}{4}$ miles more or less to the Northeast corner of Section 23, Township 51-North, Range 7-West; thence East 1 mile to the Northeast corner of Section 24, Township 51-North, Range 7-West; thence North $1\frac{1}{4}$ miles to the 3rd Correction Line South; thence West along said Correction Line about $1\frac{1}{4}$ mile more or less, to the Southwest corner of Section 32, Township 15-South, Range 91-West; thence North 2 miles to the Southeast corner Section 19, Township 15-South, Range 91-West; thence West 3 miles to the Southwest corner of Section 23, Township 15-South, Range 92-West; thence North 4 miles to the Southeast corner of Section 34, Township 14-South, Range 92-West; thence West 1 mile to the Southwest corner of said Section 34; thence North 1 mile to the Northwest corner of said Section 34; thence West 1 mile to the Southwest corner of Section 28, Township 14-South, Range 92-West; thence North 2 miles to the Northwest corner of Section 21, Township 14-South, Range 92-West; thence East 5 miles to the Northwest corner of Section 20, Township 14-South, Range 91-West; thence 1 mile North to the Northwest corner of Section 17, Township 14-South, Range 91-West; thence East 1 mile to the Northeast corner of Section 17, Township 14-South, Range 91-West; thence North $1\frac{1}{2}$ mile to the mid-point on the West section line of Section 9, Township 14-South, Range 91-West; thence East 4 miles to the Delta-Gunnison County line; thence South about $12\frac{1}{2}$ miles along the Delta-Gunnison County line to the intersection with the Montrose-Delta County line; thence West about $16\frac{1}{2}$ miles more or less along the Delta-Montrose County line, to the point of beginning.

DELTA COUNTY

Territory granted to Delta-Montrose Rural Power Lines Association on a non-exclusive basis with Western Colorado Power Company:

Township 13-South, Range 91-West
All of Sections 1, 2, 3, 10, 11, 12,
13, 14, 15, 16, 17, 18, 19, 20, 21, 22,
27, 28, 29, 30 and 31.

Township 14-South, Range 91-West
West 1/2 and the Southeast 1/4 of
Section 6; all of Sections 7, 8 and 18.

Township 13-South, Range 92-West
All of Sections 25, 26, 27, 34, 35 and 36.

Township 14-South, Range 92-West
All of Sections 1, 2, 3, 9, 10, 11, 12,
13, 14, 15, 16, 17, 19, 20, 29, 30, 31,
32 and 33.

Township 14-South, Range 93-West
All of Sections 21, 22, 23, 24, 25, 26,
27, 28, 29, 32, 33, 34, 35 and 36 and the
East 1/2 of Sections 30 and 31.

Township 15-South, Range 92-West
All of Sections 3, 10, 15, 22, 25, 26,
27, 28, 35 and 36.

Township 15-South, Range 93-West
All of Sections 1, 2 and 3.

Township 15-South, Range 91-West
All of Section 30 and the South 1/4 of 31.

Township 15-South, Range 94-West
All of Section 7.

Township 15-South, Range 96-West
All of Sections 12, 13, and the South
1/2 of Section 14, the East 1/2 of Section
21 and 28, all of Sections 22, 23, 24, 25,
26, 27, 34, 35 and 36, excluding the
Town of Delta.

Township 14-South, Range 95-West
the West 3/4 of Section 34.

Township 15-South, Range 95-West
That part of the North 1/2 of Section 3,
outside the city limits of Orchard City,
the Southwest 1/4 of said Section 3, all
of Sections 7, 8, 9, 10, 11, 12, 15, 16,
17, 18, 19, 20, 21, 22, 27, 28, 29, 30,
31, 32 and 33, excluding the Town of Delta.

Township 51-North, Range 7-West
All of Sections 12 and 13.

Township 51-North, Range 11-West
All of Sections 9, 10, 11, 12, 15, 16, and the
West 1/2 of 14; and the portions of Sections 21 and
22 and the West 1/2 of Section 23 in Delta County.

Township 51-North, Range 10-West
All of Sections 7, 8, 17 and the portion
of Section 20 in Delta County.

DELTA COUNTY

Exclusive territory of Western Colorado Power Company.

Township 13-South, Range 91-West
Sections 32, 33, 34, 35 and 36.

Township 14-South, Range 91-West
Sections 1, 2, 3, 4, 5 and the North-
east 1/4 of 6, North 1/2 of Sections
9, 10, 11, 12.

Township 15-South, Range 91-West
North 3/4 of Section 31.

Township 13-South Range 94-West
Southeast 1/4 and the East 1/2 of the
Southwest 1/4 Section 17, Sections 19,
20, West 1/2 of 21 and 28, all of 29,
32 and the West 1/2 of 33, North 1/2
and the Southeast 1/4 of 30, the South
1/2 and the Northeast 1/4 of 31.

Township 13-South, Range 95-West
East 1/2 of Section 24 and the Northeast
1/4 of 25, the South 1/2 of Section 36.

Township 14-South, Range 94-West
West 1/2 of Section 5, all of Sections
6, 7, 18, 19, 25, 26, 27, 28, 29, 30, 31,
32, 33, 34, 35 and 36.

Township 14-South, Range 95-West
Section 1, South 1/2 of Section 11, all
of Sections 12, 13, 14, East 1/2 of Section
23, all of Sections 24, 25, 26, East 1/2
of the Southeast 1/4 and the Southeast 1/4
of the Northeast 1/4 Section 27, East 1/4
of Section 34, all of Sections 35 and 36.

Township 14-South, Range 93-West
West 1/2 of Sections 30 and 31.

Township 15-South, Range 92-West
Sections 4, 5, 6, 7, 8, 9, 16, 17, 18 and 21.

Township 15-South, Range 93-West
Sections 4, 5, 6, 11, 12, 13, 14, 23, 24, 25, 26.

Township 15-South, Range 94-West
Sections 1, 2, 3, 4, 5 and 6.

Township 15-South, Range 95-West
Sections 1, 2 and the Southeast 1/4 of Section 3
and that portion of Section 3 in the Northeast
1/4 included in the city limits of Orchard City.

Township 51-North, Range 10-West
Sections 18 and 19.

Township 51-North, Range 11-West
Section 13, East 1/2 of Section 14,
East 1/2 of Section 23, all of Section 24.

GUNNISON COUNTY

Exclusive territory granted to Delta-Montrose Rural Power Lines Association:

Range 89-West, Townships 11, 12, 13-South
Range 90-West, Townships 11, 12-South

Range 6-West, Township 50-North. All of Section 36 and that part of Section 35 lying in Gunnison County.

Range 6-West, Township 49-North. All of Section 1 and that part of Section 2 lying in Gunnison County.

Range 5-West, Township 48-North. Sections 5, 6, 7, 8, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32.

Range 6-West, Township 48-North. Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, 36.

Range 5-West, Township 47-North. Sections 5, 6.

Range 6-West, Township 47-North, Sections 1, 2, 11, 12.

GUNNISON COUNTY

Territory granted to Delta-Montrose Rural Power Lines Association, on a Non-exclusive basis with Western Colorado Power Company:

Township 13-South, Range 90-West
All Sections 1 through 18, inclusive.

OURAY COUNTY

Exclusive territory granted to Delta-Montrose Rural Power Lines Association:

Township 47-North, Range 8-West
The portions of Sections 13, 14, 15 and 16
lying in Ouray County; all of Sections 21, 22, 23, 24,
25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36.

Township 46-North, Range 8-West
Sections 1 to 36, inclusive.

Township 46-North, Range 9-West
All of Sections 31, 32, 33, 34, 35 and 36.

Township 46-North, Range 10-West
All of Section 36.

Township 45-North, Range 10-West
All of Sections 1, 12, 13, 24 and 25.

Township 45-North, Range 9-West
All Sections except Section 31.

Township 45-North, Range 8-West
All Sections 1, 2, 3, 4, 5, 6, 7, 9, 10,
11, 12, 13, 14, 19, 20, 29, 30, 31 and 32.

Township 46-North, Range 7-West
All Sections 19, 20, 21, 22, 23, 26, 27, 28,
29, 30, 31, 32, 33, 34 and 35.

Township 45-North, Range 7-West
All Sections 2, 3, 4, 5, 6, 7, 8, 9, 10,
11, 14, 15, 16, 17 and 18.

OURAY COUNTY

Territory granted to Delta-Montrose Rural Power Lines Association
on a Non-exclusive basis with Western Colorado Power Company:

Township 47-North, Range 8-West
The portions of Sections 17 and 18 in Ouray County,
All of Sections 19 and 20.

Township 47-North, Range 9-West
The portion of Section 13 in Ouray County.

Township 45-North, Range 8-West
The North 1/2 and the Southwest 1/4 of Section 8;
All of Section 18, and the West 1/2 of Section 17;
All of Section 15, the East 1/2 of Section 16, and
All of Sections 21, 22, 23, 26, 27 and 28.

OURAY COUNTY

Exclusive territory of Western Colorado Power Company:

Township 44-North, Range 8-West
All of Sections 1, 2, 3, 4, 9, 10, 11, 12,
13, 14, 15, 22, 23, 24, 25, 26, 35 and 36.

Township 44-North, Range 7-West
All of Sections 7, 8, 17, 18, 19, 20, 28,
29, 30, 31, 32 and 33.

Township 45-North, Range 8-West
East 1/2 of Section 17, Southeast 1/4 of
Section 8, West 1/2 of Section 16;
All of Sections 33, 34, 35 and 36.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

JAMES AVERITT, 526 LIPAN STREET,)
DENVER 4, COLORADO.)

PERMIT NO. B-3185

May 24, 1962

S T A T E M E N T

By the Commission:

On November 13, 1961, the Commission authorized James Averitt to suspend operations under his Permit No. B-3185, until May 13, 1962.

The Commission is now in receipt of a communication from the above-named permittee requesting that his Permit be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3185, should be, and the same hereby is, reinstated as of May 13, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Wood
Henry E. Ziegler
Commissioners

Dated at Denver, Colorado,
this 24th day of May, 1962.

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