

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANCIS WILLIAM WARREN, DOING BUSINESS
AS, "F. W. WARREN", ROUTE 1, FLEMING,)
COLORADO.)
-----)

PERMIT NO. M-8994

November 7, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Francis William Warren,
doing business as, "F. W. Warren", Fleming, Colorado

requesting that Permit No. M-8994 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8994, heretofore issued to Francis William Warren,
doing business as, "F. W. Warren", Fleming, Colorado be,
and the same is hereby, declared cancelled effective October 26, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,

this 7th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GLEN L. ADAMS AND KENNY WILLIAMS,)
DOING BUSINESS AS, "RANCHERS FEED AND)
SUPPLY", KUTCH, COLORADO.)
-----)

PERMIT NO. M-13000

November 7, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Glen L. Adams and
Kenny Williams, doing business as, "Ranchers Feed & Supply", Kutch, Colorado
requesting that Permit No. M-13000 be cancelled.

FINDINGS

THE COMMISSION FINDS:

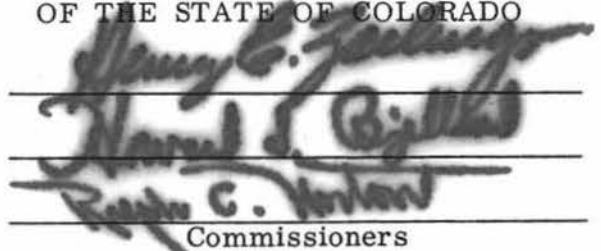
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13000, heretofore issued to Glen L. Adams, and
Kenny Williams, doing business as, "Ranchers Feed & Supply", Kutch, Colorado be,
and the same is hereby, declared cancelled effective October 21, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,

this 7th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MOUNTAIN SUPPLY, INCORPORATED, 226)
PITKIN AVENUE, GRAND JUNCTION, COLO-)
RADO.)
-----)

PERMIT NO. M-4540

November 7, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mountain Supply, Inc.,
Grand Junction, Colorado
requesting that Permit No. M-4540 be cancelled.

FINDINGS

THE COMMISSION FINDS:

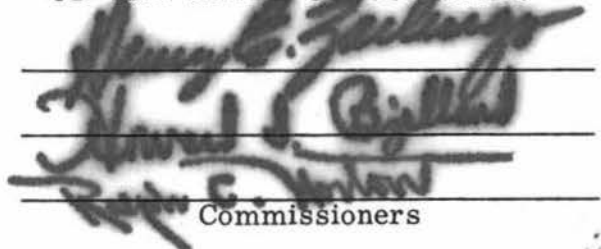
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4540, heretofore issued to Mountain Supply, Inc.,
Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective April 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EVERETT GREGORY TRUCKING CON-)
TRACTOR, INCORPORATED, 2340)
BALSAM, DENVER 15, COLORADO.)

PERMIT NO. B-2342

November 7, 1963
-----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-2342 be further suspended for four months from November 1, 1963.

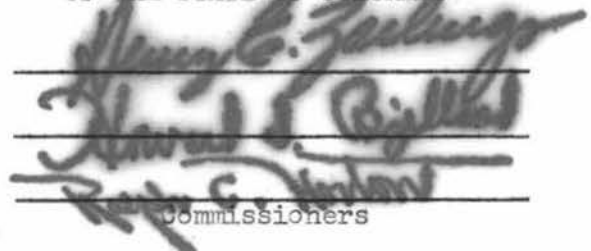
F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Everett Gregory Trucking Contractor, Inc.
Denver 15, Colorado
be, and is hereby, authorized to further suspend his operations under Permit No. B-2342 until March 1, 1964.

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
Commissioners

Dated at Denver, Colorado,
this 7th day of November, 1963.

CANCELLATION--COMMON CARRIER

(Decision No. 61684)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES L. DAVENPORT, ROUTE 1)
BOX 225, FT. LUPTON, COLORADO.)
-----)

PUC NO. 5576-I

November 7, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Charles L. Davenport,
Ft. Lupton, Colorado

requesting that Certificate of Public Convenience and Necessity No. 5576-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. 5576-I heretofore issued to Charles L.
Davenport, Ft. Lupton, Colorado

be, and the same is hereby, declared cancelled effective September 23, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harry E. Jennings
Harold S. Biddle
Raymond C. Norton
Commissioners

Dated at Denver, Colorado
this 7th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NORTHERN COLORADO GRAIN COMPANY)
(CORPORATION), P. O. BOX 908,)
GREELEY, COLORADO.)

PUC NO. 3226-I

November 7, 1963

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 their PUC No. 3226-I
be suspended for six months from October 1, 1963.

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 Northern Colorado Grain Company (Corp), Greeley,
Colorado
be, and is hereby, authorized to suspend oper-
ations under PUC No. 3226-I until April 1, 1964.

That unless said certificate-holder shall, prior to the expira-
tion of said suspension period, make a request in writing for the reinstate-
ment of said certificate, file insurance and otherwise comply with all
rules and regulations of the Commission applicable to common carrier cer-
tificates, 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

Henry C. Zeigler
Harold S. Billings
Ralph C. Norton

Dated at Denver, Colorado,
this 7th day of November, 196 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RUSSELL BURNS, P. O. BOX 28,)
LA SALLE, COLORADO.)

PUC NO. 5440-I

November 7, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 5440-I be suspended for six months from October 1, 1963.

F I N D I N G STHE COMMISSION FINDS:

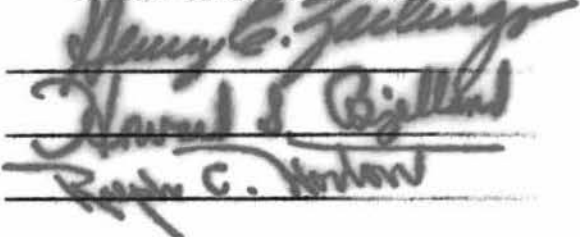
That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Russell Burns, La Salle, Colorado

 be, and is hereby, authorized to suspend operations under PUC No. 5440-I until April 1, 1964.

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 7th day of November, 196 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE VARIOUS CHANGES TO COLORADO)
MOTOR CARRIERS' ASSOCIATION,) CASE NO. 1585
AGENT, LOCAL AND JOINT TARIFF)
NO. 12-A, COLORADO P.U.C. NO. 11)

October 31, 1963

S T A T E M E N T

BY THE COMMISSION:

On October 4, 1963, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed the schedules referred to in Appendix "A", attached hereto, and published in its Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, scheduled to become effective November 9, 1963.

Under the provisions of Rule 18, Paragraph C-(1)-(A) of the 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 and support of the changes proposed herein, the various carriers affected have through the Chief of Tariff Bureau submitted letters to the Commission.

The addition of Item No. 655 is for the account of Larson Transportation Company. In a recent extension of authority, Certificate No. 331, Larson was authorized to transport general commodities to the Hayden Power Plant, an off-route point situated approximately 3 miles east and 1 mile south of the Town of Hayden, Colorado, as a part of its line-haul scheduled operations.

The change taking place in Item No. 1090 is the addition of Ringsby Truck Lines, Inc., as a participant. This will put this carrier on a competitive basis with other carriers.

For the account of Ruby D. Jackson, d/b/a Mountain Express Truck Line, Certificate No. 32, specific point to point class rates between Colorado

Springs on the one hand and Florissant and Lake George; also between Denver on the one hand and Florissant, Lake George and Victor on the other are being set forth. The rates are predicated on the current distance scale of rates.

The elimination of rates in Item No. 1445 applicable via Rio Grande Motor Way, Inc., and Red Ball Motor Freight, Inc. according to Ralph Knull, Traffic Manager of Rio Grande Motor Way is proposed because a survey of traffic revealed that there have been no 40,000 lbs. loads shipped. The survey showed one shipment during this year consisting of 8,000 lbs.

Item No. 225 covering milk, condensed or evaporated, liquid or paste and also sugar and Item No. 2277 covering mine and milling supplies and ore and ore concentrates were instituted by the shippers of these products. The level of the rates proposed is necessary in order that the proponents may retain this traffic. The portion pertaining to ore and ore concentrates in the tariff has been eliminated from this order. In previous decisions of the Commission, these commodities have been removed from the category of those on which rates must be prescribed. See Decision No. 8396, September 21, 1936, Case 1585.

Item No. 2640 is being amended by the addition of sugar in bags to Boulder, Colorado. Paul D. Amen, President, Denver-Loveland Transportation, states in his letter that the Great Western Sugar Company in the near future will be changing their shipping point, for the Boulder area, from Longmont to Loveland. The rates are negotiated and meet with the approval of the sugar company.

F I N D I N G S

THE COMMISSION FINDS:

That the provisions, rates and charges as set forth in the appendix hereof appear to represent just, fair and reasonable provisions, rates and charges and should be authorized and an order entered prescribing the same.

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 November 9, 1963, 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 November 9, 1963, 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.

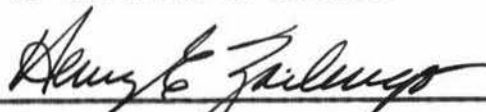
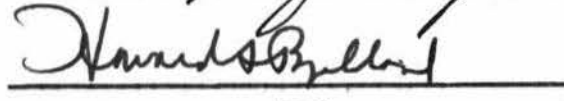

7. On and after November 9, 1963, all private carriers by motor vehicle operating in competition with any motor vehicle common carriers, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado
this 31st day of October, 1963.

Appendix "A"

Changes effective November 9, 1963.

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

Rules and Regulations	
Item No.	Application
	4th Revised Page No. 80
655	<p><u>Application of Rates to and from Hayden Power Plant, Colorado:</u> Except as otherwise provided herein, rates provided in this tariff for application on traffic moving from or to Hayden, Colorado, will also apply from or to the Hayden Power Plant located near Hayden, Colorado.</p>
	6th Revised Page No. 99
	<p><u>STOPPING-IN-TRANSIT:</u> (Applies only via Frederic A. Bethke, d/b/a Bethke Truck Lines, Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Denver-Loveland Transportation, Inc.; Larson Transportation Company; North Eastern Motor Freight, Inc.; Red Ball Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Rio Grande Motor Way, Inc.; Westway Motor Freight, Inc., and Wright Motor Lines, Inc.)</p> <p>Except as otherwise provided herein, shipments upon which charges are based upon a weight of 10,000 pounds or more, may be stopped in transit at a point, or points, between the point of origin and the point of final destination for the purpose of either partial loading or unloading (but not both at the same point), providing that the stop-off point or points are directly intermediate to the point of final destination via the route over which the rate to such final destination applies, subject to the provisions of paragraphs (A), (B), (C), (D) and (E) below.</p> <p>(A) The bill of lading shall show at what point, or points, the shipment is to be stopped off for partial loading or partial unloading, the name and address of the party to receive, or to load, the freight at such stop-off point, and a description of that part of the shipment to be loaded or unloaded at the stop-off point.</p> <p>(B) The charge for each stop-off in transit for partial loading or partial unloading shall be \$7.50 per stop, in addition to all other applicable charges.</p> <p>(C) Upon shipments stopped off for partial loading, the charges shall be determined on the basis of the minimum weight, or actual weight when greater, of the entire shipment, and at the rate applicable to the final destination point from that point where any portion of the shipment was loaded from which the highest charges are applicable. Upon shipment stopped off for partial unloading, the charges shall be determined on the basis of the minimum weight, or actual weight when greater, of the entire shipment, and at the rate applicable from the original point of origin to that point where any portion of the shipment is delivered to which the highest charges are applicable.</p> <p>(D) The provisions of this item will not apply to C.O.D. or "Order Notify" shipments.</p> <p>(E) All charges on shipments moving under this rule must be prepaid.</p>

SECTION NO. 1
Class Rate Bases
For Application, See Item No. 927
For class rates, see Pages 101 to 124

COLORADO SPRINGS, COLORADO

Index No.	and	Miles	Minimum Weight - Pounds				Route No.
			L.T.L.	2,000	5,000	10,000	
8th Revised Page No. 133							
/3315	Florissant	36	126		120	114	9
/3555	Lake George	41	133		128	122	9
30th Revised Page No. 145							
DENVER, COLORADO							
/8865	Florissant	109	207	201	188	176	9
4th Revised Page No. 147-A							
/10035	Lake George	114	221	215	200	191	9
28th Revised Page No. 153							
/12500	Victor	128	219	213	200	188	9

SECTION NO. 2
Commodity Rates
(For application, See Page No. 190 of Tariff)

Rates are in cents per 100 pounds

Item No.	Commodities in the same item may be shipped in straight or mixed truck loads.	From	To	Rates	Route No.	
4th Revised Page No. 198						
1445	Canned Goods, viz.:	Delta, Colo.	Trinidad, Colo.	54	79	
	Fruits or Vegetables		Walsenburg, Colo.	56	87	
	Not cold-pack or frozen. Minimum weight 40,000 pounds. (Subject to Item No. 1090)					
4th Revised Page No. 225-A						
2255 (R)	Milk, condensed or evaporated, liquid or paste, with or without vegetable fats; sugar.	Johnstown, Colo.	Denver, Colo.	30 26	29	
	⑤ Minimum weight 10,000 pounds ⑥ Minimum weight 20,000 pounds (Subject to Item No. 770)					
Original Page No. 225-B						
2277 (R)	Mine and Milling Supplies, not otherwise specified in this item;	Denver, Colo.	Climax, Colo.	see below	30	
	* - - - - -					
	Minimum weight 10,000 pounds. (See note below)					

When less-than-truckload or any quantity
class rating in current classification is:

CLASSES

100	92½	85	77½	70	65	60	55	50	110	125	150	175	200	250	300	350	400	500
Rate to Apply Will be																		
130	120	111	101	91	85	78	62	65	143	163	195	228	260	325	390	455	520	650

NOTE: On single shipments from one consignor to one consignee on one bill of lading, in one day, of the required minimum weight, composed of two or more articles subject to different less-than-truckload or any quantity ratings, carrier will apply to each article its respective rate at the actual weight of each article. Any deficit in the minimum weight will be charged for at the same rate as the lowest rated article in the shipment.

SECTION NO. 2
Commodity Rates
(For application, see Page No. 190 of Tariff)

Rates are in cents per 100 pounds					
Item No.	Commodities in the same item may be shipped in straight or mixed truck loads.	From	To	Rates	Route

12th Revised Page No. 236

2640	Sugar, in bags.	The Site of the	Loveland, Colo.	① 15	
	① Minimum weight 5,000 pounds	Great Western Sugar Company		② 13	
	② Minimum weight 10,000 pounds	Factory 1 mile East of Loveland, Colo.	Points and Places within a 10 mile radius of the Factory	① 20 ② 16	12
	(Subject to Item No. 770)		Excluding Loveland		
<hr/>					
	^{+R} Sugar, in bags, or in packages.		^{+R} Boulder, Colo.	⑦ 48 ⑧ 45 ⑨ 35	
	⑦ Min. Wt. 5,000 lbs.				
	⑧ Min. Wt. 10,000 lbs.				
	⑨ Min. Wt. 20,000 lbs.				
	(Subject to Item No. 770)				

* portion deleted, id est, ore and ore concentrates

⁺ denotes addition

Ⓐ denotes increase

Ⓡ denotes reduction

Ⓔ denotes elimination

- Route No. 9 - Mountain Express Truck Line - direct.
 12 - Denver-Loveland Transportation, Inc. - direct.
 29 - Milliken-Johnstown Truck Line, Inc. - direct.
 30 - Denver Climax Truck Line, Inc. - direct.
 79 - Red Ball Motor Freight, Inc., Pueblo, Colorado,
 Rio Grande Motor Way, Inc.
 87 - Rio Grande Motor Way, Inc. - direct.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE VARIOUS CHANGES PROPOSED
TO BECOME EFFECTIVE NOVEMBER
9, 1963 AS PUBLISHED IN COLORADO
MOTOR CARRIERS' ASSOCIATION TARIFF
NO. 12-A, COLORADO P.U.C. NO. 11

INVESTIGATION AND SUSPENSION
DOCKET NO. 516

October 31, 1963

S T A T E M E N T

BY THE COMMISSION:

On October 4, 1963, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver, Colorado, filed 9th Revised Page No. 72, 8th Revised Page No. 98, and 6th Revised Page No. 252 to Tariff No. 12-A, Colorado P.U.C. No. 11, as set forth in Appendix "A", attached hereto, scheduled to become effective November 9, 1963.

The changes as proposed will result in increases and reductions; and if permitted to become effective may result in violations 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.

The present rates for Item No. 2990 are as follows:

Between	And	Rates		
		Rates in cents per:		
		5-gal. can	8-gal. can	10-gal. can
Aspen, Colo.		25	27	30
Basalt, Colo.		20	22	25
Carbondale, Colo.	Glenwood Springs,	20	22	25
Emma, Colo.	Colo.	20	22	25
Snowmass, Colo.		20	22	25
Woody Creek, Colo.		25	27	30
(And intermediate points)				
Where actual points of origin is not shown, rate from next more distant point will be used.				

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 should enter upon a hearing concerning the lawfulness thereof.



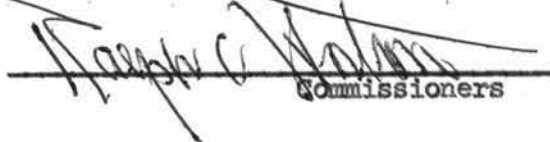
O R D E R

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 and charges resulting from the changes proposed by Colorado Motor Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, as set forth in items appearing in the attached Appendix "A".
3. The operation of said schedules be and they are hereby suspended, and the use thereof be deferred to and including March 8, 1964, unless otherwise ordered by the Commission.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date hereon, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case.
6. A copy of this order be filed with the schedules in the office of the Commission and also be served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado, and that the carriers parties to said tariff be, and they are hereby, made respondents to this proceeding.
7. This Investigation and Suspension Docket No. 516, be, and the same is hereby set for hearing before the Commission on Monday, November 18, 1963

at 10:00 A.M. in the hearing room of the Commission, 532 State Services
Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado
this 31st day of October, 1963.

Appendix "A"

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

Changes effective November 9, 1963 under Suspension

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION

Item No.	ARTICLES	Class Rating
	9th Revised Page No. 72	
	Packing House Products and other articles, viz.: (Subject to packing requirements of governing classification.)	
	Dairy Products:	
	① Butter, N.O.I., Butter Grease or Oleomargarine.	
	① Cheese, including Cheese Food.	
	① Eggs, Chicken, for human consumption.	
	① Eggs, shelled, Egg Albumen (whites) or yokes, desiccated (dry).	
	Meats, cooked, cured, fresh or preserved; Lard; Lard substitutes; Rendered pork fats:	
	②A (Leaf Lard, not rendered)	
	②A (Meat, Bones)	
	②R Lard, NOI.	
	Meats, Cooked, N.O.I., wrapped or in containers other than glass, earthenware or metal cans.	
470	Sausage, cooked, cured or preserved, N.O.I., in barrels with cloth tops, or in paper lined crates.	55
	Oils, other than Petroleum:	
	Corn, liquid or sulphurized.	
	Cottonseed, liquid.	
	Cooking or salad, Liquid, N.O.I.	
	Lard or inedible grease	
	Oleo	
	Tallow	
	Sausage Casings.	
	In Straight or Mixed Shipments.	
	① Applies only on Colorado intrastate traffic. EXCEPT that the Class 55 rating provided in this item will also apply on shipments of Oleomargarine moving in interstate traffic via the lines of Ray Hume, d/b/a Ray Hume Trucking, Larson Transportation Company, and The Rio Grande Motor Way, Inc.	

Subject to NOTE 1, on Page 59

8th Revised Page No. 98

RULES AND REGULATIONS

Item No.	APPLICATION										
	<u>SPECIAL SERVICE ON SATURDAY, SUNDAY OR LEGAL HOLIDAY OR AT UNUSUAL HOURS:</u> (Applies via Colorado Cartage Company, Inc., only.)										
	In the event shipper or consignee requests that the carrier unload freight at the carrier's dock for pick-up by the consignee on Saturday, Sunday or a legal holiday, or between the hours of 5:00 P.M., and 8:00 A.M., of any day, such service will be performed and will be charged for at the following hourly charges:										
②A 1065	<table> <tr> <th>Use of Equipment and one man</th><th>Per Hour</th></tr> <tr> <td>Truck with rated capacity of $\frac{1}{2}$ ton.....</td><td>\$ 6.00</td></tr> <tr> <td>Truck with rated capacity of 1 to 2 tons.....</td><td>7.50</td></tr> <tr> <td>Truck and Trailer combination.....</td><td>10.00</td></tr> <tr> <td>Tractor with single or Tandem Axle Semi-Trailer.....</td><td>15.00</td></tr> </table>	Use of Equipment and one man	Per Hour	Truck with rated capacity of $\frac{1}{2}$ ton.....	\$ 6.00	Truck with rated capacity of 1 to 2 tons.....	7.50	Truck and Trailer combination.....	10.00	Tractor with single or Tandem Axle Semi-Trailer.....	15.00
Use of Equipment and one man	Per Hour										
Truck with rated capacity of $\frac{1}{2}$ ton.....	\$ 6.00										
Truck with rated capacity of 1 to 2 tons.....	7.50										
Truck and Trailer combination.....	10.00										
Tractor with single or Tandem Axle Semi-Trailer.....	15.00										
	Whenever additional help, other than the driver, is required, the charge shall be \$6.75 per man per hour, minimum charge \$27.00 per man.										

SECTION NO. 3
CREAM AND MILK

Item No.	Commodity	Between	And	Rates	Route No.
2990	Milk or Cream, in shipping cans. (Rates include return of empty cans.) NOTE: Where actual point of origin is not shown, rate from next more distant point will be used. / Size of can not to exceed 10 gallons.	Aspen Basalt Carbondale Emma Snowmass Woody Creek (and intermediate points) SEE NOTE.	Colo. Colo. Colo. Colo. Colo. Colo.	Glenwood Springs, Colo. \$1.00 per can	(A) (C) 87

(R) denotes reduction

(E) denotes elimination

(A) denotes increase

/ denotes addition

Route No. 87 Rio Grande Motor Way, Inc. - Direct

(C) denotes routing formerly by Aspen Truck Line - Direct.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF)
TEMPORARY CERTIFICATES OF PUBLIC)
CONVENIENCE AND NECESSITY UNDER)
CHAPTER 115, SESSION LAWS OF)
COLORADO, 1953, FOR EMERGENCY)
MOVEMENT OF SUGAR BEETS.)
-----)

APPLICATION NO. 20114

October 25, 1963

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, indicating that an emergency exists because of shortage of trucks for transportation of sugar beets in Morgan County, Colorado, and that said emergency will probably continue for a period of ninety (90) days hereafter.

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

F I N D I N G S

THE COMMISSION FINDS:

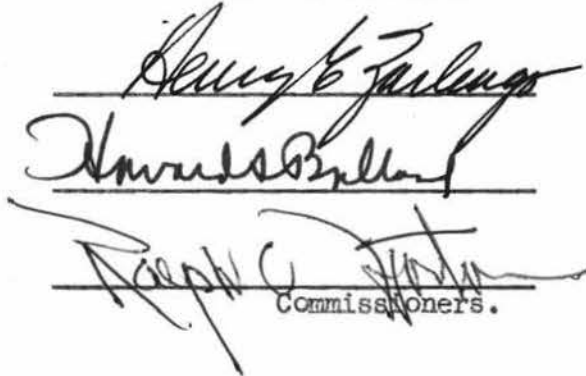
That an emergency exists because of the shortage in certificated trucks for transportation of sugar beets in Morgan County, Colorado, and that public convenience and necessity require that temporary certificates should issue for the operation of motor vehicles for transportation of said crop, from Hoyt piling ground to the Fort Morgan factory for processing, as provided by Chapter 115, Article 9, Section 4, Session Laws of 1953, said certificates to be effective for a period of ninety (90) days, commencing October 27, 1963.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity be, and are hereby, authorized to be issued for the operation of motor vehicles, for transportation of sugar beets, from Hoyt piling ground, to the Fort Morgan factory for processing, said certificates to be effective October 27, 1963, and to continue in force up to and including January 24, 1964, no such certificate to issue for transportation of such product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 25th day of October, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

INDUSTRIAL MACHINES INC.)
351 Sherman St.)
Huntington, Indiana)
-----)

AUTHORITY NO. M 10885

CASE NO. 13641 Ins.

November 4, 1963

S T A T E M E N T

By the Commission:

On October 10, 1963, 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



Commissioners

Dated at Denver, Colorado,
this 4th day of November, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KEITH RAYMOND MERRITT DBA)
SUN VAN LINES)
4916 Jackson St.)
Denver, Colorado 80216)
-----)

AUTHORITY NO. PUC 3753

CASE NO. 13691 Ins.

November 4, 1963

S T A T E M E N T

By the Commission:

On October 30, 1963, 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



Commissioners

Dated at Denver, Colorado,
this 4th day of November, 1963

my copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JAMES E. SCHELL DBA)
SCHELL AUTOMOTIVE COMPANY)
4045 East Iliff Street)
Denver, Colorado 80222)
-----)

AUTHORITY NO. M 7346
CASE NO. 13780 Ins.

November 6, 1964

S T A T E M E N T

By the Commission:

On October 30, 1963, 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

Henry C. Johnson
David L. Bjelland
Regis C. Vinton

Commissioners

Dated at Denver, Colorado,
this 6th day of November, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
IRENE JELLARD, DOING BUSINESS AS,)
"IRENE'S MOBILE HOMES", 15531 EAST)
COLFAX, DENVER 8, COLORADO.)
-----)

PERMIT NO. M-7918

November 7, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Irene Jellard, doing
business as, "Irene's Mobile Homes", Denver 8, Colorado
requesting that Permit No. M-7918 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7918, heretofore issued to Irene Jellard, doing
business as, "Irene's Mobile Homes", 15531 E. Colfax, Denver 8, Colorado be,
and the same is hereby, declared cancelled effective September 12, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harry C. Zeigler
Harold J. Bjelland
Ray C. Norton
Commissioners

Dated at Denver, Colorado,

this 7th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN DAVID BANNING, 500 RANGE-)
VIEW DRIVE, LITTLETON, COLO-)
RADO.)
-----)

PERMIT NO. B-6172

November 7, 1963

S T A T E M E N T

By the Commission:

On August 21, 1962, the Commission authorized John David Banning to suspend operations under his Permit No. B-6172, until August 21, 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. B-6172, should be, and the same hereby is, reinstated as of August 21, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Jennings
Harold S. Gifford
Ray C. Wilson
Commissioners

Dated at Denver, Colorado,
this 7th day of November, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
NORTHERN COLORADO GRAIN COMPANY)
(CORPORATION), P. O. BOX 908, GREELEY,)
COLORADO.)
-----)

PERMIT NO. M-4847

November 7, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Northern Colorado Grain
Co., Inc., Greeley, Colorado
requesting that Permit No. M-4847 be cancelled..

FINDINGS

THE COMMISSION FINDS:

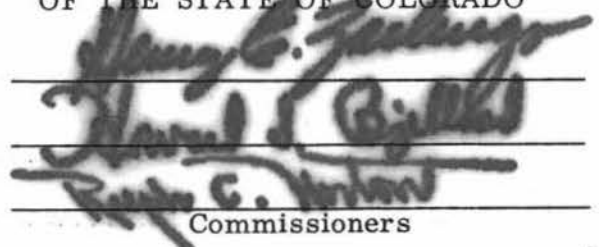
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4847, heretofore issued to Northern Colorado Grain
Co., Inc., Greeley, Colorado be,
and the same is hereby, declared cancelled effective October 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 7th day of November, 19 63.

original

(Decision No. 61696)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

COLORADO MILK TRANSPORT,)
)
Plaintiff,)
)
vs.) CASE NO. 5220
)
WELCO MILK LINES,)
)
Defendant.)

RE MOTOR VEHICLE OPERATIONS OF)
WELCO MILK LINES, 801 IDAHO)
STREET, EVANS, COLORADO. (Appli-) CASE NO. 5220
cations Nos. 14868, 14869, 14870,)
Decision No. 46900).)

November 6, 1963

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, and
Edward T. Lyons, Jr., Esq.,
Denver, Colorado, for Colo-
rado Milk Transport, Inc.;
John R. Barry, Esq., Denver,
Colorado, for Welco Milk
Lines.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The herein matter came on for hearing by virtue of Commis-
sion Decision No. 58926, of date July 13, 1962, directed to Welco Milk
Lines, wherein the Commission ordered as follows:

"That Welco Milk Lines, Evans, Colorado, be, and
hereby is, required to show cause or answer on
or before the 6th day of August, 1962, why Deci-
sion No. 46900, of date November 30, 1956,
should not be partially rescinded, as prayed by
Colorado Milk Transport, Inc., as set forth in
the Statement preceding, which is made a part
hereof, by reference."

The matter was regularly set for hearing before the Commis-
sion, and was heard by an Examiner duly designated and to whom the hear-

ing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the conclusion of the hearing, he ordered filing of simultaneous briefs by the parties; that brief has been filed by Colorado Milk Transport, Inc., but no brief has been submitted by Respondent.

The specific matter now before the Commission evolves from a Petition filed May 26, 1962, by Colorado Milk Transport, Inc., seeking relief as follows:

"WHEREFORE, Petitioner respectfully prays that this Commission forthwith issue an Order commanding William E. Ankeney, E. D. Mapes, Walter H. Short, Wallace H. Short, and Harry Connell, co-partners, doing business as 'Welco Milk Lines' to appear and show cause, if any, why Certificate of Public Convenience and Necessity P.U.C. No. 556 should not be partially rescinded and amended so as to comport with the true meaning and lawful scope of Decision No. 46900, dated November 30, 1956.

"AND FURTHER PRAYED that, after appropriate hearing and proceedings in the matter, this Commission make and enter its Supplemental Order in the title applications, partially rescinding and amending its Decision No. 46900, dated November 30, 1956, by striking and removing therefrom the following language:

'That the words 'Windsor Farm Dairy wherever the same appear in the three authorities to be transferred should be, and are hereby, amended to read 'Beatrice Foods Co.' '

"AND FURTHER PRAYED that the Commission make and enter its Order declaring that the service heretofore authorized to Denver 'for the Windsor Farm Dairy' and to 'Windsor Farm Dairy' in Denver under said Certificates of Public Convenience and Necessity P.U.C. Nos. 556, 1425, and 1427, as consolidated in Certificate P.U.C. No. 556 in the title proceedings, is restricted, confined and limited to transportation to the site of the dairy, formerly known as 'Windsor Farm Dairy' and now known as 'Meadow Gold Dairies, Inc.,' located at 1855 Blake Street, Denver, Colorado.

"AND FURTHER PRAYED that the Commission enter its Order commanding and requiring Welco Milk Lines to cease and desist from the involved transportation of milk to the City Park-Brookridge Farms, Inc. dairy located at 5512 Leetsdale Drive, Denver, Colorado.

"AND FURTHER PRAYED that this Commission grant to Petitioner such other and further relief as it may deem just and appropriate in the premises."

The claim for relief was based initially upon assertions that the Commission, in Decision No. 46900, had inadvertently made certain changes in the description of the authority being transferred, which changes are now being interpreted by the Respondent in a manner which constitutes an extension of the initial authority as received by Respondent. Specifically, the Commission, at Page 10 of Decision No. 46900, stated as follows:

"That the words 'Windsor Farm Dairy' wherever the same appear in the three authorities to be transferred should be, and are hereby, amended to read 'Beatrice Foods Co.'"

Report of the Examiner states that at the hearing, testimony was presented by Edward D. Martin, on behalf of Petitioner, that Colorado Milk Transport, Inc. was currently and actively engaged in operations under PUC No. 375, which operations conflict with present operations of Respondent in providing service from a specified origin territory to dairies in Denver other than the dairy located at 1855 Blake Street. A map was introduced as Exhibit No. 1, depicting specifically the area of conflict as aforesaid. It appeared that Petitioner, upon losing the traffic of a specified shipper, had contacted Respondent, through William Ankeney, and inquired under what authority the transportation was being performed, said contact being approximately April, 1962; that Mr. Ankeney stated the operations were being performed under Decision No. 46900, and specifically that portion of said Decision which provides for service to Beatrice Foods Company; that Mr. Martin then contacted counsel and commenced the present proceeding. Exhibit No. 2 was

introduced, being a photograph of 1855 Blake Street, Denver, Colorado, showing the name "Windsor Farm Dairy" on the building as it exists today. Exhibit No. 3 was introduced, being a photograph showing the building at 5512 Leetsdale Drive, Denver, Colorado, with the name "City Park-Brookridge Dairy."

Petitioner presented two additional witnesses who were affiliated with Beatrice Foods Company. The first was Merritt T. Olney, who stated he was presently familiar with the Windsor Farm Dairy, located at 1855 Blake Street; that on April 8, 1931, this was the only dairy in Denver being operated under the Windsor Farm Dairy name; that, to his knowledge, there has never been any other dairy operated in Denver under the same or similar names; that the building located at 1855 Blake Street is presently operated by Meadow Gold Dairies, Inc.; that the Colorado corporation known as "Windsor Farm Dairy Company" was dissolved by filing dated December 31, 1958, wherein he had signed as Secretary for said Windsor Farm Dairy Company; that he was also familiar with City Park-Brookridge Dairy, at 5512 Leetsdale Drive; that this dairy was not within the City Limits of Denver in 1931, and in fact, had its own herd of cattle at that time.

George Kall testified he was familiar with Beatrice Foods Company since 1945; that the dairy located at 5512 Leetsdale Drive had never been operated under the name "Windsor Farm Dairy" to his knowledge; that the marketing of milk changed in April, 1962, to the extent that milk which had previously gone to Greeley for transfer to line-haul equipment was presently being received direct from the farm-producing points for delivery to the City Park-Brookridge Dairy; that the reason for said change in marketing was a Federal Marketing Order; that Beatrice Foods Company does not market any product under the Company name.

Upon cross-examination, William Ankeney stated that Respondent had been hauling milk directly from the conflicting origin terri-

tory, as shown on Exhibit No. 1, to the City Park-Brookridge Dairy since about April, 1962. He admitted the authority under which this milk was being hauled was that which had originally read "Windsor Farm Dairy" prior to transfer involved in Decision No. 46900.

Pursuant to request of Petitioner, official notice was taken of the records of the Commission pertaining to PUC Nos. 556 and 375.

By stipulation, the transcript of testimony in transfer proceeding was introduced as Exhibit No. 6. It was also stipulated that a certain letter from Beatrice Foods Company to Mr. George Kall be received in evidence as Exhibit No. 5.

Mr. William Ankeney testified that Respondent had engaged in transportation of milk to the City Park-Brookridge Dairy, at 5512 Leetsdale Drive, for many years; that he had no personal knowledge of the fact concerning hauling milk to the Windsor Farm Dairy in April, 1931; but that he had been told that such milk had been hauled to the City Park-Brookridge Dairy; that milk handled prior to April, 1962, all went either to LaSalle or Greeley, Colorado, following pick-up at the farm production point, and was then transported to Denver from this intermediate point; that direct hauling to Denver from the subject origin point did not commence until April, 1962.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that authority under PUC No. 556 should be amended, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That operating rights under PUC No. 556 be amended, nunc pro tunc, by striking therefrom wherever the same appears, the words:

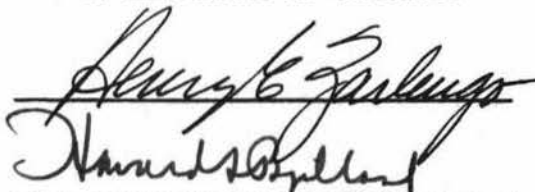
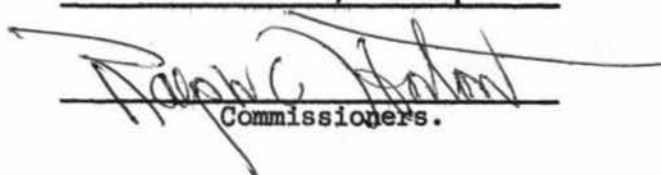
"to LaSalle and Denver, for the Beatrice Foods Co.,"

and inserting in lieu thereof the following:

"to the plant sites of the dairy formerly known
as 'Windsor Farm Dairy,' situated in LaSalle
and situated in Denver, at 1855 Blake Street."

That Case No. 5220 be, and the same hereby is, closed
upon the docket of this Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1963.

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ml

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RUDOLPH PAUL MARX, DOING BUSINESS AS,)
"FIRST AVENUE FLOWER SHOP", 100 COOK)
STREET, DENVER 6, COLORADO.)
-----)

PERMIT NO. M-5406

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rudolph Paul Marx,
doing business as, "First Avenue Flower Shop", Denver 6, Colorado
requesting that Permit No. M-5406 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5406, heretofore issued to Rudolph Paul Marx, doing
business as, "First Avenue Flower Shop", Denver 6, Colorado be,
and the same is hereby, declared cancelled effective October 19, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zerkow
Edward S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FERNANDO L. MONTEZ, ROUTE 3 BOX 293,)
PUEBLO, COLORADO.)
)
)
-----)

PERMIT NO. M-5408

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fernando L. Montez,
Pueblo, Colorado

requesting that Permit No. M-5408 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5408, heretofore issued to Fernando L. Montez,
Pueblo, Colorado be,
and the same is hereby, declared cancelled effective September 13, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zerkow
Howard S. Bjelland
Commissioners
Ralph C. Brown

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
I. H. PORTER, P. O. BOX 516, RANGELY,)
COLORADO.)
)
)
-----)

PERMIT NO. M-6728

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from I. H. Porter,
Rangely, Colorado

requesting that Permit No. M-6728 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6728, heretofore issued to I. H. Porter,
Rangely, Colorado be,
and the same is hereby, declared cancelled effective October 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Edward J. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TONY CHIARAMONTE, DOING BUSINESS AS,)
"GUARANTEED REFRIGERATION", 221 EAST)
NORTHERN, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-7877

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tony Charamonte,
doing business as, "Guaranteed Refrigeration", Pueblo, Colorado
requesting that Permit No. M-7877 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7877, heretofore issued to Tony Charamonte, doing
business as, "Guaranteed Refrigeration", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective October 7, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zschueg
John J. Bjelland
Raymond J. ...
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
P. E. ALLISON, RIDGWAY, COLORADO.)

PERMIT NO. M-8445

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from P. E. Allison,
Ridgway, Colorado

requesting that Permit No. M-8445 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8445, heretofore issued to P. E. Allison,
Ridgway, Colorado _____ be,

and the same is hereby, declared cancelled effective September 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
Howard S. Bjelland
Commissioners
Ralph C. Hinton

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. G. MC EWEN, DOING BUSINESS AS,)
"R. G. MC EWEN PRODUCE", 2008 9TH)
AVENUE, GREELEY, COLORADO.)
-----)

PERMIT NO. M-8971

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. G. Mc Ewen, doing
business as, "R. G. Mc Ewen Produce", Greeley, Colorado
requesting that Permit No. M-8971 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8971, heretofore issued to R. G. Mc Ewen, doing
business as, "R. G. Mc Ewen Produce", Greeley, Colorado be,
and the same is hereby, declared cancelled effective October 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehlings
Howard S. Bjelland
Ralph C. Anderson
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WESTMOOR PARK COMPANY (CORPORATION),)
415 NORTH TEJON STREET, COLORADO)
SPRINGS, COLORADO.)
-----)

PERMIT NO. M-10275

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Westmoor Park Company
(Corporation), Colorado Springs, Colorado
requesting that Permit No. M-10275 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10275, heretofore issued to Westmoor Park Company
(Corporation), Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective September 28, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaslau
Howard S. Bjelland
Raymond C. Anderson
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS W. KERR, DOING BUSINESS AS,)
"TOM KERR", 1708 - 9TH STREET,)
GREELEY, COLORADO.)
-----)

PERMIT NO. M-7067

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Thomas W. Kerr, doing
business as, "Tom Kerr", Greeley, Colorado
requesting that Permit No. M-7067 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7067, heretofore issued to Thomas W. Kerr, doing
business as, "Tom Kerr", Greeley, Colorado be,
and the same is hereby, declared cancelled effective June 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Howard S. Bjelland
Ralph C. Nathan
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HAROLD RAY LUTZ, P. O. BOX 378,
OLATHE, COLORADO.

PERMIT NO. M-6853

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold Ray Lutz,
Olathe, Colorado
requesting that Permit No. M-6853 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6853, heretofore issued to Harold Ray Lutz,
Olathe, Colorado be,
and the same is hereby, declared cancelled effective June 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Howard S. Bjelland
Ralph C. Hansen
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

J. G. NORTON, DOING BUSINESS AS,
"NORTON APPLIANCE COMPANY", 436
SOUTH BROADWAY, DENVER 9, COLORADO.
-----)

PERMIT NO. M-9943

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. G. Norton, doing
business as, "Norton Appliance Company", Denver 9, Colorado
requesting that Permit No. M-9943 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9943, heretofore issued to J. G. Norton, doing
business as, "Norton Appliance Company", Denver 9, Colorado be,
and the same is hereby, declared cancelled effective September 19, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeelings
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN A. JAVERNICK, 709 COBALT STREET,)
CANON CITY, COLORADO.)
-----)

PERMIT NO. M-14573

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John A. Javernick,
Canon City, Colorado
requesting that Permit No. M-14573 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14573, heretofore issued to John A. Javernick,
Canon City, Colorado be,
and the same is hereby, declared cancelled effective September 23, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM R. MATT, DOING BUSINESS AS,)
"MATT'S FURNITURE COMPANY", 940)
QUAY, BROOMFIELD, COLORADO.)
-----)

PERMIT NO. M-1482

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William R. Matt, doing
business as, "Matt's Furniture Company", Broomfield, Colorado
requesting that Permit No. M-1482 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1482, heretofore issued to William R. Matt, doing
business as, "Matt's Furniture Company", Broomfield, Colorado be,
and the same is hereby, declared cancelled effective September 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HUGH L. DOWERS, ROUTE 1, TORRINGTON,)
WYOMING.)
-----)

PERMIT NO. M-14004

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Hugh L. Dowers,
Torrington, Wyoming
requesting that Permit No. M-14004 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14004, heretofore issued to Hugh L. Dowers,
Torrington, Wyoming be,
and the same is hereby, declared cancelled effective September 23, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehl
Howard S. Bjelland
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

KENNETH D. CHRISTNER, 3150 WEST)
LAYTON AVENUE, ENGLEWOOD, COLORADO.)
-----)

PERMIT NO. M-15082

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kenneth D. Christner,
3150 West Layton Avenue, Englewood, Colorado

requesting that Permit No. M-15082 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15082, heretofore issued to Kenneth D. Christner,
3150 West Layton Avenue, Englewood, Colorado be,
and the same is hereby, declared cancelled effective October 6, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zuckerman
Howard S. Bjelland
Ralph C. Wilson
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAN-AM FOODS, INCORPORATED, 3135)
EAST 14TH STREET, BROWNSVILLE, TEXAS.)
_____))
_____)

PERMIT NO. M-2136

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Pan-Am Foods, Inc.,
Brownsville, Texas

requesting that Permit No. M-2136 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2136, heretofore issued to Pan-Am Foods, Inc.,
Brownsville, Texas be,
and the same is hereby, declared cancelled effective September 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zatlager
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELMO D. FENTIMAN, DOING BUSINESS AS,)
"NATIONAL HOUSE OF FOODS", P. O. BOX)
272, LOVELAND, COLORADO.)
-----)

PERMIT NO. M-10340

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Elmo D. Fentiman,
dba, "National House of Foods", Loveland, Colorado
requesting that Permit No. M-10340 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10340, heretofore issued to Elmo D. Fentiman,
dba, "National House of Foods", Loveland, Colorado be,
and the same is hereby, declared cancelled effective September 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard J. Bjelund
Ralph C. [illegible]
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROY O. FRANTZ, DOING BUSINESS AS,)
"ROY O. FRANTZ SUPPLY COMPANY", 426)
WEST 3RD, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-981

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roy O. Frantz, doing
business as, "Roy O. Frantz Supply Company", Pueblo, Colorado
requesting that Permit No. M-981 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-981, heretofore issued to Roy O. Frantz, doing
business as, "Roy O. Frantz Supply Company", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective August 31, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Jaeger
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT B. STANLEY, 11800 WADSWORTH)
BOULEVARD, BROOMFIELD, COLORADO.)
-----)

PERMIT NO. M-7780

November 14, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert B. Stanley,
Broomfield, 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,
Broomfield, Colorado be,
and the same is hereby, declared cancelled effective September 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry C. Zaehner
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 14th day of November, 19 63.

original

(Decision No. 61715)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MONTEZUMA TRUCK LINES, INC., 873)
EAST THIRD STREET, DURANGO, COLO-)
RADO, FOR AUTHORITY TO TRANSFER A)
PORTION OF PUC NO. 360 TO M & H)
TRUCKING, INC., 5011 EAST MAIN)
STREET, FARMINGTON, NEW MEXICO.)

APPLICATION NO. 20083-Transfer

IN THE MATTER OF THE APPLICATION OF)
MONTEZUMA TRUCK LINES, INC., 873)
EAST THIRD STREET, DURANGO, COLO-)
RADO, FOR AUTHORITY TO TRANSFER A)
PORTION OF PUC NO. 848 TO M & H)
TRUCKING, INC., 5011 EAST MAIN)
STREET, FARMINGTON, NEW MEXICO.)

APPLICATION NO. 20084-Transfer

November 7, 1963

Appearances: Edward T. Lyons, Jr., Esq.,
Denver, Colorado, for
Transferor and Transferee.

S T A T E M E N T

By the Commission:

The above-entitled applications were regularly set for hearing, and heard, after appropriate notice to all interested parties, on October 17, 1963, at ten o'clock A. M., in the Court House, Durango, Colorado, by an Examiner duly appointed by the Commission to hear said proceedings, he thereafter to submit to the Commission a report of his findings and conclusions.

On October 22, 1963, a Petition was filed with this Commission by Herbert M. Boyle, Attorney for Turner Bros. Trucking Company of Elk City, Oklahoma City, Oklahoma, requesting the Commission to re-open the instant proceedings for the purpose of taking further evidence as to the financial fitness of the transferee herein, as set forth in said Petition, and further stating that Turner Bros. Trucking Company of Elk City did not receive official Notice of Hearing to be held October 17th, 1963.

The records of the Commission show that Turner Bros. Trucking Company, Box 4626, Oklahoma City, Oklahoma, 73102, were mailed Notice of Hearing in said matter on October 4, 1963, which Notice has not been returned to the Commission as being undelivered.

The Commission has carefully considered the Petition filed by Turner Bros. Trucking Company, and each and every allegation thereof, and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That the Petition filed by Turner Bros. Trucking Company in the instant matter should be denied.


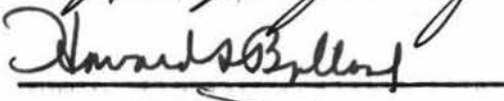

O R D E R

THE COMMISSION ORDERS:

That Petition to re-open the above-entitled proceedings for the purpose of taking evidence as to the financial fitness of the transferee herein, filed by Attorney for Turner Bros. Trucking Company of Elk City, P. O. Box 4626, Oklahoma City, Oklahoma, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 7th day of November, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
INDIANOLA CORPORATION, 5331 SOUTH)
WASHINGTON STREET, LITTLETON, COLORADO)
-----)

PERMIT NO. M-201

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Indianola Corporation,
Littleton, Colorado
requesting that Permit No. M-201 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-201, heretofore issued to Indianola Corporation,
Littleton, Colorado be,
and the same is hereby, declared cancelled effective November 6, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry C. Zaitz
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT ANDREW PHILLIPS, ROUTE 1 BOX)
98, EATON, COLORADO.)
)
)
-----)

PERMIT NO. M-15358

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert Andrew Phillips,
Eaton, Colorado
requesting that Permit No. M-15358 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15358, heretofore issued to Robert Andrew Phillips,
Eaton, Colorado be,
and the same is hereby, declared cancelled effective September 26, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Jellings
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRISON SPARKS, JR., ROUTE 2 BOX 56,)
COLORADO SPRINGS, COLORADO.)
)
)
-----)

PERMIT NO. M-15317

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harrison Sparks, Jr.,
Colorado Springs, Colorado
requesting that Permit No. M-15317 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15317, heretofore issued to Harrison Sparks, Jr.,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective August 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry C. Ziegler
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT HOYE, DOING BUSINESS AS,
"SPECIALTY SALES COMPANY", P. O. BOX)
1121, SALINA, KANSAS.)
-----)

PERMIT NO. M-7831

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert Hoyer, doing
business as, "Specialty Sales Company", Salina, Kansas
requesting that Permit No. M-7831 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7831, heretofore issued to Robert Hoyer, doing
business as, "Specialty Sales Company", Salina, Kansas be,
and the same is hereby, declared cancelled effective October 3, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SEL-RITE, INCORPORATED, 405 WEST)
BUFFALO, RAWLINS, WYOMING.)
-----)

PERMIT NO. M-4868

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Self-Rite, Inc.,
Rawlins, Wyoming
requesting that Permit No. M-4868 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4868, heretofore issued to Self-Rite, Inc.,
Rawlins, Wyoming be,
and the same is hereby, declared cancelled effective September 8, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry C. Zisch
Harold S. Bjelland
Raymond C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

FRANK W. JONES, 2427 MOUNTAIN VIEW
DRIVE, LOVELAND, COLORADO.

PERMIT NO. M-4109

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank W. Jones,

Loveland, Colorado

requesting that Permit No. M-4109 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4109, heretofore issued to Frank W. Jones,

Loveland, Colorado

be,

and the same is hereby, declared cancelled effective September 10, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zuckerman
Arnold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER W. YEAROUS, FORT MORGAN,)
COLORADO.)
)
)
-----)

PERMIT NO. M-12828

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter W. Yearous,
Fort Morgan, Colorado
requesting that Permit No. M-12828 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12828, heretofore issued to Walter W. Yearous,
Fort Morgan, Colorado be,
and the same is hereby, declared cancelled effective October 13, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckers
Howard J. Bjelland
Ray C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. J. GIFFORD, DOING BUSINESS AS,)
"GIFFORD'S GROCERY", P. O. BOX 126,)
BRIGGSDALE, COLORADO.)
-----)

PERMIT NO. M-7690

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. J. Gifford, doing
business as, "Gifford's Grocery", Briggsdale, Colorado
requesting that Permit No. M-7690 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7690, heretofore issued to E. J. Gifford, doing
business as, "Gifford's Grocery", Briggsdale, Colorado be,
and the same is hereby, declared cancelled effective September 10, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zecher
Harold S. Bjelland
Reuben C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HUGHES-TYLER MANUFACTURING COMPANY,)
2701 TITAN ROAD, LITTLETON, COLORADO.)
-----)

PERMIT NO. M-13230

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Hughes-Tyler Manufacturing Company, Littleton, Colorado

requesting that Permit No. M-13230 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13230, heretofore issued to Hughes-Tyler Manufacturing Company, Littleton, Colorado be,
and the same is hereby, declared cancelled effective August 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Denny E. Zaehner
David S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DON DAVIS, 625 ADDISON, MISSOULA,)
MONTANA.)
-----)

PERMIT NO. M-14330

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Don Davis, 625 Addison,
Missoula, Montana

requesting that Permit No. M-14330 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14330, heretofore issued to Don Davis, 625 Addison,
Missoula, Montana be,
and the same is hereby, declared cancelled effective August 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
D. L. WELCH, DOING BUSINESS AS,)
"WELCH'S FURNITURE AND APPLIANCE",)
1903 EAST CACHE LA POUDRE, COLORADO)
SPRINGS, COLORADO.)
-----)

PERMIT NO. M-4069

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from D. L. Welch, doing
business as, "Welch's Furniture & Appliance", Colorado Springs, Colorado
requesting that Permit No. M-4069 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4069, heretofore issued to D. L. Welch, doing business
as, "Welch's Furniture & Appliance", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective October 7, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Harold S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

R. E. PALMQUIST, DOING BUSINESS AS,
"PALMQUIST ELECTRIC", P. O. BOX 118,
WINDSOR, COLORADO.

PERMIT NO. M-4791

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. E. Palmquist, doing
business as, "Palmquist Electric", Windsor, Colorado
requesting that Permit No. M-4791 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4791, heretofore issued to R. E. Palmquist, doing
business as, "Palmquist Electric", Windsor, Colorado be,
and the same is hereby, declared cancelled effective September 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. O. REEVES, DOING BUSINESS AS,)
"REEVES OIL COMPANY", 3640 EAST WARREN)
AVENUE, DENVER 10, COLORADO.)
-----)

PERMIT NO. M-4848

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. O. Reeves, doing
business as, "Reeves Oil Company", Denver 10, Colorado
requesting that Permit No. M-4848 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4848, heretofore issued to W. O. Reeves, doing
business as, "Reeves Oil Company", Denver 10, Colorado be,
and the same is hereby, declared cancelled effective September 30, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GERALD C. MC CLEARY, 104 - 7TH STREET)
FOWLER, COLORADO.)
)
)
-----)

PERMIT NO. M-5844

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gerald C. Mc Cleary,
Fowler, Colorado

requesting that Permit No. M-5844 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5844, heretofore issued to Gerald C. Mc Cleary,
Fowler, Colorado be,
and the same is hereby, declared cancelled effective October 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehlings
Howard S. Bjelland
Ralph C. Hinton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WAYMON M. CAMPBELL, DOING BUSINESS AS,)
"CAMEL MOTOR COMPANY", 1601 SOUTH)
BROADWAY, DENVER 10, COLORADO.)
-----)

PERMIT NO. M-8016

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Waymon M. Campbell,
doing business as, "Camel Motor Company", Denver 10, Colorado
requesting that Permit No. M-8016 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8016, heretofore issued to Waymon M. Campbell, doing
business as, "Camel Motor Company", Denver 10, Colorado be,
and the same is hereby, declared cancelled effective September 18, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

OTIS K. MILLARD AND ARTHUR A. RICE,)
DOING BUSINESS AS, "AIRPORT MOBILE)
HOMES SALES", ROUTE 3 BOX 103, MONTROSE,)
COLORADO.)
-----)

PERMIT NO. M-12337

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Otis K. Millard & Arthur A. Rice, doing business as, "Airport Mobile Homes Sales", Montrose, Colorado requesting that Permit No. M-12337 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12337, heretofore issued to Otis K. Millard & Arthur A. Rice, doing business as, "Airport Mobile Homes Sales", Montrose, Colorado be, and the same is hereby, declared cancelled effective May 31, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES A. RIKHOFF, DOING BUSINESS AS,)
"RIKHOFF SHEET METAL COMPANY", 1309)
EAST EVANS, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-15930

November 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James A. Rikhoff,
doing business as, "Rikhoff Sheet Metal Company ", Pueblo, Colorado
requesting that Permit No. M-15930 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15930, heretofore issued to James A. Rikhoff, doing
business as, "Rikhoff Sheet Metal Company", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective October 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph E. Johnston
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THE FRINK CREAMERY COMPANY (CORPOR-)
ATION), UNIT 67, WAZEE MARKET,)
DENVER 4, COLORADO.)
-----)

PERMIT NO. M-7287

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from The Frink Creamery
Company (Corporation), Denver 4, Colorado

requesting that Permit No. M-7287 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7287, heretofore issued to The Frink Creamery Company
(Corporation), Denver 4, Colorado be,
and the same is hereby, declared cancelled effective November 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

A. W. STINTON, DOING BUSINESS AS,
"STINTON HATCHERY", P. O. BOX 355,
BRUSH, COLORADO.

PERMIT NO. M-6305

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. W. Stinton, doing
business as, "Stinton Hatchery", Brush, Colorado
requesting that Permit No. M-6305 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6305, heretofore issued to A. W. Stinton, doing
business as, "Stinton Hatchery", Brush, Colorado be,
and the same is hereby, declared cancelled effective June 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph G. Anderson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEO M. MONSON AND JOE A. MONSON,)
DOING BUSINESS AS, "QUALITY LUMBER)
COMPANY", P. O. BOX 795, ULYSSES,)
KANSAS.)
-----)

PERMIT NO. M-6919

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Leo M. Monson and Joe A. Monson, doing business as, "Quality Lumber Company", Ulysses, Kansas
requesting that Permit No. M-6919 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6919, heretofore issued to Leo M. Monson and Joe A. Monson, doing business as, "Quality Lumber Company", Ulysses, Kansas be,
and the same is hereby, declared cancelled effective October 8, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

original

(Decision No. 61736)

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, TO CONSTRUCT AND OPERATE A)
69-KV TRANSMISSION LINE TO THE CITY)
OF ASPEN, COLORADO, FROM EITHER A)
POINT NEAR CARBONDALE, COLORADO, OR)
BASALT, COLORADO, AS THIS COMMISSION)
SHALL DETERMINE, FOR THE PURPOSE OF)
DELIVERING WHOLESALE POWER AND ENERGY)
TO THE MUNICIPAL ELECTRIC SYSTEM OF)
THE CITY OF ASPEN, COLORADO, AND FOR)
AN ORDER RESCINDING AND REVOKING)
DECISION NO. 60156 AND DECISION NO.)
61364 OF THIS COMMISSION RELATING TO)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AND AUTHORITY OF COLO-)
RADO-UTE ELECTRIC ASSOCIATION, INC.,)
TO CONSTRUCT A 69-KV TRANSMISSION)
LINE FROM BASALT, COLORADO, TO ASPEN,)
COLORADO.)
-----)

APPLICATION NO. 20119

PUBLIC SERVICE COMPANY OF COLORADO,)
Complainant,)
vs.)
COLORADO-UTE ELECTRIC ASSOCIATION,)
INC. AND HOLY CROSS ELECTRIC ASSOCI-)
ATION, INC.,)
Respondents.)
-----)

CASE NO. 5256

November 8, 1963

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., by Bryant O'Donnell, Esq.,
and Richard W. Bryans, Esq., 550
15th Street, Denver, Colorado,
for Public Service Company of
Colorado;
Raphael J. Moses, Esq., Box 34,
Boulder, Colorado, and
John A. Hughes, Box 119, Montrose,
Colorado, for Colorado-Ute
Electric Association, Inc.,
and Holy Cross Electric Associa-
tion, Inc.;
John J. Conway, Esq., Denver,
Colorado, and
Paul M. Brown, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

This Commission, on February 21, 1963, granted to Colorado-Ute Electric Association, Inc., hereinafter referred to as Colorado-Ute, a certificate of public convenience and necessity for the construction of a coal-fired steam turbine electric generating plant and for the construction of specified transmission lines, substations, and other facilities, including, inter alia, a step down substation at Carbondale-Basalt to supply service at 69 Kv, and a 69 Kv transmission line from Carbondale-Basalt to Aspen, with terminal and transformation facilities at each location (Decision No. 60156. A petition for re-hearing was thereafter denied and the decision was appealed by Protestants Public Service Company of Colorado, hereinafter referred to as Public Service, and Western Colorado Power Company, to the District Court in and for the County of Montrose, State of Colorado, where such appeal is presently pending.

Public Service Company of Colorado, on July 11, 1963, filed an application (No. 19907), seeking a certificate of public convenience and necessity from the Commission to construct a 69 Kv transmission line from its existing 69 Kv transmission line in the vicinity of Carbondale, Colorado, to the City of Aspen, Colorado, with terminal and transformation facilities at Aspen, for the purpose of delivering wholesale electric power and energy under contract to the City of Aspen, which contract had been entered into by Public Service and the City of Aspen on July 8, 1963. On August 8, 1963, the Commission, on its own motion, entered an order (Decision No. 61181), requiring Colorado-Ute to show cause whether or not the authority previously granted by the Commission to Colorado-Ute to construct the Basalt-Aspen line and Aspen substation should be altered, amended or rescinded. On September 13, 1963, the Commission, after hearing, entered orders dismissing (Decision No. 61364) the Colorado-Ute show cause proceeding and denying (Decision No. 61367) the Public Service application. A petition for rehearing in both matters was filed by Public Service, on October 3, 1963, and was denied by the Commission as a matter of law by failure

to act thereon within the statutory ten-day period. The statutory period for appeal in these matters will not expire until November 13, 1963.

On October 29, 1963, Public Service filed a joint complaint (Case No. 5256) and application (Application No. 20119), seeking generally (1) to have the certificate of public convenience and necessity to construct the Basalt-Aspen 69 Kv transmission line and the Aspen substation previously granted to Colorado-Ute by this Commission revoked and rescinded, and (2) to obtain authority for similar construction for Public Service. In general, the grounds advanced by Public Service for such Complaint and Application are that Colorado-Ute has, in effect, failed to proceed with due diligence in the construction of said facilities, and further, that in the previous hearing concerning these matters, Colorado-Ute misrepresented to the Commission the facts upon which the Commission based its decision. Colorado-Ute filed a pleading containing a protest to the application of Public Service to construct the said facilities, an answer to the complaint, and a counter-claim alleging that Public Service had failed to negotiate a wheeling contract with Colorado-Ute as ordered by the Commission. Public Service, thereafter, filed an answer to the said counter-claim. These matters were consolidated for hearing and were heard by the Commission at its Hearing Room in Denver on November 4, 5, 6, 1963, and such matters are now before the Commission for determination in this Order. The Commission, at such hearing, ordered that the record of the hearing in Case No. 5256 and Application No. 20119 be made part of the record in this cause.

Colorado-Ute is a generation and transmission cooperative corporation, formed for the purpose of purchasing, generating, and transmitting electric power to its member distribution cooperatives. Holy Cross Electric Association, hereinafter referred to as Holy Cross, is one of such member cooperatives, serving its customers with electric power and energy in, inter alia, the Basalt-Aspen area. The City of Aspen, hereinafter referred to as Aspen, is a municipal utility,

presently obtaining the electric power which it resells to its inhabitants from the United States Bureau of Reclamation, which power is wheeled to it over lines owned by the Public Service Company to Basalt, and from Basalt to Aspen by a 24.9 Kv express feeder line line owned by Holy Cross.

On July 8, 1963, Aspen entered into a contract with Public Service Company for its wholesale electric power requirements, which contract required Public Service to use "reasonable diligence to complete said construction and to commence the delivery of electric power and energy on November 9, 1963." The construction herein referred to is the 69 Kv transmission line which Public Service sought authority from the Commission to construct in Application No. 19907. The Commission, however, denied such application and ordered Colorado-Ute to wheel the necessary power for Public Service over the 69 Kv transmission line from Basalt to Aspen which Colorado-Ute had been authorized to construct.

Public Service, in compliance with the Commission Order, after a re-affirmance of its Aspen contract by Aspen, proceeded to construct the requisite switching and metering station at Aspen which would be necessary to serve the City of Aspen with power wheeled to this station by Colorado-Ute. This switching station is now completed and ready for use. The City of Aspen proceeded with its plans to reconstruct its distribution system within the City at a cost of approximately \$200,000, and such new distribution system is approaching completion and will be ready to be tied into the new switching station of Public Service in the immediate future. However, the 69 Kv transmission line from Basalt to Aspen and the Aspen substation, both of which were to be constructed by Colorado-Ute, have not been completed.

At the previous hearing in this matter, it was established that a 69 Kv transmission line from Basalt to Aspen, with proper substation facilities at Aspen, was needed to meet the requirements of that area for electric power and energy. It was equally well established that only one such line was needed, and that construction of

two such transmission lines would constitute unnecessary duplication and economic waste. The Commission, on the basis of the evidence introduced at such hearing, found that Colorado-Ute was proceeding with the construction of the Basalt-Aspen 69 Kv transmission line with attendant terminal facilities, and re-affirmed Colorado-Ute's authorization to proceed with such construction. Colorado-Ute, at such hearing, introduced evidence that the said transmission line with terminal substation facilities would be completed by November 1, 1963.

Evidence introduced at the instant hearing established that not only has the 69 Kv transmission line from Basalt to Aspen not been completed, but, in fact, physical construction work has not started -- nor has physical construction work started on the Aspen substation. Colorado-Ute witnesses testified in considerable detail that the reason for such delay was the difficulty in acquiring the necessary easements for the line, and surveying difficulties relating to the site for the Aspen substation. From such testimony it is obvious that Colorado-Ute has had and is still having trouble in obtaining the necessary rights-of-way. In fact, as of the time of the hearing, of the 20 parcels of private land involved, Colorado-Ute had obtained but 13 rights-of-way, plus 3 oral agreements, leaving 3 or 4 parcels where condemnation proceedings appear to be necessary. Further, Colorado-Ute had not obtained rights-of-way from the United States over Federal lands. Despite the difficulties encountered by Colorado-Ute, the fact remains that Colorado-Ute has had authority to construct the line and substation in question since February 21, 1963, and has certainly been on notice since the previous hearing, that the Commission, the City of Aspen, and Public Service expected such facilities to be completed in early November. The statutes of the State of Colorado vest in public utilities the right of eminent domain, and Colorado-Ute has had such remedy immediately available at all times for the acquisition of the necessary rights-of-way. It is our feeling that Colorado-Ute has not proceeded with due diligence in the acquisition of the said rights-of-way.

However, the evidence introduced by Colorado-Ute at this hearing established that, with the exception of the transformer for the Aspen substation which is to be shipped on November 18, 1963, practically all of the necessary materials for both the line and the substation are on hand. Representatives of the contractors, subpoenaed by the Commission, testified that they are commencing work immediately on both the line and the substation. Colorado-Ute witnesses testified that condemnation proceedings are to be instituted immediately to obtain the balance of the requisite rights-of-way, and further testified that in the absence of unforeseen contingencies, the line and substation would be in service on or before December 21, 1963.

The second general allegation of the complaint and application under consideration herein is that misrepresentations of fact were made to the Commission by Colorado-Ute at the previous hearing. It is our opinion that in all matters before the Commission, it is the duty of participating utilities to make a full, frank, complete disclosure of all pertinent facts to the Commission. The Supreme Court of the United States, in the case of Knoxville vs. Knoxville Water Company, 212 U. S. 18; 29 Sup. Ct. 154; 53 L. Ed. 371, said:

"Regulation of public service corporations . . . is a delicate and dangerous function, and ought to be exercised with a keen sense of justice on the part of the regulatory body, met by a frank disclosure on the part of the company to be regulated . . . The companies to be regulated will find it to their lasting interest to furnish freely the information upon which a just regulation can be based."

We have examined the record of the previous hearing, including the pleadings filed, and have considered the evidence introduced at the instant hearing. In several instances, there is a question in our minds as to whether Colorado-Ute made the frank disclosure of fact which we consider to be the duty of a utility. No useful purpose would be served by setting forth specific examples from the record. We realize that all proceedings in the matters now before us have been hotly contested, in effect, adversary proceedings. Such a

situation, however, does not alter the duty of a utility, in the public interest, to make a full, frank, disclosure of relevant facts to the Commission. Colorado-Ute, as a relatively new utility, would be well advised to keep this in mind in all future matters before the Commission.

To a substantial degree, the complaint filed herein by Public Service is well-founded. The remedy, however, which Public Service seeks, namely, revocation of Colorado-Ute's certificate, is unnecessarily drastic. As has previously been stated, the contractors are now commencing construction, and in the absence of unforeseen contingencies, will be finished on or before December 21, 1963. Under such circumstances, and considering the substantial amounts of money that have already been expended or committed by Colorado-Ute for the construction of said line and substation, no useful purpose would be achieved by now rescinding or revoking the certificate previously issued. The basic facts upon which the Commission based its original decision that the public interest and the public convenience and necessity required the construction of such facilities by Colorado-Ute have not changed. In order that the public interest in these matters be properly safeguarded and protected, however, the Commission can, and will, in this Order provide for the necessary staff surveillance and will retain jurisdiction to take such additional action as might be necessary.

One further matter remains to be considered. The evidence introduced at the hearings in this matter indicated that the 24.9 Kv express feeder line from Basalt to Aspen might be inadequate to carry the necessary amounts of electric power and energy to Aspen during the winter season of 1963-1964, in the event the 69 Kv transmission line should not be completed for use this winter. We expect the 69 Kv transmission line from Basalt to Aspen to be completed and in service by December 21, 1963. In the event, however, that such line is not completed, the 24.9 Kv express feeder line will be, in the judgment of the Commission, adequate to carry the necessary electric power and energy,

particularly if additional transformation capacity is installed at the Basalt end of the line and voltage regulators at the Aspen end. If necessary, the Commission can enter Orders for the emergency installation of additional transformation capacity. Voltage regulators are now on hand and can be installed immediately upon Order of the Commission. Needless to say, the Commission will take any action necessary to insure and protect the power supply of the City of Aspen.

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 Colorado-Ute should be ordered to submit weekly reports to the Commission, in such detail and at such times as may be determined by the Staff of the Commission, as to the progress of construction of the 69 Kv transmission line from Basalt to Aspen and the Aspen substation.

That Colorado-Ute and Public Service should be ordered to meet forthwith with the Staff of the Commission to work out the complete details of the wheeling agreement referred to in Decision No. 61367 of the Commission.

That Colorado-Ute and Public Service should be ordered to meet forthwith with the Staff of the Commission to work out details for service to the City of Aspen during the period prior to the completion of the 69 Kv transmission line to Aspen.

That the Commission retain jurisdiction herein to enter such other and further Orders as the Commission may deem necessary.

That the counter-claim filed herein by Colorado-Ute be dismissed. That the application filed herein by Public Service be denied.

O R D E R

THE COMMISSION ORDERS:

1. That Colorado-Ute Electric Association, Inc., be, and hereby is, ordered to submit weekly reports to the Commission in such detail and at such times as may be determined by the Staff of the

Commission as to the progress of construction of the 69 Kv transmission line from Basalt to Aspen and the Aspen substation.

2. That Colorado-Ute Electric Association, Inc., and Public Service Company of Colorado, be, and hereby are, ordered to meet forthwith with the Staff of the Commission to work out the complete details of the wheeling agreement referred to in Decision No. 61367 of the Commission.

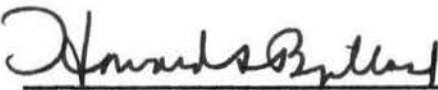
3. That Colorado-Ute Electric Association, Inc., and Public Service Company of Colorado, be, and hereby are, ordered to meet forthwith with the Staff of the Commission to work out details for service to the City of Aspen during the period prior to the completion of the 69 Kv transmission line from Basalt to Aspen.


4. That the counter-claim filed herein by Colorado-Ute Electric Association, Inc., be, and hereby is, dismissed, and that the application filed herein by Public Service Company of Colorado, be, and hereby is, denied.

The Commission retains jurisdiction herein to enter such other and further Orders as the Commission may deem necessary.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1963.

ea

CHAIRMAN HENRY E. ZARLENGO DISSENTING:

I respectfully dissent to the majority decision.

This proceeding provides the Commission the unique opportunity for reconsideration of the issues involved in Application No. 19907 and Case No. 5247, the record of which proceedings is part of the record herein, with the added and distinct advantage, however, of considering the matters in the light of the conduct of the parties over a period of time with respect to the performance of their obligations and duties.

May I point out that unquestionably the Commission at the time of its decisions in the above-mentioned proceedings, did, as a result of general, vague, and even erroneous statements of fact, mistakenly assume that the Basalt-Aspen transmission line was actually under "construction;" a mistake of fact upon which in great part the majority decisions are grounded. Perhaps without the presence of this mistake, the majority decisions might have been different.

Reference is made to the grounds and reasons stated in the dissenting opinions in the above-mentioned Application and Case in support of this dissent.

By this time it should be obvious that no duplication of facilities will result if Public Service Company is granted authority to construct the transmission line, and if Colorado-Ute's certificate is rescinded. The question has always been, and now is, which of the two utilities, bearing in mind that the public interest must be served, in the light of all the facts, should be permitted to serve Aspen? I have been of the opinion that Public Service Company should be that utility, and at the present time, and with the additional facts now before the Commission as a result of this hearing, submit that even stronger grounds now exist in support of such opinion.

On February 21, 1963, Colorado Ute was granted, among other things, a certificate of public convenience and necessity to construct

the Basalt-Aspen 69 Kv line. What progress has been made since then to serve the public interest? The whole community of Aspen has been, and now is, vitally dependent on this construction.

Without rights-of-way, a public utility cannot construct and place in operation a transmission line. The Legislature realized that dealing with land owners might prove difficult, and time consuming, and thereby jeopardize the public interest. Fully realizing that the time element is of utmost importance it enacted condemnation laws whereby public utilities are granted the extraordinary power to condemn, by diligent use of which power a public utility can after very brief preliminary steps take immediate possession.

Of twenty rights-of-way to be obtained from private land owners, and others from other sources, only ten contracts of acquisition were submitted at the time of this hearing. Not once has condemnation been resorted to. Almost nine months have elapsed since the certificate was granted. Surveys must yet be finalized -- no physical construction has been undertaken on the line itself. In the meantime, vague excuses are offered for lack of diligent action in the past, and glowing promises made of progress in the future.

In this case Colorado-Ute has shown a reckless disregard of its responsibility as a public utility and has subjected the community of Aspen to an unnecessary risk to the degree that, if bad weather which may now occur at any time, should prevent construction of the transmission line, this community must rely on facilities to be installed on an emergency and temporary basis which might prove to be inadequate to meet its demand during the time of greatest importance and of the greatest need.

It should not be incumbent upon the Commission to ever require any public utility to make progress reports on its construction.

Public Service is ready, able, and willing and has uncontrovertably shown that it has the capacity to bring about construction of the transmission line as soon as possible.

I submit that the authority granted to Colorado-Ute to construct the subject transmission line should be revoked and that Public Service Company of Colorado be authorized to construct and operate a transmission line from Basalt to Aspen utilizing the substation facilities of Colorado-Ute at Basalt, upon payment for such use of a fair and just compensation.


Chairman

Dated at Denver, Colorado,
this 8th day of November, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PACIFIC HAWAIIAN PRODUCE COMPANY)
360 South Acacia)
Fullerton, California)
-----)

AUTHORITY NO. M 13533

CASE NO. 13764 Ins.

November 12, 1963

S T A T E M E N T

By the Commission:

On October 30, 1963, 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

Henry E. Zarlengo
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 12th day of November, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

JOSEPH M. MONSON AND WILLIAM E.
MONSON, DOING BUSINESS AS, "MONSON
BROTHERS", ROUTE 1 BOX 32 C,
HENDERSON, COLORADO.
-----)

PERMIT NO. M-11414

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joseph M. Monson and
William E. Monson, doing business as, "Monson Brothers", Henderson, Colorado
requesting that Permit No. M-11414 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11414, heretofore issued to Joseph M. Monson and
William E. Monson, doing business as, "Monson Brothers", Henderson, Colorado be,
and the same is hereby, declared cancelled effective September 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclings
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
P. L. LITHERLAND, DOING BUSINESS AS,)
"CHEYENNE DRUG COMPANY", 1701 SOUTH)
TEJON STREET, COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. M-7845

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from P. L. Litherland, doing business as, "Cheyenne Drug Company", Colorado Springs, Colorado requesting that Permit No. M-7845 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7845, heretofore issued to P. L. Litherland, doing business as, "Cheyenne Drug Company", Colorado Springs, Colorado be, and the same is hereby, declared cancelled effective June 20, 1960.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclung
Howard S. Bjelland
Ralph C. Anderson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE SPUNGIN, 1359 NEWTON STREET,)
DENVER 4, COLORADO.)

PERMIT NO. M-2583

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George Spungin,
Denver 4, Colorado

requesting that Permit No. M-2583 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2583, heretofore issued to George Spungin,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective September 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph G. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SALVADOR LOVATO, PITKIN, COLORADO.)

PERMIT NO. M-2017

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Salvador Lovato,
Pitkin, Colorado
requesting that Permit No. M-2017 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2017, heretofore issued to Salvador Lovato,
Pitkin, Colorado be,
and the same is hereby, declared cancelled effective October 8, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclaus
Howard S. Bjelland
Ralph G. Johnson
Commissioners

Dated at Denver, Colorado,

this 21st day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LUMBER DEALERS, INCORPORATED, P. O.)
BOX 6886, DENVER 16, COLORADO.)

PERMIT NO. M-4403

November 21, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lumber Dealers, Inc.,
Denver 16, Colorado
requesting that Permit No. M-4403 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4403, heretofore issued to Lumber Dealers, Inc.,
Denver 16, Colorado be,
 and the same is hereby, declared cancelled effective October 12, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Jackson
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD B. MILES, DOING BUSINESS AS,)
"HIDDEN VALLEY OIL COMPANY", P. O.)
BOX 373, IDAHO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-2597

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward B. Miles, doing
business as, "Hidden Valley Oil Company", Idaho Springs, Colorado
requesting that Permit No. M-2597 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2597, heretofore issued to Edward B. Miles, doing
business as, "Hidden Valley Oil Company", Idaho Springs, Colorado be,
and the same is hereby, declared cancelled effective October 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zuckerman
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROOF TRUSSES, INCORPORATED, 512)
SECURITY LIFE BUILDING, DENVER 2,)
COLORADO.)
-----)

PERMIT NO. M-428

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roof Trusses, Inc.,
Denver 2, Colorado
requesting that Permit No. M-428 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-428, heretofore issued to Roof Trusses, Inc.,
Denver 2, Colorado be,
and the same is hereby, declared cancelled effective September 30, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN G. BATTE, DOING BUSINESS AS,)
"BATTE FRUIT COMPANY", 1114 EAST 11TH)
STREET, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-3286

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John G. Batte, doing
business as, "Batte Fruit Company", Pueblo, Colorado
requesting that Permit No. M-3286 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3286, heretofore issued to John G. Battee, doing
business as, "Batte Fruit Company", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective June 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Arnold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PRODUCE DEALERS', INCORPORATED,)
BUILDING C STATE FARMERS MARKET,)
FOREST PARK, GEORGIA.)
-----)

PERMIT NO. M-9691

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Produce Dealers', Inc.,
Forest Park, Georgia
requesting that Permit No. M-9691 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9691, heretofore issued to Produce Dealers', Inc.,
Forest Park, Georgia be,
and the same is hereby, declared cancelled effective October 23, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Denny E. Zarlengo
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JIM ZARLENGO, DOING BUSINESS AS,
"ZARLENGO FRUIT COMPANY", 813 DENARGO
MARKET, DENVER 12, COLORADO.)
-----)

PERMIT NO. M-1170

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jim Zarlengo, doing
business as, "Zarlengo Fruit Company", Denver 12, Colorado
requesting that Permit No. M-1170 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1170, heretofore issued to Jim Zarlengo, doing
business as, "Zarlengo Fruit Company", Denver 12, Colorado be,
and the same is hereby, declared cancelled effective September 23, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JACK METZLER, DOING BUSINESS AS,)
"JACK METZLER EXCAVATING", P. O. BOX)
513, BERTHOUD, COLORADO.)
-----)

PERMIT NO. M-410

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jack Metzler, doing
business as, "Jack Metzler Excavating", Berthoud, Colorado
requesting that Permit No. M-410 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-410, heretofore issued to Jack Metzler, doing
business as, "Jack Metzler Excavating", Berthoud, Colorado be,
and the same is hereby, declared cancelled effective October 26, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zachary
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

original

(Decision No. 61749)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY OF ASPEN WATER COMPANY,)
ASPEN, COLORADO.)

CASE NO. 5255

November 7, 1963

S T A T E M E N T

By the Commission:

On October 30, 1963, the Commission entered its Decision No. 61660, setting the above-styled application for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at ten o'clock A. M., November 12, 1963.

The Commission is now in receipt of a communication from Frederick Hendy, President of Respondent herein, stating:

"Aspen Water Company hereby would accept an Order of the Public Utilities Commission of the State of Colorado cancelling this Certificate of Public Convenience and Necessity should the Commission find it in the best interests of all concerned."

Order will be subsequently issued by this Commission, complying with Respondent's request.

F I N D I N G S

THE COMMISSION FINDS:

That hearing of the above-styled Case should be vacated, as set forth in the Order following.

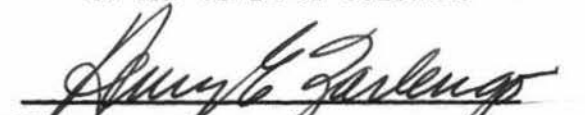
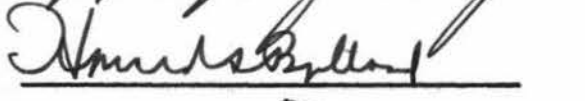
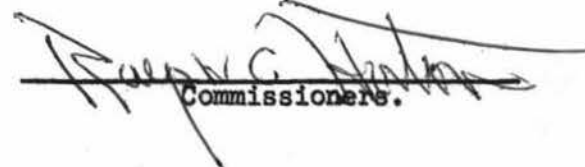
O R D E R

THE COMMISSION ORDERS:

That hearing of Case No. 5255, set for 10:00 o'clock A. M., November 12, 1963, be, and the same hereby is, vacated.

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 November, 1963.

mls

original

(Decision No. 61750)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY OF ASPEN WATER COMPANY,)
ASPEN, COLORADO,)
Respondent.)

CASE NO. 5255

November 13, 1963

S T A T E M E N T

By the Commission:

The Commission instituted the above Case which has to do with a certificate of public convenience and necessity issued by the Commission to the Aspen Water Company. It appears that the City of Aspen condemned the water properties of the Aspen Water Company in 1959 and since that date, the Aspen Water Company has not been rendering water service. The Commission set the matter for hearing to determine whether or not the outstanding certificate of Aspen Water Company should be cancelled.

The Commission is now in receipt of a letter from Mr. Frederick Hendy, President of Aspen Water Company, stating that he would be unable to attend the hearing since he is out of the State and further stating that he would accept an order of this Commission cancelling the certificate of public convenience and necessity if the Commission finds that it is in the best interests of all concerned. Mr. Hendy further requests that if at some time in the future it would be economically feasible for the Aspen Water Company to again render water service in the environs of Aspen, that the matter of the cancellation could be reconsidered.

The Order setting the hearing provided that in the event the

Respondent failed to appear, the Commission, nevertheless, would hear and determine the matter and issue such Order as it deemed appropriate.

F I N D I N G S

THE COMMISSION FINDS:

That the certificate now held by the Aspen Water Company should be cancelled since no water service is being rendered under said certificate.

That the cancellation of the certificate of the Aspen Water Company herein is without prejudice and that at any time in the future the Aspen Water Company desires to render water service, it should be permitted to make application for a new certificate of public convenience and necessity, but that whether or not a certificate should be issued will depend upon the existing facts at that time.

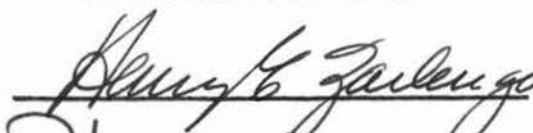


O R D E R

THE COMMISSION ORDERS:

That the certificate of public convenience and necessity issued by this Commission to the Aspen Water Company, in Application No. 12428, by Decision No. 41074, of August 7, 1953, be, and it hereby is, cancelled.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 13th day of November, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOMER E. BISHOP, P. O. BOX 585,)
MONTE VISTA, COLORADO.)

PERMIT NO. M-5241

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Homer E. Bishop,
Monte Vista, Colorado

requesting that Permit No. M-5241 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5241, heretofore issued to Homer E. Bishop,
Monte Vista, Colorado be,
and the same is hereby, declared cancelled effective November 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE B. ALEXANDER, ROUTE 1, OLATHE,)
COLORADO.)

PERMIT NO. M-2476

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joe B. Alexander,
Olathe, Colorado

requesting that Permit No. M-2476 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2476, heretofore issued to Joe B. Alexander,
Olathe, Colorado be,
and the same is hereby, declared cancelled effective October 25, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
Howard J. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE T. PACHECO, DEL NORTE, COLORADO.)

PERMIT NO. M-10551

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joe T. Pacheco,
Del Norte, Colorado

requesting that Permit No. M-10551 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10551, heretofore issued to Joe T. Pacheco,
Del Norte, Colorado be,
and the same is hereby, declared cancelled effective September 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zaslavsky
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HENRY N. BOTZ, 213 $\frac{1}{2}$ SANTA FE,
FOUNTAIN, COLORADO.

PERMIT NO. M-14179

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Henry N. Botz,

Fountain, Colorado

requesting that Permit No. M-14179 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14179, heretofore issued to Henry N. Botz,

Fountain, Colorado

be,

and the same is hereby, declared cancelled effective September 30, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
H. S. NORLIN AND IRENE NORLIN, DOING)
BUSINESS AS, "MC CLELLAND ORCHARDS",)
ROUTE 1, FORT COLLINS, COLORADO.)
-----)

PERMIT NO. M-1447

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. S. Norlin and
Irene Norlin, dba "Mc Clelland Orchards", Ft. Collins, Colorado
requesting that Permit No. M-1447 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1447, heretofore issued to H. S. Norlin and Irene
Norlin, dba "Mc Clelland Orchards", Ft. Collins, Colorado be,
and the same is hereby, declared cancelled effective November 5, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold J. Bjelland
Ray C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES H. GIFFORD, P. O. BOX 155)
MILNER, COLORADO.)

PERMIT NO. M-1055

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles H. Gifford,
Milner, Colorado

requesting that Permit No. M-1055 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1055, heretofore issued to Charles H. Gifford,
Milner, Colorado be,
and the same is hereby, declared cancelled effective August 31, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
 Howard S. Bjelland
 Ray C. Horton
 Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GENE POULSON, SANFORD, COLORADO.)

PERMIT NO. M-13274

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gene Poulson,
Sanford, Colorado
requesting that Permit No. M-13274 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13274, heretofore issued to Gene Poulson,
Sanford, Colorado be,
and the same is hereby, declared cancelled effective October 18, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

OF THE STATE OF COLORADO
Henry E. Ziegler
Harold S. Bjelland
Ralph C. Horton
 Commissioners

Dated at Denver, Colorado,

this 27th day of November, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EVERETT C. POWELL, DOING BUSINESS AS,)
"E C CASH PRODUCE", BENKELMAN, NEBRASKA.)
-----)

PERMIT NO. M-10445

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Everett C. Powell,
doing business as "E C Cash Produce", Benkelman, Nebraska
requesting that Permit No. M-10445 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10445, heretofore issued to Everett C. Powell,
doing business as, "E C Cash Produce", Benkelman, Nebraska be,
and the same is hereby, declared cancelled effective October 9, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziegler
Arnold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WELDON F. FRANK, 2028 SOUTH MEADE,)
DENVER 19, COLORADO.)

PERMIT NO. M-10274

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Weldon F. Frank,
Denver 19, Colorado
requesting that Permit No. M-10274 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10274, heretofore issued to Weldon F. Frank,
Denver 19, Colorado be,
and the same is hereby, declared cancelled effective October 28, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
 Howard S. Bjelland
 Ray C. Horton
 Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOLIDAY TRAILER SALES, INCORPORATED,)
2000 WEST 92ND AVENUE, DENVER 21,)
COLORADO.)
-----)

PERMIT NO. M-142

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Holiday Trailer Sales,
Inc., Denver 21, Colorado
requesting that Permit No. M-142 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-142, heretofore issued to Holiday Trailer Sales,
Inc., Denver 21, Colorado be,
and the same is hereby, declared cancelled effective September 23, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold J. Bjelland
Raymond C. Norton
Commissioners

Dated at Denver, Colorado,
this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. DOYLE ORCUTT, HAXTUN, COLORADO.)

PERMIT NO. M-8099

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. Doyle Orcutt,
Haxtun, Colorado
requesting that Permit No. M-8099 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8099, heretofore issued to R. Doyle Orcutt,
Haxtun, Colorado be,
and the same is hereby, declared cancelled effective September 30, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
H. J. SANDSTEAD, DOING BUSINESS AS,)
"SANDY'S APPLIANCES", 132 SOUTH)
INTEROCEAN, HOLYOKE, COLORADO.)
-----)

PERMIT NO. M-6065

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. J. Sandstead, doing
business as, "Sandy's Appliances", Holyoke, Colorado
requesting that Permit No. M-6065 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6065, heretofore issued to H. J. Sandstead, doing
business as, "Sandy's Appliances", Holyoke, Colorado be,
and the same is hereby, declared cancelled effective October 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
B. W. PHAGAN, DOING BUSINESS AS,)
"HUGO FEED COMPANY", HUGO, COLORADO.)
_____))
_____)

PERMIT NO. M-2391

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from B. W. Phagan, doing
business as, "Hugo Feed Company", Hugo, Colorado
requesting that Permit No. M-2391 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2391, heretofore issued to B. W. Phagan, doing
business as, "Hugo Feed Company", Hugo, Colorado be,
and the same is hereby, declared cancelled effective October 10, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES L. DAVENPORT, ROUTE 1 BOX 225,
FORT LUPTON, COLORADO.

PERMIT NO. M-10478

November 27, 19 63

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles L. Davenport,
Fort Lupton, Colorado

requesting that Permit No. M-10478 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10478, heretofore issued to Charles L. Davenport,
Fort Lupton, Colorado be,
and the same is hereby, declared cancelled effective September 23, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziegler
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LLOYD A. POPE AND LEE H. HIRSCH, DOING)
BUSINESS AS, "POPE FORD TRACTOR)
COMPANY", 410 EAST 7TH STREET, PUEBLO,)
COLORADO.)
-----)

PERMIT NO. M-10075

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lloyd A. Pope and
Lee H. Hirsh, dba "Pope Ford Tractor", Pueblo, Colorado
requesting that Permit No. M-10075 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10075, heretofore issued to Lloyd A. Pope and Lee
H. Hirsh, dba "Pope Ford Tractor", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective October 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaslavsky
Harold J. Bjelland
Robert C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EVERETT LUPER, P. O. BOX 385,
JOHNSON, ARKANSAS.

PERMIT NO. M-10713

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Everett Luper,
Johnson, Arkansas
requesting that Permit No. M-10713 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10713, heretofore issued to Everett Luper,
Johnson, Arkansas be,
and the same is hereby, declared cancelled effective October 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry C. Ziegler
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JERRY PHELPS, DOING BUSINESS AS,)
"PIKES PEAK TRAILER SUPPLY", 1729)
SOUTH NEVADA, COLORADO SPRINGS, COLO-)
RADO.)
-----)

PERMIT NO. M-14444

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jerry Phelps, doing
business as, "Pikes Peak Trailer Supply", Colorado Springs, Colorado
requesting that Permit No. M-14444 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14444, heretofore issued to Jerry Phelps, doing
business as, "Pikes Peak Trailer Supply", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective October 10, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

LENARD H. KAHRE, 4532 WEST 35TH
AVENUE, DENVER 12, COLORADO.

PERMIT NO. M-735

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lenard H. Kahre,
Denver 12, Colorado

requesting that Permit No. M-735 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-735, heretofore issued to Leonard H. Kahre,
Denver 12, Colorado be,
and the same is hereby, declared cancelled effective November 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

CANCELLATION--COMMON CARRIER

(Decision No. 61769)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LEONARD H. KAHRE, 4532 WEST 35TH)
AVENUE, DENVER 12, COLORADO.)

PUC NO. 4741-I

November 27, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lenard H. Kahre,
Denver 12, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4741-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. 4741-I heretofore issued to Lenard H.
Kahre, Denver 12, Colorado

be, and the same is hereby, declared cancelled effective November 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
 Howard L. Bjelland
 Roderic C. Horton
 Commissioners

Dated at Denver, Colorado
this 27th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ERLING HOLTE, DOING BUSINESS AS,)
"HOLTE OIL COMPANY", 11TH AND DENVER,)
GUNNISON, COLORADO.)
-----)

PERMIT NO. M-5508

November 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Erling Holte, doing
business as, "Holte Oil Company", Gunnison, Colorado
requesting that Permit No. M-5508 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5508, heretofore issued to Erling Holte, doing
business as, "Holte Oil Company", Gunnison, Colorado be,
and the same is hereby, declared cancelled effective September 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry C. Jaelings
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 19 63.

orig copy

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WESTERN LIVING INC.)
45 East Main Street)
Vernal, Utah)
-----)

AUTHORITY NO. M 15534
CASE NO. 13640 Ins.

November 15, 1963

STATEMENT

By the Commission:

On October 10, 1963, 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.

FINDINGS

THE COMMISSION FINDS:

That said Authority should be restored to active status.

ORDER

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
Henry C. Jennings
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 15th day of November, 1963

original

(Decision No. 61772)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN E. AVARA AND LOLA M. AVARA,)
DOING BUSINESS AS "AVARA TRUCK)
LINES," ORDWAY, COLORADO.)
- - - - -)

CASE NO. 5257
ORDER TO SHOW CAUSE
AND
NOTICE OF HEARING

- - - - -
November 14, 1963
- - - - -

S T A T E M E N T

By the Commission:

The above-named respondents have been heretofore issued a certificate of public convenience and necessity, known as No. 360 & I. Said certificate appears to be presently in full force and effect.

The files of this Commission disclose that an informal complaint has been filed with the Commission concerning unpaid COD shipments by respondents, and that the staff of the Commission was advised that by letter dated October 25, 1963, said respondents were directed to file a COD Bond in the amount of \$2,000, as required by the rules and regulations of this Commission, within ten (10) days thereof, and that respondents have failed to so do.

F I N D I N G S

THE COMMISSION FINDS:

That sufficient cause exists for the holding of a hearing to determine the facts of said matter, and to determine what order or penalty, if any, should be made or imposed by the Commission.

O R D E R

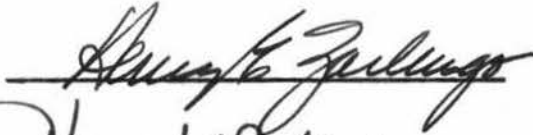
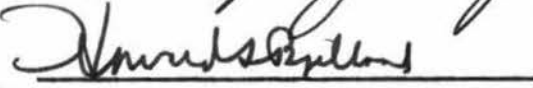

THE COMMISSION ORDERS:

That this Case be, and the same hereby is, set down for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at ten o'clock A. M., on December 9th, 1963, at which time and place such evidence as is

proper may be introduced and such arguments as are material to the issue may be presented.

That respondents John E. Avara and Lola M. Avara, doing business as "Avara Truck Lines," are directed to show cause why the Commission should not take such action and enter such order or penalty as may be appropriate, including, but not limited to, an order cancelling the aforesaid certificate of the respondents.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 14th day of November, 1963.

ea

original

(Decision No. 61773)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PLATEAU NATURAL GAS COMPANY, COLO-)
RADO SPRINGS, COLORADO, FOR A CERTIF-)
ICATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY, AUTHORIZING THE CONSTRUC-)
TION OF NATURAL GAS SYSTEMS FOR THE)
TRANSMISSION, DISTRIBUTION AND SALE)
OF NATURAL GAS IN CERTAIN AREAS OF)
ELBERT COUNTY, COLORADO.)

APPLICATION NO. 19885
SUPPLEMENTAL ORDER

November 15, 1963

Appearances: John A. Phillips, Esq., Colo-
rado Springs, Colorado, for
Applicant;
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:

On August 12, 1963, by Decision No. 61148, the Commission issued to Plateau Natural Gas Company (Applicant), subject to the condition therein set forth, an order preliminary to the issuance of a final certificate of public convenience and necessity to construct, operate, maintain and extend from time to time a natural gas distribution system in the Town of Kiowa, Colorado, and in the areas adjacent thereto, and to sell and distribute at retail natural gas to anticipated gas customers in said Town, and in the areas adjacent thereto.

In the same Decision, the Commission, among other things, ordered that a final certificate of public convenience and necessity would be issued to Applicant to construct, operate and maintain a natural gas distribution system in the Town of Kiowa, Colorado, and in the areas adjacent thereto, provided Applicant, within one year

from August 12, 1963, files with the Commission an application for the issuance of a final certificate of public convenience and necessity and supports such application, in a manner satisfactory to the Commission, by showing that Applicant has obtained a valid long term franchise to sell and distribute natural gas in the Town of Kiowa, Colorado.

Applicant has now filed its First Supplemental Application herein showing that on September 10, 1963, the Board of Trustees of the Town of Kiowa duly passed and adopted Ordinance No. 19 of the Town of Kiowa:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF KIOWA, COLORADO, TO PLATEAU NATURAL GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE TOWN OF KIOWA, ELBERT COUNTY, COLORADO, A PLANT OR PLANTS, WORKS, AND SYSTEM OR SYSTEMS, FOR THE PURCHASE, MANUFACTURE, TRANSMISSION AND DISTRIBUTION OF GAS, WHETHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SUCH GAS TO THE TOWN OF KIOWA, AND THE INHABITANTS THEREOF, FOR HEATING, COOKING, OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, SERVICES AND OTHER NECESSARY STRUCTURES AND APPLIANCES THERETO APPERTAINING, 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 KIOWA, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term is 25 years. Franchise tax provisions are contained in the Ordinance, which franchise charges will be surcharged as is the Company's practice in other communities where franchise payments are made. Exhibit "A" to said First Supplemental Application is a copy of the franchise ordinance.

A final certificate of public convenience and necessity as sought by Applicant in its First Supplemental Application should now be issued by the Commission in the instant proceeding.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the subject matter

involved in the application, as supplemented.

That the Commission is fully advised in the premises.

That public convenience and necessity requires and will require the construction, operation and maintenance of a natural gas distribution system in the Town of Kiowa, Colorado, and in areas adjacent thereto, as proposed by Applicant, and the sale and distribution at retail of natural gas to anticipated gas customers in said Town, and the areas adjacent thereto.

That the public convenience and necessity requires and will require the exercise by Applicant of the gas franchise rights granted in and by Ordinance No. 19 of the Town of Kiowa, for the purchase, manufacture, transmission, distribution and sale of gas, either natural, artificial or mixed, by Applicant in said Town.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the construction, operation, maintenance and extension from time to time of a natural gas distribution system in the Town of Kiowa, Colorado, and in areas adjacent thereto, and the sale and distribution at retail of natural gas to anticipated gas customers in said Town, and in areas adjacent thereto, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require, and will require, the exercise by Applicant of the franchise rights granted in and by Ordinance No. 19 of the Town of Kiowa, Colorado, dated September 10, 1963, for the purchase, manufacture, transmission, distribution and sale of gas, either natural, artificial or mixed, by Applicant in said Town and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That this Commission shall retain jurisdiction of this matter to make such further Order or Orders as may be deemed necessary.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin E. Zalkin
David B. Bell
Robert C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 15th day of November, 1963.

mls

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 EX-)
ERCISE RIGHTS UNDER A FRANCHISE)
GRANTED TO APPLICANT BY THE BOARD)
OF TRUSTEES OF THE TOWN OF OLNEY)
SPRINGS, IN CROWLEY COUNTY, COLO-)
RADO.)
-----)

APPLICATION NO. 20071

November 15, 1963

Appearances: Preston & Altman, Esqs.,
Pueblo, Colorado, by
David A. Preston, Esq.,
for Applicant;
John P. Thompson, Esq.,
Denver, Colorado, for
Southeast Colorado
Power Association;
J. M. McNulty, Denver,
Colorado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on September 26, 1963, and was set for hearing by the Commission, after due notice to all interested parties, on Monday, October 28, 1963, at 2:00 o'clock P. M., in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado. This application was consolidated for hearing with Application No. 20072. At said time and place the matters were heard by the Commission, and at the conclusion of the hearing, taken under advisement.

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

Applicant is a Delaware corporation, authorized to do business in the State of Colorado, and a copy of its Articles of Incorporation, together with a copy of the Authorization by the

Secretary of State of the State of Colorado to do business in said State, issued to said Western Power & Gas Company, has previously been filed with this Commission.

Applicant is a public utility subject to the jurisdiction of this Commission, and is engaged primarily in the generation, transmission, distribution, and sale of electric energy at various locations within Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller, and Custer Counties, in the State of Colorado.

Applicant is presently serving the Town of Olney Springs and its inhabitants with electric service, and has been so doing for some time past. The rates for said service presently in effect are on file with this Commission. Applicant applied for and obtained from the Board of Trustees of the Town of Olney Springs a franchise authorizing it to render electric service to the Town and its inhabitants. Ordinance No. 98 is entitled as follows:

AN ORDINANCE GRANTING TO WESTERN POWER & GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO FURNISH THE TOWN OF OLNEY SPRINGS 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 Ordinance was approved August 5, 1953, and is for a period of twenty-five years from and after thirty (30) days following the publication of said ordinance on August 8, 1963. A copy of the ordinance was introduced at the hearing as Exhibit "A", together with the Acceptance by the Company, together with Certified Transcript of the proceedings relating to the franchise before the Board of Trustees of the Town of Olney Springs, submitted as Exhibits "D" and "E", respectively.

Witness on behalf of Applicant testified that the Company has been serving electricity in Olney Springs and in the environs of said Town for many years. The estimated population is 270, and the

Company serves 126 customers in the Town. The fringe population amounts to approximately 3 people and 1 customer is served. There is no other utility engaged in the distribution of electric energy within the Town or in the area immediately adjacent thereto.

Applicant has steam power plants located at Pueblo in Pueblo County, at Canon City in Fremont County, and at Rocky Ford in Otero County, and has a hydro-electric plant located at Skaguay in Teller County. These plants are all interconnected by transmission lines, and Olney Springs, in turn, is supplied from this interconnected system. Applicant at present has an investment in the Town and the surrounding area, amounting to approximately \$18,086.89, and anticipates a further expenditure of about \$4,500.00 during the life of the franchise. Applicant will be charged the minimum fee for the issuance of the certificate sought herein.

The Commission has reviewed the application and the evidence presented by the Applicant in support thereof, and believes the authority sought herein should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the Applicant herein, Western Power & Gas Company, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Western Power & Gas Company of the franchise rights granted in and by Ordinance No. 98 of the Town of Olney Springs, Colorado, dated August 5, 1963, for the generation, transmission, distribution, and sale of electricity in said Town of Olney Springs by Western Power & Gas Company, and that said authority sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:




That public convenience and necessity require, and will require, the exercise by Western Power & Gas Company of the franchise rights granted in and by Ordinance No. 98, of August 5, 1963, of the Town of Olney Springs, Crowley County, Colorado, identified as Exhibit "A", and, by reference, made a part hereof, to furnish electricity in said Town and along the route of its transmission lines in the territory surrounding said Town, and for the extension of Applicant's facilities, lines, plant or system in the territory surrounding said Town, in accordance with the Public Utilities Act of the State of Colorado, 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 electrical 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 always and at all times comply with the Rules Regulating the Service of Gas and Electric Utilities as prescribed by this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of November, 1963.

ea
15

original

(Decision No. 61775)

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-
CISE RIGHTS UNDER A FRANCHISE
GRANTED TO APPLICANT BY THE BOARD
OF TRUSTEES OF THE TOWN OF CROWLEY,
IN CROWLEY COUNTY, COLORADO.
-----)

APPLICATION NO. 20072

November 15, 1963

Appearances: Preston & Altman, Esqs.,
Pueblo, Colorado, by
David A. Preston, Esq.,
for Applicant;
John P. Thompson, Esq.,
Denver, Colorado, for
Southeast Colorado
Power Association;
J. M. McNulty, Denver,
Colorado, for the Staff
of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Com-
mission on September 26, 1963, and was set for hearing by the
Commission after due notice to all interested parties, on Monday,
October 28, 1963, at 2:00 o'clock P. M., in the Commission's Hearing
Room, 532 State Services Building, Denver, Colorado. This applica-
tion was consolidated for hearing with Application No. 20071. At
said time and place the matters were heard by the Commission, and
at the conclusion of the hearing, taken under advisement.

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

Applicant is a Delaware corporation, authorized to do busi-
ness in the State of Colorado, and a copy of its Articles of Incorpora-
tion, together with a copy of the Authorization by the Secretary of

the State of Colorado to do business in said State, issued to said Western Power & Gas Company, has previously been filed with this Commission.

Applicant is a public utility subject to the jurisdiction of this Commission, and is engaged primarily in the generation, transmission, distribution and sale of electric energy at various locations within Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller and Custer Counties, in the State of Colorado.

Applicant is presently serving the Town of Crowley and its inhabitants with electric service, and has been so doing for some time past. The rates for said service presently in effect are on file with this Commission. Applicant applied for and obtained from the Board of Trustees of the Town of Crowley a franchise authorizing it to render electric aservice to the Town and its inhabitants. Ordinance No. 36 is entitled as follows:

AN ORDINANCE GRANTING TO WESTERN POWER & GAS COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT AND FRANCHISE TO FURNISH THE TOWN OF CROWLEY 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 Ordinance was approved August 6, 1963, and is for a period of twenty-five years from and after thirty (30) days following the publication of said ordinance on August 8, 1963. A copy of the Ordinance was introduced at the hearing as Exhibit "A", together with the Acceptance by the Company, together with Certified Transcript of the proceedings relating to the franchise before the Board of Trustees of the Town of Crowley, submitted as Exhibits "D" and "E", respectively.

Witness on behalf of Applicant testified that the Company has been serving electricity in Crowley and in the environs of said Town for many years. The estimated population is 300, and the Company serves 113 customers in the Town. The fringe population amounts to approximately 14 people and 5 customers are served. There is no other

utility engaged in the distribution of electric energy within the Town or in the area immediately adjacent thereto.

Applicant has steam power plants located at Pueblo in Pueblo County, at Canon City in Fremont County, and at Rocky Ford in Otero County, and has a hydro-electric plant located at Skaguay in Teller County. These plants are all interconnected by transmission lines, and Crowley, in turn, is supplied from this interconnected system. Applicant at present has an investment in the Town and the surrounding area amounting to approximately \$18,181.23, and anticipates a further expenditure of about \$4,500.00 during the life of the franchise. Applicant will be charged the minimum fee for the issuance of the certificate sought herein.

The Commission has reviewed the application and the evidence presented by the Applicant in support thereof, and believes the authority sought herein should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the Applicant herein, Western Power & Gas Company, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

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

That public convenience and necessity require, and will require, the exercise by Western Power & Gas Company of the franchise rights granted in and by Ordinance No. 36 of the Town of Crowley, Colorado, dated August 6, 1963, for the generation, transmission, distribution and sale of electricity in said Town of Crowley by Western Power & Gas Company, and that said authority sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:


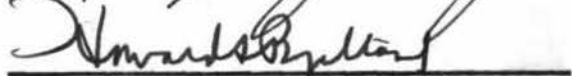
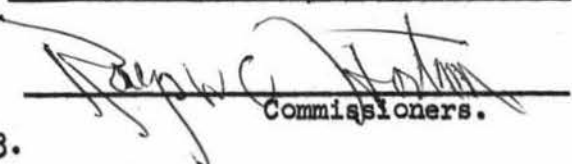
That public convenience and necessity require, and will require, the exercise by Western Power & Gas Company of the franchise rights granted in and by Ordinance No. 36, of August 6, 1963, of the Town of Crowley, Crowley County, Colorado, identified as Exhibit "A", and, by reference, made a part hereof, to furnish electricity in said Town and along the route of its transmission lines in the territory surrounding said Town, and for the extension of Applicant's facilities, lines, plant or system in the territory surrounding said Town, in accordance with the Public Utilities Act of the State of Colorado, 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 electrical 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 always and at all times comply with the Rules Regulating the Service of Gas and Electric Utilities as prescribed by this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of November, 1963.

ea

original

(Decision No. 61776)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHERN UNION GAS COMPANY, DURANGO,)
COLORADO, FOR AN ORDER AUTHORIZING)
CERTAIN CHANGES IN ITS RATES FOR GAS)
SERVICE RENDERED IN DURANGO AND LA)
PLATA COUNTY, COLORADO.)

APPLICATION NO. 20105

November 15, 1963

Appearances: Barry & Boyle, Esqs., Denver,
Colorado, by
John R. Barry, Esq., Denver,
Colorado,
A. S. Grenier, Esq., Dallas,
Texas, and
James R. Wetherbee, Dallas,
Texas, for Applicant;
Leonard M. Campbell, Esq.,
Denver, Colorado, and
Emigh and Emigh, Esqs.,
Durango, Colorado, for the
City of Durango;
Paul M. Brown, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

Southern Union Gas Company, hereinafter referred to as Southern Union, or Applicant, on October 8, 1963, filed an application with this Commission for an order authorizing proposed changes in its rates for gas service rendered in Durango, in La Plata County, Colorado, pursuant to the Order contained in this Commission's Decision No. 61204, of August 19, 1963, wherein the Commission permitted Southern Union to file a new schedule of gas rates within thirty days of the effective date of the Order, increasing its gross operating revenues \$57,413 annually and to produce gross annual operating revenues in the amount of \$600,035.

The matter was set for hearing in Denver, Colorado, at ten o'clock A. M., on October 29, 1963, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The City of Durango filed a written protest objecting to the Commission receiving and acting upon this application, alleging it to be contrary to the provisions of the twenty-five year franchise and the contractual right under said franchise and the contractual right under said franchise of the City of Durango and its rate payers; that there is also an appeal pending in the Denver District Court of the Commission's prior Decisions Nos. 61204 and 61348, of August 19, 1963, and September 12, 1963, respectively, and further alleging it would be inappropriate to proceed at this time since the jurisdiction of the Commission is under appeal to the Courts as a result of its prior Decisions. At the opening of the hearing, Attorney for Protest-ant moved to dismiss the application.

Applicant objected to a continuance of the hearing. The protest was taken under advisement by the Commission, and Applicant was ordered to proceed with its testimony.

Applicant is a corporation duly organized and existing under and by virtue of the laws of the State of Delaware and is qualified to do business in the State of Colorado as a foreign corporation. Applicant is a public utility subject to the jurisdiction of this Commission and is engaged in the business of producing, purchasing, transporting, distributing and selling natural gas in various communities of the Southwestern States and including areas adjacent to and in the City of Durango, in La Plata County, Colorado. The jurisdiction of this Commission is applicable only to its operations in Colorado.

Applicant's principal office is located in the Fidelity Union Tower, Dallas 1, Texas, and a local office is maintained in Durango, Colorado.

Mr. David Nicols, Manager of the Rate Department of Southern

Union Gas Company, presented the following testimony:

This Commission, in its Decision No. 61204, found the value of the operating properties in the State of Colorado necessary to the furnishing of gas service to its customers in Durango and adjacent areas to be \$1,283,622; the fair rate of return to be 6.4%, and from this basis determined that Applicant should be permitted to file new rates for gas service to increase its gross operating revenue by \$57,413 annually which should produce a total gross operating revenue in the amount of \$600,035.

Exhibits submitted included:

An Advice Letter covering the rates Applicant proposed to file to produce the increase in revenue as established to be allowable by the Commission.

A set of revised tariff Sheets Nos. 3, 6, and 8 setting forth the rates Applicant proposed to accomplish the increase in revenues set forth by the Commission in its Decision.

A summary of the test year revenues as normalized for weather and growth.

A summary of the revenues that would be received under the proposed rates under the conditions of normalization for weather and growth.

The tariffs as filed eliminate the presently existing prompt payment discount which produced revenue of \$7,427 in the test year. The payment due date is being changed from fifteen days from the date of the bill to ten days from the date of the bill. Reasons advanced by the witness for this change were to reduce unpaid bills; to reduce the unpaid balances that are frequently shown on the bills, which, in fact, have been paid, but due to the accounting time lag still appear on the customer's new bill and to avoid penalizing customers who were unable to meet the due date because of the varying dates of the month on which the customers receive their wage or salary payments.

Certain schedules were not adjusted in the proposed rate

filings. These included industrial sales to the Vanadium Corporation of America and Western Colorado Power Company, one location to the Fort Lewis School and a General Service Schedule applicable to service from gas transmission lines which already carries a higher rate than those proposed to be filed hereunder. Vanadium Corporation of America mills have been closed and, therefore, no sales can be made to this customer. Sales to the Western Colorado Power Company have been used, substantially, if not totally, for boiler fuel and such sales have been steadily decreasing due to a transfer of load by the Power Company from its Durango generating station to generating stations in other areas and no increase of revenues would be available from this source. The existing rate to the Fort Lewis School is higher than the rates proposed to be filed herein. This rate was established in part because of extraordinary investment required at the time the gas line extension was made to serve the school and a further consideration is the conversion to company use of facilities that originally were installed for benefit only to the school.

As a practical consideration applying any portion of increased revenue allowed by the Commission to the above classes might be contrary to the interests of the customers and the Company. No increase of revenue would be received by the Company by such an action and it would merely accelerate the time at which the Company might return to the Commission for a further increase in revenue. This process is costly to the customer, the Company, and the Commission, and frequent rate cases by the same Company should be avoided.

The substantial part of the revenue increase will be received under the Company's General Service Rate, Sheet No. 3 of its Tariff Colorado P.U.C. No. 1. This rate covers service to residential, commercial and governmental authorities. The other increase would be to a second service delivery point of the Fort Lewis School

under Rate Sheet No. 6. While this rate is available to the School by special contract, the proposed rate will be identical to the General Service Rate.

Normalized revenues received during the test year under Rate Sheet No. 3 are as follows:

Gas Sales	\$374,071
Forfeited Discounts . . .	<u>7,427</u>
Total.	\$381,498

The revenues proposed at the new rates under the same conditions amount to \$437,550

Increase in Revenue, Sheet No. 3 \$56,052

Increase in Revenue for Fort Lewis School will be from \$1,526 to \$1,424, Sheet No. 4 \$ 168

Deducting an allowance for the estimated increase in uncollectible billed revenues in the amount of . . . \$ (190)

The net increase in revenue under the rates proposed to be filed amounts to. \$56,030

The Commission authorized an increase in the amount of \$57,413

leaving a margin of revenue below those authorized by the Commission equal to. \$ 1,383

The total revenues on the normalized basis that would have been received by the Company during the test year under the proposed rates are as follows:

<u>Classification</u>	<u>Sheet No.</u>	<u>Revenue</u>
General Gas Service	3	\$437,550
Industrial Service Sales.	4	\$153,982
Fort Lewis School	6	\$ 1,424
Fort Lewis School, new location	7	\$ 5,080
General Service from Gas Transmission Lines	8	\$ 358
Other Revenue		<u>\$ 448</u>
Total Revenues to be received under proposed rates.		\$598,842
Total Revenues allowed in Commission Decision No. 61204.		<u>\$600,035</u>
Deficiency under Commission allowance . . .		\$ 1,193
Less uncollectible Revenues		\$ (190)
Net Deficiency.		\$ 1,383

The Staff advised the Commission it had tested the proposed rates and concluded the revenues would be substantially as stated by

Applicant.

Motions to dismiss the application were again made by Attorney for Protestant on further grounds that rates were discriminatory and contrary to the instructions of the Commission's Order. The Commission sees no valid basis for the granting of the motions to dismiss.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement is made a part of these Findings, by reference.

That Southern Union Gas Company is a public utility and with respect to its operations in Colorado is subject to the jurisdiction of this Commission.

That the Commission has jurisdiction of the subject matter hereof.

That all motions made by Protestant, the City of Durango, should be denied.

That the elimination of prompt payment discount placing future billings on a net basis and the change in the due rate for payment are consistent with the public interest and should be permitted to become effective.

That Applicant should file with this Commission on not less than five (5) days' notice to the Commission and the public, rates as set forth in Exhibits B-1, C-1, D-1 submitted herein.

That it should file First Revised Sheet No. 3, First Revised Sheet No. 6, and Seventh Revised Sheet No. 8 in its Tariff, Colorado P.U.C. No. 1, pursuant to Rule 12 of the Rules Regulating the Service of Gas and Electric Utilities.

That the effective date for the application of the Revised Rates should be December 1, 1963, and applicable to all gas use billed beginning with meter readings taken on or after December 1, 1963.

O R D E R


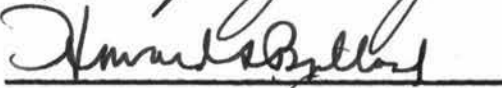

THE COMMISSION ORDERS:

That all motions of Protestant be, and hereby are, denied.

That Southern Union Gas Company shall file its proposed new tariffs as set forth in, and to become effective on the dates of, the Findings above.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of November, 1963.

mls

original

(Decision No. 61777)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MISSOURI PACIFIC RAILROAD COMPANY)	
TO RETIRE TRACK NUMBER 1 AT)	APPLICATION NO. 20106
NEPESTA, COLORADO.)	
-----)	

November 15, 1963

Appearances: Leo C. Altman, Esq.,
Pueblo, Colorado,
for Missouri Pacific
Railroad Company.

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, Missouri Pacific Railroad Company, by its Attorney, did, on October 9, 1963, file its petition requesting authority to abandon and remove certain trackage known as "Nepesta" in Pueblo County, Colorado.

Nepesta is located at Mile Post 870.41 on Applicant's main line between Pueblo, Colorado, and Horace, Kansas, being also some 26.6 miles easterly from Pueblo, Colorado.

According to the instant application, Nepesta is classified as a prepay non-agency station. However, there is no United States Post Office nor any community development in the immediate area. The instant track serves no industries since it was used only as a passing track, and there are no other facilities at the siding for service to the public. Applicant reports that in the past several years there has been no traffic in or out of the Nepesta station. Hence, request is made that removal of the track be authorized and approved since there is no public need for the facility.

Upon investigation of this matter by the Commission, it is found that the affected trackage has a capacity of 77 cars. Other investigation reveals the following facilities as noted near Nepesta:

<u>Mile Post</u>	<u>Station</u>	<u>Trackage</u>	<u>Capacity</u>
857.32	Olney Springs	Sidings	79 cars
863.18	Pultney	Sidings	125 cars
869.29	Crossing of AT&SF and Mo. Pac. main lines		
<u>870.41</u>	<u>Nepesta</u>	<u>Siding No. 1</u>	<u>77 cars</u>
876.10	Boone	Sidings	78 cars
881.22	Avondale	Yard & Sidings	123 cars

The Nepesta trackage of Missouri Pacific is parallel and adjacent to Santa Fe main line in this area. Santa Fe also maintains a siding track and stockyards known as the "Haig Station," which has apparently served the agricultural and livestock needs of the region. However, in the absence of any industry or other service facilities at Nepesta, use of the instant siding track has been limited to operating functions of the railroad.

The Nepesta siding track is crossed near its west end by a semi-public roadway, serving a pasture area and controlled by a closed but unlocked fence gate. Removal of the siding will eliminate possibility of car storage in the area and permit unobstructed view of approaching trains.

It appears in this matter that there are ample rail facilities to meet the public needs of the region. Absence of any community development and non-use of the trackage offers no justification for continued maintenance of the track and main line switches involved. On the other hand, removal of the siding track will secure a reduction of the main line grade crossing hazard, which is in the public interest.

As a matter of public information, a notice of the proposed track removal was posted on the Bulletin Board at the Avondale Station where railroad patrons of the area are served. No protests having been submitted and none appearing in the Commission's files, the Commission determined to hear, and has heard, said matter forthwith, without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity in the Nepesta area can and is being adequately served by other existing stations and track facilities.

That safe and economical railroad operation does not require a siding track at Nepesta, Colorado.

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

O R D E R

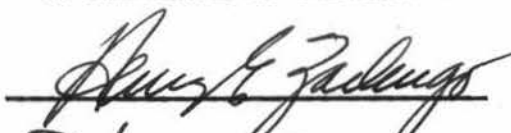
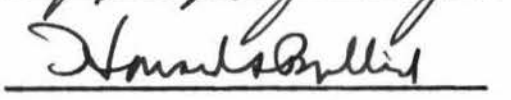
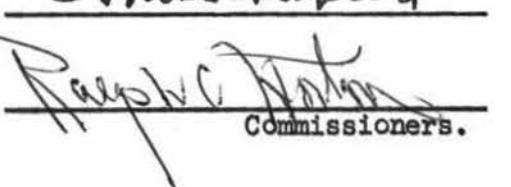
THE COMMISSION ORDERS:

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

That Missouri Pacific Railroad Company, Osawatomie, Kansas, be, and it hereby is, authorized to dismantle, abandon and retire its Siding Track No. 1 at Mile Post 870.41 located at Nepesta, Pueblo County, Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of November, 1963.

ea.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CRESHA BUTLER, EXECUTRIX OF THE)
ESTATE OF ERNEST C. BUTLER, DECEASED,)
CRAWFORD, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 1180 TO OTTO L.) APPLICATION NO. 20120-Transfer
PORTER AND ALVY PORTER, CO-PARTNERS,)
DOING BUSINESS AS "PORTER AND SON,")
CRAWFORD, COLORADO.)
-----)

November 19, 1963

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Ernest C. Butler, Crawford, Colorado, was
authorized to operate as a common carrier by motor vehicle for hire,
for the transportation of:

Farm products (including livestock but excluding
milk and cream), building materials, household
furniture and farm supplies (including farm
machinery), from point to point within a radius
of 50 miles of Crawford, Colorado, PROVIDED,
HOWEVER, that said operations shall be confined
to a farm service and none of said commodities
shall be transported between towns in competition
with established common carriers' line-haul service.

Farm products, including livestock but excluding
milk and cream; farm supplies, including farm
machinery, between all points within a radius
of fifty (50) miles of Crawford, Colorado, and
to and from said area, from and to all points
in the State of Colorado, but excluding the right
to make intermediate stops outside said fifty (50)
mile radius, and further restricting said extended
authority so that applicant shall not be permitted
to maintain an office for securing business at any
place other than Crawford, Colorado, or its im-
mediate environs,

said operating rights being known as "PUC No. 1180."

Said Ernest C. Butler has now departed this life, and by
the above-styled application, Cresha Butler, Executrix of the Estate
of Ernest C. Butler, Deceased, Crawford, Colorado, seeks authority to
transfer PUC No. 1180 to Otto L. Porter and Alvy Porter, co-partners,
doing business as "Porter and Son," Crawford, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified 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.

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 Cresha Butler, Executrix of the Estate of Ernest C. Butler, Deceased, Crawford, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1180 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Otto L. Porter and Alvy Porter, co-partners, doing business as "Porter and Son," Crawford, 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 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 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 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

Henry E. Zarlengo
Thomas B. Green
Ralph C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1963.

ea

original

(Decision No. 61779)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALVA HARRIS AND ELLA HARRIS, DOING)
BUSINESS AS "RED GLOW COAL AND)
TRANSFER," OLATHE, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 1621)
TO JACK W. BALDWIN AND LINNIE C.)
BALDWIN, DOING BUSINESS AS "AUSTIN)
TRANSFER & STORAGE CO.," MONTROSE,)
COLORADO.)

APPLICATION NO. 20121-Transfer

November 20, 1963

Appearances: Theodore L. Brooks, Esq.,
Montrose, Colorado, for
Transferors and Trans-
feree.

S T A T E M E N T

By the Commission:

Alva Harris and Ella Harris, doing business as "Red Glow
Coal and Transfer," Olathe, Colorado, are the owners and operators
of PUC No. 1621, authorizing:

Transportation of coal, water, livestock, fur-
niture, farm products and produce, and gener-
ally all articles of freight and express which
the public may wish moved, from point to point
within a radius of ten (10) miles of the town
of Olathe, including transportation within
said town, with the exception that applicant
is not authorized to move buildings;

and by the instant application seek authority to transfer said PUC
No. 1621 to Jack W. Baldwin and Linnie C. Baldwin, doing business as
"Austin Transfer & Storage Co.," Montrose, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court
House, Montrose, Colorado, November 15, 1963, and at the conclusion
of the evidence, the matter was taken under advisement.

Jack W. Baldwin testified that on October 12, 1962, he and Linnie C. Baldwin, doing business as "Austin Transfer & Storage Co.," of Montrose, Colorado, entered into a lease agreement with Alva Harris and Ella Harris, doing business as "Red Glow Coal and Transfer," for the lease of PUC No. 1621 and they have been operating said PUC No. 1621 under Decision No. 60052 of the Public Utilities Commission since shortly after the date of said lease. Jack W. Baldwin further testified that the lease contained an option whereby the lessees might purchase said Certificate; that he and Linnie C. Baldwin have exercised said option and the purchase price has been placed in escrow, conditioned upon approval of the transfer by the Public Utilities Commission. They have been operating under the same tariffs as the Transferors and intend to adopt such tariffs as their own in the event the transfer is authorized. They are familiar with the rules and regulations of the Commission and will abide by them. There is no indebtedness against PUC No. 1621.

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, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Alva Harris and Ella Harris, doing business as "Red Glow Coal and Transfer," Olathe, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 1621-- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Jack W. Baldwin and Linnie C. Baldwin,

doing business as "Austin Transfer & Storage Co.," Montrose, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

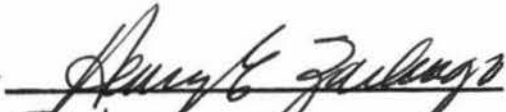
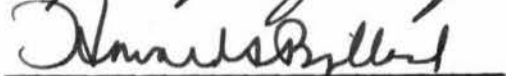
That said transfer shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with the conditions and requirements 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 transferors shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this Order shall depend upon the 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


Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1963.
mls

original

(Decision No. 61780)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CLIFFORD CLOWERS, MONTROSE, COLORADO,)	
FOR AUTHORITY TO TRANSFER PERMIT NO.)	<u>APPLICATION NO. 20122-PP-Transfer</u>
B-6297 TO OCTAVE NICOLAS, PAUL)	
NICOLAS AND AUGUST NICOLAS, JR., CO-)	
PARTNERS, DOING BUSINESS AS "NICOLAS)	
BROS.," MONTROSE, COLORADO.)	

November 20, 1963

Appearances: Clifford Clowers, Montrose,
Colorado, pro se;
Octave Nicolas, Montrose,
Colorado, for Transferees.

S T A T E M E N T

By the Commission:

Clifford Clowers, Montrose, Colorado, is the owner and
operator of Permit No. B-6297, authorizing:

Transportation of logs, poles and rough lumber,
from forests and sawmills to sawmills, railroad
loading points, and places of storage, within a
radius of one hundred miles of said forests, in
the State of Colorado;

and by the instant application seeks authority to transfer said Per-
mit No. B-6297 to Octave Nicolas, Paul Nicolas and August Nicolas, Jr.,
co-partners, doing business as "Nicolas Bros.," Montrose, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court
House, Montrose, Colorado, November 15, 1963, and at the conclusion
of the evidence, the matter was taken under advisement.

Clifford Clowers testified that he is the owner of Permit
No. B-6297 and that he desires to transfer the same to Nicolas Bros.
He has sold his truck to Nicolas Bros. and as part of the considera-
tion for said sale he agreed to transfer the Permit. He wishes the

Commission to approve the transfer.

Octave Nicolas testified that Nicolas Bros. is a partnership composed of August Nicolas, Jr., Paul Nicolas and Octave Nicolas. They have been operating under Temporary Authority for the past month. Prior to engaging in the log hauling operation, they operated their own farm livestock trucks for many years. If the transfer is granted, they will comply with all the rules and regulations of the Public Utilities Commission.

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, subject to outstanding indebtedness.

O R D E R

THE COMMISSION ORDERS:

That Clifford Clowers, Montrose, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-6297 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Octave Nicolas, Paul Nicolas, and August Nicolas, Jr., doing business as "Nicolas Bros.," Montrose, 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 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


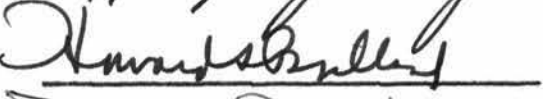

acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The right of Transferees to operate under this Order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by Transferor of delinquent reports, if any, covering 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 20th day of November, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WHITE RIVER ELECTRIC ASSOCIATION,)
INC., OF MEEKER, COLORADO, FOR AN)
ORDER AUTHORIZING THE ISSUANCE OF)
CERTAIN SECURITIES AND THE APPLICA-)
TION OF THE PROCEEDS THEREFROM FOR)
CERTAIN SPECIFIED PURPOSES.)

APPLICATION NO. 20075-Securities

November 20, 1963

Appearances: Frank G. Cooley, Esq.,
Meeker, Colorado,
Robert C. Hawley, Esq.,
Denver, Colorado, and
John P. Thompson, Esq.,
Denver, Colorado, for
Applicant;
George E. Stewart, Esq.,
Roosevelt, Utah, for
Moon Lake Electric
Association, Inc.,
Vernal, Utah, as its
interests may appear;
J. M. McNulty, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, for the
Staff of the Commis-
sion.

S T A T E M E N T

By the Commission:

On October 1, 1963, White River Electric Association, Inc.,
(White River) filed with the Commission the above-entitled applica-
tion for authority, (1) to issue a mortgage note to the United States
of America for \$463,000, dated July 10, 1963, identified as Colorado
40 L Rio Blanco, (2) to enter into an amendment, dated May 1, 1963,
to Amending Loan Contract of June 18, 1951, as amended, and also (3)
to make a supplemental mortgage, dated as of July 10, 1963, to secure
the note. On September 13, 1963, Applicant had filed with the Commis-

sion Application No. 20045 for a certificate of public convenience and necessity for territory located in Rio Blanco, Moffat and Garfield Counties, in the State of Colorado. These matters were set for hearing, after due notice to all interested parties, on Tuesday, October 15, 1963, at 10:00 o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The Commission ruled that these two applications for the certificate of public convenience and necessity and for authority to issue securities be heard on a joint record and that separate orders would issue. Thus, beginning on October 15, 1963, at 10:00 A. M., both applications were heard by the Commission and on the second day of the hearing (October 16) taken under advisement.

Although Public Service Company of Colorado protested White River's Application No. 20045 for a certificate of public convenience and necessity in some respects, it did not intervene with regard to this Application No. 20075-Securities. Moon Lake Electric Association, Inc., through its legal counsel, did enter its appearance at the hearing as its interest may appear.

White River, through its counsel, asked permission in the form of a Motion to amend its Application No. 20075-Securities, for the authorization and approval of all the mortgage notes issued since the effective date, March 22, 1947, of the Securities Act. Such approval would cover all the notes issued by the Company except the first one No. 4020, dated April 23, 1946, for \$410,000.00. This Motion was considered and granted by the Commission.

White River Electric Association, Inc., is a public utility, as defined by Chapter 115-1-3 CRS 1953, distributing electricity to approximately 1160 consumers in certain areas of Rio Blanco, Moffat and Garfield Counties, Colorado. White River is financed by the Rural Electrification Administration. It is a member and participant in Tri-State Generation and Transmission Association, Inc., a corpora-

tion formed for the purpose of purchasing, generating and transmitting wholesale power to its members. White River now receives nearly all of its power requirements from this source, but will after some date, estimated to be in the year 1964, purchase its total requirements from Colorado Ute Electric Association, Inc., another generation and transmission association of whom White River is a member.

White River proposes to borrow from the Rural Electrification Administration a sum of \$463,000 by issuing a mortgage note for this amount with interest at the rate of 2% per annum for a period of 35 years. This note is to be secured by a supplemental mortgage made by White River to the United States of America, dated as of July 10, 1963. This supplemental mortgage brings the total mortgage amount to \$3,449,581, and represents the security for all notes issued and outstanding since April 23, 1946.

In connection with this borrowing, Applicant has entered into an agreement with the United States of America, identified as Amendment dated as of May 1, 1963, to Amending Loan Contract dated as of June 18, 1951, as amended, which states that the borrowing is limited to \$3,401,000, an amount of \$48,581 less than the total amount of debt obligation as indicated by the supplemental mortgage.

White River, through its counsel, offered to introduce, as a late filed exhibit, a letter or a document stating the correct and proper maximum loan that White River may obtain from the Rural Electrification Administration. On October 23, Applicant's counsel did submit a letter from the Rural Electrification Administration Loan Attorney stating, among other things, that the amount of loans permitted to be executed and delivered by the corporation is \$4,000,000, as set forth in the mortgage note, dated July 10, 1963, for \$463,000. He also stated that the Amendment dated as of May 1, 1963, to the Amending Loan Contract, stating a maximum amount of \$3,401,000 "is

the upper limit of the amount which REA has contracted to lend and which White River has contracted to borrow, including the new loan of \$463,000. REA has committed itself to advance up to this amount, provided that the several provisions of the amended loan contract are complied with. The aggregate amount of loans to be made by REA to White River may not exceed this limit without further amendment of the loan contract." However, White River is obligated to pay off mortgage notes totaling \$3,449,581, which includes mortgage note, dated March 10, 1950, for \$31,560, resulting from the transfer of mobile generating equipment from Kit Carson Electric Cooperative, Inc., of Taos, New Mexico, and a mortgage note, dated November 15, 1957, for \$17,021, which was given to the United States Government in connection with the transfer of certain property from Yampa Valley Electric Association, Inc. These two notes total \$48,581, and represents the difference between the total mortgage amount and the maximum loan amount as set forth in the Amending Loan Contract, dated May 1, 1963.

Applicant's witness stated that the purpose of the funds to be raised by the issuance of the \$463,000 mortgage note is for the construction, extension and improvement of electrical facilities and for the improvement of its electric service to its consumers now totaling 1,161. He stated that \$98,137 would be used to reimburse the treasury for funds already used for completed construction. He said the remainder of the \$463,000 would be used principally for the extending of service to approximately 59 new customers and for the construction of 12 miles of 3-phase distribution lines and for the conversion from single-phase to 3-phase of 27 miles of distribution lines. White River did not introduce into evidence a summary of detailed estimates of the construction required for which the funds from this borrowing would be used or a feasibility study of new extensions. Such general statements with regard to the need for con-

struction funds without engineering estimates of construction requirements and costs constitute a bare minimum of evidence on which the Commission must decide the need for such additional financing. The Commission normally requires a much higher degree of proof, however, in view of the fact that this is the first time White River has come before this Commission seeking authority to issue securities; the Commission in this instance will approve the issuance of the mortgage note for \$463,000, but at the time of future hearings, if White River does not introduce more evidence to show the need and feasibility for a loan, such application may be denied.

As evidence of White River's financial status, there were introduced into evidence White River's Balance Sheet of July 31, 1963, (Exhibit B), and White River's Statement of Income for the year ended July 31, 1963, (Exhibit C). The Balance Sheet discloses that net utility plant stands at \$2,569,817, that materials and supplies amount to \$84,672, and prepayments amount to \$5,047, and that the sum of these amounts, less contributions in aid of construction of \$47,510, make for a total of \$2,612,026; and that long term debt to the Rural Electrification Administration amounts to \$2,537,745. White River's capitalization consists of \$128,121 of several classes of equities and of \$2,537,745 of long term debt to REA, a total of \$2,665,866. The percent of equity to total capitalization is 4.8%. White River's Balance Sheet, as of December 31, 1962, embodied in its annual report to this Commission, shows net equities of \$92,128, including \$100,383 deficits of prior years.

The Income Statement, Exhibit C, shows that the operating margins for the year ended July 31, 1963, are \$64,724. White River's financial forecast, Exhibit G, indicates that it has been operating in the black for several years and that the 1964 operating margins will fall to \$4,440, as a result of a change in the cost of power to be supplied by Colorado Ute Electric Association, Inc.

Upon cross examination, Applicant's witness stated that the management of White River has in the past and does now depend entirely upon REA for its construction financing and that it had not formulated a definite financial policy particularly with regard to building up equity in the White River cooperative with the view of strengthening its financial position. This Commission suggests that the management of White River and its respective members give immediate consideration to ways and means of attaining a position of financial strength and independence whereby White River in its own right will be able to finance its construction requirements regardless of whether or not low cost funds are available from government agencies. The very nature of electric public utility operations is such that capital requirements can be only partially supplied from earnings and that comparative large amounts of outside funds must be obtained periodically in order to provide sufficient and adequate facilities to supply service in ever increasing volume and to replace utility plant at the end of its service life.

With regard to the issuance of mortgage notes issued prior to the current \$463,000 mortgage note and concerning which notes Applicant was granted permission to amend its application to seek the Commission approval of such notes, Applicant entered into evidence Exhibit A, listing and identifying all of such notes including the mortgage note K-FC2-1 No. 3131 for \$161,178.19, dated December 26, 1961, not previously approved by this Commission. Also, on October 23, 1963, after the hearing, White River filed as late filed exhibits copies of the various documents purportedly executed in connection with the issuance of the several notes prior to the effective date of House Bill No. 245. It is noted that most of these copies of documents bear no identification of execution and, therefore, can not by themselves be considered evidence of borrowings by White River.

of the Order or Orders of the Public Utilities Commission granting a certificate of convenience and necessity and authorizing the note and supplemental mortgage. This requirement is reflected in Article II, Section 10, of the Loan Contract, as amended May 1, 1963."

F I N D I N G S

THE COMMISSION FINDS:

That the issuance of the mortgage note made by White River Electric Association, Inc., to the United States of America for \$463,000, Exhibit D, herein, should be authorized and approved.

That the amendment, dated May 1, 1963, to Amending Loan Contract, dated June 18, 1951, as amended, between White River Electric Association, Inc., and the United States of America, Exhibit E, herein, should be authorized and approved.

That the supplemental mortgage made by White River Electric Association, Inc., to the United States of America, dated as of July 10, 1963, should be authorized and approved.

That the issuance of the mortgage note identified in Exhibit A herein as K-FC2-1 No. 3131, dated December 26, 1961, for \$161,178.19, should be ratified and approved.

That that portion of White River Electric Association, Inc.'s amended application pertaining to the issuance of mortgage notes prior to the effective date of House Bill No. 245, should be denied.

That within one hundred twenty (120) days of the execution of the mortgage note for \$463,000 authorized herein, Applicant should file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.

That within one hundred twenty (120) days of the date of this Order, Applicant should file with the Commission one conformed copy of the executed mortgage note K-FC2-1 No. 3131.

That the issuance of the mortgage note for \$463,000 and pre-

sent ratification of the mortgage note for \$163,178.19 is not inconsistent with the public interest and that the purpose, or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes, 1953.

O R D E R

THE COMMISSION ORDERS:

That the issuance of a mortgage note for \$463,000 by White River Electric Association, Inc., to the United States of America, Exhibit D, be, and the same is hereby, authorized and approved.

That the amendment, dated May 1, 1963, to Amending Loan Contract, dated June 18, 1951, as amended, between White River Electric Association, Inc., and the United States of America, Exhibit E, be, and the same is hereby, authorized and approved.

That the supplemental mortgage made by White River Electric Association, Inc., to the United States of America, dated as of July 10, 1963, be, and the same is hereby, authorized and approved.

That the issuance of the mortgage note K-FC2-1 No. 3131, dated December 26, 1961, by White River Electric Association, Inc., to the United States of America for \$161,178.19 be, and the same is hereby, ratified and approved.

That the portion of White River Electric Association, Inc.'s amended application pertaining to the issuance of mortgage notes prior to the effective date of House Bill No. 245 be, and the same is hereby, denied.

That within one hundred twenty (120) days of the execution of the mortgage note for \$463,000 authorized herein, White River Electric Association, Inc., shall file with the Commission one conformed copy of such executed note and of each other document made in connection therewith.


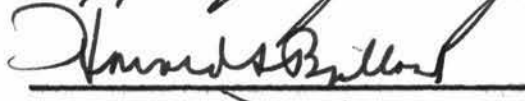
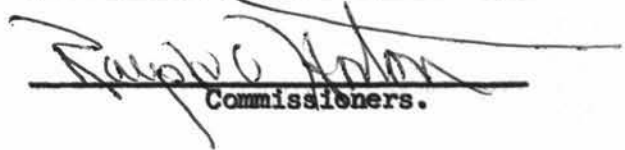
That within one hundred twenty (120) days of the date of this Order, Applicant shall file with the Commission one conformed

copy of the executed mortgage note K-FC2-1 No. 3131.

That the Commission retains jurisdiction of these proceedings to the end that it may make such Order, or Orders in the premises as to it may seem 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




Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

JOHN C. RUDOLPH)
MOUNTAIN DISTRIBUTING COMPANY)
544 So. Logan St.)
Denver, Colorado 80209)
-----)

AUTHORITY NO. M 875

CASE NO. 13574 Ins.

November 21, 1963

S T A T E M E N T

By the Commission:

On October 10, 1963, 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

Henry C. Zaitz
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 1963

Original

(Decision No. 61783)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. ELVIN STREET, MRS. CLIFFORD)
PARRILL, MRS. A. D. MATTIVI AND MRS.)
JOHN W. CROCKER ON BEHALF OF THEM-)
SELVES AND OTHERS SIMILARLY SITUATED)
FOR AN ORDER AUTHORIZING PUBLIC SER-)
VICE COMPANY OF COLORADO TO RENDER)
STREET LIGHTING SERVICE PURSUANT TO)
PUC TARIFF NO. 4, SEVENTH REVISED)
SHEET 262 AND SECOND REVISED SHEET)
262A IN AN UNINCORPORATED AREA IN)
ADAMS COUNTY, COLORADO.)

APPLICATION NO. 20007

November 21, 1963

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Ser-
vice Company of Colorado;
J. M. McNulty, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. Elvin Street and others, re-
presenting themselves and all other electric customers similarly situ-
ated, for an order authorizing Public Service Company of Colorado to
install, operate and maintain street lighting service in an unincor-
porated area in Adams County which consists principally of the Scava-
lenti Subdivision, as shown on the map identified as Exhibit A,
attached to the application, and as hereinafter more fully described.

The matter was set for hearing and was heard, after due
notice to interested parties, on October 28, 1963, at 10:00 o'clock A.
M., in the Hearing Room of the Commission, 532 State Services Building,
Denver, Colorado.

No petitions of intervention were filed prior to the hearing,

and no one appeared at the hearing in opposition to the application.

A petition for street lighting service, addressed to Public Service Company of Colorado (Public Service), was circulated among the electric customers of an area in which 51 residential customers now receive electric service. Of the 50 customers contacted, signatures were obtained of 47, or a percentage of 92.2% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 and B-2. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission, directing street lighting service to be established in the area. Since 4 electric customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. John W. Crocker. Mrs. Crocker testified that no street lighting now exists in the area contemplated in this application. She stated that police protection was inadequate and that there had been incidents of thefts and prowling which might have been prevented by adequate lighting. She also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the Application, though not testifying, were Mrs. Elvin Street, Mrs. Clifford Parrill, Mrs. T. S. Yarish and Mrs. W. R. Davis, who are residents of the area.

Mr. J. H. Ranniger, of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric cus-

tomers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately eight weeks to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with the Company's tariff.

The proposed street lighting system was estimated to cost \$1,000.00 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 7 in number, shall be installed as required in the area described as follows:

Beginning at a point on the west line of Zuni Street, approximately 125 feet north of West 56th Avenue; thence north along said west line to the intersection with the rear lot lines extended of the lots north of West 59th Avenue;

thence easterly along said rear lot lines to a point approximately 125 feet east of the east line of Vallejo Street extended; thence south 125 feet east of and parallel to the east line of Vallejo Street, to the intersection with the rear lot lines extended of the lots south of West 56th Place; thence west along said last-described rear lot lines to the center line of Wyandot Street; thence south along said center line to the intersection with the rear lot lines extended of the lots north of West 56th Avenue; thence along said last-described rear lot lines to the point of beginning.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Donald E. Ziegler
Samuel S. Billen
Raymond C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1963.

mls

original

(Decision No. 61784)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. FRED GOLD, MR. PHILLIP A. AUSTIN)
AND MRS. FLORENCE LINES, ON BEHALF OF)
THEMSELVES AND OTHERS SIMILARLY SITU-)
ATED, FOR AN ORDER AUTHORIZING PUBLIC)
SERVICE COMPANY OF COLORADO TO RENDER)
STREET LIGHTING SERVICE PURSUANT TO)
PUC TARIFF NO. 4, SEVENTH REVISED)
SHEET 262 AND SECOND REVISED SHEET)
262A IN AN UNINCORPORATED AREA IN)
JEFFERSON COUNTY, COLORADO.)

APPLICATION NO. 20008

November 21, 1963

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Ser-
vice Company of Colorado;
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. Fred Gold and others, repre-
senting themselves and all other electric customers similarly situ-
ated, for an order authorizing Public Service Company of Colorado to
install, operate and maintain street lighting service in an unincor-
porated area in Jefferson County, as shown on the map identified as
Exhibit A attached to the application, and as hereinafter more fully
described.

The matter was set for hearing and was heard, after due
notice to interested parties, on October 28, 1963, at 10:00 o'clock
A. M., in the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado.

No petitions of intervention were filed prior to the hearing,
and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the electric customers of an area in which 45 residential customers now receive electric service. Of the 44 customers contacted, signatures were obtained of 41, or a percentage of 91.1% of the total number of customers. A properly identified conformed copy of said petition was submitted as Exhibit No. B. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission, directing street lighting service to be established in the area. Since 3 electric customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. Fred Gold. Mrs. Gold testified that no street lighting now exists in the area contemplated in this application. She stated that police protection was inadequate and that there had been incidents of thefts which might have been prevented by adequate lighting. She also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the Application though not testifying were Mr. and Mrs. Phillip A. Austin and Mrs. Florence Lines, who are residents of the area.

Mr. J. H. Ranniger, of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting

for the area has already been undertaken. It will require approximately eight weeks to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with the Company's tariff.

The proposed street lighting system was estimated to cost \$650.00 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health, and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 6 in number, shall be installed as required in the area described as follows:

The area south of West 44th Avenue, bounded on the West by the rear lot line of the lots west Garland Street, on the east by the rear lot lines of the lots east of Garrison Street, and on the south by the rear lot lines of the lots south of West 42nd Avenue.

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 November, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HUGH E. BERGER, PHYLLIS J. MABRITO,)
PEGGY STRICKLAND, CARLENE DARNELL)
AND GORDON TULLY ON BEHALF OF THEM-)
SELVES AND OTHERS SIMILARLY SITUATED)
FOR AN ORDER AUTHORIZING PUBLIC SER-)
VICE COMPANY OF COLORADO TO RENDER)
STREET LIGHTING SERVICE PURSUANT TO)
PUC TARIFF NO. 4, SEVENTH REVISED)
SHEET 262 AND SECOND REVISED SHEET)
262A IN AN UNINCORPORATED AREA IN)
ADAMS COUNTY, COLORADO.)

APPLICATION NO. 20009

November 21, 1963

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Ser-
vice Company of Colorado;
J. M. McNulty, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

This is an application by Hugh E. Berger and others, repre-
senting themselves and all other electric customers similarly situated,
for an order authorizing Public Service Company of Colorado to install,
operate and maintain street lighting service in an unincorporated area
in Adams County, which area consists principally of the subdivision
known as Valley Vista, as shown on the map identified as Exhibit A
attached to the application, and as hereinafter more fully described.

The matter was set for hearing and was heard, after due
notice to interested parties, on October 28, 1963, at 10:00 o'clock
A. M., in the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado.

No petitions of intervention were filed prior to the hearing,

and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the electric customers of an area in which 312 residential customers and church now receive electric service. Of the 306 customers contacted, signatures were obtained of 292, or a percentage of 93.3% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-7. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission, directing street lighting service to be established in the area. Since 21 electric customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Hugh E. Berger. Mr. Berger testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of vandalism and prowling which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety. Also present in support of the Application though not testifying were Phyllis J. Mabrito and Gordon E. Tully, who are residents of the area.

Mr. J. H. Ranninger, of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for

the area has already been undertaken. It will require approximately eight weeks to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with the Company's tariff.

The proposed street lighting system was estimated to cost \$7,252.00 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 40 in number, shall be installed as required in the area described as follows:

Commencing at the intersection of the north right-of-way line of the Denver-Boulder Turnpike with the extension of the rear lot lines of the lots west of the northward extension of Bronco Road; thence north along said rear lot lines to the intersection with the center line of Del Norte Street; thence west along said center line to the intersection with the

center line of Hilltop Circle; thence northwesterly along said last-described center line to the intersection with the center line of El Paso Boulevard; thence northeasterly along said last-described center line to the intersection with the westerly line of Granada Road; thence southeasterly along said last-described line to the intersection with the southeasterly lot line of the lot on which the house presently numbered as 7601 Granada Road is located; thence southwesterly along said last-described lot line to the rear lot lines of the lots facing Greenwood Boulevard; thence southeasterly along said last-described lot lines to the southeasterly corner of the lot on which the house presently numbered as 7570 Greenwood Boulevard is located; thence southwesterly to the intersection with the center line of Greenwood Boulevard; thence southeasterly along said last-described center line to the intersection with the extended rear lot lines of the lots southeasterly of Delta Street; thence southwesterly along said rear lot line for one lot width; thence southeasterly along the southwesterly lot lines of the lots abutting on Greenwood Boulevard to the intersection with the rear lot line of the lots southeasterly of Cuchara Street; thence southwesterly along said last-described lot lines for 5 lot widths to the easterly lot line of the lot on which the house presently numbered as 791 Cragmore Street is located; thence southeasterly along said lot line, across Cragmore Street and to the rear lot lines of the lots southeasterly of Cragmore Street; thence southwesterly along said last-described lot line for the width of two lots to the northeasterly lot line of the lot on which the house presently numbered as 791 Cortez Street is located; thence southeasterly along said last-described lot line across Cortez Street and to the rear lot line of the lot on which the house presently numbered as 770 Cortez Street is located; thence southwesterly along said last-described lot line to the northernmost part of the lot on which the house presently numbered as 831 Bronco Road is located; thence along the northeasterly and southeasterly sides of said lot, across Bronco Road and along the southeasterly lot line of the lot on which the house presently numbered as 830 Bronco Road is located to the right-of-way of the Denver-Boulder Turnpike; thence northwesterly along said right-of-way to the point of beginning.

This Order shall become effective as of the day and date

hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziegler
James S. Brillant
Robert C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1963.
mls

original

(Decision No. 61786)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT J. SMITH, ANDREW J. HAZE AND)
L. W. ROFFEE, ON BEHALF OF THEM-)
SELVES AND OTHERS SIMILARLY SITUATED,)
FOR AN ORDER AUTHORIZING PUBLIC SER-)
VICE COMPANY OF COLORADO TO RENDER)
STREET LIGHTING SERVICE PURSUANT TO)
PUC TARIFF NO. 4, SEVENTH REVISED)
SHEET 262 AND SECOND REVISED SHEET)
262A IN AN UNINCORPORATED AREA IN)
JEFFERSON COUNTY, COLORADO.)

APPLICATION NO. 20086

November 21, 1963

Appearances: D. D. Caweltz, Esq., Denver,
Colorado, for Public Ser-
vice Company of Colorado;
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by Robert J. Smith and others, repre-
senting themselves and all other electric customers similarly situated,
for an order authorizing Public Service Company of Colorado to install,
operate and maintain street lighting service in an unincorporated area
in Jefferson County, consisting of parts of Elizabeth, Glenda, Hunita,
Sesame Park and Willmore subdivisions as shown on the map identified as
Exhibit A attached to the application, and as hereinafter more fully
described.

The matter was set for hearing and was heard, after due
notice to interested parties, on October 28, 1963, at 10:00 o'clock A.
M., in the Hearing Room of the Commission, 532 State Services Building,
Denver, Colorado.

No petitions of intervention were filed prior to the hearing,

and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the electric customers of an area in which 81 residential customers now receive electric service. Of the 76 customers contacted, valid signatures were obtained of 74, or a percentage of 91.4% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 and B-2. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission, directing street lighting service to be established in the area. Since 7 electric customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mr. Robert J. Smith. Mr. Smith testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the Application though not testifying was Mrs. L. W. Roffee, who is a resident of the area.

Mr. J. H. Ranniger, of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer

will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately eight weeks to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with the Company's tariff.

The proposed street lighting system was estimated to cost \$1,430.00 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

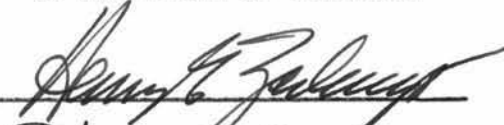
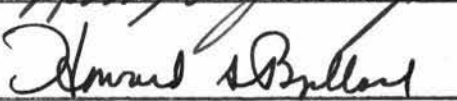
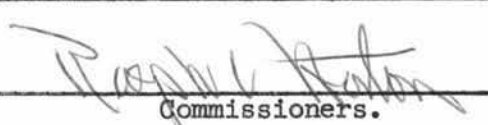
That street lights, approximately 9 in number, shall be installed as required in the area described as follows:

Beginning at the intersection of West 44th Avenue with the rear lot lines extended of the lots east of Carr Street; thence south along said lot lines, across West 41st Avenue, to the intersection with the rear lot line of the tier of lots north of and facing West 38th Avenue; thence irregularly west along said last-described rear lot lines to

the intersection with the rear lot lines of the lots west of Cody Court; thence north along said last-described rear lot lines, across West 41st Avenue, to the intersection with the rear lot lines of the lots north of and facing West 41st Avenue; thence east irregularly along said last-described rear lot lines to the intersection with the rear lot lines of the lots west of Carr Street; thence north along said last-described rear lot line to the southeast corner of the lot presently occupied by the house known as 4305 Carr Street (to the rear of 4325 Carr Street); thence west, north and east around said lot; thence continuing north along the rear lot line of the lots west of Carr Street to the intersection with the center line of West 44th Avenue; thence east to the point of beginning.

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 November, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DAROL PAUGH, ROUTE 1, MANZANOLA,
COLORADO.)
-----)

PERMIT NO. M-14997

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Darol Paugh,
Manzanola, Colorado
requesting that Permit No. M-14997 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14997, heretofore issued to Darol Paugh,
Manzanola, Colorado be,
and the same is hereby, declared cancelled effective November 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ray C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BOYD EMMONS, P. O. BOX 601, PAONIA,)
COLORADO.)
-----)

PERMIT NO. M-6627

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Boyd Emmons,
Paonia, Colorado
requesting that Permit No. M-6627 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6627, heretofore issued to Boyd Emmons,
Paonia, Colorado be,
and the same is hereby, declared cancelled effective November 22, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,
this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AUSTIN EINBODEN, DOING BUSINESS AS,)
"A. EINBODEN AND SONS", 401 NORTH)
TAYLOR, GUNNISON, COLORADO)
-----)

PERMIT NO. M-15743

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Austin Einboden,
doing business as, "A. Einboden & Sons", Gunnison, Colorado
requesting that Permit No. M-15743 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15743, heretofore issued to Austin Einboden,
doing business as, "A. Einboden & Sons", Gunnison, Colorado be,
and the same is hereby, declared cancelled effective October 25, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zalusky
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
AUSTIN EINBODEN, DOING BUSINESS)
AS, "A. EINBODEN AND SONS",)
410 NORTH TAYLOR, GUNNISON,)
COLORADO.)

PERMIT NO. B-6321

December 5, 1963

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-6321 be suspended
for six months from October 25, 1963.

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 Austin Einboden, doing business as, "A. Einboden & Sons",
Gunnison, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-6321 until April 25, 1964.

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

Henry E. Zarlengo
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 5th day of November, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM B. WEBBER, DOING BUSINESS AS,)
"KITTY CLOVER POTATO CHIP", 1208 EAST)
B STREET, MC COOK, NEBRASKA.)
-----)

PERMIT NO. M-9554

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William B. Webber, doing
business as, "Kitty Clover Potato Chip", Mc Cook, Nebraska
requesting that Permit No. M-9554 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9554, heretofore issued to William B. Webber, doing
business as, "Kitty Clover Potato Chip", Mc Cook, Nebraska be,
and the same is hereby, declared cancelled effective October 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zaslau
Harold J. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 5th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. G. MC CUBBIN, DOING BUSINESS AS,)
"FIESTA ICE CREAM COMPANY", 311 MAPLE)
WOOD DRIVE, COLORADO SPRINGS, COLORADO)
-----)

PERMIT NO. M-5799

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. G. McCubbin, doing
business as, "Fiesta Ice Cream Company", Colorado Springs, Colorado
requesting that Permit No. M-5799 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5799, heretofore issued to E. G. McCubbin, doing
business as, "Fiesta Ice Cream Company", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective October 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

CANCELLATION--COMMON CARRIER

(Decision No. 61793)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
L. M. DOUGLAS, 2071 WEST LOTUS,)
FORT WORTH, TEXAS.)
)
)
)

PUC NO. 5607-I

December 5, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from L. M. Douglas,
Fort Worth, Texas

requesting that Certificate of Public Convenience and Necessity No. 5607-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. 5607-I heretofore issued to L. M. Douglas,
Fort Worth, Texas

be, and the same is hereby, declared cancelled effective November 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ray C. Horton
Commissioners

Dated at Denver, Colorado
this 5th day of December, 19 63.

CANCELLATION--COMMON CARRIER

(Decision No. 61794)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HENRY SCHWEIN, P. O. BOX 31,)
ROCKY FORD, COLORADO.)

PUC NO. 2809-I

December 5, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Henry Schwein,
Rocky Ford, Colorado

requesting that Certificate of Public Convenience and Necessity No. 2809-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. 2809-I heretofore issued to Henry Schwein,
Rocky Ford, Colorado

be, and the same is hereby, declared cancelled effective November 7, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Howard S. Bjelland
Ray E. Johnson
Commissioners

Dated at Denver, Colorado
this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LEON LARSON AND LOUISE LARSON, DOING)
BUSINESS AS, "WEST END '66' SERVICE",)
P. O. BOX 747, RANGELY, COLORADO.)
-----)

PERMIT NO. M-232

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Leon Larson and Louise Larson, doing business as, "West End '66' Service", Rangely, Colorado requesting that Permit No. M-232 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-232, heretofore issued to Leon Larson and Louise Larson, doing business as, "West End '66' Service", Rangely, Colorado be, and the same is hereby, declared cancelled effective October 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Wm. E. Zeelings
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MODERN MOTORS, INCORPORATED, 23 SOUTH)
WEBER, COLORADO SPRINGS, COLORADO.)
)
)
-----)

PERMIT NO. M-1642

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Modern Motors, Inc.,
Colorado Springs, Colorado

requesting that Permit No. M-1642 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1642, heretofore issued to Modern Motors, Inc.,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 13, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeisinger
Howard J. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EVELYN L. WATTERS AND AGGIE R. STEPHENS,
JR., DOING BUSINESS AS, "GRIMSLEY'S)
AUTO GLASS AND UPHOLSTERERS", 1104)
PITKIN AVENUE, GRAND JUNCTION, COLORADO.
-----)

PERMIT NO. M-1718

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Evelyn L. Watters and Aggie R. Stephens, Jr., dba "Grimsley's Auto Glass & Upholsterers", Grand Junction, Colo. requesting that Permit No. M-1718 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1718, heretofore issued to Evelyn R. Watters and Aggie R. Stephens, Jr., dba "Grimsley's Auto Glass & Upholsterers", Grand Junction, Colo. be, and the same is hereby, declared cancelled effective November 8, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DEAN H. PENDLEY, GENERAL DELIVERY,)
GUNNISON, COLORADO.)

PERMIT NO.M-7749

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dean H. Pendley,
Gunnison, Colorado

requesting that Permit No. M-7749 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7749, heretofore issued to Dean H. Pendley,
Gunnison, Colorado be,
and the same is hereby, declared cancelled effective November 5, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Arnold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ED NEUMEISTER, DOING BUSINESS AS,)
"NEUMEISTER COAL AND GARAGE", 1206)
EAST ABRIENDO, PUEBLO, COLORADO.)
-----)

PERMIT NO. M-7789

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ed Neumeister, doing
business as, "Neumeister Coal & Garage", Pueblo, Colorado
requesting that Permit No. M-7789 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7789, heretofore issued to Ed Neumeister, doing
business as, "Neumeister Coal & Garage", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective January 19, 1959.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zaehner
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RALPH E. MANESS, DOING BUSINESS AS,)
"MONTROSE BAY SERVICE", P. O. BOX)
232, MONTROSE, COLORADO.)
-----)

PERMIT NO. M-12796

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ralph E. Maness, doing
business as, "Montrose Bay Service", Montrose, Colorado
requesting that Permit No. M-12796 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12796, heretofore issued to Ralph E. Maness, doing
business as, "Montrose Bay Service", Montrose, Colorado be,
and the same is hereby, declared cancelled effective October 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehl
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WAPLES-PLATTER COMPANY (CORPORATION),)
P. O. BOX 1350, FORT WORTH 1, TEXAS.)
-----)

PERMIT NO. M-14304

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Waples-Platter Co.,
(Corp.), Fort Worth 1, Texas

requesting that Permit No. M-14304 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14304, heretofore issued to Waples-Platter Co., (Corp),
Fort Worth 1, Texas be,
and the same is hereby, declared cancelled effective October 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE J. RESSER, 5303 YELLOW-)
STONE ROAD, CHEYENNE, WYOMING.)

PERMIT NO. B-5765

December 5, 1963
-----STATEMENTBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5765 be further suspended for six months from October 26, 1963.

FINDINGSTHE COMMISSION FINDS:

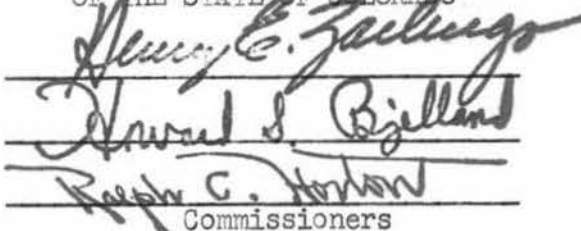
That the request should be granted.

ORDERTHE COMMISSION ORDERS:

That George J. Resser, Cheyenne, Wyoming

be, and is hereby, authorized to further suspend his operations under Permit No. B-5765 until April 26, 1964.

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
Commissioners

Dated at Denver, Colorado,
this 5th day of December, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RALPH B. NASH, 1206 CARROLL AVENUE,)
CARROLLTON, TEXAS.)
_____)

PERMIT NO. M-13992

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ralph B. Nash,
Carrollton, Texas

requesting that Permit No. M-13992 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13992, heretofore issued to Ralph B. Nash,
Carrollton, Texas be,
and the same is hereby, declared cancelled effective October 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehl
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

HAROLD D. COOK, ROUTE 1 BOX 246,
BROOMFIELD, COLORADO.

PERMIT NO. M-12805

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold C. Cook,
Broomfield, Colorado

requesting that Permit No. M-12805 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12805, heretofore issued to Harold C. Cook,
Broomfield, Colorado be,
and the same is hereby, declared cancelled effective November 12, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard J. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GARY H. ARMAGOST AND DORSEY J. GLENN,)
DOING BUSINESS AS, "A AND G APPLIANCE",)
601 - 8TH STREET, GREELEY, COLORADO.)
-----)

PERMIT NO. M-11939

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Gary H. Armagost & Dorsey J. Glenn, dba "A & G Appliance", Greeley, Colorado
requesting that Permit No. M-11939 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11939, heretofore issued to Gary H. Armagost & Dorsey J. Glenn, dba "A & G Appliance", Greeley, Colorado be,
and the same is hereby, declared cancelled effective November 13, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaehner
Harold S. Bjelland
Ralph C. Johnston
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TUDOR EQUIPMENT COMPANY (CORPORATION))
6198 DAHLIA STREET, COMMERCE CITY,)
COLORADO.)
-----)

PERMIT NO. M-9099

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tudor Equipment
Company (Corporation), Commerce City, Colorado
requesting that Permit No. M-9099 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9099, heretofore issued to Tudor Equipment Company
(Corporation), Commerce City, Colorado be,
and the same is hereby, declared cancelled effective November 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehlings
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN W. KIRK, P. O. BOX 297, BERTHOUD,)
COLORADO.)
_____)

PERMIT NO. M-8980

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John W. Kirk,
Berthoud, Colorado
requesting that Permit No. M-8980 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8980, heretofore issued to John W. Kirk,
Berthoud, Colorado be,
and the same is hereby, declared cancelled effective November 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Howard S. Bjelland
Ralph C. Anderson
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RALPH OUTCALT AND ANDY ANDERSON)
DBA SORUM TRACTOR COMPANY)
120 Broadway)
Monte Vista, Colo.)
-----)

AUTHORITY NO. M 12493

CASE NO. 13516 Ins.

November 22, 1963

S T A T E M E N T

By the Commission:

On October 10, 1963, 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

Henry C. Zaslavsky
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 22nd day of November, 1963

original

(Decision No. 61809)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
GREELEY GAS COMPANY, 1930 SHERMAN }
STREET, DENVER, COLORADO, FOR AN }
ORDER AUTHORIZING IT TO FILE AND }
PLACE IN EFFECT NEW AND REVISED }
SCHEDULE OF RATES FOR THE SALE OF }
NATURAL GAS IN CANON CITY, EAST }
CANON AND CONTIGUOUS TERRITORY, FRE- }
MONT COUNTY, COLORADO. }

APPLICATION NO. 19863
SUPPLEMENTAL ORDER

November 21, 1963

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., Denver, Colorado, by
E. A. Stansfield, Esq., Denver,
Colorado, and
Donald D. Cawelti, Esq., Denver,
Colorado, for Applicant;
Anthony L. Mueller, Denver, Colo-
rado, and
Henry E. Jobes, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

On October 24, 1963, Decision No. 61616, an Order was issued authorizing the Applicant to make certain adjustments in rates for the sale of natural gas in Canon City, East Canon and contiguous territory, Fremont County, Colorado. After conference with members of the Staff and representatives of the Applicant, it now appears that certain accounting adjustments should be made and that Decision No. 61616 should be amended.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 61616 should be amended, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That Decision No. 61616, of date October 24, 1963, be, and the same is hereby, amended, nunc pro tunc, as of said 24th day of October, 1963, as follows:

By striking all of paragraph 1, page 9, and substituting revised paragraph 1 as follows:

"Because of the close relationship between the Applicant and the owners, the Commission will look through the rental arrangement now existing, and will allow a rental based on 6.5% on net investment in property used and useful for utility operations."

By striking reference line 21 to 32, inclusive, on page 12 and inserting in lieu thereof the following:

Exhibit C			
Reference Columns (4)			
Line No.	(5) Line No.	Description	Amount
21		Total net investment rate base	\$ 749,911
	21.1	Utility net investment rate base	\$757,421
	21.2	Deduct property not used and useful	(3,068)
	21.3	Adjust working capital, addition	3,446
	21.4	Deduct customer advances for construction	(7,889)
	21.5	Minus depreciation reserve	1
	21.6	Total deductions	\$ (7,510)
	21.7	Total to reference Line 21	749,911
22		Operating revenue deductions	\$ 517,685
	22.1	Normalization a/c weather	5,530
	22.2	Increased demand charges	6,063
	22.3	Total increased cost of gas	11,593
23		Operation	(683)
	23.1	Wage and salary increase	1,078
	23.2	F.I.C.A. & unemployment tax	122
	23.3	Contributions	155
	23.4	Rent reduction	(2,038)
	23.5	Net reductions	(683)
24		Taxes - other (franchise)	838
25		Taxes - income	9,588
26		Total net adjustment	\$ 21,336
27		Reference Line 3	496,349
28		Total to reference Line 22	\$ 517,685
29		Rate base - net investment	\$749,911
30		Return @ 6.5% of Line 29	48,744
31		Required revenue - reference Line 28-30	\$ 566,429

Exhibit C		Description	Amount
Reference Columns (4)	(5) Line No.		
32		Staff increase required operating revenue	\$ 40,752*
	32.1	Utility required operating revenue-reference Line 31	\$566,429
	32.2	Less test year actual operating revenue-reference Line 2	<u>525,677</u>
	32.3	Required increase-reference Line 32	\$ 40,752
		* \$17,203 Normalization <u>23,549</u> Rate increase	
		\$40,752 Total	

By striking the figures in Lines 8, 9, 15, 17, 22, 23, of page 15, and substituting in lieu thereof the following:

Plant in service	\$910,038
Materials and Supplies	12,080
Prepayments	756
Working Capital	<u>41,625</u>
	\$964,499
Less:	
Depreciation reserve	\$204,669
Customer advances for construction	7,889
Contributions in aid of construction	<u>2,030</u>
	<u>\$214,588</u>
Net Rate Base	\$749,911

That the fair rate of return which Greeley Gas Company, Canon City District, is entitled to earn on its rate base of \$749,911 is 6.5%, which will provide equity earnings of 9.30%.

That in order to earn the fair rate of return set forth herein Greeley Gas Company should be permitted to file new rates for gas service to customers in the Canon City District to increase its gross operating revenues in the amount of \$23,549 annually, which when added to the \$17,203 estimated by Applicant and accepted by the Staff as to be produced without rate change, account of normal weather, will produce a

total gross operating revenue in the amount of \$566,429.

That, except as herein amended, said Decision No. 61616
shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1963.

mls

Original

(Decision No. 61810)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION
OF PROPOSED RULES AND REGULATIONS
OF NORTHWEST WATER CORPORATION,
DENVER, COLORADO.

INVESTIGATION & SUSPENSION
DOCKET NO. 517

November 21, 1963

S T A T E M E N T

By the Commission:

On October 22, 1963, Northwest Water Corporation, by Arthur B. Hayutin, Secretary, filed with The Public Utilities Commission of the State of Colorado, certain changes in its Tariff Colorado P.U.C. No. 1, which changes propose an addition to its rules and regulations governing the service of water in its certificated area. These rules and regulations would become effective November 22, 1963, pursuant to Rule 17 of the Rules of Practice and Procedure Before the Public Utilities Commission of the State of Colorado, unless otherwise ordered.

Rule 17 A (2) (d) requires that the utility "...shall inform the Commission of its compliance with subsection (a) of this rule upon completion of notification specified therein on not less than ten (10) days prior to the proposed effective date of the proposed rates, rules and regulations....." Subsection (a) provides that notice to consumers of the utility "setting forth the proposed changes and the effective date thereof, shall be mailed or delivered at least thirty (30) days before said effective date to each customer...." It is evident since the Commission has not been advised of such a mailing, no mailing was made and, therefore, no complaints would be received from the customers of the utility.

In order to protect the interests of all concerned, the Commission, upon its own motion, has decided to suspend the rules as filed by Northwest Water Corporation and to enter into a hearing to determine whether the proposed rules be permitted to become effective.

F I N D I N G S

THE COMMISSION FINDS:

That, pursuant to Rule 17, A, (2), (e) of the Rules of Practice and Procedure before the Public Utilities Commission, the effective date, November 22, 1963, of the proposed rules, as set forth in Northwest Water Corporation Colorado P.U.C. Tariff No. 1, First Revised Sheet No. 7, filed with this Commission on October 22, 1963, should be suspended and a hearing held during said period of suspension as to whether or not said changes in the rules should be permitted to become effective.

O R D E R

THE COMMISSION ORDERS:

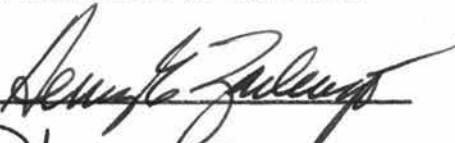
That the proposed changes of the Rules of Northwest Water Corporation, as set forth on First Revised Sheet No. 7 of its Tariff, Colo. P.U.C. No. 1, be, and hereby are, suspended for a period of one hundred twenty (120) days from November 22, 1963, or until March 20, 1964, unless otherwise ordered.

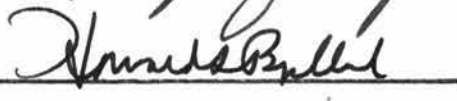
That the rules numbered 10, 11 and 12, contained in said tariff sheet, be made the subject of a hearing to be held by this Commission on December 10, 1963, in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at ten o'clock A. M., notice of which hearing is hereby given.


That a copy of this Order be filed with the Tariff Sheet and copies hereof be forthwith served on Arthur B. Hayutin, Secretary of Northwest Water Corporation.

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 November, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

JACOB J. HILL, ROUTE 2 BOX 167-A)
BRIGHTON, COLORADO.)

PERMIT NO. B-5133

November 21, 1963

S T A T E M E N T

By the Commission:

On May 21, 1963, the Commission authorized Jacob J. Hill to suspend operations under his Permit No. B-5133, until November 21, 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. B-5133, should be, and the same hereby is, reinstated as of November 19, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaslavsky
Howard S. Bjelland
Randy G. Johnston
Commissioners

Dated at Denver, Colorado,
this 21st day of November, 1963.

original

(Decision No. 61812)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GERARD J. LORENZO, DONALD W. HESENER,)
RUSSELL R. SPANGLER AND RAY D. MIERS)
ON BEHALF OF THEMSELVES AND OTHERS)
SIMILARLY SITUATED FOR AN ORDER AU-)
THORIZING PUBLIC SERVICE COMPANY OF)
COLORADO TO RENDER STREET LIGHTING)
SERVICE PURSUANT TO PUC TARIFF NO. 4,)
SEVENTH REVISED SHEET 262 AND SECOND)
REVISED SHEET 262A IN AN UNINCOR-)
PORATED AREA IN ADAMS COUNTY, COLO-)
RADO.)

APPLICATION NO. 20087

November 22, 1963

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Ser-
vice Company of Colorado;
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by Gerard J. Lorenzo and others, re-
presenting themselves and all other electric customers similarly situ-
ated, for an order authorizing Public Service Company of Colorado to
install, operate and maintain street lighting service in an unincor-
porated area in Adams County, as shown on the map identified as Ex-
hibit A attached to the application, and as hereinafter more fully de-
scribed.

The matter was set for hearing and was heard, after due
notice to interested parties, on October 28, 1963, at 10:00 o'clock
A. M., in the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado.

No petitions of intervention were filed prior to the hearing,

and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the electric customers of an area in which 143 residential customers now receive electric service. Of the 142 customers contacted, signatures were obtained of 134, or a percentage of 93.7% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-3. The developer of the area, Colorado Empire, Inc., has agreed to obtain the signatures of persons purchasing the 29 homes remaining to be sold in the area. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission, directing street lighting service to be established in the area. Since 9 electric customers did not sign, the Company could not install street lights without an Order of the Commission.

Principal spokesman for Applicants was Mr. Gerald J. Lorenzo. Mr. Lorenzo testified no street lighting now exists in the area contemplated in this application. He stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. He also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the Application though not testifying was Russell R. Spangler, who is a resident of the area.

Mr. J. H. Ranniger of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the

area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately eight weeks to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with the Company's tariff.

The proposed street lighting system was estimated to cost \$3,409.00 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

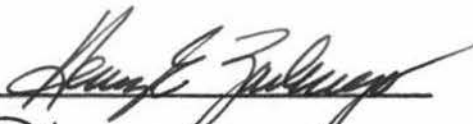
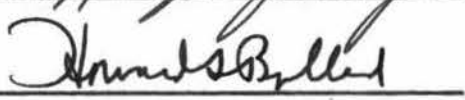
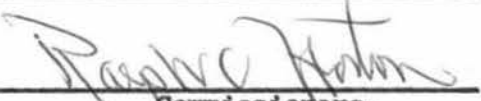
That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 19 in number, shall be installed as required in the area described as follows:

Beginning at the intersection of the west line of Washington Street and the extension of the rear lot lines south of 82nd Drive; thence west along said rear lot lines to the intersection with the rear lot lines of the lots west of Grand Street; thence north along said last-described lot lines to the intersection with the southwesterly rear lot lines of the lots southwesterly of and facing Grant Way; thence west, north and southeasterly around the lots facing on the Grand Way Cul-de-sac to the intersection with the rear lot lines of the lots northwesterly of and facing East 83rd Drive; thence along said last-described lot lines northeasterly to the intersection with the west line of Washington Street; thence south along said last-described line to point of beginning.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 22nd day of November, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. JEAN VANDAS, MRS. RITA BAUR)
AND MRS. JOHN OSNES, ON BEHALF OF)
THEMSELVES AND OTHERS SIMILARLY)
SITUATED FOR AN ORDER AUTHORIZING)
PUBLIC SERVICE COMPANY OF COLORADO)
TO RENDER STREET LIGHTING SERVICE)
PURSUANT TO PUC TARIFF NO. 4,)
SEVENTH REVISED SHEET 262 AND SECOND)
REVISED SHEET 262A IN AN UNINCOR-)
PORATED AREA IN JEFFERSON COUNTY.)

APPLICATION NO. 20088

November 22, 1963

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Ser-
vice Company of Colorado;
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. Jean Vandas and others, re-
presenting themselves and all other electric customers similarly situ-
ated, for an order authoring Public Service Company of Colorado to in-
stall, operate and maintain street lighting service in an unincor-
porated area in Jefferson County, as shown on the map identified as
Exhibit A attached to the application, and as hereinafter more fully
described.

The matter was set for hearing and was heard, after due
notice to interested parties, on October 28, 1963, at 10:00 o'clock
A. M., in the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado.

No petitions of intervention were filed prior to the hearing,
and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the electric customers of an area in which 157 residential customers and 1 church now receive electric service. Of the 152 customers contacted signatures were obtained of 142, or a percentage of 89.9% of the total number of customers. Properly identified conformed copies of said petitions were submitted as Exhibit Nos. B-1 through B-4. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission, directing street lighting service to be established in the area. Since 16 electric customers did not sign, the Company could not install street lights without an order of the Commission.

Principal spokesman for Applicants was Mrs. John Osnes. Mrs. Osnes testified no street lighting now exists in the area contemplated in this application. She stated that police protection was inadequate and that there had been incidents of vandalism which might have been prevented by adequate lighting. She also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the Application though not testifying were Mrs. Rita Baur and Mrs. Jean Vandas who are residents of the area.

Mr. J. H. Ranniger of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric custom-

ers and, as provided in the tariff, a charge of \$0.45 per month per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately eight weeks to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with the Company's tariff.

The proposed street lighting system was estimated to cost \$3,619.00 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

That street lights, approximately 22 in number, shall be installed as required in the area described as follows:

Beginning at the intersection of the center line of West First Avenue with the rear lot lines extended of the lots east of Carr Street; thence north along said rear lot lines and continuing

across West Fourth Avenue to the intersection with the rear lot lines of the lots north of West Fourth Avenue; thence east along said last-described rear lot lines to the intersection with the rear lot lines of the lots west of Balsam Street; thence north along said last-described lot lines to the northwest corner of the lot presently occupied by the house known as 451 Balsam Street; thence east along the north lot line of said lot, across Balsam Street and along the north lot line of the lot presently occupied by the house known as 450 Balsam Street to the northeast corner of said lot; thence south to the northwest corner of the lot presently occupied by the house known as 445 Ammons Street; thence east along the north line of said lot, across Ammons Street, and along the north lot line of the lot presently occupied by the house known as 450 Ammons Street to the intersection with the rear lot line of the lot presently occupied by the house known as 465 Allison Street; thence north along said last-described rear lot line to the northwest corner of said lot; thence east along the north line of said last-described lot, across Allison Street and along the northeasterly side of the lot occupied by the house known as 414 Allison Street and along the rear lot lines of the lots north of West Fourth Avenue to the northeast corner of the lot presently occupied by the house known as 7655 West Fourth Avenue; thence south along the east line of said lot, across West Fourth Avenue and along the east lot line of the lot presently occupied by the house known as 7630 West Fourth Avenue to the southeast corner of said lot; thence east approximately 50 feet to a point approximately 80 feet west of the west right-of-way line of Wadsworth Boulevard; thence south along a line approximately 80 feet west of and parallel to Wadsworth Boulevard, across West Second Avenue to the intersection with a ravine; thence southwesterly along said ravine to the intersection with the center line of West First Avenue; thence west to the point of beginning.

This Order shall become effective as of the day and date

hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Donald E. Ziegler
Donald E. Ziegler
Ralph C. Hahn
Commissioners.

Dated at Denver, Colorado,
this 22nd day of November, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. LEONARD STEINKE, MRS. ROGER)
SCOTT AND MRS. JAMES COATES ON BE-)
HALF OF THEMSELVES AND OTHERS SIMI-)
LARLY SITUATED FOR AN ORDER AUTHOR-)
IZING PUBLIC SERVICE COMPANY OF)
COLORADO TO RENDER STREET LIGHTING)
SERVICE PURSUANT TO PUC TARIFF NO.)
4, SEVENTH REVISED SHEET 262 AND)
SECOND REVISED SHEET 262A IN AN UN-)
INCORPORATED AREA IN ADAMS COUNTY.)

APPLICATION NO. 20089

November 22, 1963

Appearances: D. D. Cawelti, Esq., Denver,
Colorado, for Public Ser-
vice Company of Colorado;
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by Mrs. Leonard Steinke and others,
representing themselves and all other electric customers similarly
situated, for an order authorizing Public Service Company of Colorado
to install, operate and maintain street lighting service in an unin-
corporated area in Adams County, as shown on the map identified as Ex-
hibit A attached to the application, and as hereinafter more fully
described.

The matter was set for hearing and was heard, after due
notice to interested parties, on October 28, 1963, at 10:00 o'clock
A. M., in the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado.

No petitions of intervention were filed prior to the hearing,
and no one appeared at the hearing in opposition to the application.

A petition for street lighting service addressed to Public Service Company of Colorado (Public Service) was circulated among the electric customers of an area. 89 residential customers and 1 school now receive electric service. Of the 88 customers contacted, signatures were obtained of 85, or a percentage of 94.4% of the total number of customers. Said petitions were submitted as Exhibit Nos. B-1 through B-3. The tariff of Public Service, providing for street lighting in unincorporated areas, states, among other things, street lighting in an established area otherwise qualifying will be provided upon receipt by the Company of a petition from all electric customers within the area or upon an order or decision of this Commission, directing street lighting service to be established in the area. Since 5 electric customers did not sign, the Company could not install street lights without an Order of the Commission.

Principal spokesman for Applicants was Mrs. James Coates. Mrs. Coates testified no street lighting now exists in the area contemplated in this application. She stated that police protection was inadequate and that there had been incidents of thefts and vandalism which might have been prevented by adequate lighting. She also testified that adequate street lighting was essential from the standpoint of traffic safety.

Also present in support of the Application though not testifying were Mrs. Leonard Steinke and Mrs. Roger Scott, who are residents of the area.

Mr. J. H. Ranniger of Public Service Company of Colorado, testified the area met all requirements of the tariff conditions, except the number of signers. Upon an Order of this Commission, the Company is ready, willing and able to install street lighting in the area. No construction contributions are required of electric customers and, as provided in the tariff, a charge of \$0.45 per month

per customer will be made. The engineering of the street lighting for the area has already been undertaken. It will require approximately eight weeks to make the initial system operational. 7,000 lumen mercury vapor vertically operated, non-ornamental lights will be provided. Service will be furnished in accordance with the Company's tariff.

The proposed street lighting system was estimated to cost \$2,068.00 which will be provided from internal funds of the Company.

F I N D I N G S

THE COMMISSION FINDS:

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

That it has jurisdiction of the subject matter of this application, and of the Public Service Company of Colorado.

That the preservation of the public peace, health and safety require the installation of a street lighting system in the area described in the Order to follow.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company is hereby authorized and directed to install, operate and maintain a non-ornamental, mercury vapor street light system in accordance with the provisions of its Tariff, Colorado P.U.C. No. 4, Electric, Seventh Revised Sheet 262 and Second Revised Sheet 262A, now existing or as it may be changed under the rules of this Commission, or according to law.

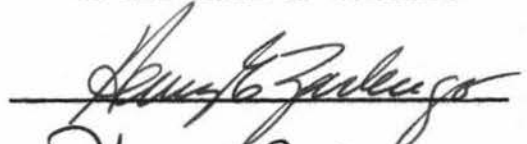
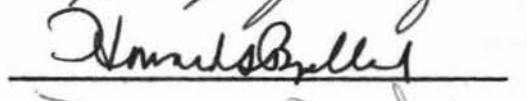
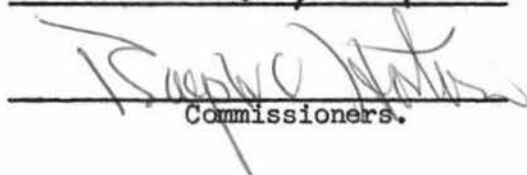
That street lights, approximately 12 in number, shall be installed as required in the area described as follows:

Beginning at the intersection of the center line of Franklin Street with the center line of Nueva Vista Street, thence northwesterly along the center line of said Nueva Vista Street to the intersection with the rear lot lines extended of the lots southeasterly of Downing Drive; thence south-

westerly along said last-described lot lines to the intersection with the rear lot lines of the lots southwesterly of Solana Street; thence northwesterly and northerly along said last-described lot lines, across East 83rd Place and along the west lot line of the lot occupied by the house known as 961 East 83rd Place to the northwest corner of said lot; thence east along the rear lot lines of the lots north of East 83rd Place to the intersection with the center line of Downing Drive; thence north along the center line of Downing Drive to the intersection with the present north property line extended of the Coronado Hills School; thence east along said property line to the intersection with the center line of Franklin Street; thence south along the center line of said Franklin Street to the point of beginning.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 22nd day of November, 1963.

mls

original

(Decision No. 61815)

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, COLO-
RADO, FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY, AUTHOR-
IZING EXTENSION OF OPERATIONS UNDER
PUC NO. 3639.

APPLICATION NO. 20110-Extension
AMENDED

November 22, 1963

Appearances: Michael T. Corcoran, Esq.,
Denver, Colorado, for
Applicant;
John P. Thompson, Esq.,
Denver, Colorado, for
Westway Motor Freight;
Joseph F. Nigro, Esq.,
Denver, Colorado, for
Colorado Transfer & Ware-
housemen's Association,
Mullis Transfer, and Thos.
D. Lane Truck Lines.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Certificate
of Public Convenience and Necessity No. 3639, which authorizes:

Transportation of general commodities,
from point to point within the city limits
of the City and County of Denver, except
those which, because of size or weight,
require special equipment, and except trans-
portation of household goods from house to
house, when such transportation service would
require van-type equipment.

The above authority was granted to Edward F. Martin, doing
business as "Martin Express," June 6, 1956, in Decision No. 45924.

In that decision, we said:

"Report of the Examiner states that applicant
is a fit and proper person, has sufficient
equipment, and is financially able to perform
the services sought by his instant application;
that he has been engaged in transportation of
general commodities in the City and County of
Denver for a period since February 1951, and
was so engaged on January 1, 1955, being the

effective date of Constitutional Amendment giving the Public Utilities Commission of the State of Colorado jurisdiction over common carriers by motor vehicle in home-rule cities, thereby establishing 'Grandfather Rights,' "

On October 4, 1963, the Applicant, Curnow Transportation Company, Inc., a Colorado corporation, filed its application authorizing extension of operations under Certificate No. 3639 to include a ten-mile radius of the City and County of Denver.

The above application was regularly set for hearing, and heard, November 8th, 1963, at 532 State Services Building, Denver, Colorado, and at the conclusion of the hearing, the application was taken under advisement.

At the hearing, Applicant amended his application -- to which there was no objection -- as follows:

"The extended territory in which Applicant proposes to operate is bounded as follows: On the North by 152nd Avenue extended; on the East by a line extending North and South eight (8) miles east of Havana Street, which is roughly 15600 east from Broadway; on the South by County Line Road, and on the West from the north boundary of 152nd Avenue extended, by Ward Road extended to West 44th Avenue, thence by West 44th Avenue to Junction with Youngfield, and thence by Youngfield to Junction with County Line Road on the South."

Edward T. Martin, President and General Manager of Curnow Transportation Company, was the first witness in support of the application. He testified that Applicant was presently operating PUC No. 3639 in Denver, and, because of the growth of Metropolitan Denver, several of his accounts request service to the Denver Metropolitan area; that some of his accounts have established warehouse facilities outside of the Denver city limits, and have customers outside to whom they would like to use Applicant's service, who presently are using Applicant for their deliveries in the City of Denver; that he presently has five delivery men operating in Denver and is making a morning and afternoon pickup and delivery service; that his drivers keep in contact with Applicant's terminal, making it possible for expedited pickups; that the main purpose of Applicant in securing the extension is to give to

his accounts a delivery service in Metropolitan Denver which would improve the service he is giving, especially for his regular accounts.

Alair M. Wittenbrink, who operates a division of Swift and Company known as Chemical Sales Service, as Manager, was also a witness. He states he has approximately twenty customers in the Metropolitan area beyond the city limits; that Applicant is presently making his city deliveries, giving an excellent service and a service that fits the needs of his business; that he has had some experience with the larger common carriers which was not too satisfactory due to delayed deliveries; that as a result of delayed deliveries, he has lost customers; that his company requires a carrier who will give a service that fits the demands of his customers; that Applicant gives this type of service to the Denver customers and he is here appearing requesting this specialized service for his customers residing outside the city limits of Denver.

R. Raymond Barnes, the District Sales Manager for Corn Sales, who sells syrup and related corn products, also uses Applicant for his Denver deliveries and would like to have this service extended beyond the city limits. He states Applicant gives a specialized service and has delivery equipment always available for his deliveries. He also requests the extension of Applicant's authority.

Upon the amendment of the application, Westway Motor Freight, Inc. withdrew its protest.

Weicker Transfer and Storage Company, representing the Colorado Transfer and Warehousemen's Association, was there protesting the extension, and it was stipulated that they would testify they have authority to make these deliveries, have idle equipment, and are willing, ready and able to perform this service.

W. Emerson Gamble, of Mullis Transfer, Moving and Storage Company, holding Certificate of Public Convenience and Necessity No. 5715, call and demand, over irregular routes, as follows:

New and used office and store equipment, goods and products sold by retail stores and manufacturing companies, and new and used household goods, and building materials and supplies, between all points within a 20-mile radius of the Court House in Littleton, Colorado, provided there shall be no service from point to point north of Evans Avenue, as extended, except for the following customers:

Electric Storage Battery Co., 4120 York St., Denver;
C & H Heating Co., 1033 W. Dartmouth Ave., Denver;
Pyramid Heating Co., 864 W. Crestline Ave., Littleton;
Sherwood Solvents, 1535 West 13th Ave., Denver;
Nibco Sales Corp., 2845 Walnut Street, Denver;
Wells-Rutherford, 995 West Iliff Ave., Denver;
Physicians & Surgeons Supply, 1041 Galapago, Denver;
Symons Mfg. Co., 1420 Ulster Street, Denver;
Tubular Service, 1020 Walnut Street, Denver;
Manco Chemical, 2830 W. 17th Ave., Denver; and
Texaco, 805 West 38th Avenue, Denver, Colorado,

testified he could handle the extended service asked for in the application. In this, the Commission is not in agreement. We feel his authority is restricted, eliminating all point to point service except for named customers north of Evans extended.

The Manager of Thomas D. Lane Truck Line also testified, who holds PUC No. 2500; he also holds a limited certificate, and would not be in a position to give the specialized delivery service requested.

In considering the above application, the Commission is faced with problems. Applicant is a common carrier operating within the City and County of Denver, and has certain customers who regularly use his delivery service. These customers desire delivery service to points in Metropolitan Denver. This service is strictly a delivery service and Applicant has several regular customers, for years, who expect and need extended delivery service. Applicant has tailored his operation to meet the requirements of his customers. The customers are faced with an inadequate service in the Denver suburban area or finding a carrier who can and will give this specially-tailored service. We might here say that it is the opinion of the Commission that Thomas D. Lane Truck Line and the Mullis Transfer cannot render this service. There remains only the protest of the Colorado Transfer and Warehousemen's Association. The Commission, in numerous decisions, has found

that common carriers are entitled to extended service to take care of their deliveries, due to the growth of Denver. We realize we have definite city boundaries, but to stop deliveries there, after the showing herein made, we do not believe to be in the public interest. We must not forget that Applicant is a certificated common carrier already in existence, and is not a new carrier entering the field.

F I N D I N G S

THE COMMISSION FINDS:

1. That Applicant is a call and demand common carrier by motor vehicle for hire, providing for transportation of general commodities between points within the city limits of the City and County of Denver.
2. That existing means of transportation between Denver and the Metropolitan area would be substantially improved for his common carrier customers if the above application is granted.
3. That Applicant performs a tailor-made service to fit the needs of his customers, which service would be extended into the Metropolitan area.
4. That upon the record herein made, the Commission is of the opinion that the public convenience and necessity require and will require the proposed operation of Applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the extended motor vehicle common carrier service of Applicant for transportation of general commodities (except those which because of size or weight require special equipment, and except household goods from house to house, when such transportation would require van-type equipment), from point to point within the City and County of Denver and the area bounded as follows, beyond the city limits of the City and County of Denver:

On the North by 152nd Avenue extended; on the East by a line extending North and South eight (8) miles east of Havana Street, which is roughly 15600 east from Broadway; on the South by County Line Road, and on the West from the north boundary of 152nd Avenue extended, by Ward Road extended to West 44th Avenue, thence by West 44th Avenue to Junction with Youngfield, and thence by Youngfield to Junction with County Line Road on the South,

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

It is further ordered that the operation under PUC No. 3639 should not be combined or operated in conjunction with PUC No. 49.

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

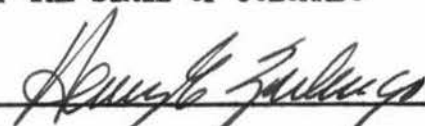
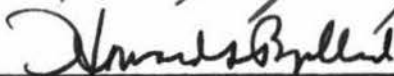
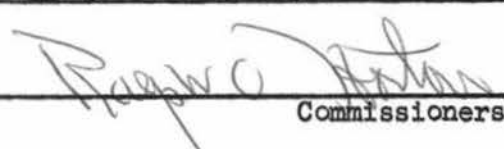
That Applicant shall operate its carrier system in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

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

That Application No. 20110, in all other respects, should be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 22nd day of November, 1963.

ea

original

(Decision No. 61816)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COUNTY OF EL PASO, STATE OF COLO-)
RADO FOR THE AUTHORITY TO RELOCATE AN)
EXISTING ROAD GRADE CROSSING AT PIKE)
VIEW, COLORADO, OVER THE MAIN LINE OF)
THE DENVER AND RIO GRANDE WESTERN)
RAILROAD.)
-----)

APPLICATION NO. 20065

November 22, 1963

Appearances: Board of El Paso County
Commissioners:
Keith D. McBurney, Chairman,
F. L. Monk,
Charles L. Smith, for
El Paso County, State
of Colorado.

S T A T E M E N T

By the Commission:

On September 24, 1963, El Paso County, Colorado, by its Board of County Commissioners, filed its application in accordance with the rules of this Commission, seeking approval for abandonment of an existing County road grade crossing over the single main line railroad track of The Denver & Rio Grande Western Railroad (Rio Grande), and to therewith establish and construct a new crossing complete with flashing light signals on the eastward extension of an interchange connection with Interstate Route No. 25, known as Garden of the Gods Road north of Colorado Springs, Colorado.

Other explanatory material as submitted with the application includes:

Exhibit A: Combination Plan and Profile Sheet to show layout of proposed new County road and grade crossing as replacement for present crossing.

Exhibit B: Combination Plan and Profile Sheet to show situation at Rio Grade Railroad and existing crossing in relation to proposed new work at Garden of Gods Road.

With reference to the instant application, the construction plans by El Paso County provide for removal of the existing crossing at approximately 900 feet North from the proposed crossing and vacation and closing of the public road leading thereto. A drainage structure and ditch will be constructed by the County on the West side of the railroad, and agreements have been concluded with the Company covering this phase of the work. Communication lines on the West side of the railroad have been raised by the Company, and agreement made wherein the County will pay for this work. Further negotiations between the Company and the Applicant are in progress wherein the Company will install a flasher signal with appropriate signs at the subject crossing. The Applicant hereby assures the Public Utilities Commission that the above installation will be completed prior to use of the proposed new crossing by the public.

On November 15, 1963, the Commission received a copy of a fully executed Agreement, dated November 4, 1963, between Board of El Paso County Commissioners and Rio Grande Railroad containing more complete location description, details of proposed work, and cost distribution.

According to the Agreement herein, El Paso County Commissioners, by their resolution dated October 7, 1963, have adopted a plan for construction and rearrangement of County Roads in the area between Colorado Springs and Security Village, wherein at least one set of grade crossing flashing light signals will be released by elimination of one or more grade crossings. Said signals are to be relocated and installed at the instant Garden of the Gods Road Crossing. In this manner, costs to El Paso County will be limited to the expense of signal transfer and reconditioning, plus other related items requiring new construction as: foundations, crossing planking, and raising of communication line. Meanwhile, loaner signal equipment will be provided by Rio Grande until removal and transfer of the released signal equipment can be accomplished. Estimated cost of proposed work is \$5,680, but only actual charges according to final billing, will be

reimbursed to Rio Grande by El Paso County. Upon completion of the new crossing and protection, the present crossing will be removed and approaches obliterated.

In a review of the instant proposal by the Commission, it appears that for some years El Paso County Commissioners have considered the old crossing at Mile Post 70 plus 1436 feet to be unsafe due to a series of right-angle turns in the old road approaches to the rail line.

After completion of the U. S. Interstate Route No. 25 along the western side of the railroad, the formerly isolated area northward from Fillmore Overpass to Pike View, has become attractive for varied industrial development. Further development of the region appears certain since convenient access to the new highway is available at an interchange structure serving El Paso County Garden of the Gods Road near the proposed crossing location. Already extensive land-levelling work has been done near the crossing preparatory to promotion of a large shopping and business area; a large warehouse has been constructed by Weicker Transfer and Storage Company; and construction has been started for a bridge across Monument Creek to establish connection with North Nevada Avenue as a main thoroughfare to Colorado Springs.

Hence, it appears there will be a new and large volume of vehicular traffic in an area along the rail line where formerly there was only minor farm or residential traffic.

The need for protection at the proposed new and more direct crossing becomes apparent upon consideration of the railroad uses. Rail traffic in this area consists mainly of southbound movements over the Rio Grande line by trains of: Atchison, Topeka & Santa Fe, Colorado & Southern, Missouri Pacific, and Rio Grande. Average use amounts to some 12 movements daily by both freight and streamline passenger trains. Speeds for the area are 50 miles per hour.

Meanwhile, the Commission has forwarded a copy of the instant application, together with a Notice, to interested parties, to the Mayor, City of Colorado Springs, and to owners of adjacent property at the crossings affected. Said Notice was to ascertain if any other

action was to be considered within the period of twenty (20) days as designated in said Notice. No adverse reply has been received by the Commission. Recommendation that the work be done was submitted by the Colorado Springs Industrial Foundation, a non-profit group promoting further development in adjacent areas.

After consideration of the instant proposal, it is the belief of the Commission that effectiveness of automatic signal protection is accepted by the utility and the public agencies involved herein. The new grade crossing location and signal installation will upgrade protection to meet the road improvements and provide for increased vehicular use. Hence, it is apparent the new construction and safety devices as sought here would be in the public interest and protect traffic on both the highway and the railroad.

It is therefore the belief of the Commission that the proposed crossing work is compatible with the public interest, and the Commission determined to hear, and has heard, said matter, forthwith, without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the foregoing Statement, by reference, is made a part hereof.

That public safety, convenience and necessity require abandonment and removal of the present County Road grade crossing at Rio Grande Mile Post 70 plus 1436 feet, and the construction of a new Garden of the Gods Road crossing at Mile Post 70 plus 2377 feet, together with the installation and approval of standard flashing-type automatic crossing signals at said new grade crossing over the single track Main Line of The Denver & Rio Grande Western Railroad Company, near the north side of Colorado Springs, El Paso County, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

That Applicant, El Paso County, State of Colorado, be,
and it hereby is, granted a certificate of public convenience and
necessity to authorize and approve the following:

- a. Abandonment and removal of old County Road
grade crossing at Rio Grande Mile Post 70
plus 1436 feet.
- b. Establishment, construction, operation and
maintenance of a new highway-railroad grade
crossing at eastward extension at Garden of
the Gods Road, Rio Grande Mile Post 70 plus
2377 feet.
- c. Installation, operation and maintenance of
standard automatic flashing-light grade
crossing signals at the new Garden of the
Gods grade crossing,

said crossings being over and across the Main Line of The Denver &
Rio Grande Western Railroad Company near the north side of Colorado
Springs, El Paso County, Colorado.

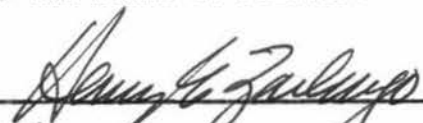
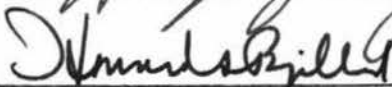
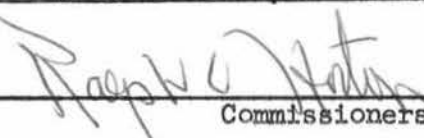
That the work to be done, costs, installations and maintenance
of the protection devices shall be as indicated in the preceding State-
ment, said Statement, Agreement, and Location Exhibits being, by reference,
made a part hereof.

That the signal devices and installation shall all be in con-
formance with the current Bulletin of the Association of American
Railroads' Joint Committee on Railroad Protection.

That a standard reflectorized Advance Warning Sign shall be
placed by El Paso County on each County Road approach to the new grade
crossing.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 22nd day of November, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DAROL PAUGH, ROUTE 1, MANZANOLA,)
COLORADO.)
-----)

PUC NO. 5677-I

December 5, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 5677-I be suspended for six months from November 1, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Darol Paugh, Manzanola, Colorado

_____ be, and is hereby, authorized to suspend operations under PUC No. 5677-I until May 1, 1964.

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

Henry E. Zaehner
Harold S. Bjelland
Raymond C. Norton

Dated at Denver, Colorado,
this 5th day of December, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN H. STURGIS, DOING BUSINESS AS)
"STURGIS LOGGING," PAONIA, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 20123-PP

November 26, 1963

Appearances: John H. Sturgis, Paonia,
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 100 miles of said forests; rough lumber, from sawmills in said 100-mile radius to markets in the State of Colorado (no town-to-town service).

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 15, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

John H. Sturgis testified that he is the owner of two logging trucks which he proposes to use in rendering service under the logging authority which he here seeks before the Commission. He has had four years experience in the trucking business, has an estimated net worth in excess of \$25,000, and will abide by the rules and regulations of the Commission if the requested authority is granted.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That John H. Sturgis, doing business as "Sturgis Logging," Paonia, Colorado, 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 100 miles of said forests; rough lumber, from sawmills in said 100-mile radius to markets in the State of Colorado (no town-to-town service), and this ORDER shall be deemed to be, and be, 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Donald B. Bull

Ralph C. Hutton

Dated at Denver, Colorado,
this 26th day of November, 1963.
ea

original

(Decision No. 61819)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
M. R. W. TRUCKING COMPANY, U. S.)	
HIGHWAY NO. 50, EAST OF MONTROSE,)	
COLORADO, FOR A CLASS "B" PERMIT)	APPLICATION NO. 20124-PP
TO OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

November 26, 1963

Appearances: Frank J. Woodrow, Esq.,
Montrose, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles and timber products, from forests to sawmills, places of storage, and loading points within a radius of 100 miles of said forests; rough lumber, from sawmills in said 100-mile radius to markets in the State of Colorado (no town-to-town service).

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 15, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

Frank J. Woodrow testified that he is the Attorney for a logging enterprise in the Montrose area, and that the M. R. W. Trucking Company, the applicant herein, is presently in the process of being incorporated for the purpose of furnishing this logging enterprise with its transportation requirements. The applicant will comply with all the rules and regulations of the Public Utilities Commission, if the requested authority is granted. The incorporation procedures will be completed within the next thirty days. The applicant will not commence operation until the incorporation has been completed.

Clifford Rawlings testified that he is Manager of the said lumber enterprise and one of the incorporators of the applicant, and that, if the requested authority is granted, the applicant will comply with all rules and regulations of the Commission.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That M. R. W. Trucking Company, Montrose, Colorado, 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 100 miles of said forests; rough lumber, from sawmills in said 100-mile radius to markets in the State of Colorado (no town-to-town service), and this ORDER shall be deemed to be, and be, a PERMIT therefor.

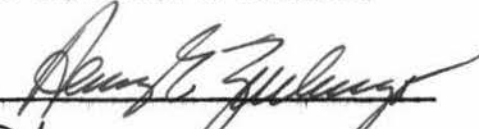
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

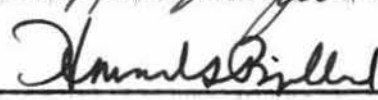
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of its customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

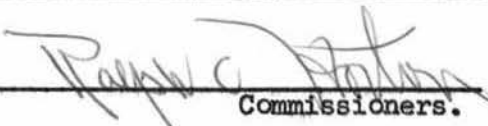
That the right of applicant to operate hereunder shall depend upon its compliance with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 26th day of November, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
E. G. MATHEWS, HOTCHKISS, COLORADO,)	
FOR A CLASS "B" PERMIT TO OPERATE)	APPLICATION NO. 20125-PP
AS A PRIVATE CARRIER BY MOTOR VE-)	
HICLE FOR HIRE.)	
-----)	

November 26, 1963

Appearances: E. G. Mathews, Hotchkiss,
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 and places of storage and loading points within a radius of 100 miles of said forests; rough lumber, from sawmills in said 100 mile radius to markets in the State of Colorado (no town-to-town service).

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 15, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

Mr. Mathews testified that he owns two logging trucks, has an estimated net worth in excess of \$7,500.00, and has had five years trucking experience. He has been operating under Temporary Authority issued by the Commission for the past thirty days and will comply with all rules and regulations of the Commission, if the requested authority is granted.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That E. G. Mathews, Hotchkiss, Colorado, 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 and places of storage and loading points within a radius of 100 miles of said forests; rough lumber, from sawmills in said 100-mile radius to markets in the State of Colorado (no town-to-town service), and this ORDER shall be deemed to be, and be, a PERMIT therefor.


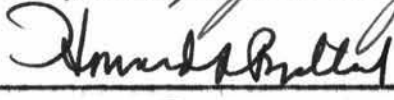

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 26th day of November, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MILTON SWANK DBA)
MAGGIE'S FURNITURE)
7595 Hiway 85)
Henderson, Colo.)
-----)

AUTHORITY NO. M 8584
CASE NO. 13853 Ins.

November 26, 1963

S T A T E M E N T

By the Commission:

On November 20, 1963, 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

Henry C. Ziegler
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 26th day of November 26, 1963

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

LIVESTOCK, COMMODITY RATES,
COLORADO MOTOR CARRIERS'
ASSOCIATION, AGENT, TARIFF
NO. 14, COLORADO P.U.C. NO. 13

INVESTIGATION AND SUSPENSION
DOCKET NO. 518

November 26, 1963

S T A T E M E N T

BY THE COMMISSION:

On November 5, 1963, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver, Colorado, filed Original Page No. 87-I to Tariff No. 14, Colorado P.U.C. No. 13, scheduled to become effective December 5, 1963 as set forth below.

SECTION NO. 4-A

Livestock

Item No. Specific Commodity Rates in Cents per 100 pounds
Livestock, other than sheep or goats, between points within the authorized territory of Lawrence Wagner, d/b/a Akron Truck Line; Everett J. Miller, d/b/a Canon Ball Express; John G. Riedesel, d/b/a Riedesel Truck Line and Carroll Ross.

(Rates in cents per 100 pounds)

Not subject to the minimum charges published on Page 87-E

Distance -- Miles	Minimum Weight -- Pounds		
	5,000	8,000	12,000
5 or less	9	8	7
10 and over 5	13	11	10
15 and over 10	17	15	13
20 and over 15	21	19	17
25 and over 20	24	21	19
30 and over 25	26	22	20
35 and over 30	28	23	21
40 and over 35	30	24	22
45 and over 40	32	25	23
50 and over 45	33	26	24
55 and over 50	34	27	25
60 and over 55	35	28	26
65 and over 60	37	29	27
70 and over 65	38	30	28
75 and over 70	40	31	29
80 and over 75	42	32	30
85 and over 80	44	33	31
90 and over 85	47	36	34
95 and over 90	49	38	36
100 and over 95	51	40	38
110 and over 100	53	42	40
120 and over 110	55	44	42
130 and over 120	57	46	44
140 and over 130	59	48	46
150 and over 140	61	50	48
160 and over 150	63	52	50

† denotes addition

The changes as proposed will result in reductions; and if permitted to become effective may result in violations 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 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 should 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 and charges resulting from the changes proposed by Colorado Motor Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, as set forth in the statement.
3. The operation of said schedules be and they are hereby suspended, and the use thereof be deferred to and including April 3, 1964, unless otherwise ordered by the Commission.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date hereon, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case.
6. A copy of this order shall be filed with the schedules in the office of the Commission and also be served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado, and that the carriers parties to said tariff be, and they are hereby, made respondents to this proceeding.

7. This Investigation and Suspension Docket No. 518, be, and the same is hereby set for hearing before the Commission on Thursday, December 12, 1963 at 10:00 A.M. in the hearing room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

August E. Zaslavsky
Harold B. Bell
Ralph C. Hutton
Commissioners

Dated at Denver, Colorado
this 26th day of November, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MONTEZUMA TRUCK LINES, INC., 873)
EAST THIRD STREET, DURANGO, COLO-)
RADO, FOR AUTHORITY TO TRANSFER A) APPLICATION NO. 20083-Transfer
PORTION OF PUC NO. 360 TO M & H)
TRUCKING, INC., 5001 EAST MAIN)
STREET, FARMINGTON, NEW MEXICO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
MONTEZUMA TRUCK LINES, INC., 873)
EAST THIRD STREET, DURANGO, COLO-)
RADO, FOR AUTHORITY TO TRANSFER A) APPLICATION NO. 20084-Transfer
PORTION OF PUC NO. 848 TO M & H)
TRUCKING, INC., 5001 EAST MAIN)
STREET, FARMINGTON, NEW MEXICO.)
-----)

November 27, 1963

Appearances: Edward T. Lyons, Jr., Esq.,
Denver, Colorado, for
Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Montezuma Truck Lines, Inc., Durango, Colorado,
was granted certificates of public convenience and necessity (PUC No.
360 and PUC No. 848), with authority as follows:

PUC No. 360:

Transportation of freight, except household goods and office furniture and equipment, between points in the territory bounded on the west by the Colorado-Utah State Line, on the south by the Colorado-New Mexico State Line, and on the north and east by a line running through Dolores and Mancos; provided, however, that he shall not engage in transporting freight between the Towns of Cortez, Mancos, and Dolores, or any of them; transportation of all commodities, except household goods and office furniture and equipment, into, out of, and between points within a fifty-mile radius of Cortez, Colorado, and from said area to and from other points in the State of Colorado, save and except that no authority is granted applicant to transport commodities between points now served by scheduled motor truck common carriers, with the exception of livestock and farm products, with the further restriction of no service to be performed between points in Cortez, Colorado;

PUC NO. 848:

Transportation, not on schedule, of farm products, including livestock, and farm supplies, including feed, building materials, farm machinery and equipment, and coal, sand, gravel, and road contractors' supplies; machinery and equipment, from point to point in an area extending fifty miles north and thirty miles east of Dolores, Colorado, and the Colorado State Line on the south and west, and from and to points in said area, to and from points in the State of Colorado, provided, however, that applicant shall not establish a line-haul service on schedule under this Order, and shall not transport merchandise, or otherwise operate in competition with certified line-haul common carriers, and shall not engage in transportation of any commodities between points within the City of Cortez, Colorado.

Said certificate-holder now seeks authority to transfer a portion of said operating rights to M & H Trucking, Inc., Farmington, New Mexico.

Said applications were regularly set for hearing before the Commission, and were heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matters were taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceedings, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that said applications were heard on a consolidated record; that John B. Able, President of transferor herein, appeared at the hearing and testified in support of said applications, stating that his company had entered into a contract (Exhibit No. 1) to sell portions of PUC Nos. 360 and 848 to transferee herein, for the sum of \$8,500 -- \$7,500 being allocated for the portion of PUC No. 360, and \$1,000 being allocated for the portion of PUC No. 848; that his corporation has continuously operated said certificates since granted by the Commission; that there are no outstanding debts against said certificates.

H. K. Keesee, President of transferee herein, also appeared at the hearing and testified in support of the application, stating his company is incorporated under the laws of the State of New Mexico,

but is qualified to do business in the State of Colorado; that Articles of Incorporation of his company are on file with the Commission; that his company is the owner and operator of Permit.No. 3263; that said company is also certificated to serve in the State of Utah, New Mexico, and Arizona; that if authority herein sought is granted, his company will have ample and suitable equipment, sufficient net worth and operating experience with which to render operations.

Five public witnesses appeared and testified in support of the instant applications.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of authority herein sought; 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 Montezuma Truck Line, Inc., Durango, Colorado, be, and hereby is, authorized to transfer to M & H Trucking, Inc., Farmington, New Mexico, that portion of PUC No. 360, as follows:

Transportation of machinery, equipment, materials, and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipelines.

Between points in the territory bounded on the west by the Colorado-Utah state line, on the south by the Colorado-New Mexico state line, and on the north and east by a line running through Dolores and Mancos; provided, however, that carrier shall not engage in transporting freight between the towns of Cortez, Mancos, and Dolores, or any of them;

Into, out of, and between points within a 50-mile radius of Cortez, Colorado, and from said area to and from other points in the State of Colorado, save and except that no authority is granted carrier to transport commodities between points now served by scheduled motor truck common carriers, with the further restriction of no service to be performed between points in Cortez, Colorado.

That a new number shall issue to transferee covering said operating rights.

That the number "PUC No. 360" shall be retained by transferor herein, operating rights thereunder to be as follows:

Transportation of freight, except household goods and office furniture and equipment, and except machinery, equipment, materials, and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and except machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipelines.

Between points in the territory bounded on the west by the Colorado-Utah state line, on the south by the Colorado-New Mexico state line, and on the north and east by a line running through Dolores and Mancos; provided, however, that carrier shall not engage in transporting freight between the towns of Cortez, Mancos, and Dolores, or any of them;

Into, out of, and between points within a 50-mile radius of Cortez, Colorado, and from said area to and from other points in the State of Colorado, save and except that no authority is granted applicant to transport commodities between points now served by scheduled motor truck common carriers, with the exception of livestock and farm products, with the further restriction of no service to be performed between points in Cortez, Colorado.

That Montezuma Truck Line, Inc., Durango, Colorado, be, and hereby is, authorized to transfer to M & H Trucking, Inc., Farmington, New Mexico, that portion of PUC No. 848, as follows:

Transportation, not on schedule, of machinery and equipment,

From point to point in an area extending 50 miles north and 30 miles east of Dolores, Colorado, and the Colorado state line on the south and west, and from and to points in said area, to and from points in the State of Colorado, provided, however, that carrier shall not establish a line-haul service on schedule under this order, and shall not transport merchandise, or otherwise operate in competition with certified line-haul common carriers, and shall not engage in transportation of any commodities between points within the City of Cortez, Colorado.

That a new number shall issue to transferee covering said operating rights.

That the number "PUC No. 848" shall be retained by transferor herein, operating rights thereunder to be as follows:

Transportation, not on schedule, of farm products, including livestock, and farm supplies, including feed, building materials, farm machinery and equipment, and coal, sand, gravel, and other road contractors' supplies,

From point to point in an area extending 50 miles north and 30 miles east of Dolores, Colorado, and the Colorado state line on the south and west, and from and to points in said area, to and from points in the State of Colorado, provided, however, that applicant shall not establish a line-haul service on schedule under this order, and shall not transport merchandise, or otherwise operate in competition with certified line-haul common carriers, and shall not engage in transportation of any commodities between points within the city of Cortez, Colorado.

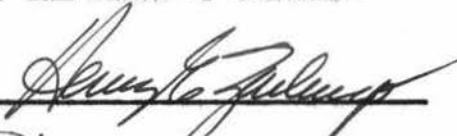
That said transfers shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificates (Portions of PUC Nos. 360 and 848), have been formally assigned, and that said parties have accepted, and in the future will comply 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 transfers, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

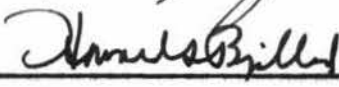
The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

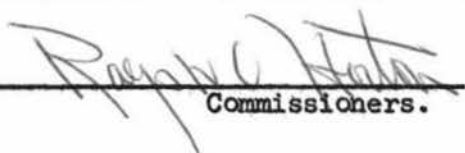
The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 27th day of November, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JUAN I. MARTINEZ, P. O. BOX 17,)
FORT GARLAND, COLORADO.)

PERMIT NO. B-5269

December 5, 1963

S T A T E M E N T

By the Commission:

On May 16, 1963, the Commission authorized Juan I. Martinez to suspend operations under his Permit No. B-5269, until November 16, 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. B-5269, should be, and the same hereby is, reinstated as of November 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaslavsky
Harold L. Billard
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 5th day of December, 1963.

hc

original

(Decision No. 61825)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROCCO M. LABRIOLA, 5115 DEPEW COURT,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 20145-PP

November 26, 1963

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, applicant herein filed his application, seeking authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, November 27, 1963, at ten o'clock A. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, due notice thereof being forwarded to all parties in interest.

The Commission has now been advised that applicant herein no longer desires to prosecute said application, and requests dismissal thereof.

The Commission finds that said request should be granted, as set forth in the Order following.

O R D E R

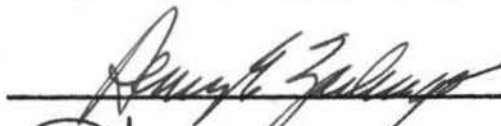
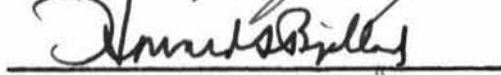

THE COMMISSION ORDERS:

That hearing of Application No. 20145-PP, set for November 27, 1963, at ten o'clock A. M., be, and the same hereby is, vacated.

That said Application No. 20145-PP be, and the same hereby is, dismissed, upon request of applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 26th day of November, 1963.

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, TO CONSTRUCT AND OPERATE A)
69-KV TRANSMISSION LINE TO THE CITY)
OF ASPEN, COLORADO, FROM EITHER A)
POINT NEAR CARBONDALE, COLORADO, OR)
BASALT, COLORADO, AS THIS COMMISSION)
SHALL DETERMINE, FOR THE PURPOSE OF)
DELIVERING WHOLESALE POWER AND ENERGY)
TO THE MUNICIPAL ELECTRIC SYSTEM OF)
THE CITY OF ASPEN, COLORADO, AND FOR)
AN ORDER RESCINDING AND REVOKING DE-)
CISION NO. 60156 AND DECISION NO.)
61364 OF THIS COMMISSION RELATING TO)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AND AUTHORITY OF COLO-)
RADO-UTE ELECTRIC ASSOCIATION, INC.,)
TO CONSTRUCT A 69 KV TRANSMISSION)
LINE FROM BASALT, COLORADO, TO ASPEN)
COLORADO.)

APPLICATION NO. 20119

PUBLIC SERVICE COMPANY OF COLORADO,)
Complainant,)
vs.)
COLORADO-UTE ELECTRIC ASSOCIATION,)
INC., AND HOLY CROSS ELECTRIC ASSO-)
CIATION, INC.,)
Respondents.)

CASE NO. 5256

November 29, 1963

SUPPLEMENTAL ORDER

Appearances: Lee, Bryans, Kelly & Stansfield,
Esqs., by Bryant O'Donnell,
Esq., and Richard W. Bryans,
Esq., 550 15th Street, Denver,
Colorado, for Public Service
Company of Colorado;
Raphael J. Moses, Esq., Box 34,
Boulder, Colorado, and
John A. Hughes, Box 119, Mont-
rose, Colorado, for Colorado-
Ute Electric Association, Inc.,

and Holy Cross Electric Association, Inc.;
John J. Conway, Esq., Denver,
Colorado, and
Paul M. Brown, Denver, Colorado,
for the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On November 8, 1963, the Commission entered its Decision No. 61736 in the above-styled matter.

On November 12, 1963, "Motion" to amend Decision No. 61736 was filed with the Commission by Public Service Company of Colorado, by Lee, Bryans, Kelly & Stansfield, Esqs.

The Commission, having considered said Motion, finds that it should be denied.

O R D E R

THE COMMISSION ORDERS:

That "Motion," filed with the Commission in the above-styled matter on November 12, 1963, by Public Service Company of Colorado, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

CHAIRMAN HENRY E. ZARLENGO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of November, 1963.

mls

original

(Decision No. 61827)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE J. MAURER, 3610 PONTIAC)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 20144-PP

November 29, 1963

STATEMENT AND FINDINGS OF FACT

By the Commission:

The above-styled application was regularly set for hearing before the Commission, 10:00 A. M., November 27, 1963, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, due notice thereof being forwarded to all parties in interest.

Applicant has informed the Commission that he no longer desires to prosecute said application, and requests dismissal thereof.

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 Application No. 20144-PP be, and the same hereby is, dismissed, upon request of Applicant herein.

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

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]
[Signature]
[Signature]
Commissioners.

Dated at Denver, Colorado,
this 29th day of November, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARTIN ROGELL, DOING BUSINESS AS)
"BYERS-DENVER TRUCK LINE," 2921)
WALNUT STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CON-)
VENIENCE AND NECESSITY, AUTHOR-)
IZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 272 AND PUC NO.)
272-I.)
-----)

APPLICATION NO. 19728-Extension

December 2, 1963

Appearances: John P. Thompson, Esq.,
Denver, Colorado,
for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, authority was sought by applicant herein to extend operations under PUC No. 272 and PUC No. 272-I.

The Commission is now in receipt of a communication from Attorney for applicant herein, requesting dismissal of said application.

The Commission finds that said request should be granted, as set forth in the Order following.

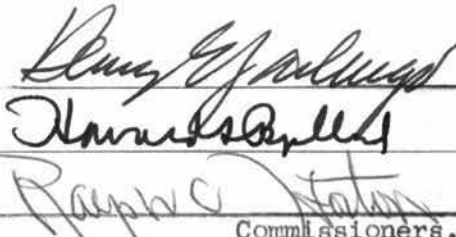
ORDER

THE COMMISSION ORDERS:

That Application No. 19728-Extension be, and the same hereby is, dismissed, upon request of Attorney for Applicant 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 2nd day of December, 1963.

original

(Decision No. 61829)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KEITH L. HARKNESS, DOING BUSINESS)
AS "HARKNESS BROTHERS," RANSOM,)
KANSAS, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO)
BOB MING, HEALY, KANSAS.)
-----)

PUC NO. 2292-I-Transfer

December 2, 1963

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Keith L. Harkness, doing business as
"Harkness Brothers," Ransom, Kansas, was granted a certificate of
public convenience and necessity (PUC No. 2292-I), authorizing
operation as a common carrier by motor vehicle for hire, for the
transportation of:

freight, between all points in Colorado
and the Colorado State Boundary Lines,
where all highways cross same, in inter-
state commerce, only, subject to the pro-
visions of the Federal Motor Carrier Act
of 1935, as amended.

Said certificate-holder now seeks authority to transfer
said PUC No. 2292-I to Bob Ming, Healy, Kansas.

Inasmuch as the records and files of the Commission fail
to disclose any reason why said transfer should not be authorized,
the Commission states and finds that the proposed transfer is com-
patible with the public interest, and should be authorized, as set
forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Keith L. Harkness, doing business as "Harkness Brothers,"
Ransom, Kansas, be, and hereby is, authorized to transfer all right,
title and interest in and to PUC No. 2292-I -- with authority as set

forth in the Statement preceding, which is made a part hereof by reference -- to Bob Ming, Healy, Kansas, subject to the provisions of the Federal Motor Carrier Act of 1935, and subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Klaus E. Zulauf
Wm. B. Miller
Joseph C. Hottel
Commissioners.

Dated at Denver, Colorado,
this 2nd day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE M. FLINT AND ALBERT C. KLAR-)
NER, DOING BUSINESS AS "ARVADA)
RUBBISH REMOVAL," 6066 DOVER STREET,)
ARVADA, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-3967 TO)
ARVADA RUBBISH REMOVAL COMPANY, A)
CORPORATION, 6066 DOVER STREET,)
ARVADA, COLORADO.)
-----)

APPLICATION NO. 19846-PP-Transfer
SUPPLEMENTAL ORDER

December 2, 1963

Appearances: Robert E. McLean, Esq.,
Denver, Colorado,
for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On July 22, 1963, the Commission entered its Decision No. 61060, authorizing transfer of Permit No. B-3967 from George M. Flint and Albert C. Klarner, doing business as "Arvada Rubbish Removal," Arvada, Colorado, to Arvada Rubbish Removal Company, a corporation, Arvada, Colorado.

The Commission is now in receipt of a communication from transferee herein, requesting that the following authority be stricken from authority under said Permit No. B-3967:

"coal, from the northern Colorado coal fields to Arvada, Colorado, and a one-mile radius thereof; wood, from wood yards and forests, to Arvada and a radius of one mile thereof; coal, from the northern Colorado coal fields, to points within the above-described territory; fertilizer from Mushroom Plant, located twelve miles north of Denver, to Arvada and Westminster and points within a one-mile radius of Arvada and Westminster."

The Commission states and finds that said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the following authority be, and hereby is, stricken
from operating rights under Permit No. B-3967:


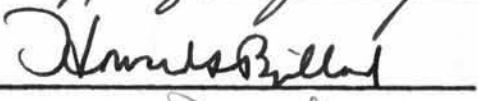
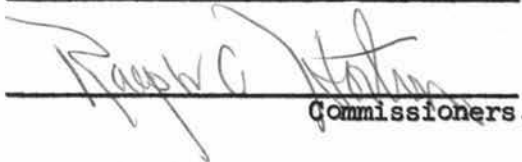
"coal, from the northern Colorado coal fields
to Arvada, Colorado, and a one-mile radius
thereof; wood, from wood yards and forests,
to Arvada and a radius of one mile thereof;
coal from the northern Colorado coal fields,
to points within the above-described ter-
ritory; fertilizer from Mushroom Plant,
located twelve miles north of Denver, to
Arvada and Westminster and points within a
one-mile radius of Arvada and Westminster,"

so that the authority remaining under said Permit No. B-3967 shall be
as follows:

"Transportation of ashes and trash, in, to and
from the City of Arvada, Colorado, and a radius
of one mile thereof; ashes and trash, between
points within the area described as follows:
Beginning at Denver City Limits; thence east to
a point one mile east of Fifty-Second Avenue
and Federal Boulevard; thence north to a point
one mile north of Westminster; thence to a point
one mile west of Westminster; thence south to a
point directly west of the north City Limits of
Denver; thence east to the City Limits of Denver."

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 2nd day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK C. HEITMAN, 4601 WEST ALAMEDA,)
DENVER, COLORADO, FOR AUTHORITY TO)
EXTEND OPERATIONS UNDER PERMIT NO.)
B-4043.)
-----)
)

APPLICATION NO. 19965-PP-Extension

December 2, 1963

Appearances: Frank C. Heitman, Denver,
Colorado, pro se;
Leslie R. Kehl, Esq.,
Denver, Colorado, for
Red Ball Motor Freight,
Inc., Boulder-Denver
Truck Line, North Park
Transportation Company,
Inc.;
Royce Sickler, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., Larson
Transportation Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the above-styled application, applicant herein sought authority to extend operations under Permit No. B-4043, to include the right to transport lumber and sawmill products, produced and shipped from Kaibab Lumber Company, 2000 West Oxford Avenue, Arapahoe County, Colorado, to marketing points, as directed by said Kaibab Lumber Company; lumber and sawmill products, produced and shipped from United States Plywood Corporation, 490 Osage Street, Denver, Colorado, to marketing points, as directed by said United States Plywood Corporation.

Applicant is presently the owner and operator of Permit No. B-4043, authorizing transportation of:

Forest and sawmill products, including logs and timber, from Fraser and Winter Park, Colorado, and a five-mile radius of each of said towns, to Denver, Colorado.

Forest and sawmills products, including logs and timber, from points within a radius of thirty miles of Granby, Colorado, and a five-mile radius of Dillon, Colorado, to Denver, Colorado, and to points within a radius of ten miles of Denver, Colorado.

Forest and sawmill products within a radius of thirty miles of Cherokee Park (near Red Feather Lakes), in Larimer County, Colorado, to Denver, Colorado.

Forest and sawmill products, from point to point within a thirty-mile radius of Steamboat Springs, Colorado, and from and to points within said thirty-mile radius to and from Denver, Colorado.

Logs, poles, timber products, rough lumber and finished lumber, from forests and sawmills, to sawmills, places of storage, loading points, and markets within a radius of fifty miles of said forests, and to Denver and points within a radius of twenty miles of Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the commencement of the hearing, applicant moved to amend his application, as follows:

"Transportation of lumber and sawmill products, produced and shipped from Kaibab Lumber Company, 2000 West Oxford Avenue, Arapahoe County, Colorado, to marketing points, as directed by said Kaibab Lumber Company; provided, however, that no service shall be rendered into or out of Grand and Jackson Counties."

All parties agreeing, and said amendment being restrictive in nature, the amendment was allowed. Thereupon, Boulder-Denver Truck Line and North Park Transportation Company, Inc., withdrew their protests to the granting of authority herein sought.

Applicant appeared at the hearing and testified in support of his application, stating Kaibab Lumber Company had requested him to file the instant application, and accordingly would enter into special carriage contracts with him to engage his services, if authority herein sought is granted; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render his proposed

extended operations; that he has served Kaibab Lumber Company in the past and is intimately acquainted with its specialized operation; that he is presently rendering said service under Temporary Authority; that Kaibab is the only customer he is presently serving; that if authority herein sought is granted, he will dedicate specialized equipment to the sole and exclusive use of said company.

James Whitney, Manager of Kaibab Lumber Company also appeared and testified in support of the instant application, stating he is in charge of Colorado operations of said company; that said company is located in Arapahoe County, Colorado; that the company does not own or maintain any of its own trucks, and is dependent on rail or truck transportation service; that virtually all said company's business is consummated in the marketing area of Metropolitan Denver and in the area of Colorado Springs; that applicant's services have been excellent; that applicant is the only carrier who has the "know-how" and the specialized equipment necessary to transport his company's traffic; that said company has never been solicited by any common carrier; that no common carrier has ever rendered service for said company; that if the instant application is not granted, his company will be at a distinct competitive disadvantage, because transportation requirements of said company are such that they demand the exclusive services of a carrier like applicant who will tailor-make his entire operation to fit certain service requirements, as demanded by said company's customers.

Jerry Stratman, appearing for Red Ball Motor Freight, Inc., offered testimony in protest, stating that his company maintains terminals in Denver, Colorado Springs, Pueblo, and many other points; that his company, as a common carrier, is authorized to transport general freight to the general marketing area of Kaibab Lumber Company; that his company has equipment to conceivably render services herein proposed, but that it is not the specialized roll-off-type that is

required herein; that representative points served by his company are set out in Exhibit No. 3; that if said customer would tender traffic to his company, it would be happy to transport same, but that to date, no such traffic has ever been so tendered.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that there is a need for applicant's proposed extended services; that applicant has sufficient equipment and experience to properly carry on said proposed extended operations; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed extended operations will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

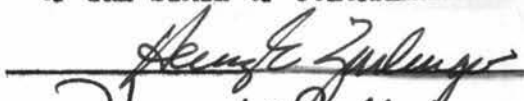
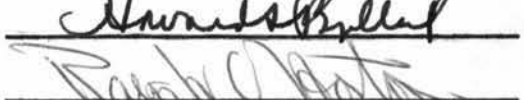
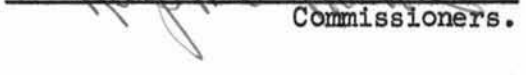
ORDER

THE COMMISSION ORDERS:

That Frank C. Heitman, Denver, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4043, to include the right to transport lumber and sawmill products, for Kaibab Lumber Company and its customers, only, from the plant site of said lumber company, to points within a twenty-mile radius of the intersection of Colfax Avenue and Broadway, Denver, Colorado, and to points within a ten-mile radius of the intersection of Pikes Peak Avenue and Nevada Street, Colorado Springs, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 2nd day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE INCREASE RATES AND CHARGES FOR
ACCOUNT OF MOUNTAIN EXPRESS TRUCK
LINE BASED ON THE PROVISIONS OF DECISION
NO. 59282 AND OTHER REVISIONS IN RATES
AND ROUTES: COMPUTATION OF CHARGES FOR
MIXED SHIPMENTS OF LIVESTOCK -----

CASE NO. 1585

November 29, 1963

S T A T E M E N T

BY THE COMMISSION:

On November 1, 1963, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed certain schedules referred to in Appendix "A" hereto, and published in its Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11 and Tariff No. 14, Colorado P.U.C. No. 13, scheduled to become effective December 7 and 5, 1963, respectively.

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

The increased rates and charges, as set forth under the provisions of Decision No. 59282 of September 14, 1962, as amended, are for the account of Ruby D. Jackson, d/b/a Mountain Express Truck Line. The Chief of Tariff Bureau informs the Commission that the carrier has determined that the additional revenue will offset its increased costs of operation and will be sufficient, under this decision, for its immediate needs. Like increases have been granted to other carriers in Decision Nos. 60289, 60795 and 61101.

The Rio Grande Motor Way, Inc. per Decision No. 59844, dated December 26, 1962, acquired control of Carbon Motorway, Inc. operating under P.U.C. Certificate No. 2525 and merged the authority into Rio Grande's number P.U.C. Certificate No. 149; also William H. Lane and James S. Adams,

doing business as Aspen Truck Line, Certificate No. 1856, was transferred and merged into P.U.C. No. 149 in accordance with Decision No. 60308 dated March 18, 1963. No changes in rates have been made.

The Denver-Limon-Burlington Transfer Company (DLB) operating under Certificate No. 699 and by Decision No. 58715 dated June 6, 1962 and supplemental order No. 61595 dated October 17, 1963 was granted an extension to its certificate to serve from Pueblo all points on its regular routes, with exceptions.

Pursuant to the authority granted, DLB has published joint rates applicable over its line and the line of K & K Transfer Company (K & K), such rates being the same as those applicable over the lines of Red Ball Motor Freight Company and K & K. Specific point to point rates applicable over the lines of DLB have also been published.

An application, No. 242, so designated by the Colorado Motor Carriers' Association, was filed with the Commission November 19, 1963 requesting the removal of specific class rate bases as set forth on 25th Revised Page No. 154 applicable between Denver, Colorado and Westcreek, Colorado. The application was at the request of the Rate Department, as the carrier, Windecker Truck Line, did not hold authority to serve the point of Westcreek under its Certificate No. 996. The application will be denied since Windecker will be granted temporary authority to serve Westcreek upon application therefor not later than December 4, 1963.

Thomas D. Lane, doing business as Thomas D. Lane Truck Lines operating under Certificate No. 2500 published, for application over its line, specific point to point rates between Denver and Ridge, Colorado.

The specific class rates between Denver on the one hand and Barnesville, Briggsdale, Cornish and Gill have been eliminated. The routings in the tariff for these points have been unlisted for a number of years with no increases being added as they were granted. The Chief of Tariff Bureau states:

"Since publication of this cancellation, we have been informed by the staff of the Commission's Rate Department that North Eastern Motor Freight, Inc., is authorized to serve between Denver and these points. We represent, however, that had there been a movement of traffic between these points North Eastern Motor Freight, Inc., would have increased the rates at the time rates between other

points in its authorized territory were increased. This cancellation will not leave the carrier without rates to apply from and to these points should it be requested to give service. Rates on Pages 189-C and 189-D will apply. Also, if a reasonable steady movement of traffic does develop to or from any of these points specific rates will be established at that time."

Item No. 1215, as appearing in the attached Appendix, is amended for the account of C. R. Bryant, doing business as Evergreen Freight Line. In a letter, dated October 14, 1963, addressed to the Colorado Motor Carriers' Association, Mr. Bryant states:

Due to the fact that it is necessary for us to lease tractor and trailer to handle materials in Modified 12A category of length over 26 feet. With us a tractor and trailer becomes an unprofitable operation as a leased tractor and trailer will run from \$35.00 to \$40.00 per day. The receipt I left in your office was for \$36.06. In addition, about seven hours labor cost is involved at \$2.50 an hour which would be \$17.50. In other words, I do not feel I can invest from \$53.00 to \$60.00 in operational cost for a \$26.00 revenue. However, anything 26' or less in length we are qualified to handle with our present equipment. I should like to retain rights on all commodities covered in Modified 12A of 26' or less."

In support of the rule being added for mixed shipments of livestock, the Chief of Tariff Bureau states:

"The Commission's staff has advised that, in investigating and auditing the bills of livestock carriers, it is finding many instances where improper rates and charges have been applied on mixed shipments of livestock.

We believe that this new rule will correct the situation by making definite provisions for rates and charges to apply on those shipments.

All livestock carriers parties to the tariff were notified of this proposed publication."

* * *

No objections were received.

* * * portion deleted - not pertinent here.

F I N D I N G S

THE COMMISSION FINDS:

That the provisions, rates and charges as set forth in the Appendix hereof appear to represent just, fair and reasonable provisions, rates and charges and should be authorized and an order entered prescribing the same.

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. The rates, rules and regulations and provisions as set forth in the Appendix "A" attached hereto shall on December 7 and 5, 1963, be the prescribed rates, rules and regulations and provisions of the Commission.

3. 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.

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

5. On and after December 7 and 5, 1963, 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; except this provision shall not apply to Motor Freight Tariff No. 14, Colorado P. U. C. No. 13 as provided in Appendix "A".

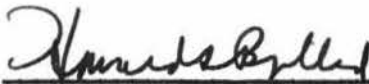
6. On and after December 7 and 5, 1963, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, providing that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent; except this provision shall not apply to Motor Freight Tariff No. 14, Colorado P.U. C. No. 13 as provided in Appendix "A".

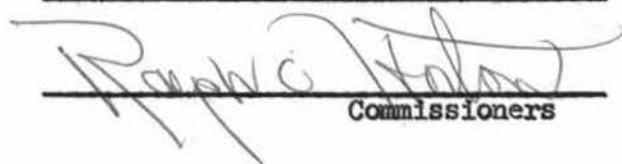
7. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

9. This order shall become effective forthwith.
10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

Dated at Denver, Colorado this
29th day of November, 1963.

Commissioner Zarlengo necessarily absent and did not participate.

APPENDIX "A"

Changes effective December 7, 1963:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT Local and Joint Freight Tariff 12-A Colorado P.U.C. No. 11

5th Revised Page No. 58-A

EXCEPTIONS TO RULES OF THE GOVERNING CLASSIFICATION

Item No.	Rule
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VOLUME MINIMUM WEIGHTS AND VOLUME OR TRUCKLOAD RATINGS:

Exception to Rule 90 of National Motor Freight Classification.

65 The volume or truckload ratings and volume minimum weights as published in the current classification will apply locally on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (Will not apply on Colorado intrastate joint line movements); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; /® Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, and Yuma County Transportation Co.

To ascertain rates to apply, refer to Pages 126 to 189-D, inclusive, of tariff, and determine the class rate basis under the less-than-truckload column. Next, refer to Pages 101 to 124 of the tariff and locate the class rate basis in the column headed "Rate Base No.". Then, the desired class rate will be found opposite that figure.

Where lines "A", "B" and "C" are shown in connection with rate base numbers on Pages 101 to 124, rates published opposite line "A" will be used.

When articles are provided in the governing classification with ratings which are subject to minimum weight factors referred to in Rule 115 of the governing classification, or as amended, the ratings shall be subject to the minimum weights specified in Table B of Section 3 of Rule 115 of the governing classification.

NOTE: Joint line volume or truckload traffic transported by Frederic A. Bethke, doing business as Bethke Truck Lines, on the one hand, and, on the other, Garrett Freightlines, Inc., Larson Transportation Company, Red Ball Motor Freight, Inc., or Rio Grande Motor Way, Inc., will be subject to Item No. 60, Paragraph ② (A).

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION

NOTE 1: Where reference is made to this note, provisions will not apply locally on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (Restriction does not apply in connection with Colorado intrastate joint line traffic); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; / (A) Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, or Yuma County Transportation Co.

NOTE 2: Where reference is made to this note, provisions will not apply via Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; H. H. Harp, d/b/a Harp Transportation Line; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company; Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Milliken-Johnstown Truck Line, Inc.; / (A) Ruby D. Jackson, d/b/a Mountain Express Truck Line; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer or John B. Windecker, d/b/a Windecker Truck Line locally on their own lines or jointly with other carriers named in NOTE 1 above.

Item No.	Articles	Class Rating
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Freight, all kinds, except those articles having volume or truckload ratings higher than Class 85 as published in the National Motor Freight Classification:

Minimum Weight 20,000 pounds per vehicle used.....	37½
Minimum Weight 25,000 pounds per vehicle used.....	32½
Minimum Weight 35,000 pounds per vehicle used.....	27½

Consignor to load; Consignee to unload.

Trailers or trucks, single units, to have not less than 1,800 cubic feet capacity.

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.

To ascertain rates to apply, refer to Section No. 1 of this tariff and determine the class rate base under the less-than-truckload column. Next, refer to Pages 101 to 124 of the tariff and locate the class rate base in the column headed "Rate Base No." Then the desired class rate will be found opposite that figure.

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Where lines "A", "B" and "C" are shown in connection with rate base numbers on Pages 101 to 124, rates published opposite Line "A" will be used.

RESTRICTION: The provisions of this item will apply only locally on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (does not apply in connection with Colorado intrastate joint line traffic); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; / (R) Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, or Yuma County Transportation Co.

RULES AND REGULATIONS

Item
No.

Application

ALTERNATE APPLICATION OF RATES ON SHIPMENTS WEIGHING 1,999 POUNDS OR LESS:

Where the total charges on a shipment of less than 1,000 pounds (10 cents higher than base rates) would be lower if charges were based upon a weight of 1,000 pounds (5 cents higher than base rates), with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charges shall apply.

Where the total charges on a shipment of 1,999 pounds or less, but 1,000 pounds or over (5 cents higher than base rates), would be lower if the charges were based upon a weight of 2,000 pounds at the base rates, with the deficit in weight charged at the same rate as the lowest rated article in the shipment, such lower charges shall apply.

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RESTRICTION: The provisions of this item will apply only locally on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines, Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robison and Mauverdene Robinson, d/b/a K. & K. Transfer Company (does not apply in connection with Colorado intrastate joint line traffic); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; /® Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, or Yuma County Transportation Co.

APPLICATION OF RATES AND RESTRICTIONS VIA CARRIERS NAMED:

Where reference is made to this item, rates and restrictions shown will apply:

LOCALLY ON THEIR OWN LINES AND JOINTLY AMONG THE FOLLOWING CARRIERS, except as otherwise noted:

Transport Leasing, Inc., d/b/a
Allen Transfer Company;
Frederic A. Bethke, d/b/a
Bethke Truck Lines;
Overland Motor Express, Inc., d/b/a
Boulder-Denver Truck Line;
Lowell E. Brooks and Wendell B. Brooks, d/b/a
Brooks Transportation Company;
Burlington Truck Lines, Inc.;
Martin Rogell, d/b/a
Byers-Denver Truck Line;
Colorado Cartage Company, Inc.;
Denver Climax Truck Line, Inc.;
Denver-Laramie-Walden Truck Line, Inc.;
Denver-Limon-Burlington Transfer Company (See Note Below);
Denver-Loveland Transportation, Inc.;
C. R. Bryant, d/b/a
Evergreen Freight Line;
H. H. Harp, d/b/a
Harp Transportation Line;
Interstate Motor Lines, Inc.;
Russell R. Robinson and Mauverdene Robinson, d/b/a
K. & K. Transfer Company (Does not apply in connection
with Colorado intrastate joint line traffic);
Thomas D. Lane, d/b/a
Lane, Thomas D., Truck Lines;
Miller Bros., Inc.;
Milliken-Johnstown Truck Line, Inc.;
① Ruby D. Jackson, d/b/a
Mountain Express Truck Line;
Navajo Freight Lines, Inc.;
North Eastern Motor Freight, Inc.;
Ringsby Truck Lines, Inc.;
Richard H. & Lois Mae Eshe, d/b/a
South Park Motor Lines;
Frank Tweedy, d/b/a
Tweedy Transfer;
Westway Motor Freight, Inc.;
John B. Windecker, d/b/a
Windecker Truck Line;
Yuma County Transportation Co.

NOTE: Increased rates arrived at by use of this item will not apply on traffic transported by Denver-Limon-Burlington Transfer Company between Denver / ② or Pueblo, Colorado, on the one hand, and, on the other, Lamar or Wiley, Colorado.

RULES AND REGULATIONS

Item No.	Application
	<u>MINIMUM CHARGE:</u>
	<u>Exceptions:</u>
930 (Con- clu- ded)	(V) Except as otherwise provided, the minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day between points locally on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (will not apply on Colorado intrastate joint line movements); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; / (A) Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc., or John B. Windecker, d/b/a Windecker Truck Line (except as noted in Paragraph (M) of this rule), will be \$2.75.
	The minimum charge provided in this paragraph will not apply on traffic transported by Denver-Limon-Burlington Transfer Company between Denver / (R) or Pueblo, Colorado, on the one hand, and, on the other, Lamar or Wiley, Colorado.

The Routings listed in the Class Rate Bases for points indicated below:

- * Have been changed to reflect Rio Grande Motor Way, Inc., direct, in lieu of Rio Grande Motor Way, Inc., Glenwood Springs, Colorado, Aspen Truck Line.
- # Have been changed to reflect Rio Grande Motor Way, Inc., direct, in lieu of Rio Grande Motor Way, Inc., Grand Junction, Colorado, Carbon Motor Way, Inc.

SECTION NO. 1

Class Rate Bases

For Application, See Item No. 927.

For Class Rates, see Pages 101 to 124.

BETWEEN		COLORADO SPRINGS, COLORADO					Route
Index					MINIMUM WEIGHT--POUNDS		No.
No.	And	Miles	L.T.L.	2,000	5,000	10,000	
<u>7th Revised Page No. 132</u>							
	*Aspen						
	*Basalt						
	*Carbondale						
	*Emma						
3010	Cascade	(R) 11	(A) 140	----	(A) 135	(A) 130	9
3150	Cripple Creek	(R) 45	(A) 182	----	(A) 177	(A) 172	9
3190	Divide	(R) 26	(A) 164	----	(A) 159	(A) 154	9
<u>9th Revised Page No. 133</u>							
	#Fruita						
	#Loma						
	#Mack						
3315	Florissant	(R) 34	(A) 169	----	(A) 164	(A) 159	9
3430	Green Mountain Falls	(R) 14	(A) 143	----	(A) 138	(A) 133	9
3555	Lake George	(R) 38	(A) 177	----	(A) 172	(A) 167	9
3710	Midland	(R) 31	(A) 168	----	(A) 163	(A) 158	9

SECTION NO. 1
Class Rate Bases
For Application, See Item No. 927
For Class Rates, See Pages 101 to 124

BETWEEN								Route No.
		COLORADO SPRINGS, COLORADO						
Index No.	And	Miles	L.T.L.	MINIMUM WEIGHT--POUNDS				
				2,000	5,000	10,000		
<u>7th Revised Page No. 135</u>								
*Snowmass								
*Woody Creek								
4360	Victor	(R) 45	(A) 182	--	(A) 177	(A) 172		9
4430	Woodland Park	(R) 19	(A) 152	--	(A) 147	(A) 142		9
BETWEEN								Route No.
		DENVER, COLORADO						
Index No.	And	Miles	L.T.L.	MINIMUM WEIGHT--POUNDS				
				2,000	5,000	10,000		
<u>22nd Revised Page No. 141</u>								
*Aspen								
*Basalt								
7030	Andrix	300	258	251	237	224	70;81	
7270	Barnesville (E)(A)	(E) 66	(E) 109	--	(E) 83	(E) 50	--	--
<u>26th Revised Page No. 142</u>								
7440	Blaine	300	258	251	237	224	70;81	
7610	Briggsdale (E)(A)	(E) 80	(E) 115	--	(E) 86	(E) 60	--	--
<u>25th Revised Page No. 143</u>								
7860	Campo	286	255	249	234	222	70;81	
7890	Carbondale	198	316	--	259	206	(E) 145; 87	
7940	Cascade	(R) 78	(A) 195 (E) 174; (A)	(A) 190	(A) 185		9	
<u>30th Revised Page No. 144</u>								
8200	Cornish (E)(A)	(E) 70	(E) 109	--	(E) 83	(E) 56	--	
8270	Cripple Creek	(R) 112	(A) 230	(E)(A)	(A) 225	(A) 220		9
8440	Divide	(R) 93	(A) 211	(E)(A)	(A) 206	(A) 201		9
<u>7th Revised Page No. 144-A</u>								
8660	Elkton	(R) 113	(A) 230 (E) 214; (A)	(A) 225	(A) 220		9	
8670	Emma	209	316	--	259	206	(E) 145; 87	
<u>31st Revised Page No. 145</u>								
8865	Florissant	(R) 101	(A) 222 (E) 201; (A)	(A) 217	(A) 212		9	
9050	Fruita	286	343	--	298	239	(E) 164; 87	
<u>27th Revised Page No. 146</u>								
9190	Gill (E)(A)	(E) 62	(E) 121	(E) 118	(E) 84	(E) 58	--	
9230	Goldfield	(R) 112	(A) 230	(E)(A)	(A) 225	(A) 220		9
9330	Green Mountain Falls	(R) 81	(A) 200	(E)(A)	(A) 195	(A) 190		9
<u>32nd Revised Page No. 147</u>								
9750	Independence	(R) 111	(A) 230 (E) 209; (A)	(A) 225	(A) 220		9	
<u>5th Revised Page No. 147-A</u>								
9920	Kim	311	270	263	248	235	70;81	
10035	Lake George	(R) 105	(A) 223 (E) 215; (A)	(A) 218	(A) 213		9	
<u>5th Revised Page No. 148-A</u>								
10370	Mack	294	343	--	298	239	(E) 164; 87	
<u>29th Revised Page No. 149</u>								
10610	Midland	(R) 98	(A) 214 (E) 196; (A)	(A) 209	(A) 204		9	
10620	Midway (Baca County)	322	279	272	257	244	70;81	
<u>4th Revised Page No. 150-A</u>								
11270	Pritchett	275	253	246	232	219	70;81	
<u>23rd Revised Page No. 151</u>								
11480	Richards	303	270	263	248	235	70;81	
11500	Ridge	10	106	--	101	96	22;43	
<u>4th Revised Page No. 151-A</u>								
11600	Rodley	310	270	263	248	235	70;81	
<u>23rd Revised Page No. 152</u>								
12050	Snowmass	213	316	--	259	206	(E) 145; 87	
12120	Springfield	265	248	242	227	215	70;81	
12170	Stonington	297	258	251	237	224	70;81	

SECTION NO. 1
Class Rate Bases
For Application, See Item No. 927
For Class Rates, see Pages 101 to 124

BETWEEN							Route No.
Index No.	And	Miles	L.T.L.	DENVER, COLORADO			
				MINIMUM WEIGHT -- POUNDS			
				2,000	5,000	10,000	
<u>29th Revised Page No. 153</u>							
12460	Utleyville	292	258	251	237	224	70 ;81
12500	Victor	Ⓐ 112	Ⓐ 230	Ⓔ 213; Ⓐ	Ⓐ 225	Ⓐ 220	9
12510	Vilas	275	253	246	232	219	70 ;81
<u>25th Revised Page No. 154</u>							
12675	Westcreek	61	197	--	192	187	45
12850	Woodland Park	Ⓐ 86	Ⓐ 206	Ⓔ 179; Ⓐ	Ⓐ 201	Ⓐ 196	9
12860	Woody Creek	219	316	--	259	206	Ⓔ 145; 70 ;87

BETWEEN							
PUEBLO, COLORADO							
Index No.	And	Miles	L.T.L.	MINIMUM WEIGHT--POUNDS			
				2,000	5,000	10,000	
<u>12th Revised Page No. 171</u>							
21660	Andrix	182	207	202	189	177	70 ;81
21690	Aspen	287	316	--	259	206	(E) 145; 70 ;87
21760	Basalt	271	316	--	259	206	(E) 145; 70 ;87
21810	Blaine	182	207	202	189	177	70 ;81
<u>Original Page No. 171-A</u>							
21875	Brandon	130	195	--	190	185	11
21945	Burlington	266	264	--	259	254	11
21990	Campo	168	202	197	185	173	70 ;81
22020	Carbondale	260	316	--	259	206	(E) 145; 70 ;87
<u>15th Revised Page No. 172</u>							
22095	Cheyenne Wells	156	209	--	204	199	11
22440	Eads	(R) 111	(A) 189	(E) 172; (A)	(A) 184	(A) 179	70 ;81; (E) 59
22510	Emma	271	316	--	259	206	(E) 145; 70 ;87
<u>11th Revised Page No. 173</u>							
22700	Fruita	318	343	--	298	239	(E) 164; 70 ;87
22755	Genoa	200	228	--	223	218	11
22945	Haswell	89	173	--	168	163	11
<u>12th Revised Page No. 174</u>							
23045	Hugo	178	218	--	213	208	11
23150	Kim	193	215	209	197	185	70 ;81
23155	Kit Carson	131	198	--	193	188	11
23200	Lamar	116	185	180	167	158	47; 70
23287	Limon	193	228	--	223	218	11
23310	Loma	323	343	--	298	239	(E) 164; 70 ;87
23360	Mack	326	343	--	298	239	(E) 164; 70 ;87
23470	Midway (Baca Co.)	204	222	216	202	191	70 ;81
<u>6th Revised Page No. 175</u>							
23920	Pritchett	157	197	192	178	168	70 ;81
<u>8th Revised Page No. 176</u>							
24090	Richards	185	207	202	189	177	70 ;81
24170	Rodley	192	215	209	197	185	70 ;81
24345	Seibert	234	247	--	242	237	11
24348	Sheridan Lake	139	198	--	193	188	11
<u>11th Revised Page No. 177</u>							
24410	Snowmass	275	316	--	259	206	(E) 145; 70 ;87
24460	Springfield	147	191	186	174	163	70 ;81
24490	Stonington	179	236	230	215	204	70 ;81
24495	Stratton	248	255	--	250	245	11
24575	Towner	151	209	--	204	199	11
24610	Utleyville	174	205	199	187	175	70 ;81
<u>Original Page No. 177-A</u>							
24660	Vilas	157	197	192	178	168	70 ;81
24695	Vona	241	255	--	250	245	11
24825	Wild Horse	144	205	--	200	195	11
24830	Wiley	113	185	180	167	158	47; 70
24860	Woody Creek	281	316	--	259	206	(E) 145; 70 ;87

SECTION NO. 1

Table of Distance Class Rate Bases

For Application, see Item No. 927

For Class Rates, see Pages 101 to 124

Except as otherwise provided, rates published on this page will apply only in connection with traffic transported locally between points on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (not applicable on Colorado intrastate joint line movements); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; / (A) Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, or Yuma County Transportation Co.

Distance--Miles		#Plains Scale			#Mountain Scale			#Differential Scale
		LTL	Min.Wt.-Lbs.		LTL	Min.Wt.-Lbs.		ANY QUANTITY
			5,000	10,000		5,000	10,000	
5 miles and under		97	92	87	126	121	116	29
10 miles and over	5	106	101	96	138	133	128	32
15 miles and over	10	111	106	101	144	139	134	33
20 miles and over	15	119	114	109	155	150	145	36
25 miles and over	20	122	117	112	159	154	149	37
30 miles and over	25	128	123	118	166	161	156	38
35 miles and over	30	131	126	121	170	165	160	39
40 miles and over	35	138	133	128	179	174	169	41
45 miles and over	40	141	136	131	183	178	173	42
50 miles and over	45	145	140	135	189	184	179	44
55 miles and over	50	148	143	138	192	187	182	44
60 miles and over	55	150	145	140	195	190	185	45
65 miles and over	60	156	151	146	203	198	193	47
70 miles and over	65	159	154	149	207	202	197	48
75 miles and over	70	161	156	151	209	204	199	48
80 miles and over	75	166	161	156	216	211	206	50
85 miles and over	80	168	163	158	218	213	208	50
90 miles and over	85	173	168	163	225	220	215	52
95 miles and over	90	175	170	165	228	223	218	53
100 miles and over	95	177	172	167	230	225	220	53
110 miles and over	100	184	179	174	239	234	229	55
120 miles and over	110	189	184	179	246	241	236	57
130 miles and over	120	195	190	185	254	249	244	59
140 miles and over	130	198	193	188	257	252	247	59
150 miles and over	140	205	200	195	267	262	257	62
160 miles and over	150	209	204	199	272	267	262	63
170 miles and over	160	215	210	205	280	275	270	65
180 miles and over	170	218	213	208	283	278	273	65
190 miles and over	180	224	219	214	291	286	281	67
200 miles and over	190	228	223	218	296	291	286	68

#For explanation of Plains, Mountain, or Differential Scales, See Item No. 810.

For explanation of abbreviations and symbols, see Page 50.

SECTION NO. 1

Table of Distance Class Rate Bases

For Application, see Item No. 927

For Class Rates, see Pages 101 to 124

Except as otherwise provided, rates published on this page will apply only in connection with traffic transported locally between points on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (not applicable on Colorado intrastate joint line movements); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; / (A) Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, or Yuma County Transportation Co.

Distance--Miles	#Plains Scale			#Mountain Scale			#Differential Scal
	LTL	Min.Wt.-Lbs.		LTL	Min.Wt.-Lbs.		ANY QUANTITY
		5,000	10,000		5,000	10,000	
210 miles and over 200	234	229	224	304	299	294	70
220 miles and over 210	237	232	227	308	303	298	71
230 miles and over 220	244	239	234	317	312	307	73
240 miles and over 230	247	242	237	321	316	311	74
260 miles and over 240	255	250	245	332	327	322	77
280 miles and over 260	264	259	254	343	338	333	79
300 miles and over 280	272	267	262	354	349	344	82
320 miles and over 300	281	276	271	365	360	355	84
340 miles and over 320	288	283	278	374	369	364	86
360 miles and over 340	295	290	285	384	379	374	89
380 miles and over 360	303	298	293	394	389	384	91
400 miles and over 380	311	306	301	404	399	394	93
420 miles and over 400	319	314	309	415	410	405	96
440 miles and over 420	324	319	314	421	416	411	97
460 miles and over 440	332	327	322	432	427	422	100
480 miles and over 460	340	335	330	442	437	432	102
500 miles and over 480	347	342	337	451	446	441	104
520 miles and over 500	355	350	345	462	457	452	107
540 miles and over 520	361	356	351	469	464	459	108
560 miles and over 540	367	362	357	477	472	467	110
580 miles and over 560	374	369	364	486	481	476	112
600 miles and over 580	380	375	370	494	489	484	114
620 miles and over 600	387	382	377	503	498	493	116
640 miles and over 620	394	389	384	512	507	502	118
660 miles and over 640	402	397	392	523	518	513	121
680 miles and over 660	408	403	398	530	525	520	122
700 miles and over 680	415	410	405	540	535	530	125

#For explanation of Plains, Mountain, or Differential Scales, See Item No. 810.

For explanation of abbreviations and symbols, See Page 50.

SECTION NO. 2

Commodity Rates

When rates are published in this section on the commodity transported from point of origin to destination, rates named in this section will apply regardless of rates between the same points over the same routes published in other sections.

EXCEPTION: If the charges accruing under the rates in section 1 of this tariff are lower than the charges accruing under the rates in this section on the same shipment over the same route, the charges accruing under the rates in section 1 will apply locally on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (will not apply on Colorado intrastate joint line movements); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; ¹/₂ [®] Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, or Yuma County Transportation Co.

10th Revised Page No. 191-A

SECTION NO. 2

Commodity Rates

(For Application, See Page No. 190 of Tariff)

Rates are in cents per 100 pounds

Item No.	Commodity	From	To	Rates	Route No.
	Commodities in the same item may be shipped in straight or mixed truck loads.				
	Articles, as described in Item No. 1150		Bergen Park	① 26 ② 25 ③ --	
			Brook Forest	30 29 --	
	① Min. Wt. 10,000 lbs.		Brookvale	30 29 --	
	② Min. Wt. 15,000 lbs.	Denver, Colo.	El Rancho	23 22 21	
	③ Min. Wt. 20,000 lbs.	¹ / ₂ (See Note 3)	Evergreen	26 25 --	2
1215	④ Min. Wt. 30,000 lbs.		Hosa Lodge	23 22 21	
	(Subject to Item 770)		Idledale	23 22 21	
			Kittredge	26 25 --	
	Rates published in this item will also apply at directly intermediate points via routes specified.		Marshdale	30 29 --	
			Mt. Vernon	23 22 21	
			Troutdale	26 25 --	

If the charge accruing under Item 2030 on the commodity transported from origin to destination, over the same route, is lower than the charge provided in this item, the charge accruing under Item 2030 will apply.

¹/₂ [®] **NOTE 3:** Rates applicable via Evergreen Freight Line (Route 2) will apply only on shipments not exceeding 26 feet in length.

SECTION NO. 4
Table of Distances
Points in Colorado

EXCEPTION

As limited below, this exception removes the application of distances between the same points as published on Pages 269 to 274, inclusive.

The following distances will apply locally on their own lines or jointly among Transport Leasing, Inc., d/b/a Allen Transfer Company; Frederic A. Bethke, d/b/a Bethke Truck Lines; Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line; Lowell E. Brooks and Wendell B. Brooks, d/b/a Brooks Transportation Company; Burlington Truck Lines, Inc.; Martin Rogell, d/b/a Byers-Denver Truck Line; Colorado Cartage Company, Inc.; Denver Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Company; Denver-Loveland Transportation, Inc.; C. R. Bryant, d/b/a Evergreen Freight Line; H. H. Harp, d/b/a Harp Transportation Line; Interstate Motor Lines, Inc.; Russell R. Robinson and Mauverdene Robinson, d/b/a K. & K. Transfer Company (not applicable on joint line movements); Thomas D. Lane, d/b/a Thomas D. Lane Truck Lines; Miller Bros., Inc.; Milliken-Johnstown Truck Line, Inc.; / Ruby D. Jackson, d/b/a Mountain Express Truck Line; Navajo Freight Lines, Inc.; North Eastern Motor Freight, Inc.; Ringsby Truck Lines, Inc.; Richard H. & Lois Mae Eshe, d/b/a South Park Motor Lines; Frank Tweedy, d/b/a Tweedy Transfer; Westway Motor Freight, Inc.; John B. Windecker, d/b/a Windecker Truck Line, and Yuma County Transportation Co.

To or from points for which no mileage is provided in this exception, as limited above, the distance shown in Rand McNally Colorado State Highway Map, 1961 Issue, via the shortest practical highway route between origin and destination will be used.

And	BETWEEN	Colorado Springs	Denver	Pueblo
Agate				215
Arriba				212
Bethune				258
Brandon				130
/ Cascade	11		78	
Cheyenne Wells				156
/ Cripple Creek	45		112	
/ Divide	26		93	
Eads				111
/ Elkton	46		113	
/ Florissant	34		101	
Genoa				200
/ Goldfield	45		112	
/ Green Mountain Falls	14		81	
Haswell				89
Hugo				178
/ Independence	44		111	
Kit Carson				131
/ Lake George	38		105	
Limon				193
/ Midland	31		98	
Seibert				234
Sheridan Lake				139
Stratton				248
Towner				151
/ Victor	45		112	
Nona				241
Wild Horse				144
/ Woodland Park	19		86	

/ denotes Addition
 (R) denotes Reduction
 (A) denotes Increase
 (E) denotes Elimination

Route No. 9 - Mountain Express Truck Line - direct.
 No. 11 - Denver-Limon-Burlington Transfer Company - direct.
 No. 22 - Thomas D. Lane Truck Lines, - direct.
 No. 47 - Red Ball Motor Freight, Inc. - direct.
 No. 59 - Red Ball Motor Freight, Inc., Lamar, Colorado, Denver-Limon-Burlington Transfer Co.
 No. 70 - Denver-Limon-Burlington Transfer Co., Lamar, Colorado, K. & K. Trasfer Company.
 No. 81 - Red Ball Motor Freight, Inc., Lamar or Walsh, Colorado, K. & K. Transfer Company
 No. 87 - Rio Grande Motor Way, Inc., - direct.
 No. 145 - Rio Grande Motor Way, Inc., Glenwood Springs, Colo., Aspen Truck Line.
 No. 164 - Rio Grande Motor Way, Inc., Grand Junction, Colo., Carbon Motor Way, Inc.

Changes effective December 5, 1963

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
 Motor Freight Tariff No. 14
 Colorado P.U.C. No. 13

SECTION NO. 4-A
 Livestock

Livestock	Rules and Regulations governing the rates on movements of livestock,
Rule No.	viz.: Cattle, calves, hogs or pigs, goats, sheep or lambs, horses, mules or asses.

MIXED SHIPMENTS:

/ On a mixed shipment of different species of livestock, subject to different rates, determine the species which constitutes the greater portion of the total weight of the mixed shipment, then apply to the weight of the entire shipment the rate which would apply if the shipment consisted only of the species which constitutes the greater portion of the weight.

(R)

EXAMPLE: On a mixed shipment of 8,000 pounds of cattle and 15,000 pounds of sheep, moving 100 miles in plains territory, apply the 20,000 pound sheep rate of 32¢ per 100 pounds on the entire 23,000 pounds in the shipment for a revenue of \$73.60.

/ denotes Addition
 (R) denotes Reduction.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE REDUCED TRUCKLOAD RATES ON
IRON OR STEEL ARTICLES BETWEEN
MINNEQUA AND DENVER: ELIMINATION
OF 20% RATE PENALTY ON HEAVY
MACHINERY, IRON OR STEEL ARTICLES,
ETC.-----

INVESTIGATION AND SUSPENSION
DOCKET NO. 519

November 29, 1963

S T A T E M E N T

BY THE COMMISSION:

On October 31, 1963, Englewood Transit Company filed First Revised Page No. 28, Item No. 3000, to its Tariff No. 2, Colorado P.U.C. No. 2, scheduled to become effective December 3, 1963, naming reduced truckload rates on certain iron or steel articles transported between Minnequa, Colorado and Denver, Colorado. Englewood Transit Company, on November 12, 1963, filed First Revised Page No. 7, Item No. 5, to said tariff, scheduled to become effective December 14, 1963, providing that the 20% rate penalty provision appearing in its Certificate was inapplicable to the commodity rates named therein.

A protest and petition for suspension of the aforementioned tariff changes has been filed by Red Ball Motor Freight, Inc. The Rio Grande Motor Way, Inc. has filed a protest and petition for suspension of the proposed elimination of the 20% rate penalty provision and a protest of the proposed reduced rate has been filed by those members of the Colorado Transfer and Warehousemen's Association effected thereby. The proposed changes result in reduced rates and charges and may, if permitted to become effective result in reductions which may be in violation of the Public Utilities Law. Upon consideration of said schedules and protests thereto, it is the opinion of the Commission that the operation thereof should be suspended and an investigation instituted into the lawfulness of the rates, charges and governing provisions contained therein.

F I N D I N G S

THE COMMISSION FINDS:

That an investigation into and concerning the lawfulness of the rates, charges and governing provisions referred to in the statement hereof should be instituted and that the operation of said schedules should be suspended.

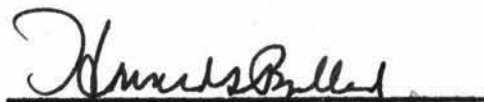
O R D E R

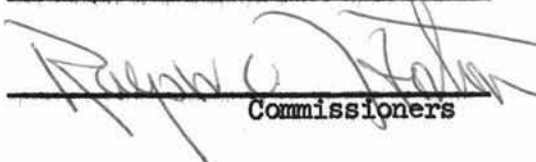
THE COMMISSION ORDERS, That:

1. The Statement and Findings be, and they are hereby, made a part hereof.
2. It shall enter upon a hearing concerning the lawfulness of the reduced rates, charges and governing provisions as published in Englewood Transit Company Tariff No. 2, Colorado P.U.C. No. 2, First Revised Page No. 28, Item No. 3000 and First Revised Page No. 7, Item No. 5, scheduled to become effective on December 3 and December 14, 1963, respectively.
3. The operation of the said schedules be and is hereby suspended, and the use thereof deferred to and including April 1, 1964, in the case of Item No. 3000 as referred to in ordering Paragraph No. 2 hereof, and to and including April 12, 1963, in the case of Item No. 5, referred to in ordering Paragraph No. 2 hereof.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in support of its case.
6. A copy of this order be filed with the schedules in the office of the Commission and that a copy hereof be served upon Englewood Transit Company, E. J. Perry, Jr., President, 1395 W. Quincy Avenue, Englewood, Colorado, and that said Englewood Transit Company be, and it is hereby made respondent to this proceeding.

7. This Investigation and Suspension Docket No. 519 be, and the same is hereby set for hearing before the Commission on Monday, February 3, 1963 at 10:00 A.M. in the hearing room of the Commission, 532 State Services Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Commissioner Zarlengo necessarily absent and did not participate.

Dated at Denver, Colorado this
29th day of November, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GLOBE CHEMICAL COMPANY, INCORPORATED,)
5321 DAHLIA STREET, COMMERCE CITY,)
COLORADO.)
-----)

PERMIT NO. M-6792

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Globe Chemical Company,
Inc., Commerce City, Colorado

requesting that Permit No. M-6792 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6792, heretofore issued to Globe Chemical Company,
Inc., Commerce City, Colorado be,
and the same is hereby, declared cancelled effective November 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zschueger
Howard S. Bjelland
Ralph E. Anderson
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CITIZENS UTILITIES COMPANY, P. O.)
BOX 531, LA JUNTA, COLORADO.)
-----)

PERMIT NO. M-5295

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Citizens Utilities
Company, La Junta, Colorado

requesting that Permit No. M-5295 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5295, heretofore issued to Citizens Utilities
Company, La Junta, Colorado be,
and the same is hereby, declared cancelled effective November 14, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zacluego
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 12th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROY O. WHALEY, ROUTE #2, EADS, COLO-)
RADO.)
)
)
-----)

PERMIT NO. M-3693

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roy O. Whaley,
Eads, Colorado

requesting that Permit No. M-3693 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3693, heretofore issued to Roy O. Whaley,
Eads, Colorado be,

and the same is hereby, declared cancelled effective October 19, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeckinger
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES NUNNERY, DOING BUSINESS AS,)
"NUNNERY MOTOR SALES", 503 NORTH MAIN,)
LAMAR, COLORADO.)
-----)

PERMIT NO. M-242

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles Nunnery, doing
business as, "Nunnery Motor Sales", Lamar, Colorado
requesting that Permit No. M-242 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-242, heretofore issued to Charles Nunnery, doing
business as, "Nunnery Motor Sales", Lamar, Colorado be,
and the same is hereby, declared cancelled effective November 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeckinger
Harold S. Bjelland
Ralph E. [unclear]
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE LATHER, 5250 WEST 53RD AVENUE,)
ARVADA, COLORADO.)
)
)
-----)

PERMIT NO. M-158

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George Lather,
Arvada, Colorado
requesting that Permit No. M-158 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-158, heretofore issued to George Lather,
Arvada, Colorado be,
and the same is hereby, declared cancelled effective October 18, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaichko
Howard S. Bjelland
Ralph G. Johnson
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 61839)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
TONY J. BELTRAMO, R.R. 1 BOX 175)
CANON CITY, COLORADO.)

PERMIT NO. B-1344

December 12, 1963

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-1344 be suspended
one year
for ~~six months~~ from November 7, 1963.

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 Tony J. Beltramo, Canon City, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-1344 until November 7, 1964.

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

Henry C. Jellings
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WESLEY J. SMITH, 4701 OTIS STREET,)
WHEATRIDGE, COLORADO.)
_____)

PERMIT NO. M-3694

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Wesley J. Smith,
Wheatridge, Colorado

requesting that Permit No. M-3694 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3694, heretofore issued to Wesley J. Smith,
Wheatridge, Colorado be,
and the same is hereby, declared cancelled effective November 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeelings
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 61841)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WESLEY J. SMITH, 4701 OTIS)
STREET, WHEATRIDGE, COLORADO.)

PERMIT NO. B-3675

December 12, 1963

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-3675 be suspended
for six months from November 11, 1963.

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 Wesley J. Smith, Wheatridge, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-3675 until May 11, 1964.

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

Henry E. Zaehner
Howard J. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 12th day of December, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PIONEER OIL AND GAS, INCORPORATED,)
ROUTE 1 BOX 461, FORT COLLINS, COLO-)
RADO.)
-----)

PERMIT NO. M-2434

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Pioneer Oil & Gas, Inc.,
Fort Collins, Colorado
requesting that Permit No. M-2434 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2434, heretofore issued to Pioneer Oil & Gas, Inc.,
Ft. Collins, Colorado be,
and the same is hereby, declared cancelled effective November 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Howard S. Bjelland
Raymond C. Horton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
OSMOND CASE, DOING BUSINESS AS,)
"CASE FARM", 5400 WEST 38TH AVENUE,)
DENVER 12, COLORADO.)
-----)

PERMIT NO. M-3056

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Osmond Case, doing
business as, "Case Farm", Denver 12, Colorado
requesting that Permit No. M-3056 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3056, heretofore issued to Osmond Case, doing business
as, "Case Farm", Denver 12, Colorado be,
and the same is hereby, declared cancelled effective November 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph G. Anderson
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE RUPPLE, 408 - 15TH STREET,)
GREELEY, COLORADO.)

PERMIT NO. M-3717

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George Ruppel,
Greeley, Colorado

requesting that Permit No. M-3717 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3717, heretofore issued to George Ruppel,
Greeley, Colorado _____ be.

and the same is hereby, declared cancelled effective October 28, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehlings
Howard S. Gifford
Robert C. Jordan
 Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. L. NIECE, R. R. 1, HOLLY, COLORADO)
)
)
-----)

PERMIT NO. M-4765

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M. L. Niece,
Holly, Colorado
requesting that Permit No. M-4765 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4765, heretofore issued to M. L. Niece,
Holly, Colorado be,
and the same is hereby, declared cancelled effective November 19, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph E. Johnson
Commissioners

Dated at Denver, Colorado,
this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOMER L. CARPENTER, 1904 EAST 1ST.)
PUEBLO, COLORADO.)
)
)
-----)

PERMIT NO. M-5282

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Homer L. Carpenter,
Pueblo, Colorado
requesting that Permit No. M-5282 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5282, heretofore issued to Homer L. Carpenter,
Pueblo, Colorado be,
and the same is hereby, declared cancelled effective November 8, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclungo
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD C. WILLIAMS, DOING BUSINESS AS }
"WILLIAMS OIL COMPANY", P. O. BOX }
534, GRAND JUNCTION, COLORADO. }
-----)

PERMIT NO. M-8895

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Howard C. Williams,
doing business as, "Williams Oil Company", Grand Junction, Colorado
requesting that Permit No. M-8895 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8895, heretofore issued to Howard C. Williams,
doing business as, "Williams Oil Company", Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective October 3, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclung
Howard S. Bjelland
Ray C. Johnson
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BOGUE HOMES, INCORPORATED, 655)
MARIPOSA STREET, DENVER 4, COLORADO.)
-----)

PERMIT NO. M-12733

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bogue Homes, Inc.,
Denver 4, Colorado
requesting that Permit No. M-12733 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12733, heretofore issued to Bogue Homes, Inc.,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective November 25, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DAVID J. EAKENS, 113 TEWA DRIVE,
COLORADO SPRINGS, COLORADO.)
_____))
_____)

PERMIT NO. M-14478

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from David J. Eakens,
Colorado Springs, Colorado
requesting that Permit No. M-14478 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14478, heretofore issued to David J. Eakens,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 9, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ray C. Horton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

CANCELLATION--COMMON CARRIER

(Decision No. 61850)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. WEIL, DOING BUSINESS)
AS, "WESTMAN COMMISSION COMPANY")
4450 LIPAN STREET, DENVER,)
COLORADO.)

PUC NO. 4288-I

December 12, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Robert L. Weil,
doing business as, "Westman Commission Company", Denver, Colorado
requesting that Certificate of Public Convenience and Necessity No. 4288-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. 4288-I heretofore issued to Robert J.
Weil, doing business as, "Westman Commission Company", Denver, Colorado
be, and the same is hereby, declared cancelled effective November 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ray C. Johnson
Commissioners

Dated at Denver, Colorado
this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES OLDFIELD, 1660 GENEVA STREET,)
AURORA, COLORADO.)
-----)

PERMIT NO. B-6062

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James Oldfield,
Aurora, Colorado
requesting that Permit No. B-6062 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6062, heretofore issued to James Oldfield,
Aurora, Colorado be,
and the same is hereby, declared cancelled effective November 15, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zecher
Harold J. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HEUBERT CANTRELL, 517-5TH STREET,)
GREELEY, COLORADO.)

PERMIT NO. B-6300

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Heubert Cantrell,
Greeley, Colorado

requesting that Permit No. B-6300 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6300, heretofore issued to Heubert Cantrell,
Greeley, Colorado be,
and the same is hereby, declared cancelled effective November 19, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehlings
 Howard S. Brilland
 Ralph C. Norton
 Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD N. SKINNER, DOING BUSINESS AS,
"DICK'S RADIO-T V", 553 - 3RD,
BERTHOUD, COLORADO.)

PERMIT NO. M-9429

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard N. Skinner,
doing business as, "Dick's Radio-T V ", Berthoud, Colorado
requesting that Permit No. M-9429 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9429, heretofore issued to Richard N. Skinner,
doing business as, "Dick's Radio -T V", Berthoud, Colorado be,
and the same is hereby, declared cancelled effective November 21, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
 Howard S. Bjelland
 Ray C. Horton
 Commissioners

Dated at Denver, Colorado,

this 12th day of N December , 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS B. MARTINEZ AND RALPH MARTINEZ)
DOING BUSINESS AS, "MARTINEZ BROTHERS")
4458 JASON STREET, DENVER 21, COLO-)
RADO.)
-----)

PERMIT NO. B-6407

December 5, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Thomas B. Martinez &
Ralph Martinez, dba "Martinez Brothers", Denver 21, Colorado
requesting that Permit No. B-6407 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6407, heretofore issued to Thomas B. Martinez &
Ralph Martinez, dba "Martinez Brothers", Denver 21, Colorado be,
and the same is hereby, declared cancelled effective November 25, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeckler
Howard S. Bjelland
Ralph E. Nelson
Commissioners

Dated at Denver, Colorado,
this 5th day of December, 19 63.

IN THE MATTER OF THE APPLICATION OF
SALIDA GAS SERVICE COMPANY, SALIDA,
COLORADO, FOR AN ORDER AUTHORIZING
THE ISSUANCE OF \$160,000 AGGREGATE
PRINCIPAL AMOUNT OF $6\frac{1}{2}\%$ FIRST MORTGAGE
SINKING FUND BONDS DUE DECEMBER 1,
1978

APPLICATION NO. 20163
Securities

S T A T E M E N T

By the Commission:

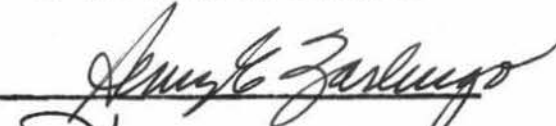
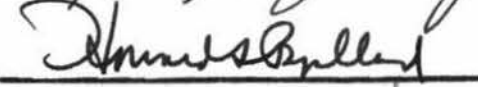

Upon consideration of the application filed
December 3, 1963, by Salida Gas Service Company, a corporation,
in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on
December 13, 1963, at 2:00 o'clock P. M., 532 State Services Building,
Denver, Colorado, respecting matters involved and issues presented
in the proceeding. Any interested municipality or any represent-
ative 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 proceeding. Inter-
vention petitions should be filed with the Commission on or before
December 6, 1963, and should set forth the grounds of the proposed
intervention and the position and interest of the petitioners, in
the proceeding and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 3rd day of December 1963.

original

(Decision No. 61856)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
TONY EVANS, BOX 414, KREMMLING,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO 20104-PP

December 5, 1963

Appearances: Tony Evans, Kremmling,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of 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, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that applicant herein appeared at the hearing 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 1955 International Tandem two-ton truck; that he has a net worth of \$4,000; that if authority herein sought is granted, he will obey the law, and rules and regulations of this Commission.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of authority herein sought; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on his proposed operations; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority as provided in the following Order will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Tony Evans, Kremmling, 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; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

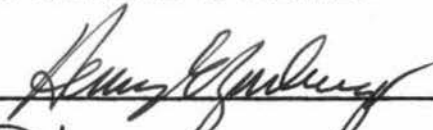
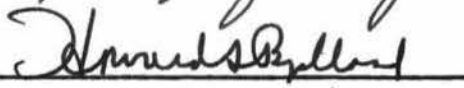

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 5th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ESTATE OF A. J. BERWICK, DOING)
BUSINESS AS "CREEDE BUS & FREIGHT)
LINE," DEL NORTE, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 2132 TO) APPLICATION NO. 20161-Transfer
MARGARET BERWICK, DOING BUSINESS AS)
"CREEDE BUS & FREIGHT LINE," DEL)
NORTE, COLORADO.)
-----)

December 5, 1963

Appearances: Elizabeth A. Conour, Esq.,
Del Norte, Colorado,
for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, A. J. Berwick, doing business as "Creede Bus & Freight Line," was granted a certificate of public convenience and necessity (PUC No. 2132), authorizing operation as a common carrier by motor vehicle for hire, for the:

Transportation over a regular route and on schedule, of passengers, freight and express, between Alamosa and Creede, and intermediate points, via U. S. Highway 160 and State Highway 149, without the right to transport passengers, freight or express locally between Alamosa and Del Norte, Colorado and intermediate points.

It now appears that said A. J. Berwick has departed this life, and by the above-styled application, the Estate of said A. J. Berwick, Deceased, seeks authority to transfer said operating rights to Margaret Berwick, doing business as "Creede Bus & Freight Line," Del Norte, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that there are no outstanding unpaid operating obligations against said certificate; the transferee, pecuniarily and otherwise, is qualified to carry on said operation, and it does not appear that any useful purpose would be

served by setting said matter for formal hearing, there being no one insofar as the files disclose, who would desire to be heard in opposition to transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

The Commission, having considered the record and files herein, states and 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 the Estate of A. J. Berwick, Deceased, doing business as "Creede Bus & Freight Line," Del Norte, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2132 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Margaret Berwick, doing business as "Creede Bus & Freight Line," Del Norte, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

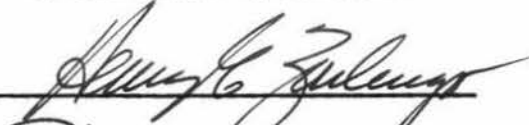
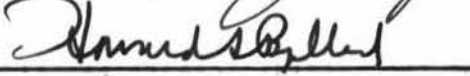

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements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

The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM SCHEOPNER, BOX 66, STRATTON,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 20062-PP-Extension
OPERATIONS UNDER PERMIT NO. B-1267.)
-----)

IN THE MATTER OF THE APPLICATION OF)
WILLIAM SCHEOPNER, BOX 66, STRATTON,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 20063-PP-Extension
OPERATIONS UNDER PERMIT NO. B-1317.)
-----)

December 5, 1963

Appearances: R. D. Thomas, Esq., Burlington,
Colorado, and
A. J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for
Applicant;
Herbert M. Boyle, Esq.,
Denver, Colorado, for
Zimmerman Truck Lines,
M. K. McElfresh, Riedesel
Truck Line, Lester D. Kemp.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, William Scheopner, Stratton, Colorado, was
authorized to operate as a Class "B" private carrier by motor vehicle
for hire, under the following authorities:

Permit No. B-1267, authorizing transportation of:

Farm products, from point to point within an
area around Stratton, Colorado, as follows:
Five miles north, fifteen miles east, thirty-
five miles south, and ten miles west of Stratton,
to Stratton, Vona, and Bethune; farm machinery
and household goods, from point to point within
the above-described area, without the right to
move these commodities along the route served by
Denver-Limon-Burlington Transportation Company;
livestock, from point to point within the above-
described area, and from and to points in said
area, to and from sales barns at Stratton and
Burlington, Colorado.

Permit No. B-1317, authorizing transportation of:

Farm supplies, farm equipment, farm products, feed and coal, from point to point in the area described as: Beginning at the Town of Seibert; thence north along Colorado Highway No. 59 a distance of 22 miles, east 11 miles, thence south 22 miles to U. S. Highway No. 24; thence west along U. S. Highway No. 24 a distance of 11 miles to place of beginning; it being understood that applicant shall have the right to use Colorado Highway No. 57 in the conduct of his operations; farm products from said area to Burlington and Stratton, with back-haul of farm supplies, and transportation of livestock, from point to point in said area, and between said area and sales at Sterling, Colorado; commodities heretofore authorized to be transported, and household goods, between points within the area described as: Beginning at Seibert, Colorado, on U. S. Highway No. 24; thence south along Colorado Highway No. 59 to Kit Carson-Cheyenne County Line; thence east 11 miles along said County Line to a point, thence north 18 miles, more or less, to U. S. Highway No. 24; thence west to the point of beginning, said U. S. Highway No. 24 formerly being known as "U. S. Highway 40-North," (the north line of the territory herein described being the south line of the territory applicant was authorized to serve by Decision No. 7257); livestock, from points in original territory authorized to be served, as well as from points in the territory herein authorized to be served, to Denver, Colorado; a strip 5 miles wide, extending north to south, along the east side of presently-authorized territory, with the right to serve points to and from this area, the same as if it had been originally incorporated in the base area; freight, between all points in the State of Colorado and the Colorado State Boundary Lines, where all highways cross same, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the above-styled applications, said permit-holder seeks authority to extend operations under said Permit No. B-1267 to include the right to transport livestock, between points in the State of Colorado, on the one hand, and applicant's base territory under said permit, on the other hand; and to extend operations under Permit No. B-1317, to include the right to transport livestock, between points in the State of Colorado, on the one hand, and applicant's base territory under said permit, on the other hand.

Said applications were regularly set for hearing before the Commission, and were heard on a consolidated record by an Examiner duly designated and to whom the hearing was assigned by the Commission.

At the conclusion of the hearing, the matters were taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, applicant amended his applications by restricting transportation to be performed for one customer, only, viz., Stratton Sales Barn.

Applicant herein appeared and testified in support of his applications, stating he is the owner and operator of a sales barn located in Stratton, Colorado; that he had filed said applications in order to insure better service to customers of his sales barn; that he is very familiar with the area herein, and explained the territorial authority as sought; that no duplication of operating rights is sought; that if authority herein sought is granted, he will have sufficient equipment, net worth and operating experience with which to conduct his proposed extended operations; that he has received numerous requests for said service; that his proposed extended services are characterized as a specialized and deluxe service to customers of his sales barn; that said service will consist of grading and sorting of cattle to be sold, appraising same, and arrangements for transportation of said cattle; that arranging and rendering transportation service is incidental to and only a part of the service that must be rendered in order to fully satisfy the requirements of customers; that if authority herein sought is granted, he will enter into special or individual carriage contracts with shippers and/or customers of his sales barn; that he has experienced much difficulty in obtaining adequate transportation service to and from his sales barn, where sales are conducted weekly; that on sales day there is always a shortage of available trucks; that prompt and adequate transportation service is important, because if cattle are not moved to scale when ready, a shrinkage results, which naturally causes a loss of revenue to the farmer selling the same; that because of said shrinkage, and the resultant loss of revenue, "time is of the essence" in the movement of cattle; that the cattle business in said area has greatly

expanded during the last three years, and as a result thereof, many requests have been made for his proposed specialized service.

Said applications were supported by ten farmers and ranchers located and engaged in the cattle business in the area herein involved. In substance, they testified that they own and operate farms and ranches located in the Stratton Area; that they are customers of Stratton Sales Barn; that they run many head of cattle per year, and that approximately ten percent of same goes through applicant's sales barn; that to their knowledge, there is no common carrier based or domiciled at Stratton; that they need and require the proposed specialized service of applicant; that, from their standpoint, no common carrier can render such proposed service; that coordination or supplemented service of applicant would, in effect, cause no diversion of traffic from said common carriers.

The applications were protested by Zimmerman Truck Lines, M. K. McElfresh, Riedesel Truck Line, and Lester D. Kemp, whose testimony generally disclosed that they are certificated common carriers with authority to serve certain points; that they stand ready, willing, and able to render service within the scope of their authorities to the general public; that they have equipment which, at certain times of the year, is not fully utilized; that a grant of authority as herein sought would hurt their operations.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that there is a need for applicant's proposed extended transportation service; that applicant will have sufficient equipment and experience to properly carry on the proposed extended operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed extended operations will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That William Scheopner, Stratton, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-1267, to include the right to transport livestock, for customers of Stratton Sales Barn, only, between points located in the following-described area, on the one hand, and points in the State of Colorado, on the other:

an area around Stratton, Colorado, as follows:
five miles north; fifteen miles east; thirty-
five miles south, and ten miles west,

provided, however, that any duplications between this authority and the authority presently held shall not be construed as conferring more than one operating right, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That William Scheopner, Stratton, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-1317, to include the right to transport livestock, for customers of Stratton Sales Barn, only, between points located in the following-described area, on the one hand, and points in Colorado, on the other:

beginning at Seibert, Colorado, on U. S. Highway No. 24; thence north twenty-two miles along Colorado Highway No. 59; thence east 16 miles; thence south twenty-two miles to U. S. Highway No. 24; thence west along U. S. Highway No. 24 to point of beginning; and

beginning at Seibert, Colorado, on U. S. Highway No. 24; thence south along Colorado Highway No. 59 to the Kit Carson-Cheyenne County Line; thence east sixteen miles to U. S. Highway No. 24; thence west along U. S. Highway No. 24 to point of beginning,

provided, however, that any duplication between this authority and the authority presently held shall not be construed as conferring more than one operating right, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

That this Order is made part of the permits (B-1267 and B-1317), granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Amos E. Zerkow
Howard B. Bell
Raymond H. Hinton
Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WENDELL B. BROOKS AND HELEN M.)
BROOKS, AS ADMINISTRATRIX OF THE)
ESTATE OF LOWELL E. BROOKS, DECEASED,)
DOING BUSINESS AS "BROOKS TRANS-)
PORTATION COMPANY," STERLING, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 33 TO BARBARA A. RUFF AND EDWARD)
P. RUFF, DOING BUSINESS AS "BROOKS)
TRANSPORTATION COMPANY," STERLING,)
COLORADO.)
-----)

APPLICATION NO. 20116-Transfer

December 5, 1963

Appearances: Wendell B. Brooks, Sterling,
Colorado, pro se;
Helen M. Brooks, Sterling,
Colorado, pro se;
Edward P. Ruff, Sterling,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Lowell E. Brooks and Wendell B. Brooks,
doing business as "Brooks Transportation Company," Sterling, Colo-
rado, were granted a certificate of public convenience and necessity
(PUC No. 33), authorizing operation as a common carrier by motor
vehicle for hire, for the transportation of:

Freight and express between Sterling and
Amherst and intermediate points.

Passengers, between the City of Sterling
and the City of Holyoke and intermediate
points.

Sugar from the sugar factory to local stores
within the City of Sterling, and his re-
delivery of interlined freight from other
freight companies who might terminal from
his dock, and also pick up.

Thereafter, Lowell E. Brooks departed this life, and by the
above-styled application, Wendell B. Brooks and Helen M. Brooks, as
Administratrix of the Estate of Lowell E. Brooks, Deceased, doing

business as "Brooks Transportation Company," seek authority to transfer PUC No. 33 to Barbara A. Ruff and Edward P. Ruff, doing business as "Brooks Transportation Company," Sterling, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the hearing, the evidence disclosed that there are no debts due and owing against PUC No. 33; that Lowell E. Brooks departed this life on or about June 24, 1963; that Helen M. Brooks was duly appointed Administratrix of said Estate by the County Court of Logan County, Colorado, and was authorized by that Court to sell Lowell E. Brooks' undivided one-half interest in and to said operating rights; that the consideration for sale of said operating rights is the sum of \$30,000; that copy of Contract of Sale is on file with the Commission; that transferee will have ample and suitable equipment, sufficient net worth and operating experience with which to continue operations under said certificate.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of authority herein sought; that transferees will have sufficient equipment and experience to properly carry on the operation; that transferees' financial standing is established to the satisfaction of the Commission; 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 Wendell B. Brooks and Helen M. Brooks, as Administratrix of the Estate of Lowell E. Brooks, Deceased, doing business as

"Brooks Transportation Company," Sterling, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 33 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Barbara A. Ruff and Edward P. Ruff, doing business as "Brooks Transportation Company," Sterling, 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 transferors 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 this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

The right of transferees to operate under this Order shall depend upon the prior filing by transferors of delinquent reports, if any, covering 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

Henry E. Zuleaga
James B. Miller

Dated at Denver, Colorado,
this 5th day of December, 1963.

ea

Joseph C. Holman
Commissioners.

original

(Decision No. 61860)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HAROLD D. CARMICHAEL, DOING BUSI-)	
NESS AS "MIKE'S APPLIANCE DELIVERY)	
& INSTALLATION SERVICE," P. O. BOX)	<u>APPLICATION NO. 20109-PP-Extension</u>
449, INDIAN HILLS, COLORADO, FOR)	
AUTHORITY TO EXTEND OPERATIONS UNDER)	
PERMIT NO. B-5538.)	

December 5, 1963

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Applicant;
Joseph F. Nigro, Esq., Denver,
Colorado, for Colorado Trans-
fer & Warehousemen's Associa-
tion.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Harold D. Carmichael, doing business as "Mike's Appliance Delivery & Installation Service," Indian Hills, Colorado, was granted a Class "B" permit (No. B-5538), authorizing operation as a private carrier by motor vehicle for hire, for the transportation of:

ranges, washers, driers, freezers, air conditioners and refrigerators, from, to, and between points within a radius of twenty-five miles of the intersection of Colfax Avenue and Broadway, in the City of Denver, and the City of Castle Rock and a five-mile radius thereof, said transportation to be limited to one customer, Frigidaire Sales Corporation, and all appliances shall be only those which applicant installs.

By the above-styled application, said permit-holder seeks authority to extend operations under Permit No. B-5538, to include the right to add one additional customer, viz., Western Appliance Corporation.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceedings, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the hearing, applicant herein appeared and testified in support of his application, stating he is presently restricted to provide service for one customer; that he filed the instant application upon request of Western Appliance Corporation; that if authority herein sought is granted, he will not only transport, but will personally install said appliances; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render his proposed extended operations.

Jack Patton, a representative of Western Appliance Corporation, also appeared and testified in support of the granting of the instant application.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed extended transportation services; that applicant will have sufficient equipment and experience to properly carry on his proposed extended operations; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed extended operations will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority

authority should be granted.


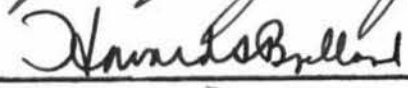
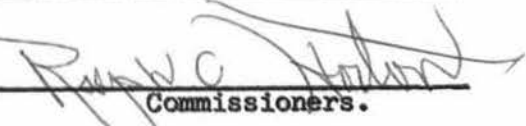
O R D E R

THE COMMISSION ORDERS:

That Harold D. Carmichael, doing business as "Mike's Appliance Delivery & Installation Service," Indian Hills, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-5538, by adding the name of Western Appliance Corporation as a customer to be served thereunder; and this ORDER shall be deemed to be, and be, a PERMIT 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




Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1963.

mls

original

(Decision No. 61861)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AUBREY D. OLSON, DOING BUSINESS AS)	
"HAXTUN DRAY," HAXTUN, COLORADO,)	
FOR AUTHORITY TO TRANSFER PUC NO.)	APPLICATION NO. 20117-Transfer
1969 TO ROBERT C. POTTER, DOING)	
BUSINESS AS "HAXTUN DRAY," HAXTUN,)	
COLORADO.)	

December 5, 1963

Appearances: Aubrey D. Olson, Haxtun,
Colorado, pro se;
Robert C. Potter, Haxtun,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Aubrey D. Olson, doing business as "Haxtun Dray," Haxtun, Colorado, was granted a certificate of public convenience and necessity (PUC No. 1969), authorizing operations as a common carrier by motor vehicle for hire, for the:

Conduct of a general draying business, for the transportation of general commodities, except livestock, including freight, sand, gravel, trash, ashes, garbage, coal and building materials, between points in the Town of Haxtun, Colorado, and between points in said town and points within a ten-mile radius of Haxtun, Colorado.

Said certificate-holder now seeks authority to transfer PUC No. 1969 to Robert C. Potter, doing business as "Haxtun Dray," Haxtun, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner

transmitted to the Commission the record of said proceedings, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that transferor herein appeared at the hearing and testified in support of his application, stating he has continuously operated under PUC No. 1969 since granted by this Commission; that the consideration for transfer of said operating rights is the sum of \$1,000; that there are no outstanding unpaid operating obligations against said certificate.

Transferee herein also appeared at the hearing and testified in support of the application, stating he has ample and suitable equipment, sufficient net worth and operating experience to render operations under PUC 1969.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on said operations; that transferee's financial standing is established to the satisfaction of the Commission; 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 Aubrey D. Olson, doing business as "Haxtun Dray," Haxtun, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1969 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Robert C. Potter, doing business as "Haxtun Dray," Haxtun, 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

Alvin E. Zedler

Wm. S. Bill

Ralph C. Hobart
Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1963.
mls

original

(Decision No. 61862)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FLOYD KECK, 2215 LINDEN, TRINIDAD,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY,)
AUTHORIZING OPERATION AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 20078

December 5, 1963

Appearances: Dean C. Mabry, Esq., Trinidad,
Colorado, for Applicant;
Edward Lyons, Esq., Denver,
Colorado, for Morgan Drive
Away, Inc.;
Harold D. Torgan, Esq., Den-
ver, Colorado, for National
Trailer Convoy, Mead Trailer
Sales, Aurora Trailer Supply,
Inc., and Rocky Mountain Mo-
bile Home Towing Service.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a common car-
rier by motor vehicle for hire, for the transportation of house trailers,
from within Las Animas County, Colorado, to any other point within Las
Animas County, Colorado, and to any other point within the State of Colo-
rado.

Said application was regularly set for hearing before the Com-
mission, and was heard by an Examiner duly designated and to whom the
hearing was assigned by the Commission. Thereafter, said Examiner sub-
mitted a report of said proceedings to the Commission, stating that said
Examiner had been notified that applicant and protestants have agreed
and stipulated that all testimony taken during the course of the hearing
be stricken and held for naught; that the instant application be re-set

for hearing, de novo, at a future date.

The Commission, having considered the report of the Examiner herein, states and finds that the above-styled application should be re-set for hearing before the Commission, de novo, as set forth in the Order following.

O R D E R


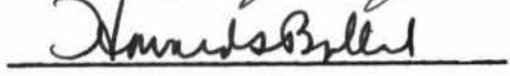

THE COMMISSION ORDERS:

That all testimony taken during the course of hearing of the above-styled application be, and hereby is, stricken and held for naught.

That Application No. 20078 shall be re-set for hearing before the Commission at a later date to be determined by the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
OLLIE W. JACKSON, 532 PONCHA BOULE-)
VARD, SALIDA, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND) APPLICATION NO. 19973
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
- - - - -)

- - - - -
December 6, 1963
- - - - -

Appearances: Frank G. Stinemeyer, Esq.,
Denver, Colorado, for
Applicant;
Ernest Porter, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc., Larson
Transportation Company,
The Denver and Rio Grande
Western Railroad Company;
A. J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Salida
Transfer Company, John Dilley,
Hanssen's Truck Line, Ever-
ready Freight Service, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of livestock, farm produce, farm machinery, equipment, and farm supplies, and logs and rough lumber, into, out of, and between points within a twenty-five-mile radius of Salida, Colorado, and between all points in Colorado and the Colorado State Boundary Lines, where all highways cross same, in interstate commerce, only.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceedings, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states as follows:

Applicant's Evidence

Applicant herein appeared and testified in support of his application, stating that he is presently owner and operator of Permit M-14920, and by virtue of same is transporting livestock, produce, and other farm items in the area of Salida, Colorado; that he has been conducting such operations for approximately two years; that he has received many requests in Salida, seeking his transportation services, but that he could not render said services because of the fact that he did not have necessary authority; that, in his opinion, there is a need in said area for his proposed service; that in the past he has been employed by Salida Transfer Company, protestant herein; that the financial and economic situation in the Salida Area merits the granting of authority herein sought; that if said authority is granted, he will have ample and suitable equipment, sufficient net worth and operating experience with which to provide said service.

Five public witnesses appeared and testified in support of said application:

John Peeples, a real estate broker and rancher in the Salida Area testified, stating he is a member of the Salida Chamber of Commerce; that occasionally he needs transportation services of a livestock carrier; that he operates his own trucks in his cattle operation; that very infrequently he needs transportation services of others; that he called Salida Transfer Company once and could not obtain service; that he has observed present transportation facilities in Salida, and, in his opinion, the Salida Area needs more public transportation service.

Clayton Hill, owner and operator of three ranches in the Salida Area, appeared at the hearing and testified, stating in his ranch operation he maintains his own trucks, but that occasionally he needs transportation services of common carriers; that the Salida Area needs additional service, in his opinion; that approximately one year ago, he requested service from Salida Transfer Company, but was

unable to obtain same; that said request occurred during the peak season; that it is only during the peak season that it is difficult to obtain transportation services of carriers; that it has been three years ago that he attempted to use the services of Eveready Freight Service, Inc.

Joseph Cogan, a rancher, whose ranch is located two miles north of Nathrop, appeared and testified that he has been in the ranching business for nine years; that he uses public transportation for transportation of his cattle; that in the past he has used railroad service, but that he has not used the same for the last three years; that he maintains his own trucks in his ranch operations; that approximately four years ago he used the services of Salida Transfer Company, and found said services to be satisfactory; that he used the services of Eveready Freight Service, Inc. approximately one year ago, and found that service to be satisfactory, save and except a complaint about the driving ability of a certain driver Eveready had once engaged.

W. C. P. Fields, Manager of Colorado Granite Grit Corporation, appeared and stated that the mill of his company is located in Salida, where, among other things, said company is engaged in the business of manufacturing poultry grit; that his company operates its own trucks; that occasionally his company used public transportation; that approximately two years ago he attempted to obtain the services of Salida Transfer Company; that he had talked to a representative of Eveready Freight Service, Inc., about obtaining service approximately one year ago; that occasionally he has need for a carrier to haul certain heavy equipment for his company; that he has used the service of applicant herein under Emergency Letters, and found that service to be very good.

Frank Freehling, a rancher with a ranch located at Nathrop and one at South Park, stated he sells his cattle on his ranch, and that the purchaser involved makes his own arrangements for transportation of the cattle; that, at times, he needs public transportation for shipment of his cattle; that he has not had such an occasion for a period

of ten years; that it has been some time since he has engaged the services of Salida Transfer Company.

Protestants' Evidence

The instant application was vigorously protested by Eveready Freight Service, Inc., John Dilley, Hanssen's Truck Line, Salida Transfer, Rio Grande Motor Way, Inc., Larson Transportation Company, and The Denver and Rio Grande Western Railroad Company. Protest of Rio Grande Motor Way, Inc. was not directed to transportation of livestock.

Testimony of protesting witnesses generally disclosed that all are common carriers certificated by the Commission to serve, in whole or in part, the public in the area herein involved; that they are ready, able, and willing to render the exact type of service which applicant herein proposes; that if any shipper-witnesses who appeared and testified in support of the instant application would request service from them, they would be ready, willing, and able to render said service; that they actively solicit the type of business as alluded to by the shipper-witnesses who testified; that transportation of livestock constitutes the bulk of their business; that transportation of livestock is seasonal in nature, and after the so-called "peak season" (September 1 to November 1), they have equipment which is idle the remaining part of the year; that they could not possibly maintain all the equipment that would be necessary to transport the livestock required to be moved during the peak season of the year at rates which shippers could afford, or would be willing to pay; that the granting of authority herein sought would impair their operation, which would be contrary to the public interest.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that public convenience and necessity do not require applicant's proposed common carrier call and demand motor vehicle operations, and that said application should be denied.

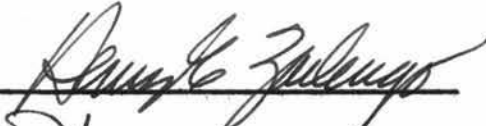
O R D E R

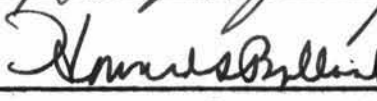
THE COMMISSION ORDERS:

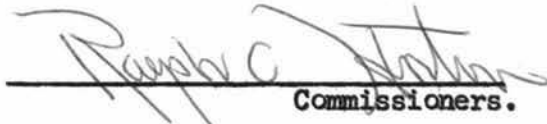
That public convenience and necessity do not require applicant's proposed common carrier call and demand motor vehicle operation, and that said application be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L. T. LANDRETH AND RICHARD N. JONES,)
DOING BUSINESS AS "LANDRETH & JONES)
MILLING COMPANY," P. O. BOX 187,)
WILEY, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 20076-PP

December 6, 1963

Appearances: L. T. Landreth, Wiley,
Colorado, for
Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of alfalfa hay meal, in bulk, grain and ensilage, from point to point within a radius of fifty miles of Wiley, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, L. T. Landreth, one of applicants herein, appeared and testified in support of the application, stating if authority herein sought is granted, they will enter into special carriage contracts to provide needed and specialized service with certain shippers who have requested their proposed services; that applicants have ample and suitable equipment, sufficient net worth and operating experience to render the proposed services.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That L. T. Landreth and Richard N. Jones, doing business as "Landreth & Jones Milling Company," Wiley, Colorado, be, and hereby are, authorized to operate as a private carrier by motor vehicle for hire, for the transportation of alfalfa hay meal, in bulk, grain and ensilage, from point to point within a radius of fifty miles of Wiley, Colorado; and this ORDER shall be deemed to be, and be, 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 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

Alvin C. Zedeno
David R. Miller

Raymond C. Foster
Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EPHRAIM FREIGHTWAYS, INC., 1385)
UMATILLA STREET, DENVER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 20067-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

December 6, 1963

Appearances: John H. Lewis, Esq.,
Denver, Colorado,
for Applicant;
Marion F. Jones, Esq.,
Denver, Colorado,
for Red Ball Motor
Freight, Inc.

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 pick-up and delivery, in the Denver Area, for Ruby D. Jackson, doing business as "Mountain Express," at the same time and on the same vehicle applicant uses in picking up and delivering its own traffic.

Said application was regularly set for hearing before the Commission and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the hearing, Jerome W. Ephraim, President and General Manager of applicant, appeared and testified in support of the application, stating that Ruby D. Jackson, doing business as "Mountain Express," requested applicant to file the instant application; that there is no conflict of authority between applicant and Mountain Express; that the granting of authority herein sought would

permit a more economical operation of the carriers involved, and an improved service to the general public; that Articles of Incorporation of applicant are on file with the Commission; that applicant has ample and suitable equipment, sufficient net worth and operating experience to render the proposed service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the said application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ephraim Freightways, Inc., Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the pick-up and delivery, in the Denver Area, as agent for Ruby D. Jackson, doing business as "Mountain Express," only, at the same time and on the same vehicle applicant uses in picking up and delivering its own traffic, limited, however, to that pick-up and delivery authority which Ruby D. Jackson, doing business as "Mountain Express," has in the Denver Area; and this ORDER shall be deemed to be, and be, 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.


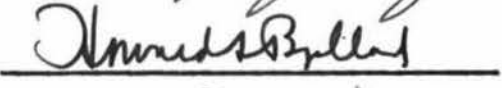
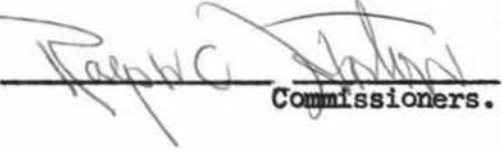
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of its customers,

copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GLENN H. BOWLBY, DOING BUSINESS AS)
"DERBY CAB COMPANY," 5861 ROSE LANE,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3079 TO WILLIAM H.)
FORD, DOING BUSINESS AS "DERBY CAB)
COMPANY," 5861 EAST 68TH AVENUE,)
COMMERCE CITY, COLORADO.)
- - - - -)

APPLICATION NO. 20115-Transfer

- - - - -
December 6, 1963
- - - - -

Appearances: Kenneth A. Selby, Esq.,
Denver, Colorado, for
Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Glenn H. Bowlby, doing business as "Derby Cab Company," Denver, Colorado, was granted a certificate of public convenience and necessity, being PUC No. 3079, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

Passengers from point to point within an area bounded on the south by East 56th Avenue, Colorado Boulevard on the west, East 80th Avenue on the north, and Quebec Street on the east, and from and to points within said area to and from points within a zone ten miles wide surrounding said area, with the specific exclusion of business originating within the boundaries of the City and County of Denver.

By the above-styled application, said certificate-holder seeks authority to transfer said PUC No. 3079 to William H. Ford, doing business as "Derby Cab Company," Commerce City, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the hearing, William H. Ford, transferee herein, appeared and testified in support of the application, stating transferor could not appear, but that he knows, of his own personal knowledge, that transferor has continuously operated PUC No. 3079 since granted by this Commission; that there are no outstanding debts due and owing against said operating rights; that the consideration for transfer of said certificate and two pieces of equipment is \$12,000; that he will have ample and sufficient equipment, net worth, and operating experience with which to render operations under said certificate.

The Commission, having considered the record and files and the written statement of the Examiner, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the proposed operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Glenn H. Bowlby, doing business as "Derby Cab Company," Denver, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3079 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to William H. Ford, doing business as "Derby Cab Company," Commerce City, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. L. COMER, DOING BUSINESS AS "R.)
L. COMER GENERAL OILFIELD SERVICE,")
P. O. BOX 56, FORT MORGAN, COLORADO,) APPLICATION NO. 19786-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS) Amended
UNDER PERMIT NO. B-4413.)

December 6, 1963

Appearances: E. Ord Wells, Esq., Fort Mor-
gan, Colorado, for Appli-
cant;
A. J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Ward
Transport, Inc., Consoli-
dated Freightways Corpora-
tion of Delaware, Ruan
Transport Company, Petro-
leum Transport Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein, owner and operator of Permit No. B-4413,
herein seeks authority to extend operations thereunder.

Said application was regularly set for hearing before the
Commission, and was heard by an Examiner duly designated and to whom
the hearing was assigned by the Commission. At the conclusion of the
hearing, the matter was taken under advisement, and said Examiner
transmitted to the Commission the record and exhibits of said proceed-
ing, together with a written statement of his findings of fact and con-
clusions.

Report of said Examiner states that at the hearing, applicant
moved to amend its application to seek the following authority:

"Transportation from one oil or gas lease to
another oil or gas lease, of water, drilling
mud, oil, and other fluids (except compressed

gases) used in the drilling, completion, and work-over of oil or gas wells within a radius of fifty miles of any oil or gas lease location at which applicant is working in the State of Colorado, specifically excluding transportation to or from pipeline terminals or refineries."

In view of said amendment, which was restrictive in nature, protestants withdrew their protest to authority herein sought.

R. L. Comer, applicant herein, appeared and testified in support of his application, stating that if the instant application is granted, he will enter into special carriage contracts with certain shippers who have requested his specialized services; that he has ample and suitable equipment, sufficient net worth and operating experience with which to render said operation; that if authority herein sought is granted, he will accordingly cancel all authority presently held under Permit No. B-4413.

Five public witnesses appeared and testified in support of the granting of the instant application.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of authority herein sought; that there is a need for applicant's proposed services; that applicant will have sufficient equipment and experience to properly carry on his proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That operating rights presently held by R. L. Comer, doing

business as "R. L. Comer General Oilfield Service," under Permit No. B-4413, be, and the same hereby are, cancelled and revoked.

That said R. L. Comer, doing business as "R. L. Comer General Oilfield Service," Fort Morgan, Colorado, be, and he hereby is, granted a Class "B" permit, to be known as "Permit No. B-4413," authorizing operation as a private carrier by motor vehicle for hire, for the transportation, from one oil or gas lease to another oil or gas lease, of water, drilling mud, oil, and other fluids (except compressed gases) used in the drilling, completion, and work-over of oil or gas wells within a radius of 50 miles of any oil or gas lease location at which applicant is working in the State of Colorado, specifically excluding transportation to or from pipeline terminals or refineries; and this ORDER shall be deemed to be, and be, 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 6th day of December, 1963.
mls

original

(Decision No. 61868)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BEULAH LAYEL AND EARL LAYEL, 833)	
BAKER STREET, LONGMONT, COLORADO,)	<u>APPLICATION NO. 20108-PP-Extension</u>
FOR AUTHORITY TO EXTEND OPERATIONS)	
UNDER PERMIT NO. B-2893.)	

December 6, 1963

Appearances: Earl Layel, Longmont, Colo-
rado, for Applicants;
Joseph F. Nigro, Esq., Den-
ver, Colorado, for Weicker
Transfer & Storage Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Beulah Layel and Earl Layel, Longmont, Colorado,
were authorized to operate as a Class "B" private carrier by motor ve-
hicle for hire (Permit No. B-2893), authorizing transportation of:

sand, gravel, cement (dry) lumber and forest
products and building supplies, for contrac-
tors only, from the nearest railhead or
supply point to the jobs of said contractors
within a radius of 50 miles of said points,
excluding any service in Clear Creek and
Gilpin Counties; also the right to transport
coal and grain in bulk in Boulder and Weld
Counties.

By the above-styled application, said permit-holders seek
authority to extend operations under Permit No. B-2893, to include
the right to transport mine and mill tailings, from mine dumps, be-
tween points within a fifteen-mile radius of Georgetown, Colorado,
and to railroad loading point at Golden, Colorado, for Capital Mining
Company, only.

Said application was regularly set for hearing before the
Commission, and was heard by an Examiner duly designated and to whom

the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Earl Layel appeared at the hearing and testified in support of the granting of the instant application, offering no substantial or competent evidence in support of said application.

In view of applicants' failure to make a prima facie showing, protestants moved that the instant application be dismissed.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds there has not been proven to exist a need for applicants' proposed extended services; that said application should be denied.


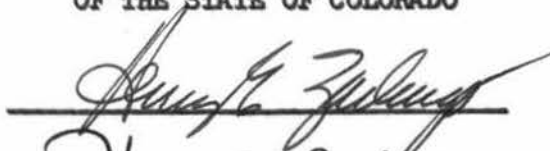
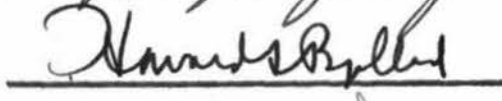
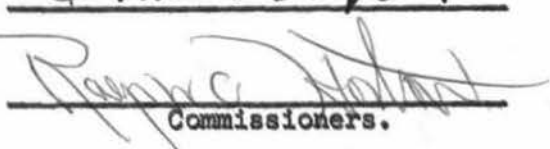
ORDER

THE COMMISSION ORDERS:

That Application No. 20108-PP-Extension be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963.

mls

original

(Decision No. 61869)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DEAN ZIMMERMAN, STEAMBOAT SPRINGS,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY, AU-)
THORIZING OPERATIONS AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 20099

December 6, 1963

Appearances: Nicholas Magill, Esq., Steam-
boat Springs, Colorado, for
Applicant;
James H. Mosley, Esq., Craig,
Colorado, for Craig Cab
Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, to engage in a taxi service for transportation of passengers and their baggage within a radius of twenty-five miles of the Town of Steamboat Springs, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that by stipulation between applicant and protestant herein, the instant application was amended to seek the following authority:

"Transportation of persons and baggage, to and from all points within the Corporate Limits of the Town of Steamboat Springs, Colorado, and to and from all points within a radius of 25 miles from said Town of Steamboat Springs, except West on U. S. Highway No. 40, which shall be limited to a distance of 5 miles west of the Town of Steamboat Springs, Colorado."

Upon acceptance of said amendment, protestant withdrew protest to the granting of authority herein sought.

Dean Zimmerman, Applicant herein, appeared and testified in support of his application, stating he had made an investigation and found that there was a need for taxi service as herein proposed; that he owns a car suitable for said service, and has a net worth of \$5,000.

George Orrell appeared and testified he is Mayor of Steamboat Springs; that said town is growing, and that there is a need for applicant's proposed taxi service.

A. B. Ritter also appeared and testified he is Chief of Police in the City of Steamboat Springs; that there definitely is a need for applicant's proposed service; that the Police Department has been taking care of emergencies in the transportation of sick and stranded persons, and that it would be a great help to have taxi service; that he knows applicant.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that applicant will have sufficient equipment and experience to properly carry on said service; that applicant's financial standing is established to the satisfaction of the Commission; that public convenience and necessity require applicant's proposed service; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Dean Zimmerman, Steamboat Springs, Colorado, be, and he

hereby is, authorized to operate as a common carrier by motor vehicle for hire, for the transportation of persons and baggage, to and from all points within the Corporate Limits of the City of Steamboat Springs, Colorado, and to and from all points within a radius of twenty-five miles from said City of Steamboat Springs, except west on U. S. Highway No. 40, which shall be limited to a distance of five miles west of the City of Steamboat Springs, Colorado; and this ORDER shall be deemed to be, and be, a CERTIFICATE therefor.

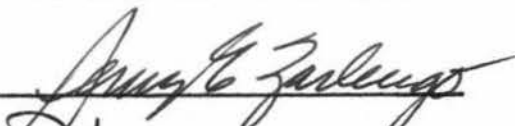
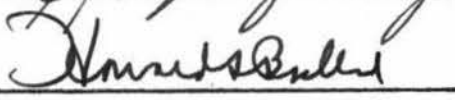

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963.

mls

IN THE MATTER OF THE PETITION OF)
THE TOWN OF FOUNTAIN, A MUNICIPAL)
CORPORATION, FOUNTAIN, COLORADO,)
FOR AN ORDER AUTHORIZING ISSUANCE OF) APPLICATION NO. 20164-
REVENUE NOTE FOR \$14,000.00 TO THE) Securities
CENTRAL COLORADO BANK, COLORADO)
SPRINGS, COLORADO.)

S T A T E M E N T

By the Commission:

Upon consideration of the application filed November 20, 1963, by the Town of Fountain, a corporation, in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on December 13, 1963, at 9:00 o'clock A.M., 532 State Services Building, Denver, Colorado, respecting 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 proceeding. Intervention petitions 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

Henry E. Zukowsky
 Samuel Bull
 Ralph C. Foster
 Commissioners

Dated at Denver, Colorado,
this 5th day of December, 1963.

IN THE MATTER OF THE PETITION OF)
THE TOWN OF FOUNTAIN, A MUNICIPAL)
CORPORATION, FOUNTAIN, COLORADO,)
FOR AN ORDER AUTHORIZING RENEWAL)
AND EXTENSION OF ITS PRESENT NOTE)
INDEBTEDNESS OF \$39,236.89, TO)
THE CENTRAL COLORADO BANK, COLORADO)
SPRINGS, COLORADO.)

APPLICATION NO. 20165
Securities

S T A T E M E N T

By the Commission:

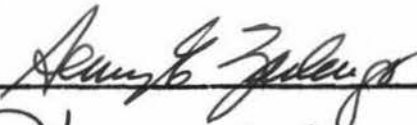
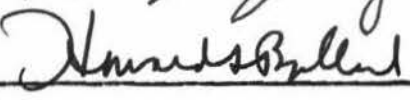
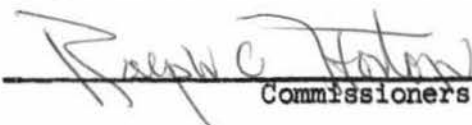
Upon consideration of the application filed
November 7, 1963, by the Town of Fountain, a corporation, in
the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on
December 13, 1963, at 9:00 o'clock A.M., 532 State Services
Building, Denver, Colorado, respecting 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 proceed-
ing. Intervention petitions 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




Commissioners

Dated at Denver, Colorado,
this 5th day of December, 1963.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
RALPH FLESCH, ERNA MAE FLESCH, AND)	
RICHARD FLESCH, DOING BUSINESS AS)	
"RALPH FLESCH & SON," P.O. BOX 577,)	
CRAIG, COLORADO, FOR AUTHORITY TO)	<u>APPLICATION NO. 20102-PP-Transfer</u>
TRANSFER PERMIT NO. B-4105 AND)	
PERMIT NO. B-4105-I TO RALPH FLESCH)	
& SON, INC., P.O. BOX 577, CRAIG,)	
COLORADO.)	
-----)	

December 6, 1963

Appearances: Ralph Flesch, Craig,
Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Ralph Flesch, Erna Mae Flesch, and Richard Flesch, doing business as "Ralph Flesch & Son," Craig, Colorado, were authorized to operate as a Class "B" private carrier by motor vehicle for hire (Permits Nos. B-4105 and B-4105-I), for the transportation of:

Logs, from points within a radius of ten miles of Rabbit Ears Pass to Kremmling, Colorado;

Sand, gravel, fluorspar and other ore, between points in Jackson County, Colorado; transportation of fluorspar between points in Jackson County, Colorado, in interstate commerce only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the above-styled application, said permit-holders seek authority to transfer said operating rights to Ralph Flesch & Son, Inc., Craig, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Ralph Flesch, one of transferors herein and President of transferee, appeared and testified in support of the application, stating said partnership had continuously operated said permit since granted by the Commission; that there is no outstanding indebtedness against said permit; that the consideration for said transfer is all capital stock of transferee corporation; that transferee has ample and suitable equipment and sufficient net worth to continue operations under said authorities; that the reason for the instant application is to achieve operating economy and potential tax savings; that if authority herein is granted, the same management and personnel will continue to operate under said permits.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Ralph Flesch, Erna Mae Flesch, and Richard Flesch, doing business as "Ralph Flesch & Son," Craig, Colorado, be, and hereby are, authorized to transfer all right, title and interest in and to Permits Nos. B-4105 and B-4105-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Ralph Flesch & Son, Inc., Craig, 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


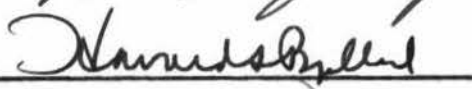
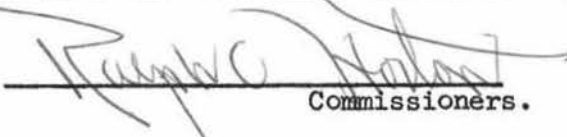
the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within 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 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.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963.

ea

original

(Decision No. 61873)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERNON R. NOVAK, STAR ROUTE, GRANBY,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 20103-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

December 6, 1963

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 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, due notice thereof being forwarded to all parties in interest.

Thereafter, the Commission duly designated an Examiner to conduct 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 representative. There being no protestants present at the hearing, the files were made a part of the record and the matter was taken under advisement.

Report of the Examiner further states that from the files and other inquiry, it developed that Applicant herein is presently operating under Temporary Authority issued by this Commission; that he has proper insurance filing with the Commission; that his equipment is ample and suitable; that he has sufficient net worth.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of authority herein sought; that applicant will have sufficient equipment and experience to properly carry on his proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Vernon R. Novak, Granby, 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; and this ORDER shall be deemed to be, and be, 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

Henry E. Zuckers
Thomas R. Bell
Ralph C. Horton
Commissioners.

Dated at Denver, Colorado,
this 6th day of December, 1963.

ea

original

(Decision No. 61874)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHERN UNION GAS COMPANY, DURANGO,)
COLORADO, FOR AN ORDER AUTHORIZING)
CERTAIN CHANGES IN ITS RATES FOR GAS)
SERVICE RENDERED IN DURANGO AND LA)
PLATA COUNTY, COLORADO.)

APPLICATION NO. 20105
SUPPLEMENTAL ORDER

December 5, 1963

Appearances: Barry & Boyle, Esq., Denver,
Colorado,
A. S. Grenier, Esq., Dallas,
Texas, and
James R. Wetherbee, Dallas,
Texas, for Applicant;
Leonard M. Campbell, Esq.,
Denver, Colorado, and
Emigh & Emigh, Esqs., Durango,
Colorado, for City of
Durango;
Paul M. Brown, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

On November 15, 1963, the Commission entered its Decision No. 61776 in the above-styled matter.

On November 29, 1963, "Application for Rehearing" was filed with the Commission by the City of Durango, Colorado, by its Attorneys.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Application for Rehearing filed herein, and each and every allegation thereof.

F I N D I N G S

THE COMMISSION FINDS:

That no useful purpose would be served by granting rehearing herein, and that said Application for Rehearing should be denied.


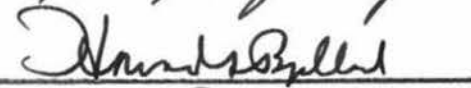

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing filed with the Commission in the above-styled application on November 29, 1963, by the City of Durango, Colorado, be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1963.

mls

original

(Decision No. 61875)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF)	
THE TOWN OF FOUNTAIN, A MUNICIPAL)	
CORPORATION, FOR AN ORDER AUTHOR-)	
IZING RENEWAL AND EXTENSION OF ITS)	<u>APPLICATION NO. 20165-Securities</u>
PRESENT NOTE INDEBTEDNESS TO THE)	
CENTRAL COLORADO BANK, COLORADO)	
SPRINGS, COLORADO.)	

December 5, 1963

S T A T E M E N T

By the Commission:

The above-styled application for authority to extend the balance of \$39,236.89 on a \$50,000 less than one year note, dated February 25, 1963, to the Central Colorado Bank of Colorado Springs, for a period of three years was filed with the Commission November 7, 1963, and is set for hearing December 13, 1963. Subsequent to this filing, Applicant also filed Application No. 20164-Securities, for authority to issue another and separate three-year note for \$14,000, both of which applications are to be heard on December 13, 1963.

Because the Commission's docket has been full and the December 13, 1963, date is the earliest date now convenient to Applicant, the hearing date runs past the 30-day period as per Subsection 5 of Section 1, Paragraph 4, Chapter 115, 1953 Colorado Statutes Annotated, as follows:

"All applications for the issuance, assumption, or guaranty of securities shall be placed at the head of the Commission's docket and shall be disposed of promptly, and within thirty (30) days after petition is filed with the Commission unless it is necessary for good cause to continue same for a longer period. Whenever such application is continued beyond the thirty (30) days after the time it is filed,

the Commission shall enter an order making such continuance and stating fully the facts necessitating same."

Inasmuch as Application No. 20165-Securities can not be concluded by December 7, 1963, being thirty (30) days from the filing date thereof, it appears that said matter should be continued by the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be continued as set forth in the Order following.

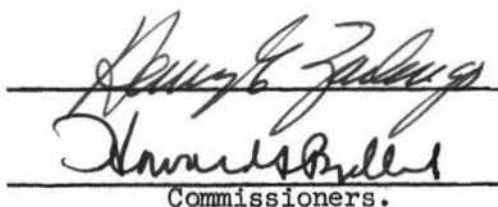
O R D E R

THE COMMISSION ORDERS:

That Application No. 20165-Securities, filed with the Commission on November 7, 1963, as hereinabove described, shall be, and the same hereby is, continued for five (5) working days after the hearing date December 13, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER RALPH C. HORTON
NOT PARTICIPATING.


Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
THE GREYHOUND CORPORATION, 1730
GLENARM PLACE, DENVER, COLORADO, AND
1740 MAIN STREET, KANSAS CITY, MIS-
SOURI, FOR AUTHORITY TO TRANSFER PUC
NO. 298 AND PUC NO. 298-I TO GREY-
HOUND LINES, INC., 1730 GLENARM
PLACE, DENVER, COLORADO.

APPLICATION NO. 20150-Transfer

IN THE MATTER OF THE APPLICATION OF
THE GREYHOUND CORPORATION, 1730
GLENARM PLACE, DENVER, COLORADO, AND
1740 MAIN STREET, KANSAS CITY, MIS-
SOURI, FOR AUTHORITY TO TRANSFER PUC
NO. 394 AND PUC NO. 394-I TO GREY-
HOUND LINES, INC., 1730 GLENARM
PLACE, DENVER, COLORADO.

APPLICATION NO. 20151-Transfer

December 9, 1963

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Transferor
and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore the Greyhound Corporation, transferor, was granted
Certificates of Public Convenience and Necessity Nos. 298, 298-I, 394
and 394-I by this Commission. By the above styled applications said
transferor now seeks authority to transfer said PUC Nos. 298 and 298-I,
and said PUC Nos. 394 and 394-I to Greyhound Lines, Inc., 1730 Glenarm
Place, Denver, Colorado.

Said applications were regularly set for hearing before the
Commission at the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado, on November 29, 1963, at 10:00 o'clock A.
M., due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, counsel for

applicants moved that said applications be consolidated for hearing. No one appearing in protest and it appearing to the Commission that no one would be prejudiced by consolidated hearing in said applications, said procedure was allowed and is confirmed.

Mr. H. Earl Truelove, Assistant Comptroller for both applicant transferor and transferee, testified in support of the applications. Mr. Truelove explained that the instant applications were filed in Colorado along with similar applications in all 48 States of the Continental United States, as well as with the Interstate Commerce Commission, at Washington, D. C., in order to put all of the operating rights of Greyhound into one separate corporation. The witness further testified that all of the officers of the transferor will be the officers of the transferee. Exhibit No. 3 was introduced into evidence, which specifically set forth the names of each of the officers of both corporations. Witness further testified that all of the assets and liabilities of the transferor were being transferred to the transferee. In addition the witness introduced Exhibit No. 2, which was a pro forma balance sheet showing the effect of the transfer on Greyhound Lines, Inc., as of September 30, 1963. Said Exhibit establishes that the applicant transferee is financially able to conduct the operations, if the applications are granted. The Exhibit further shows that no creditor could be injured by the granting of these applications. Other evidence adduced by this witness indicated that the transferee will conduct, carry on and maintain the same type of service for the public as has been maintained in the past using the same operating personnel and managerial staff as was used by the transferor. In addition, the same number and type of buses will be used if these transfers are approved.

It appears to the Commission that the transfers herein sought are in the public interest, that transferee will have sufficient equipment and experience to properly carry on the operations; that trans-

feree's financial standing is established to the satisfaction of the Commission and that the following Order should be entered.

O R D E R

THE COMMISSION ORDERS:

That the Greyhound Corporation be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 298, PUC No. 298-I, PUC No. 394 and PUC No. 394-I to Greyhound Lines, Inc., subject to the payment of outstanding indebtedness against said certificates whether secured or unsecured.

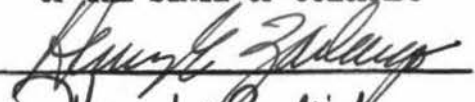
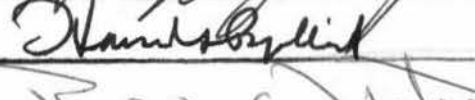
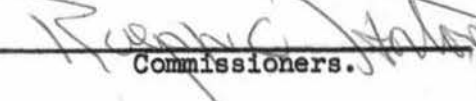
That said transfers shall become effective only if and when, but not before, said transferor and said transferee, in writing, have advised the Commission that said certificates have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 9th day of December, 1963.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL L. HUTCHINSON, DOING BUSINESS)
AS, "HUTCHINSON FURNITURE COMPANY",)
127 LINDEN STREET, FORT COLLINS,)
COLORADO.)
-----)

PERMIT NO. M-653

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul L. Hutchinson,
doing business as, "Hutchinson Furniture Company", Fort Collins, Colorado
requesting that Permit No. M-653 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-653, heretofore issued to Paul L. Hutchinson,
doing business as, "Hutchinson Furniture Company", Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective November 21, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dennis E. Zeelings
Howard J. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
A. I. KITCHENLAND, DIVISION OF)
ANDERSON INDEPENDENT COMPANY, 5909)
EAST 38TH AVENUE, DENVER 7, COLORADO.)
-----)

PERMIT NO. M-2016

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. I. Kitchenland,
Division of Anderson Independent Company, Denver 7, Colorado
requesting that Permit No. M-2016 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2016, heretofore issued to A. I. Kitchenland,
Divison of Anderson Independent Company, Denver 7, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehlings
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROLAND D. GABLEHOUSE, CORNISH,)
COLORADO.)

PERMIT NO. M-6748

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Roland D. Gablehouse,
Cornish, Colorado

requesting that Permit No. M-6748 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6748, heretofore issued to Roland D. Gablehouse,
Cornish, Colorado be,

and the same is hereby, declared cancelled effective October 29, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELDON L. KEYSER, ROUTE 2 BOX 292,)
LA SALLE, COLORADO.)
)
)
-----)

PERMIT NO. M-15458

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eldon L. Keyser,
La Salle, Colorado
requesting that Permit No. M-15458 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15458, heretofore issued to Eldon L. Keyser,
La Salle, Colorado be,
and the same is hereby, declared cancelled effective November 21, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeilinger
Howard S. Bjelland
Raymond C. Norton
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

CANCELLATION--COMMON CARRIER

(Decision No. 61881)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MICHAEL FABRIZIO, 6840 YORK)
STREET, DENVER 16, COLORADO.)

PUC NO. 5535-I

December 12, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Michael Fabrizio,
Denver 16, Colorado

requesting that Certificate of Public Convenience and Necessity No. 5535-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. 5535-I heretofore issued to Michael
Fabrizio, Denver 16, Colorado

be, and the same is hereby, declared cancelled effective November 21, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold S. Bjelland
Commissioner

Dated at Denver, Colorado
this 12th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN H. WALDROUPE, ROUTE 1, MOSCA,)
COLORADO.)
)
)
-----)

PERMIT NO. B-6467

December 12, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John H. Waldroupe,
Mosca, Colorado

requesting that Permit No. B-6467 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-6467, heretofore issued to John H. Waldroupe,
Mosca, Colorado be,
and the same is hereby, declared cancelled effective November 21, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zeelings
Howard S. Bjelland
Ralph C. Johnson
Commissioners

Dated at Denver, Colorado,

this 12th day of December, 19 63.

CANCELLATION—COMMON CARRIER

(Decision No. 61883)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DENVER STEEL PRODUCTS COMPANY,)
P. O. BOX 298, DERBY, COLORADO.)

PUC NO. 4944-I

December 19, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Denver Steel
Products Company, Derby, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4944-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. 4944-I heretofore issued to Denver
Steel Products Company, Derby, Colorado

be, and the same is hereby, declared cancelled effective November 22, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziegler
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado
this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. D. SNEARY, 1920 SOUTH LAFAYETTE,)
STREET, DENVER 10, COLORADO.)
_____)

PERMIT NO. M-2615

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. D. Sneary,
Denver 10, Colorado
requesting that Permit No. M-2615 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2615, heretofore issued to E. D. Sneary,
Denver 10, Colorado be,
and the same is hereby, declared cancelled effective November 7, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zechinger
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LARRY PRATT, DOING BUSINESS AS,)
"LARRY PRATT SHEET METAL", 3905 WINOMA)
STREET, DENVER 12, COLORADO.)
-----)

PERMIT NO. M-3107

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Larry Pratt, doing
business as, "Larry Pratt Sheet Metal", Denver 12, Colorado
requesting that Permit No. M-3107 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3107, heretofore issued to Larry Pratt, doing
business as, "Larry Pratt Sheet Metal", Denver 12, Colorado be,
and the same is hereby, declared cancelled effective November 26, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zaitz
David S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ONEY GARCIA, INCORPORATED, 118 EAST)
2ND STREET, TRINIDAD, COLORADO.)
_____))
_____)

PERMIT NO. M-6461

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Oney Garcia, Inc.,
Trinidad, Colorado

requesting that Permit No. M-6461 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6461, heretofore issued to Oney Garcia, Inc.,
Trinidad, Colorado be,
and the same is hereby, declared cancelled effective November 20, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziegler
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAX E. JENSEN, 1295 VANCE, LAKEWOOD,)
COLORADO.)
)
)
-----)

PERMIT NO. M-7687

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Max E. Jensen,
Lakewood, Colorado
requesting that Permit No. M-7687 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7687, heretofore issued to Max E. Jensen,
Lakewood, Colorado be,
and the same is hereby, declared cancelled effective November 22, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOYD G. HOBSON, ROUTE 1 BOX 15,)
BROKEN BOW, OKLAHOMA.)
)
)
-----)

PERMIT NO. M-12700

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Loyd G. Hobson,
Broken Bow, Oklahoma
requesting that Permit No. M-12700 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12700, heretofore issued to Loyd G. Hobson,
Broken Bow, Oklahoma be,
and the same is hereby, declared cancelled effective September 30, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zarlengo
Howard S. Bjelland
Royce C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M AND F OIL AND GAS COMPANY,)
CORPORATION, P. O. BOX 1611, COLORADO)
SPRINGS, COLORADO.)
-----)

PERMIT NO. M-13722

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M & F Oil & Gas
Company (Corporation), Colorado Springs, Colorado
requesting that Permit No. M-13722 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13722, heretofore issued to M & F Oil & Gas Company,
(Corporation), Colorado Springs, Colo. be,
and the same is hereby, declared cancelled effective December 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziehlings
Howard S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION.
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN J. FEIS, DOING BUSINESS AS,)
"FEIS TEXACO SERVICE", 329 WEST BIJOU)
COLORADO SPRINGS, COLORADO.)
-----)

PERMIT NO. M-14184

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marvin J. Feis, doing
business as, "Feis Texaco Service", Colorado Springs, Colorado
requesting that Permit No. M-14184 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14184, heretofore issued to Marvin J. Feis, doing
business as, "Feis Texaco Service", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zickler
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL C. HAGEN, ROUTE 2 BOX 128,)
MONTROSE, COLORADO.)
-----)

PERMIT NO. M-15707

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl C. Hagen,
Montrose, Colorado
requesting that Permit No. M-15707 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15707, heretofore issued to Carl C. Hagen,
Montrose, Colorado be,
and the same is hereby, declared cancelled effective October 11, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Ziegler
Harold S. Bjelland
Reuben C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
SAMPSON BROTHERS TRANSPORTATION
COMPANY, INCORPORATED, 2345
LAKE DRIVE, LOVELAND, COLORADO.

PUC NO. 538

December 19, 1963

S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that their PUC No. 538 be suspended for six months from November 25, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Sampson Brothers Transportation Company, Incorporated,
Loveland, Colorado

 be, and is hereby, authorized to suspend operations under PUC No. 538 until May 25, 1964.

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

Henry E. Zarlengo
Edward J. Bjelland
Ralph C. Johnston

Dated at Denver, Colorado,
this 19th day of December, 196 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. W. FOXHOVEN AND SONS, INCORPORATED }
LORENZO, NEBRASKA. }

PERMIT NO. M-8818

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. W. Foxhoven & Sons,
Inc., Lorenzo, Nebraska

requesting that Permit No. M-8818 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8818, heretofore issued to W. W. Foxhoven & Sons,, Inc.
Lorenzo, Nebraska be,

and the same is hereby, declared cancelled effective November 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Ziehlings
Arnold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. W. FOXHOVEN AND SONS, INC-)
ORPORATED, LORENZO, NEBRASKA.)

PUC NO. 4486-I

December 19, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that their PUC No. 4486-I be suspended for six months from November 4, 1963.

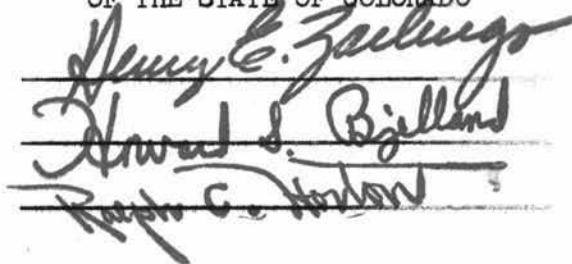
F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That W. W. Foxhoven & Sons, Incorporated, Lorenzo,
Nebraska
be, and is hereby, authorized to suspend operations under PUC No. 4486-I until May 4, 1964.

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 19th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD R. BRODINE, 31 ELDER STREET,)
NORTH PLATTE, NEBRASKA.)

PERMIT NO. M-7018

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from HAROLD R. BRODINE,
NORTH PLATTE, NEBRASKA

requesting that Permit No. M-7018 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7018, heretofore issued to HAROLD R. BRODINE,
NORTH PLATTE, NEBRASKA be,
and the same is hereby, declared cancelled effective November 10, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Raymond C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
 HAROLD R. BRODINE, 31 ELDER)
 STREET, NORTH PLATTE, NEBRASKA.)

PUC NO. 5481-I

 December 19, 1863

S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 5481-I be suspended for six months from November 10, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Harold R. Brodine, North Platte, Nebraska

be, and is hereby, authorized to suspend operations under PUC No. 5481-I until May 10, 1964.

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

Henry E. Ziehl
Howard S. Bjelland
Ralph C. Horton

Dated at Denver, Colorado,
 this 19th day of December, 196 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT JACK HICKS, HOTCHKISS,)
COLORADO.)
-----)

PERMIT NO. B-4769 & I

December 19, 1963
-----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-4769 & I be further suspended for six months six months from November 9, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Robert Jack Hicks, Hotchkiss, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-4769 & I until May 9, 1964.

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

Henry E. Zaehner
Harold S. Bjelland
Ray C. Norton
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1963.

original

(Decision No. 61898)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT A. BELT, GENERAL DELIVERY,)
GLENWOOD SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 20140-PP

December 9, 1963

Appearances: Robert A. Belt, Glenwood
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District

Court Room, Court House, Glenwood Springs, Colorado, December 2, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

Robert A. Belt testified that he is the owner of an International Tandem dump truck with a ten yard bed which he plans to utilize in furnishing the services for which he has requested authority. He has been driving a truck for several years and has an estimated net financial worth in excess of \$10,000. He has been operating under Temporary Authority for the past month and has been busy during this period of time. If the requested authority is granted, he will comply with the rules and regulations of the Commission.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

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

O R D E R

THE COMMISSION ORDERS:

That Robert A. Belt, Glenwood Springs, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado,

to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles, and this ORDER shall be deemed to be, and be, a PERMIT therefor.

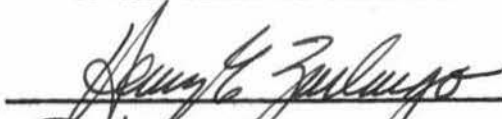
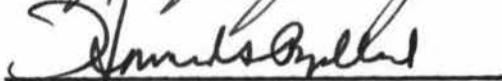
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

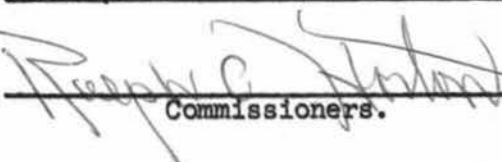
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 9th day of December, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DAVID CLARENCE HAMILTON, BOX 261,)	
MINTURN, COLORADO, FOR A CLASS "B")	<u>APPLICATION NO. 20141-PP</u>
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

December 9, 1963

Appearances: David Clarence Hamilton,
Minturn, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the District Court Room, Court House, Glenwood Springs, Colorado, December 2, 1963, and at the conclusion of the evidence, the matter was taken under advisement.

David Hamilton testified that he is the owner of a dump truck with a ten-yard dump box which he plans to utilize to render the services for which he has requested authority. He has been engaged in the business of truck driving for around fifteen years and his estimated net financial worth is in excess of \$10,000. He has been operating under Temporary Authority for the past month and has been relatively busy during this period of time. If the requested authority is granted, he will comply with the rules and regulations of the Commission.

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

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

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

F I N D I N G S

THE COMMISSION FINDS:

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

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

O R D E R

THE COMMISSION ORDERS:

That David Clarence Hamilton, Minturn, Colorado, should be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 100 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 100 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 100 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 100 miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

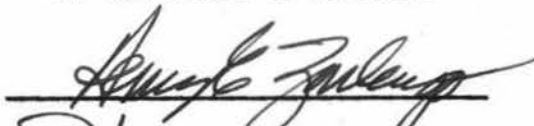
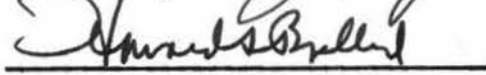
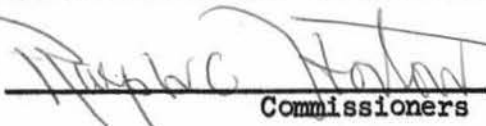
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 9th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DENVER MOVING & STORAGE, INC.,)
8125 EAST 39TH AVENUE, DENVER,) PUC NO. 3798
COLORADO.)
-----)

December 9, 1963

STATEMENT AND FINDINGS OF FACT

By the Commission:

Denver Moving & Storage, Inc., Denver, Colorado, owner and operator of PUC No. 3798, seeks authority to mortgage said operating rights to Guaranty Bank & Trust Company, Denver, Colorado, to secure payment of the sum of \$20,500.00, in accordance with the terms and conditions set forth in Chattel Mortgage, of date November 21, 1963, said Mortgage, by reference, being made a part hereof.

The Commission states and finds that authority sought should be granted, as set forth in the Order following.

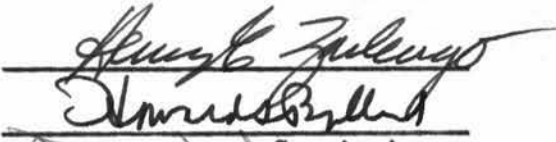
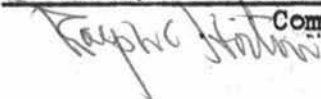
O R D E R

THE COMMISSION ORDERS:

That Denver Moving & Storage, Inc., Denver, Colorado, be, and hereby is, authorized to mortgage all his right, title, and interest in and to PUC No. 3798 to Guaranty Bank & Trust Company, Denver, Colorado, to secure payment of the sum of \$20,500.00, as set forth in the Statement preceding, which is made a part of this Order, by reference.

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 9th day of December, 1963.

ea
COMMISSIONER HOWARD S. BJELLAND NOT PARTICIPATING.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE REDUCED TRUCKLOAD RATES ON
IRON OR STEEL ARTICLES BETWEEN
MINNEQUA AND DENVER: ELIMINATION
OF 20% RATE PENALTY ON HEAVY
MACHINERY, IRON OR STEEL ARTICLES,
ETC.

INVESTIGATION AND SUSPENSION
DOCKET NO. 519
(CORRECTED ORDER)

December 9, 1963

S T A T E M E N T

BY THE COMMISSION:

In our Decision No. 61833, dated November 29, 1963, in the subject matter, paragraphs numbered 3 and 7, refer inadvertently to the dates of April 12, 1963 and February 3, 1963, respectively. The dates should be April 12, 1964 and February 3, 1964.

O R D E R

THE COMMISSION ORDERS, That

1. The Statement herein be, and it is hereby, made a part hereof.
2. Ordering paragraph No. 3 of our order of November 29, 1963, Decision No. 61833, is hereby corrected to show that the operation of Item No. 5, First Revised Page No. 7 of Englewood Transit Company, Tariff No. 2, Colorado P.U.C. No. 2, is suspended and the use thereof deferred to and including April 12, 1964.
3. Ordering paragraph No. 7 of our order of November 29, 1963, Decision No. 61833, is hereby corrected to show that Investigation and Suspension Docket No. 519, be and the same is hereby set for hearing before the Commission on Monday, February 3, 1964 at 10:00 A.M. in the hearing room of the Commission, 532 State Services Building, Denver, Colo.
4. All other provisions of the order in our Decision No. 61833 dated November 29, 1963 to remain in full force and effect.
5. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]
[Signature]
[Signature]
Commissioners

Filed at Denver, Colorado this
9th day of December, 1963.

(Decision No. 61902)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE STORAGE CHARGES APPLIED)
AFTER EXPIRATION OF FREE)
TIME -----)

INVESTIGATION AND SUSPENSION
DOCKET NO. 520

December 9, 1963

S T A T E M E N T

BY THE COMMISSION:

On November 8, 1963, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver, Colorado, filed 3rd Revised Page No. 100 to Tariff No. 12-A, Colorado P.U.C. No. 11, Item No. 1100, naming reduced storage rates on truckload shipments of non-perishable commodities of 20,000 pounds or more, scheduled to become effective December 14, 1963.

The changes as proposed will result in reductions; and if permitted to become effective may result in violations of the Public Utilities Law. It is the opinion of the Commission that said item, which appears below, should be suspended and an investigation instituted upon the Commission's own motion concerning the lawfulness of the rates and charges contained therein.

RULES AND REGULATIONS

Application

STORAGE:

- (A) Except as otherwise provided, forty-eight hours' free time will be allowed, which free time will be computed from the first 7:00 A.M., after arrival of shipment at destination (excluding Sundays and holidays).
- (B) Except as otherwise provided, shipments held on the premises of the carrier in excess of free time allowed, when having been given or afforded the proper storage by the carrier, will be subject to the following storage charges per day, or on option of carrier may be sent to Public Warehouse. (See Note)
- (C) For each of the first five days, four cents per 100 pounds. For the sixth and each succeeding day, eight cents per 100 pounds. In computing time, Sundays and Legal Holidays (National, State, and Municipal) but not half holidays will be excluded. Fractions of a day are to be considered as one day and fractions of a hundred pounds to be considered as one hundred pounds. Minimum charge for up to and including first five days of storage, 50 cents per shipment; for storage over five days, \$1.00 per shipment.

NOTE: In addition to rate named for storage, a charge of 15 cents per 100 pounds will be made for extra handling of a shipment sent to the public warehouse, minimum charge 75 cents per shipment.

Ⓡ Truckload shipments of non-perishable commodities, weighing 20,000 pounds or more, picked up between December 15 and December 31 which exceed free time as specified in paragraph (1), due to no disability, fault or negligence on the part of the carrier, shall be subject to charges as specified in paragraph (2).

- (1) No charge will be made when delivery is accomplished on or before the third business day following date of shipment. All Saturdays, Sundays or holidays are excluded in computing time and/or charges.
- (2) When consignor requires that shipment be held beyond the free time allowed in paragraph (1), the charge of \$10.00 per day or fraction thereof per trailer will be assessed in addition to all other lawful rates and charges.

Ⓡ denotes addition

Ⓡ denotes reduction

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 should 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 and charges resulting from the changes proposed by Item No. 1100 of Colorado Motor Carriers' Association, Agent, Motor Freight

Tariff No. 12-A, Colorado P.U.C. No. 11, as set forth in the statement of this order.

3. The operation of said schedules be and is hereby suspended, and the use thereof be deferred to and including April 12, 1964, unless otherwise ordered by the Commission.


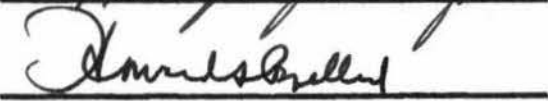
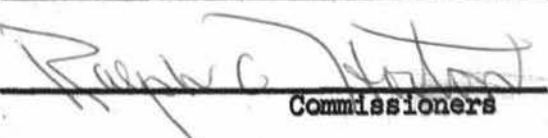
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.

5. Seven days prior to the hearing date hereon, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case.

6. A copy of this order shall be filed with the schedules in the office of the Commission and also be served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver, Colorado, 80216, and that the carriers parties to said tariff be, and they are hereby, made respondents to this proceedings.

7. This Investigation and Suspension Docket No. 520 be, and the same is hereby, set for hearing before the Commission on Wednesday, January 15, 1964 at 2:00 P.M. in the hearing room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
9th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT A. CONNELL, ROUTE 2 BOX)
223, LONGMONT, COLORADO.)

PERMIT NO. B-6096

December 12, 1963

S T A T E M E N T

By the Commission:

On December 1, 1962, the Commission authorized Robert A. Connell to suspend operations under his Permit No. B-6096, until December 1, 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. B-6096, should be, and the same hereby is, reinstated as of December 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. E. Zeelings
Howard S. Bjelland
Randy C. Johnson
Commissioners

Dated at Denver, Colorado,
this 12th day of December, 1963.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LA PLATA ELECTRIC ASSOCIATION, INC.,)
OF DURANGO, COLORADO, FOR AN ORDER) APPLICATION NO. 18200-Securities
APPROVING THE ISSUANCE OF SECURITIES) SUPPLEMENTAL ORDER
AND FOR AN ORDER AUTHORIZING THE)
ISSUANCE OF SECURITIES AND THE)
APPLICATION OF THE PROCEEDS THEREFROM)
TO CERTAIN LAWFUL PURPOSES.)
-----)

December 10, 1963

Appearances: Byron V. Bradford, Esq.,
Durango, Colorado,
for Applicant;
E. R. Thompson, Denver,
Colorado, for the
Commission.

S T A T E M E N T

By the Commission:

On December 4, 1963, the La Plata Electric Association, Inc. filed with this Commission an application for authority to modify its loan agreement with the United States of America pertaining to the REA project designation "Colorado 32K La Plata," principal amount of \$300,000 dated November 2, 1960. This loan was authorized and approved by this Commission on December 19, 1960, in its Order, Decision No. 55583, Application No. 18200-Securities; the Commission, in this instance also authorized and approved the Amendment dated October 7, 1960, to Amending Loan Contract, dated December 15, 1952, as amended.

The parties above mentioned have now entered into an agreement which would modify the repayment obligations of Applicant. All of the \$300,000 has not been "drawn down" by Applicant and, therefore, it seeks to renew the loan on the unadvanced balance known as "principal balance;" thus, we understand that the provisions of the note as applied in the beginning will, in effect, be moved later in

time to the date of this agreement, November 4, 1963, and thence will apply in the same manner to the payment of interest and repayment of "principal balance" over thirty-five years from this date.

In view of the fact that this Commission has previously authorized and approved the borrowing of the \$300,000, and that Applicant asked for no changes in the provision other than moving the period of the note to a later date (relative to the unadvanced portion), we see no need for a public hearing on this matter; and therefore, in the Order to follow, will authorize and approve the agreement between the United States of America and La Plata Electric Association, Inc., dated as of November 4, 1963, pertaining to REA Project designation "Colorado 32K La Plata."

F I N D I N G S

THE COMMISSION FINDS:

After careful consideration of this supplemental application of La Plata Electric Association, Inc., and of the data and records on file with this Commission pertaining thereto, the Commission is of the opinion that the agreement, subject herein, should be authorized and approved.

That this Commission has jurisdiction of La Plata Electric Association, Inc., as to the subject matter of the instant application, as defined in 115-1-3 and 4, Colorado Revised Statutes, 1953.

That the Commission is fully advised in the premises.

That the Commission has retained jurisdiction of these proceedings to the end that it may make further Order or Orders in the premises as it may deem proper and desirable.

That the above and foregoing Statement is incorporated in these Findings by reference.

That the agreement between La Plata Electric Association, Inc. and the United States of America, dated November 4, 1963, referred to above and filed with this Commission December 4, 1963, is not inconsistent with the public interest and should be authorized and approved.

O R D E R

THE COMMISSION ORDERS:

That the agreement between La Plata Electric Association, Inc. and the United States of America, dated November 4, 1963, and designated "Colorado 32K La Plata," as set forth fully in the copy of the agreement attached to Application No. 18200-Securities, Supplemental, be, and the same is hereby, authorized and approved.

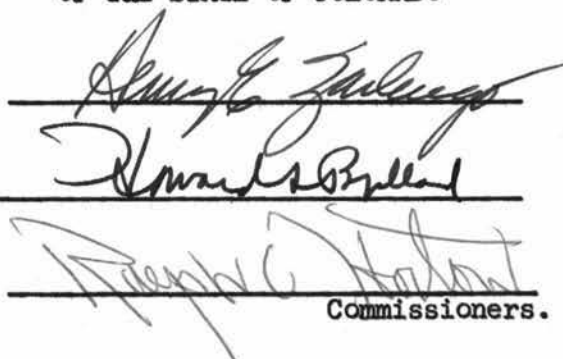
That La Plata Electric Association, Inc., within one hundred twenty (120) days of the date hereof, or date of execution, shall file with this Commission a conformed copy of the executed agreement authorized and approved herein.

That nothing herein contained shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, said securities on the part of the State of Colorado, and

That in all other respects the Decision and Order No. 55583, Application No. 18200-Securities, shall remain in full force and effect.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 10th day of December, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE ADDITION OF NEW COMMODITY
ITEMS ON POTATO CHIPS AND PULP-
BOARD: AND AMENDMENT OF ITEM
ON FOODSTUFF TO INCLUDE POINTS
BETWEEN DENVER AND PETERSON FIELD
AND U.S. AIR FORCE ACADEMY

CASE NO. 1585

December 9, 1963

S T A T E M E N T

BY THE COMMISSION:

On November 8, 1963, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed certain schedules referred to in Appendix "A" hereto, and published in its Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, scheduled to become effective December 14, 1963.

Under the provisions of Rule 18, Paragraph C-(1)-(A) of the 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.

Item No. 1807 covering foodstuffs and related articles is being amended to include the destination points of Peterson Field and the U.S. Air Force Academy. Burt Hanson, Assistant Traffic Manager, Red Ball Motor Freight, Inc., in a letter to the Chief of the Tariff Bureau, dated October 14, 1963, justifies the proposed rates on the basis that they are on the same level as rates already established.

Items 2475 and 2488 are for the account of Rio Grande Motor Way, Inc. Mr. Wally Fletchinger, Assistant Traffic Manager in support states in a letter dated October 15, 1963 to the Chief of the Tariff Bureau that:

"Ever since 'potato chips' were removed from exception item 380, the applicable rating has been class 150. Our Montrose shipper now ships regularly into Denver on a basis of one to two shipments a week, averaging 2,000 lbs. to 7,500 lbs. per shipment. With the existing rate, this shipper is being priced out of the market.

"The 2.47 rate is our presently effective class 70 LTL rate between Montrose and Denver. The 1.94 rate is actually the class 55 LTL rate between the same points. These scales are considerably higher than the one now shown in item 2470 from the same point, as those are our present class 55 rates to the various points."

On the gypsum board Mr. Fletcher in a letter dated October 14, 1963 to the Chief of the Tariff Bureau further states:

"Our proposal is based on the fact that the gypsum board manufacturer located at Florence runs into emergency situations at times that require overnight truck service of this product to their plant from Denver. Normally, this traffic moves in box cars at a rate of 25¹/₂¢ cwt., 80,000 lb. minimum weight, per item No. 3450-A, D&RGW Tariff No. 4900-K. This proposal is designed to handle smaller lot shipments when the situation arises.

"The rate would produce adequate earnings for motor carrier transportation as the revenue approximates 78¢ per running mile. We have discussed this matter with the consignee who has requested us to proceed with publication on this basis."

LTL denotes - less-than-truckload

In our Decision No. 61832, dated November 29, 1963 a typographical error was made in Appendix "A", Page 12, particularly the distance between Pueblo, Colorado and Nona. Nona should be corrected to read Vona.

F I N D I N G S

THE COMMISSION FINDS:

That the provisions, rates and charges as set forth in the appendix hereof appear to represent just, fair and reasonable provisions, rates and charges and should be authorized and an order entered prescribing the same.

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 December 14, 1963, 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 December 14, 1963, 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.

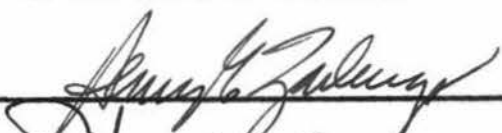
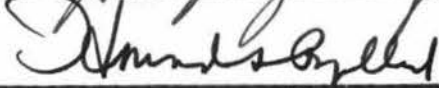
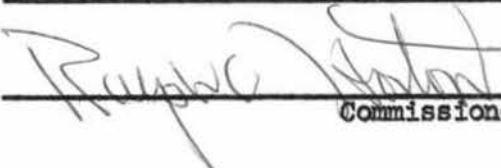
7. On and after December 14, 1963, all private carriers by motor vehicle operating in competition with any motor vehicle common carriers, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

8. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

10. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
9th day of December, 1963.

APPENDIX "A"

Changes effective December 14, 1963:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT Local and Joint Freight Tariff 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.	Commodities in the same item may be shipped in straight or mixed truck loads.	From	To	Rates	Route No.
(Except as otherwise noted)					
6th Revised Page No. 207-B		BETWEEN	AND	①	②
	Foodstuffs and Related Articles, viz.:		Canon City, Colo.	57	46 87
	Baking Powder		Colorado Springs, Colo.	51	42 47
	Beverage Preparations, NOI, Dry		Durango, Colo.	107	88 87
	Bluing, Laundry		Ft. Carson, Colo.	52	43 47
	Cereal Food Preparations:		Grand Junction, Colo.	98	82 87
	Cooked:	Denver, Colo.	Greeley, Colo.	46	38 7
	Bran (Note A)		① Peterson Field, Colo.	52	43 47
	Confection Coated (Note A)		Pueblo, Colo.	66	54 47
	Flaked or Shredded (Note A)		Trinidad, Colo.	82	67 47
	Puffed, NOI (Note A)		① U. S. Air Force Academy, Colo.	49	40 47
	Rice, Rolled (Note A)				
	Cooked:		Milk Food, other than liquid		
	Granulated		Milk, Powdered		
	Chocolate Candy		Pectin		
	Chocolate, Not Confectionery		Pot Scourers, NOI, Scouring Cloths or Scouring Pads, with or without soap (Note B)		
1807	Cocoa		Potatoes, Cooked		
	Cocoa Compounds		Rice		
	Cocoanut, Prepared		Rice, Combined with vegetables and Seasoning		
	Coffee Extract (Instant)		Salad Dressing Preparations, Dry		
	Coffee Roasted		Soups		
	Coffee Substitutes		Spaghetti Sauce Mix, Dry		
	Confectionery, NOI		Starch, Liquid		
	Dessert Preparations		Sauces, Table, NOI		
	Feed, Animal, Carnivorous (Canned)		Syrup, Not Medicated, NOI		
	Feed, Animal, Prepared		Tapioca		
	Feed, Animal (Dog Biscuits)		Tea		
	Flour, Edible		Wax, Laundry Compound		
	Flour, Grain				
	Gelatin, NOI				
	Macaroni and Cheese				

① Minimum Weight 20,000 Pounds. ② Minimum weight 35,000 pounds.
(Subject to Item No. 770)

NOTE A: Rates apply on articles referring to this note only when such articles are in mixed shipments with other articles named in this item not referring hereto. Total weight of the articles referring to this note shall not exceed 25% of the weight upon which charges are assessed. Any excess over and above 25% will be charged for at the otherwise applicable truckload rate.

NOTE B: Rates apply on articles referring to this note only when such articles are in mixed shipments with other articles named in this item not referring hereto. Total weight of the articles referring to this note shall not exceed 5% of the weight upon which charges are assessed.

SECTION NO. 2
Commodity Rates
(For Application, See Page No. 190 of Tariff)

Rates are in cents per 100 pounds

Item No.	Commodities in the same item may be shipped in straight or mixed truck loads	From	To	Rates	Route No.
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First Revised Page No. 231-A

2475	Potato Chips, packed in accordance with the classification. ① Less-than-truckload ② Min. Wgt. 5,000 lbs. (Subject to Item 770)	Montrose, Colo.	Denver, Colo.	① 240* ② 188*	87
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19th Revised Page No. 232

2488	Pulpboard, other than corrugated, in rolls, ① Minimum weight 40,000 pounds per truckload	Denver, Colo.	Florence, Colo.	39*	87
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† denotes addition

① denotes reduction

Route No. 47 - Red Ball Motor Freight, Inc. - Direct

87 - Rio Grande Motor Way, Inc. - Direct

7 - Frederic A. Bethke, d/b/a Bethke Truck Lines - Direct

*Subject to 3% Increase, to expire Jan. 31, 1964, as provided by Decision No. 61178, dated August 8, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELSIE A. LANE AND ERNEST G. LANE,)
DOING BUSINESS AS "LANE CONSTRUC-)
TION," BOX 155, GRAND LAKE, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
- - - - -)

APPLICATION NO. 20100-PP

- - - - -
December 10, 1963
- - - - -

Appearances: Ernest G. Lane, Grand
Lake, 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 Colo-
rado, to road jobs, mixer and processing plants
within a radius of one hundred miles of said pits
and supply points; sand and gravel, from pits
and supply points in the State of Colorado, to
railroad loading points, and to home and small
construction jobs within a radius of one hundred
miles of said pits and supply points; sand, gravel,
dirt, stone, and refuse, from and to building
construction jobs, to and from points within a
radius of one hundred miles of said jobs; insulrock,
from pits and supply points in the State of Colo-
rado, to roofing jobs within a radius of one
hundred miles of said pits and supply points;
transportation of road-surfacing materials to be
restricted against the use of tank vehicles.

Said application was regularly set for hearing before the
Commission, and was heard by an Examiner duly designated and to whom
the hearing was assigned by the Commission. At the conclusion of the
hearing, the matter was taken under advisement, and said Examiner trans-
mitted to the Commission the record and exhibits of said proceeding,
together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that 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 applicants are owners of a 1953 G.M.C. two and one-half ton truck, a 1953 Dodge three-ton truck, and a 1956 Ford two-ton truck; that they have a net worth of \$40,000; that if authority herein sought is granted, they will obey the law, and rules and regulations of the Commission.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of authority herein sought; that there is a need for applicant's proposed transportation services; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear that applicants' proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that granting the authority, as provided in the following Order, will be in the public interest and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Elsie A. Lane and Ernest G. Lane, doing business as "Lane Construction," Grand Lake, 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 one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs,

to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

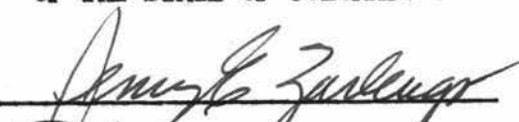
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

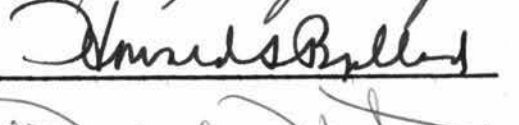
That this Order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured authority sheets.

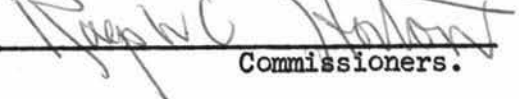
That the right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

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 10th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WAYNE CAMPBELL, ROUTE 2, BOX 154,)
LA JUNTA, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. B-5859 TO)
ELDON K. MC COMBS, c/o MONTGOMERY)
WARD AND COMPANY, LA JUNTA, COLO-)
RADO.)
-----)

APPLICATION NO. 20166-PP-Transfer

December 10, 1963

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Wayne Campbell, La Junta, Colorado, was granted
a Class "B" permit (No. B-5859), authorizing operation as a private
carrier by motor vehicle for hire, for the transportation of:

merchandise sold by Montgomery Ward and
Company, only, from point to point within
a radius of sixty-five miles of La Junta,
Colorado, for said Montgomery Ward &
Company, only.

Said permit-holder now seeks authority to transfer said operating
rights to Eldon K. McCombs, La Junta, Colorado.

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

The Commission states and 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:

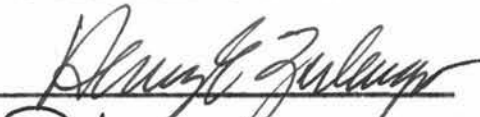
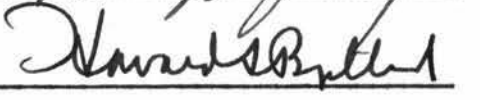
That Wayne Campbell, La Junta, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-5859 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Eldon K. McCombs, La Junta, Colorado, subject to payment 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 the time of transfer of said permit.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 10th day of December, 1963.

ea

original

(Decision No. 61908)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
STEVE A. OCHS AND BETTIE V. OCHS,)
DOING BUSINESS AS "STEVE'S TRASH)
SERVICE," P. O. BOX 703, SALIDA,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY,)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 4037.)
-----)

APPLICATION NO. 20107-Extension

December 10, 1963

Appearances: Steve A. Ochs, Salida,
Colorado, for Applicant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Steve A. Ochs and Bettie V. Ochs, doing business as "Steve's Trash Service," Salida, Colorado, were granted a certificate of public convenience and necessity (PUC No. 4037), authorizing operation as a common carrier by motor vehicle for hire for the transportation, on call and demand, of:

Ashes, trash, garbage, waste, debris, and other refuse, within and between all points within the corporate limits of the City of Salida, Chaffee County, Colorado, and between all points in an area surrounding the corporate limits of the City of Salida, Colorado, within a radius of two miles of said corporate limits of said City of Salida, Colorado.

Said certificate-holders now seek authority to extend operations under PUC No. 4037, to include the right to transport ashes, trash, garbage, waste, debris, and other refuse, within and between all points within the Town of Poncha Springs, Colorado, and between all points in an area surrounding the corporate limits of said Town of Poncha Springs, Colorado, within a radius of two miles from said corporate limits of the Town of Poncha Springs, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the

hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record of said proceedings, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Steve A. Ochs appeared and testified in support of the application, stating applicants have received many requests for transportation services herein sought to be authorized; that residents and business places within said territory are presently without any adequate means or method of having their ashes, trash, garbage, waste, debris, and other refuse collected, hauled, and disposed of; that applicants have ample and suitable equipment, sufficient net worth and operating experience to render the proposed extended service; that the present and future public convenience and necessity require such service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that applicants will have sufficient equipment and experience to properly carry on their proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that public convenience and necessity require applicants' proposed extended operations, and that certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Steve A. Ochs and Bettie V. Ochs, doing business as "Steve's Trash Service," Salida, Colorado, be, and hereby are, authorized to extend operations under PUC No. 4037, to include the right to transport, on call and demand, ashes, trash, garbage, waste, debris, and other refuse, within and between all points within the Town of Poncha Springs, Colorado, and between all points in an area surrounding the corporate limits of said Town of Poncha Springs, Colorado,


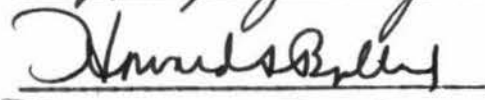
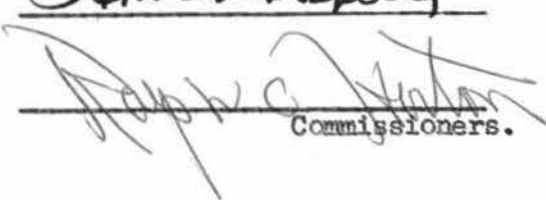
within a radius of two miles from said corporate limits of the Town of Poncha Springs, Colorado; and this ORDER shall be deemed to be, and be, a CERTIFICATE therefor.

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 applicants with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 10th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAY D. SAMUELSON, GRANBY, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 20101-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

December 11, 1963

Appearances: Ray D. Samuelson, Granby,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact

conclusions.

Report of the Examiner states that applicant appeared at the hearing and testified in support of the application, stating he is presently operating under Temporary Authority issued by this Commission; that he is the owner of a 1955 Dodge two-ton truck; that he has a net worth of \$100,000; that if authority herein sought is granted, he will obey the law, rules and regulations of this Commission.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on his proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ray D. Samuelson, Granby, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of one hundred miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a

radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, 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

Henry E. Zedeno
Donald B. Bell
Raymond C. Johnston
Commissioners.

Dated at Denver, Colorado,
this 11th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOUIS MARTINEZ, 244 EAST 8TH STREET,)
WALSENBURG, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. B-4608 TO)
ONESIMO R. ROMERO, 121 SPROULL)
STREET, WALSENBURG, COLORADO.)
-----)

APPLICATION NO. 20079-PP-Transfer

December 11, 1963

Appearances: Louis Martinez, Walsenburg,
Colorado, pro se;
Onesimo R. Romero, Walsen-
burg, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Louis Martinez, Walsenburg, Colorado, was
authorized to operate as a Class "B" private carrier by motor
vehicle for hire, for the transportation of:

coal and wood, from point to point within a
radius of fifty miles of Walsenburg, Colorado,

said operating rights being known as "Permit No. B-4608."

Said permit-holder now seeks authority to transfer said
Permit No. B-4608 to Onesimo R. Romero, Walsenburg, Colorado.

Said application was regularly set for hearing before the
Commission, and was heard by an Examiner duly designated and to whom
the hearing was assigned by the Commission. At the conclusion of the
hearing, the matter was taken under advisement, and said Examiner
transmitted to the Commission the record and exhibits of said proceeding,
together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that transferor appeared at the
hearing and testified in support of the application, stating that he has
continuously operated under said permit since granted by the Commission;
that the consideration for transfer is the sum of \$525.; that there is
no outstanding indebtedness against said permit.

Onesimo R. Romero, transferee herein, also appeared at the hearing and testified that he has ample and suitable equipment, sufficient net worth and operating experience with which to continue operations under said permit.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of said application; that transferee will have sufficient equipment and experience to properly carry on said operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Louis Martinez, Walsenburg, Colorado, be, and he hereby is, authorized to transfer all right, title and interest in and to Permit No. B-4608 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Onesimo R. Romero, Walsenburg, 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 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 the 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

Henry L. Ziegler
Donald B. Miller
Stephen C. Watson
Commissioners.

Dated at Denver, Colorado,
this 11th day of December, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RUBY D. JACKSON, DOING BUSINESS AS)
"MOUNTAIN EXPRESS," 2903 NORTH)
TEJON STREET, COLORADO SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 20068-PP

December 11, 1963

Appearances: John H. Lewis, Esq.,
Denver, Colorado, for
Applicant;
Marion F. Jones, Esq.,
Denver, Colorado, for
Red Ball Motor Freight,
Inc.

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 pick-up and delivery, in the Colorado Springs Area, for Ephraim Freightways, Inc. at the same time and on the same vehicle applicant uses in picking up and delivering its own traffic.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, George F. Jackson, General Manager of applicant company, appeared and testified in support of said application, stating his company is operating in the Colorado Springs area under certificates issued by this Commission;

that applicant is desirous of acting as agent for Ephraim Freightways, Inc., in picking up and delivering traffic for that carrier in the Colorado Springs area at the same time and on the same vehicles that applicant uses in picking up its own traffic; that Ephraim Freightways, Inc. requested that applicant file said application; that there is no conflict in authority between applicant and Ephraim Freightways, Inc.; that the granting of authority herein sought would permit a more economical operation of the carriers involved, and an improved service to the general public; that applicant has ample and suitable equipment, sufficient net worth and operating experience to render the proposed service.

The Commission, having considered the record and files and the written statement of the Examiner herein states and finds that no one protests the granting of the instant application; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on the proposed operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ruby D. Jackson, doing business as "Mountain Express," Colorado Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the pick-up and delivery, in the Colorado Springs Area, as agent for Ephraim Freightways, Inc., only, at the same time and on the same vehicle applicant uses in picking up and delivering its own traffic, limited, however, to that pick-up and delivery authority which Ephraim Freightways, Inc. has in Colorado Springs Area; this authority is restricted and shall include that transportation only which is part of a continuous line-haul carriage

under PUC No. 32, and which either originates or terminates at a point on the line-haul authority under said certificate, and is further restricted and shall include that transportation only which is part of a continuous line-haul carriage under Permits Nos. A-494 and A-404, and which either originates or terminates at a point on the line-haul authority under the said permits; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


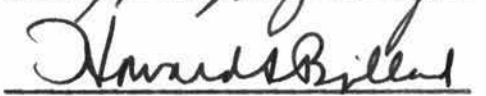
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

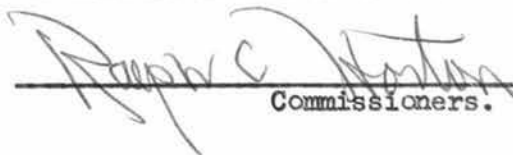
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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 11th day of December, 1963.
ea

original

(Decision No. 61912)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MISSOURI PACIFIC RAILROAD COMPANY)
FOR DUALIZATION OF STATION AGENCIES)
AT TOWNER, COLORADO, AND SHERIDAN)
LAKE, COLORADO.)

APPLICATION NO. 19865

December 11, 1963

Appearances: Leo S. Altman, Esq., Pueblo,
Colorado, for Applicant;
Edward C. Hastings, Esq.,
Denver, Colorado, for
Bouleware Grain Company;
R. J. Upson, Scott City, Kan-
sas, for Railroad Tele-
graphers;
Harold Webster, Sheridan Lake,
Colorado, for Des Morteau
Commission Company;
Paul Woolfolk, Towner, Colo-
rado, for Woolfolk Grain
Company.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The above-styled application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that J. A. Shaver, Superintendent of Applicant herein, appeared and testified in support of the instant application, stating that applicant is engaged in the business of interstate and intrastate transportation of passengers and freight by railroad for hire, among other routes, between St. Louis, Missouri, and

Pueblo, Colorado; that this application is submitted pursuant to Rule No. 6 of the Commission's Rules and Regulations pertaining to railroads and express companies operating in the State of Colorado; that applicant is hereby asking for permission and authority to dualize its station agencies at Towner, Colorado, and Sheridan Lake, Colorado, by having one agent, viz., the agent at Towner, Colorado, serve both stations; that said agent will keep the Towner Station open for business from 8:00 A. M. to 10:00 A. M., and from 3:25 P.M. to 5:00 P. M., five days each week, Monday through Friday, instead of at present from 7:30 A. M. to 11:30 A. M., and from 12:30 P. M. to 4:30 P. M., five days each week, Monday through Friday, and said agent will keep the Sheridan Lake Station open for business from 10:25 A. M. to 12:01 P. M., and from 1:01 P. M. to 3:00 P. M., five days each week, Monday through Friday, instead of at present from 8:00 A. M. to 12:00 noon, and from 1:00 P. M. to 5:00 P. M., five days each week, Monday through Friday; that the distance between the stations of Towner and Sheridan Lake is approximately 12 miles, which the agent at Towner will traverse by automobile and maintain the above proposed scheduled service at each of said stations; that it takes approximately 25 minutes to traverse said 12 miles; that if anyone would want to contact or use the service of one of the stations at a time when said agent is absent, he could telephone said agent for such service at railroad expense; that the toll charge for such call would be 15¢, based on a five-minute call placed either person-to-person, or station-to-station; that applicant will solicit and notify its customers to place such collect calls; that the busiest time of the year for the involved stations occurs during (1) wheat season (September and October), and (2) milo harvest season (September and October); that if at any time during said busy or non-busy season the agent at Towner could not handle the business at both stations, the applicant would provide additional help, although the same, based upon studies made, is not antici-

pated.

The following exhibits were received into evidence:

- Exhibit No. 1 - Units of work performed and time spent at Sheridan Lake Station.
- Exhibit No. 2 - Units of work performed and time spent at Towner Station.
- Exhibit No. 3 - Statement showing savings to be effected as result of dualizing stations (certain minor changes were made thereto for the record).
- Exhibit No. 4 - Passenger and freight train schedules involved (no passenger trains stop at either station).
- Exhibit No. 5 - Carload and LCL statement for Towner and Sheridan Lake.
- Exhibit No. 6 - Truck schedule of applicant.
- Exhibit No. 7 - Gross revenues for the years 1959 through 1962.
- Exhibit No. 8 - Present and proposed service of stations.

Leo Termer, Trainmaster for applicant, also appeared at the hearing and testified in support of said application, stating he made a time and motion study, and based upon that study he prepared Exhibits Nos. 9, 10, 11, and 12; that said exhibits, which were received into evidence, showed the average work done by the agents at both stations involved; that as a result of the idle time, as shown by said exhibits, one man could properly and adequately handle the entire operation of both stations; that dualization has been in effect at other stations in the system operated by applicant, and same has worked out very well; that if the herein dualization is authorized, the same quantity and quality of service will still be available to shippers of applicant at said stations.

The application was protested by Bouleware Grain Company, R. J. Upson, for Railroad Telegraphers, Harold Webster, of Des Morteau Commission Company, and Paul Woolfolk, for Woolfolk Grain Company. All

appeared and testified in protest, except R. J. Upson.

Testimony of protesting witnesses disclosed that they are shippers of applicant, and accordingly use the service of the stations to be dualized herein; that said dualization, if authorized, will cause, in their opinion, certain delays in service of applicant; that if said delays occur, the same will necessitate the assessment of a demurrage charge to them; that applicant's proposal to dualize will not be adequate to satisfy their shipping needs, and would cause a service slow-up to the customers.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that said application should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Missouri Pacific Railroad Company be, and hereby is, authorized to dualize its station agencies at Towner, Colorado, and Sheridan Lake, Colorado, by having one agent, viz., the agent at Towner, Colorado, serve both stations.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 11th day of December, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HERBERT L. BAUMGARDNER, DOING)
BUSINESS AS, "CANON CITY CABS AND)
DELIVERY SERVICE", 104 GREENWOOD,)
CANON CITY, COLORADO.)

PUC NO. 4348

December 12, 1963

S T A T E M E N T

By the Commission:

On May 28, 1963, the Commission authorized Herbert L. Baumgardner to suspend operations under his PUC No. 4348, until November 28, 1963.

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. 4348, should be, and the same hereby is, reinstated as of November 28, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland

Ralph Commissioners

Dated at Denver, Colorado,

this 12th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES C. JETT, NELLIE RUTH JETT,)
C. O. KELLER, AND ERNESTINE KELLER,)
DOING BUSINESS AS "K & K TRANSFER)
COMPANY," SPRINGFIELD, COLORADO, FOR)
AUTHORITY TO TRANSFER PUC NO. 304)
AND PUC NO. 304-I TO RUSSELL R.)
ROBINSON AND MAUVERDENE ROBINSON,)
DOING BUSINESS AS "K & K TRANSFER)
COMPANY," SPRINGFIELD, COLORADO.)

APPLICATION NO. 20077-Transfer

December 11, 1963

Appearances: Charles C. Jett, Springfield,
Colorado, for Transferors;
Mauverdene Robinson, Spring-
field, Colorado, for Trans-
ferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Charles C. Jett, Nellie Ruth Jett, C..O. Keller,
and Ernestine Keller, doing business as "K & K Transfer Company,"
Springfield, Colorado, were granted certificates of public convenience
and necessity (PUC Nos. 304, 304-I), authorizing operation as a common
carrier by motor vehicle for hire, for the transportation of:

freight, on schedule, between Springfield and
Lamar, and intermediate points; agricultural
products, including livestock, and household
furniture from Springfield and the territory
within a radius of fifty miles thereof to
Lamar and other points within ten miles of
Lamar, excluding service in territory then be-
ing served by other authorized certificate
holders, if any; and commodities generally,
between Springfield, Colorado, and Vilas,
Walsh, Stonington, Midway, Richards and Rod-
ley, and intermediate points, and between
Springfield and Campo and intermediate points
on schedule, and between Springfield and Two
Buttes on call and demand;

freight, in interstate commerce between all

points in Colorado and the Colorado state boundary lines where all highways cross same, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

Said certificate-holders now seek authority to transfer PUC No. 304 and PUC 304-I to Russell R. Robinson and Mauverdene Robinson and Mauverdene Robinson, doing business as "K & K Transfer Company," Springfield, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the hearing, Charles C. Jett appeared and testified in support of said application, stating he and his partners had continuously operated under said operating rights, save and except during the time same were leased to transferees herein; that the consideration for said transfer is the sum of \$9,500; that there is no outstanding indebtedness against said certificates.

Mauverdene Robinson also appeared and testified in support of the application, stating transferee partnership has been operating under PUC Nos. 304 and 304-I since 1957, under lease; that said partnership has ample and suitable equipment, sufficient net worth and operating experience to continue operations thereunder.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of said application; that transferees will have sufficient equipment and experience to properly carry on said operation; that transferees' financial standing is established to the satisfaction of the Commission; 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 Charles C. Jett, Nellie Ruth Jett, C. O. Keller, and Ernestine Keller, doing business as "K & K Transfer Company," Springfield, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 304 and PUC No. 304-1 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Russell R. Robinson and Mauverdene Robinson, doing business as "K & K Transfer Company," Springfield, 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 certificates have been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

The right of transferees to operate under this Order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificates up to the time of

transfer of said certificates.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

George E. Zullinger
Donald B. Miller
Ralph C. Horton
Commissioners.

Dated at Denver, Colorado,
this 11th day of December, 1963.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RUSSELL R. GIPSON, JR. DOING BUSINESS)
AS, "REED'S READY MIX", 257 COLORADO)
STREET, SPRINGFIELD, COLORADO.)
-----)

PERMIT NO. M-15042

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Russell R. Gipson, Jr.
doing business as, "Reed's Ready Mix", Springfield, Colorado
requesting that Permit No. M-15042 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15042, heretofore issued to Russell R. Gipson, Jr.
doing business as, "Reed's Ready Mix", Springfield, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL A. BROWN, 10815 WEST 72ND AVENUE)
ARVADA, COLORADO.)
)
)
-----)

PERMIT NO. M-8128

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul A. Brown,
Arvada, Colorado

requesting that Permit No. M-8128 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8128, heretofore issued to Paul A. Brown,
Arvada, Colorado be,

and the same is hereby, declared cancelled effective November 7, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry E. Zaitz
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)

PAUL A. BROWN, 10815 WEST 72ND)
AVENUE, ARVADA, COLORADO.)

PUC NO. 5509-I

December 19, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 5509-I be suspended for one year ~~six months~~ from November 7, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:That Paul A. Brown, Arvada, Colorado

_____, be, and is hereby, authorized to suspend operations under PUC No. 5509-I until November 7, 1964.

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

Henry E. Zaehner
Harold S. Bjelland
Royce C. Norton

Dated at Denver, Colorado,
this 19th day of December, 196 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
L. T. DULANEY, VIRGINIA M. DULANEY,)
L. THOMAS DULANEY, JR., AND RICHARD P.)
DULANEY, DOING BUSINESS AS, "DULANEY'S", PERMIT NO. M-6039
100 N. W. 44TH STREET, OKLAHOMA CITY,)
OKLAHOMA. _____)

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from L. T. Dulaney, Virginia M. Dulaney, L. Thomas Dulaney, Jr., & Richard P. Dulaney, dba "Dulaney's", Oklahoma City, Okla requesting that Permit No. M-6039 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6039, heretofore issued to L. T. Dulaney, Virginia M. Dulaney, L. Thomas Dulaney, Jr., & Richard F. Dulaney, dba "Dulaney's", Oklahoma City, Okla. be, and the same is hereby, declared cancelled effective November 27, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaugg
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROGERS INDUSTRIES (CORPORATION), 205)
WATTS ROAD, JACKSON, MICHIGAN.)
_____))
_____)

PERMIT NO. M-10703

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Rogers Industries (Corp),
Jackson, Michigan
requesting that Permit No. M-10703 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10703, heretofore issued to Rogers Industries (Corp),
Jackson, Michigan be,
and the same is hereby, declared cancelled effective December 2, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Harold S. Bjelland
Raymond C. Horton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL LOSASSO, 3538 BRYANT STREET,)
DENVER 11, COLORADO.)

PERMIT NO. M-2540

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl Losasso,
Denver 11, Colorado
requesting that Permit No. M-2540 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2540, heretofore issued to Carl Losasso,
Denver 11, Colorado be,
and the same is hereby, declared cancelled effective November 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

OF THE STATE OF COLORADO

Henry C. Zuckerman
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1963.

CANCELLATION--COMMON CARRIER

(Decision No. 61921)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HORACE T. MIZE, DOING BUSINESS)
AS, "H. T. MIZE REFRIGERATED)
TRUCK SERVICE", 5416 MACK ROAD,)
FORT WORTH, TEXAS.)

PUC NO. 5814-I

December 19, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Horace T. Mize,
doing business as, "H. T. Mize Refrigerated Truck Service", Fort Worth, Texas
requesting that Certificate of Public Convenience and Necessity No. 5814-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. 5814-I heretofore issued to Horace T. Mize,
doing business as, "H. T. Mize Refrigerated Truck Service", Fort Worth, Texas
be, and the same is hereby, declared cancelled effective December 2, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry C. Zallinger
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado
this 19th day of December, 19 63.

CANCELLATION—COMMON CARRIER

(Decision No. 61922)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
TOM LEE, DOING BUSINESS AS,)
"TOM DELIVERY SERVICE", P. O.)
BOX 6612, STOCKYARDS STATION,)
DENVER 16, COLORADO.)

PUC NO. 5697-I

December 19, 1963

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Tom Lee, doing
business as, "Tom Delivery Service", Denver 16, Colorado

requesting that Certificate of Public Convenience and Necessity No. 5697-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. 5697-I heretofore issued to Tom Lee,
doing business as, "Tom Delivery Service", Denver 16, Colorado

be, and the same is hereby, declared cancelled effective November 16, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaslavsky
Harold J. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado
this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELGIN ENTERPRISES, INCORPORATED,)
STEAMBOAT SPRINGS, COLORADO.)
_____))

PERMIT NO. M-6495

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Elgin Enterprises, Inc.,
Steamboat Springs, Colorado

requesting that Permit No. M-6495 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6495, heretofore issued to Elgin Enterprises, Inc.,
Steamboat Springs, Colorado be,
and the same is hereby, declared cancelled effective November 30, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLYDE G. PALMER, P. O. BOX 96,
PLACERVILLE, COLORADO.

PERMIT NO. M-12851

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clyde G. Palmer,
Placerville, Colorado
requesting that Permit No. M-12851 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12851, heretofore issued to Clyde G. Palmer,
Placerville, Colorado be,
and the same is hereby, declared cancelled effective November 24, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry C. Zuckers
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 19th day of November, 19 63.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)

IVAN J. SELF, P. O. BOX 252,
PAGOSA SPRINGS, COLORADO.

PERMIT NO. M-14887

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ivan J. Self,
Pagosa Springs, Colorado
requesting that Permit No. M-14887 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14887, heretofore issued to Ivan J. Self,
Pagosa Springs, Colorado be,
and the same is hereby, declared cancelled effective December 4, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuckerman
Harold S. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 19th day of December, 19 63.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 61926)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
O. K. LONDBERG, ROUTE 1 BOX 323,)
MONTROSE, COLORADO.)

PERMIT NO. B-5837

December 19, 1963

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-5837 be suspended
for six months from December 1, 1963.

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 O. K. Londberg, Montrose, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5837 until June 1, 1964.

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

Henry E. Zickler
Harold S. Bjelland
Reynolds C. Horton
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JONE HOSKINS, 3775 EUDORA, DENVER 7,)
COLORADO.)
-----)

PERMIT NO. M-12794

December 19, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jone Hoskins,
Denver 7, Colorado
requesting that Permit No. M-12794 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12794, heretofore issued to Jone Hoskins,
Denver 7, Colorado be,
and the same is hereby, declared cancelled effective November 18, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaclings
Harold S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 19 63.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BENNIE C. MONTERO, 3815 KALAMATH)
STREET, DENVER 11, COLORADO.)

PERMIT NO. B-6384

December 19, 1963

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-6384 be suspended
for six months from July 1, 1963.

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 Bennie C. Montero, Denver 11, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6384 until January 1, 1964.

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

Henry E. Zaichner
Howard S. Bjelland
Ray C. Horton
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1963.

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

December 27, 1963

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. 4899 & I be further suspended for six months from September 21, 1963.

FINDINGS

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 further suspend
operations under PUC No. 4899 & I until March 21, 1964.

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

Henry E. Juelings
 Howard S. Bjelland
 Ray C. Horton
 Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1963.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 61930)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD CRANDALL, DOING BUSINESS)
AS, "HOWARD CRANDALL HOUSE)
MOVER", WIGGINS, COLORADO.)

PERMIT NO. B-3809

December 19, 1963

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-3809 be suspended
for six months from December 6, 1963.

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 Howard Crandall, doing business as, "Howard Crandall
House Mover", Wiggins, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-3809 until June 6, 1964.

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

Henry E. Zuckers
David J. Bjelland
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1963.

hc

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 61931)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD CRANDALL, DOING BUSINESS)
AS, "HOWARD CRANDALL HOUSE)
MOVER", WIGGINS, COLORADO.)

PERMIT NO. B-3791

December 19, 1963

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-3791 be suspended
for six months from December 6, 1963.

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 Howard Crandall, doing business as, "Howard Crandall House
Mover", Wiggins, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-3791 until June 6, 1964.

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

Henry E. Zaehner
Howard S. Bjelland
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1963.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD CRANDALL, DOING BUSINESS)
AS, "HOWARD CRANDALL HOUSE)
MOVER", WIGGINS, COLORADO.)

PUC NO. 3556

December 19, 1963
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 3556 be suspended for six months from December 6, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Howard Crandall, doing business as, "Howard Crandall House Mover", Wiggins, Colorado

 be, and is hereby, authorized to suspend operations under PUC No. 3556 until June 6, 1964.

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

Commissioners

Dated at Denver, Colorado,
this 19th day of December, 196 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
 HOWARD CRANDALL, DOING BUSINESS)
 AS, "HOWARD CRANDALL HOUSE)
 MOVER", WIGGINS, COLORADO.)

PUC NO. 1920

 December 19, 1963

S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 1920 be suspended for six months from December 6, 1963.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Howard Crandall, doing business as, "Howard Crandall House Mover", Wiggins, Colorado be, and is hereby, authorized to suspend operations under PUC No. 1920 until June 6, 1964.

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

Henry E. Jellings
Howard S. Bjelland
Ralph C. Horton
 Commissioners

Dated at Denver, Colorado,
 this 19th day of December, 196 3.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FLOORMASTERS, INCORPORATED, 2390)
WEST HAMPDEN AVENUE, ENGLEWOOD, COLO-)
RADO.)
-----)

PERMIT NO. M-11017

December 27, 1963

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Floormasters, Inc.,
Englewood, Colorado
requesting that Permit No. M-11017 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11017, heretofore issued to Floormasters, Inc.,
Englewood, Colorado be,
and the same is hereby, declared cancelled effective November 12, 1963.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaehner
Howard S. Bjelland
Ralph Commissioners

Dated at Denver, Colorado,

this 27th day of December, 19 63.

original

(Decision No. 61935)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BULK TRANSPORTERS, INC., 3434 WALNUT)	
STREET, DENVER, COLORADO, FOR A CER-)	
TIFICATE OF PUBLIC CONVENIENCE AND)	APPLICATION NO. 20154-Extension
NECESSITY, AUTHORIZING EXTENSION OF)	
OPERATIONS UNDER PUC NO. 4350.)	
-----)	

December 11, 1963

Appearances: Marion F. Jones, Esq.,
Denver, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

Bulk Transporters, Inc., Denver, Colorado, is the owner
and operator of PUC No. 4350, which authorizes:

Transportation of vinegar, in bulk, in tank trucks, between Denver, Colorado, on the one hand, and, on the other, Pueblo, Grand Junction, Fort Collins, Longmont, and Brighton, Colorado, over irregular routes; transportation of dry sugar (in bulk) between Fort Morgan, Windsor, Johnstown, Longmont, Loveland, and points within three miles of said cities and towns, on the one hand, and, on the other, points in Colorado east of the Continental Divide; transportation of liquid sugar and syrup resulting from the mixture of liquid sugar with corn syrup, in bulk, between Johnstown, Colorado, on the one hand, and, on the other, points in Colorado east of the Continental Divide.

Transportation of vinegar, in bulk, in tank trucks, between points in Denver, Colorado, and within five (5) miles thereof.

Transportation of lard, edible, in bulk, between points in the State of Colorado situated east of the Continental Divide.

Transportation of (1) Animal oils, except lard, edible, in bulk, in tank trucks, between points in Colorado situated east of the Continental Divide; and (2) Animal oils, in bulk, in tank vehicles, between points in Colorado east of the Continental Divide, on the one hand, and points in Colorado on and west of the Continental Divide, on the other hand.

Transportation of sugar, in bulk, between Johnstown and Loveland, Colorado, on the one hand, and, on the other, points in Colorado west of the Continental Divide; (2) transportation of invert sugar, in bulk, between Johnstown and Loveland, Colorado, on the one hand, and, on the other, points in the State of Colorado; and (3) transportation of liquid sugar and syrup resulting from the mixture of liquid sugar with corn syrup, in bulk, between Loveland, Colorado, on the one hand, and, on the other, points in the State of Colorado.

By the instant application, applicant seeks authority to extend operations under said PUC No. 4350, to include the transportation of edible syrups, and blends thereof, in bulk, between points in Colorado located on and east of the Continental Divide, and on and north of U. S. Highway No. 24, and between points in said area, on the one hand, and points in the State of Colorado, on the other.

Said application was regularly set for hearing, and heard, after statutory notice to all parties in interest, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at eleven o'clock A. M., on December 6, 1963, and at the conclusion thereof, the matter was taken under advisement.

Frederic A. Bethke, President and General Manager of Applicant corporation, testified in support of the application, to the effect that applicant has stainless steel tanks suitable for hauling syrup in bulk; that said tanks are insulated and are, in all respects, suitable for the carriage of syrups.

Three public witnesses appeared in support of the application and stated that if said extension is granted, they will use applicant's proposed service, and that there is no other common carrier available who has proper equipment.

There were no protests to the granting of the application.

F I N D I N G S

THE COMMISSION FINDS:

1. That Applicant is well qualified by experience and financially, and has suitable equipment, to carry on the proposed extension.

2. That the service proposed to be rendered is in the nature of a specialized service which Applicant is now giving for other commodities under his present certificate, and will give for the transportation of syrups and blends thereof.

3. That public convenience and necessity require the granting of the proposed extended motor vehicle common carrier service of Applicant, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle call and demand extended service of Bulk Transporters, Inc., 3434 Walnut Street, Denver, Colorado, for the transportation of edible syrups, and blends thereof, in bulk, between points in Colorado located on and east of the Continental Divide, and on and north of U. S. Highway No. 24, and between points in said area, on the one hand, and points in the State of Colorado, on the other, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

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

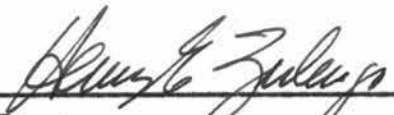
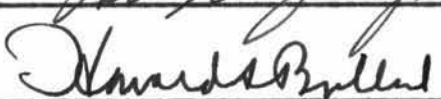
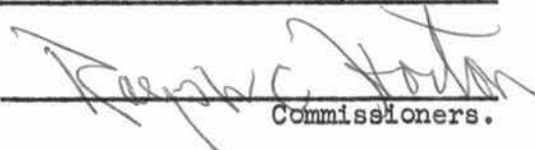
That this Order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 11th day of December, 1963.

ea




Commissioners.

original

(Decision No. 61936)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PHILIP K. BEMAN AND ETHEL M. BEMAN,
CO-PARTNERS, DOING BUSINESS AS
"BEMAN MOTOR CO.," ROCKY FORD, COLO-
RADO, FOR A CLASS "B" PERMIT TO
OPERATE AS A PRIVATE CARRIER BY
MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 20080-PP

December 12, 1963

Appearances: Joseph F. Nigro, Esq., Denver,
Colorado, for Applicants;
Edward T. Lyons, Esq., Denver,
Colorado, for Wright Motor
Lines, Jackson Trucking Com-
pany, Jackson's Transfer &
Storage Company, Silvers
Truck Service, Watters Truck
Line.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the commencement of the hearing, applicant moved to amend said application to seek the following authority:

"Transportation of bulk feed (except molasses and other liquid animal feeds), used for feeding livestock, in truck-load lots, from farms, ranches and elevators in Baca, Prowers, Kiowa, Cheyenne, Bent, Crowley, and Otero Counties, to feed lots owned, controlled, or operated by Wilhelm-Mancini, at its locations in Colorado and near Rocky Ford, in Otero County;

"Transportation of bulk feed (except molasses and other liquid animal feeds), in truck-load lots, belonging to Wilhelm-Mancini, from Longmont and Denver, to its feed lots near Rocky Ford, in Otero County, Colorado."

Said amendment, being of a restrictive nature, was allowed.

At the hearing, Philip K. Beman, one of applicants herein, appeared and testified in support of said application, stating that if authority herein sought is granted, he proposes to transport bulk feed commodities in the seven counties as listed in his application, from farms, ranches and elevators, to a certain feed lot located in Rocky Ford, which is owned and operated by Wilhelm-Mancini, being the only customer to be served; that he has transported in interstate commerce -- under a Class "I" permit, certain exempt commodities for the same customer; that applicant partnership is presently the owner and operator of Permit M-15434; that, by virtue of a Federal Brokerage Permit, he buys grain from Holly Cooperative, transports the same under said Class "M" permit, and ultimately sells same to Wilhelm-Mancini; that as a result of said buy-and-sell arrangement, he has become very familiar with the specialized operation of Wilhelm-Mancini; that the proposed operation will be specialized, and will be tailor-made to meet the exacting shipping needs of the customer; that specialized equipment will be necessary, which he owns; that since "time is of the essence" in said operation, he will be ready to render service twenty-four hours per day, seven days per week; that he has experienced drivers who are familiar with feeding operations of said customer; that his drivers have had special training necessary to properly load and unload said commodity; that he has sufficient net worth with which to conduct said

proposed operation.

David Wilhelm, managing co-partner of Wilhelm-Mancini, appeared and testified in support of the application, confirming testimony of applicant with regard to his proposed specialized method of operation, and stating his company requires transportation services of a carrier who will render "on-tap" service, twenty-four hours per day, seven days per week; that his company, in order to insure prompt service, must maintain and operate two grain trucks of its own; that if the instant application is denied, his company will be forced to purchase additional trucks; that even in the event said application is granted, he will continue to operate his own trucks; that if authority herein sought is granted, he will enter into special carriage contracts with applicants to use their proposed specialized service, although he will continue to use, at times, certain common carrier service.

The application was opposed by Wright Motor Lines, Jackson Trucking Company, Jackson's Transfer & Storage Company, Silvers Truck Service, and Watters Truck Line.

Edward Rogers, Executive Vice-President and General Manager of Wright Motor Lines, appeared and testified that his company is the owner and operator of PUC No. 960; that his company is based and headquartered at Rocky Ford, Colorado; that he is acquainted with the operation of the customer to be served herein, because his company's headquarters are located approximately four miles from the headquarters of said customer; that his company has and maintains the exact same type of equipment applicant herein proposes to use; that his company has equipment which is idle; that full utilization of equipment is important to his company because it helps reduce company costs; that the traffic herein involved is important and necessary to his company; that said company is willing, ready and able to render the proposed service; that his company has solicited this customer's business and will con-

tinue to do so; that in the past year said company had transported commodities for said customer, but he was unable to remember the amount of revenue derived therefrom; that his company engages chiefly in traffic that is interstate in character; that continued loss of potential traffic would not in any manner cause his company to go into bankruptcy.

Ronald M. Jackson, appearing on behalf of Jackson's Transfer and Storage Company, Rocky Ford, Colorado, and Jackson Trucking Company, La Junta, Colorado, also appeared and testified in protest to the granting of authority herein sought, stating that said companies are owners and operators of PUC No. 244 and PUC No. 355, respectively; that operations of said companies are conducted at Rocky Ford and La Junta, respectively; that if called upon, these companies would render service herein proposed, and stand ready, willing and able to do so; that said companies have never transported any traffic for said customer.

Lonnie Watters, Manager of Watters Truck Line, also appeared and testified in opposition to the granting of authority herein sought, stating his company is owner and operator of Permit No. B-859, which authorizes transportation of general commodities in the State of Colorado; that his company headquarters at Cheraw, Colorado, which is approximately fifteen miles from Rocky Ford; that the traffic herein involved is important to his company; that if given the opportunity, his company would enter into a carriage contract with said customer; that his company has unsuccessfully solicited business from said customer.

Report of the Examiner states that testimony of Mr. Watters was received by him pursuant to no objection being made thereto, rather than to argue the point of whether or not a Private Carrier has the right to interject a protest.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that there is a need for applicants' proposed transportation service; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear that applicants' proposed operation will impair the efficient service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Philip K. Beman and Ethel M. Beman, co-partners, doing business as "Beman Motor Co.," Rocky Ford, Colorado, be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of bulk feed (except molasses and other liquid animal feeds), used for feeding livestock, in truck-load lots, from farms, ranches, and elevators in Baca, Prowers, Kiowa, Cheyenne, Bent, Crowley, and Otero Counties, to feed lots owned, controlled, or operated by Wilhelm-Mancini, at its locations near Rocky Ford, Otero County, Colorado; transportation of bulk feed (except molasses and other liquid animal feeds), in truck-load lots, belonging to Wilhelm-Mancini, from Longmont and Denver, Colorado, to its feed lots near Rocky Ford, Otero County, Colorado, and this ORDER shall be deemed to be, and be, 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 applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Samuel Zarling
James B. Biles
Ralph C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 12th day of December, 1963.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
J. B. SIMONSON AND CHARLES L. RORICK,
DOING BUSINESS AS "C & J HOUSE
MOVERS," 1509 W. 17TH STREET, PUEBLO,
COLORADO, FOR AUTHORITY TO TRANSFER
PUC NO. 2100 TO ROBERT E. BOYCE AND
CHARLES L. RORICK, DOING BUSINESS AS
"BOYCE HOUSE MOVERS," 2136 E. 4TH
STREET, PUEBLO, COLORADO.

APPLICATION NO. 20085-Transfer

December 12, 1963

Appearances: John H. Lewis, Esq., Denver,
Colorado, for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, J. B. Simonson and Charles L. Rorick, doing
business as "C & J House Movers," Pueblo, Colorado, were granted a
certificate of public convenience and necessity (PUC No. 2100),
authorizing operation as a common carrier by motor vehicle for hire,
for the transportation, over irregular routes, of:

Buildings, other than box cars and tramway
cars, between points in that part of Colorado
lying east of a line drawn parallel with U.S.
Highway No. 87, and 35 miles westerly thereof,
excluding service in Morgan County, Colorado.

Said certificate-holders now seek authority to transfer PUC
No. 2100 to Robert E. Boyce and Charles L. Rorick, doing business as
"Boyce House Movers," Pueblo, Colorado.

Said application was regularly set for hearing before the
Commission, and was heard by an Examiner duly designated and to whom
the hearing was assigned by the Commission. At the conclusion of the
hearing, the matter was taken under advisement, and said Examiner
transmitted to the Commission the record and exhibits of said proceeding,
together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, Robert E. Boyce appeared and testified in support of said application, stating that PUC No. 2100 was previously transferred by him to transferors herein; that due to certain difficulties, J. B. Simonson withdrew from said partnership; that he has substituted himself for Simonson in the formation of the new transferee partnership; that the consideration for said transfer is cancellation of a note previously given; that PUC No. 2100 has been continuously operated since granted by this Commission; that there are no outstanding debts against said certificate; that a new Chattel Mortgage has been executed, and Commission approval thereof is requested; that transferees will have ample and suitable equipment, sufficient net worth and operating experience with which to continue said operations.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the application; that transferees will have sufficient equipment and experience to properly carry on the proposed operation; that transferees' financial standing is established to the satisfaction of the Commission; that the proposed transfer is compatible with the public interest and should be authorized, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That J. B. Simonson and Charles L. Rorick, doing business as "C & J House Movers," Pueblo, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to PUC No. 2100 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Robert E. Boyce and Charles L. Rorick, doing business as "Boyce House Movers," Pueblo, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

That said transfer shall become effective only if and when, but not before, said transferors 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 this Order shall automatically revoke the authority herein granted to ~~make~~ the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

The right of transferees to operate under this Order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

That Chattel Mortgage of said operating rights, of date June 17, 1963, be, and hereby is, authorized and approved.

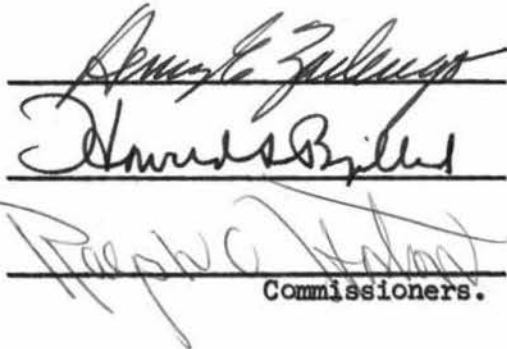
This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

chan

Dated at Denver, Colorado,
this 12th day of December, 1963.

ea


Commissioners.

original

(Decision No. 61938)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	CASE NO. 5242
DEE WANN, LIMON, COLORADO.)	<u>PUC NOS. 775, 775-I, 1181</u>
-----)	

December 12, 1963

Appearances: Herbert M. Boyle, Esq.,
Denver, Colorado, for
Respondent;
Leslie R. Kehl, Esq.,
Denver, Colorado, for
Lester E. Smith, V-Y
Truck Line, Inc., Hartway
Transportation Company,
William Blankenbeckler;
John J. Conway, Esq., Denver,
Colorado, for the Staff
of the Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On May 9, 1963, the Commission issued its Decision No. 60655, being an Order to Show Cause and Notice of Hearing, directed to Dee Wann, owner and operator of PUC Nos. 775, 775-I, and 1181.

Said matter was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the hearing, the authority under PUC No. 775 only, was questioned and placed in issue.

Louis J. Carter, Supervisor of the Enforcement Division of the Commission, appeared and testified generally as to the background and history of PUC No. 775, and identified the following exhibits:

No. 5 - Application No. 2465 for original grant of authority, dated July 16, 1935.

No. 6 - Order of The Public Utilities Commission of the State of Colorado (Decision No. 6685), granting original authority, dated September 23, 1935.

No. 7 - Order of The Public Utilities Commission of the State of Colorado (Decision No. 14003), granting extended authority, dated September 16, 1939.

Decision No. 6685, of date September 23, 1935, reciting from the Statement thereof, is as follows:

"... The Gray Land and Live Stock Company filed the above styled application for a certificate of public convenience and necessity, authorizing the transportation for hire by motor vehicle freight, consisting principally of livestock, farm produce, feed, grain, and machinery, between Limon, Lincoln County, Colorado, and within a radius of 150 miles thereof, and intermediate points." (Emphasis added).

"... At the hearing it appeared that (the applicants)... for a period of ten years had been engaged in the buying and selling of livestock within the area described as 50 miles south of Limon, 50 miles north, 20 miles west to Matheson, and 20 miles east, with occasional purchases of cattle at points distant as far as 150 miles from Limon. (Emphasis added).

"...(T)hat ordinarily cattle purchased at various points within said trade area were brought to feed lots in Limon, and shipped by rail to Denver, although occasionally they were transported from the place of purchase directly to Denver . . . ; that there were no authorized motor vehicle common carrier services operating locally out of Limon; that there was considerable demand for transportation of ...livestock ... from point to point within said area..." (Emphasis added).

In the Order portion of said Decision No. 6685, the Commission granted authority as follows:

"...authorizing the transportation not on schedule of livestock, grain, feed, farm machinery, furniture, and household goods from point to point within the area heretofore described ... (with a certain exception not material here); also livestock from and to points within said area as limited, to and from points within the state, including Denver, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor."

Decision No. 14003, entered by the Commission on September 16, 1939, points out as follows:

"Mr. Schaper, Counsel for the applicant, stated that regardless of just what the application herein might indicate, what his clients desire was an in and out transportation service on the commodities mentioned in the original order, ...and that he now proposed and asked permission to introduce testimony, first, on the matter of clarification, to include the in and out service and second, testimony to show a demand for this in and out service, so that in the event the Commission felt the original record did not support an in and out service from the territory around Limon, extending fifty miles north and south and twenty miles east and west thereof, then, and in that event, the applicants be granted an extension to include an in and out service from the above described Limon area and 150-mile radius of Limon.

"E. T. Gray testified that it was his understanding from the time the original order was granted up to the present time that his company was authorized to not only render a point to point service within the smaller area described, around Limon, but between points within this small area and points outside thereof, within a radius of 150 miles of Loveland (Limon) and if his understanding was correct, then all he wanted was a clarification; and that in the event the original order did not support such a right, then and in that event he wanted an extension to include just that service...." (Emphasis added).

The Commission also pointed out in said Decision that it was stipulated in the record as follows:

"household goods, used furniture and fixtures, farm machinery and equipment might be moved by the applicants, from the present territory extending 50 miles north, 50 miles south, 20 miles east and 20 miles west to Matheson, to points within 150 miles of Limon, but there shall be no movement of such commodities to that area from points on U.S. Highways 85 and 50, except where they are moved in connection with the movement of a farmer's entire equipment, including his household goods and other effects, and livestock.

...

"After the above stipulations were agreed to, protestants withdrew objections to the granting of a certificate as thus limited." (Emphasis added).

In the Order portion of said Decision, the Commission granted authority as follows:

"...to transport used furniture and fixtures, farm machinery and ~~equipment~~, farm products, grain, hay and feed to and from points in the present area (extending fifty miles north of Limon, twenty miles east of Limon, fifty miles south of Limon, and twenty miles west thereof, or to Matheson), from and to points within a radius of one hundred and fifty miles of Limon, Colorado (with certain limitations not material here)... ."

Thereafter, on June 10, 1947, the Commission, by Decision No. 28331 authorized transfer of said PUC No. 775 to the present owner, Dee Wann, Respondent herein, and spelled out the authority granted under Decision No. 6685, as follows:

"Livestock, grain, feed, farm machinery, furniture, and household goods, not on schedule, from point to point within the area described as: 50 miles south of Limon, 50 miles north, 20 miles west to Matheson, and 20 miles east of Limon, excluding, however, from said area all that territory embraced within the certificate heretofore granted Oren L. Hartsel, dba Hartsel Truck Line, as described in Application No. 1848; also livestock from and to points within said area as limited, to and from points within the State, including Denver."

It was testified to by Louis J. Carter and by Merrill McKnight, Investigator for the Enforcement Division of the Commission, and corroborated by Respondent and interveners herein, that Respondent is conducting point to point operations within the area of 150 miles of Limon, Colorado, and from and to points within said 150-mile area, to points in the State of Colorado.

Respondent takes the position that by virtue of authority granted to his predecessors in interest and subsequently transferred to him, he has authority to conduct said operations.

However, the Staff of the Commission and interveners of record take the position that said operations of Respondent are unlawful, in that they are beyond the scope of authority under said operating rights, because said certificate authorizes only transportation that either originates or terminates within the base area of "50 miles north of Limon, 50 miles south of Limon, 20 miles west to Matheson, and 20 miles east of Limon."

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that Respondent herein, contrary to and in violation of, the provisions of PUC No. 775, has in the past transported, and is presently transporting, freight, including livestock, which does not either originate or terminate in the area described as: "50 miles north of Limon, 50 miles south of Limon, 20 miles west to Matheson, and 20 miles east of Limon;" that there is insufficient evidence to establish that said operations were conducted

in bad faith, and accordingly, no penalty should be assessed; that Respondent herein should cease and desist said operations, as set forth in the Order following.

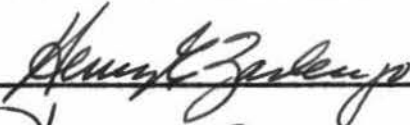
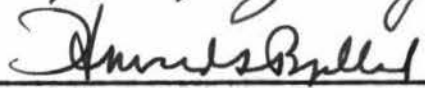
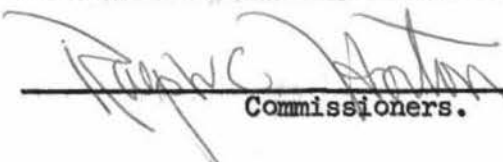
O R D E R

THE COMMISSION ORDERS:

That Dee Wann, Limon, Colorado, be, and hereby is, directed to cease and desist any operations under PUC No. 775, where commodities transported thereunder do not either originate or terminate within an area described as: "50 miles north of Limon, 50 miles south of Limon, 20 miles west to Matheson, and 20 miles east of Limon, 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 12th day of December, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
G. JOSEPH ROHNER AND JEANNE C.)
ROHNER, 3220 ARNETT, BOULDER, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC) APPLICATION NO. 20128
CONVENIENCE AND NECESSITY TO OPER-)
ATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

December 13, 1963

Appearances: Neil C. King, Esq.,
Boulder, Colorado, for
Applicant;
Walter M. Simon, Esq.,
Denver, Colorado, for
Yellow Cab, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, for the transportation of animals, in ambulance and taxi service, to veterinary hospitals, animal clinics, and the like.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statements of his findings of fact and conclusions.

Report of said Examiner states that at the commencement of the hearing, applicants herein moved to amend said application so as to seek the following authority:

"transportation of animals, only, not accompanied by any person, from and to homes, veterinary hospitals, animal clinics, and grooming establishments, between all points in the State of Colorado."

All parties appearing agreed to said amendment, being restrictive in nature, and the same was allowed. Accordingly, protestants withdrew protests to the granting of authority herein sought.

G. J. Rohner, one of applicants herein, appeared and testified in support of the application, stating applicants have had many requests for their proposed service; that he made a personal investigation of licensed veterinarians and found that a need exists to serve the public by transporting animals and pets, not only for those who had no method of transporting their pets to clinics for treatment or care, but by those who had specifically requested such service as a matter of convenience; that transportation of animals in private vehicles is at times extremely difficult and hazardous; that if authority herein sought is granted, applicants will have ample and suitable equipment, sufficient net worth and operating experience to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of said application; that applicants will have sufficient equipment and experience to properly carry on said operation; that applicants' financial standing is established to the satisfaction of the Commission; that granting the authority, as provided in the following Order, will be in the public interest, and should be granted.

O R D E R

THE COMMISSION ORDERS:

That G. Joseph Rohner and Jeanne C. Rohner, Boulder, Colorado, be, and hereby are, authorized to operate as a common carrier by motor vehicle for hire, for the transportation of animals, only, not accompanied by any person, from and to homes, veterinary hospitals, animal clinics, and grooming establishments, between all points in the State of Colorado; and this ORDER shall be deemed to be, and be, a CERTIFICATE therefor.

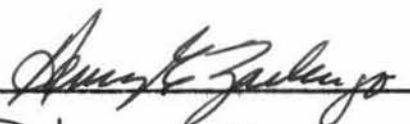
That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

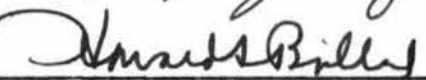
That applicants shall operate their carrier system in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

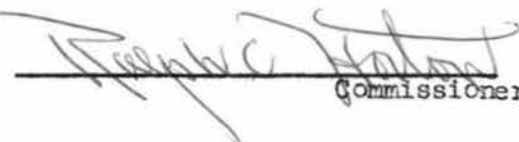
That this Order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






_____ Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BURTON GLASER AND GENE GLASER, DOING)
BUSINESS AS "B & B GLASER MINING,")
9 EAST CUCHARRAS, COLORADO SPRINGS,) APPLICATION NO. 20138-PP
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

December 13, 1963

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

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that when said application was called for hearing, applicants failed to appear, either in person or by representative; thereupon, the files were made a part of the record and the matter taken under advisement; that from the files and other inquiry, it was established that applicants are qualified, financially and by experience, to conduct their proposed operation; that they have filed a Certificate of Insurance with the Commission covering their proposed operations.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that there is a need for applicants' proposed services; that applicants will have sufficient equipment and experience to properly carry on the proposed operation; that applicants' financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Burton Glaser and Gene Glaser, doing business as "B & B Glaser Mining," Colorado Springs, 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 150 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 150 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to

building construction jobs, to and from points within a radius of 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


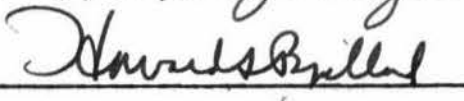

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until 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 13th day of December, 1963.

ea

original

(Decision No. 61941)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) DENVER-CLIMAX TRUCK LINE, INC.,) 5460 COLORADO BOULEVARD, DENVER,) COLORADO, FOR A CHANGE OF OFFICE) LOCATION OF PUC NO. 257.) -----)	<u>APPLICATION NO. 20069-Extension</u>
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December 13, 1963

Appearances: John P. Thompson, Esq.,
Denver, Colorado, for
Applicant;
William T. Secor, Esq.,
Longmont, Colorado, for
Sorenson Truck Service, Inc.;
Joseph F. Nigro, Esq.,
Denver, Colorado, for
Colorado Transfer & Ware-
housemen's Association, and
the individual members thereof.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, applicant herein was granted a certificate of
public convenience and necessity (PUC No. 257), authorizing operation
as a common carrier by motor vehicle for hire, for the:

Conduct of a transfer, moving and general cartage
business in the Counties of Morgan, Adams, Arapahoe,
and Denver, and for occasional service throughout
the State of Colorado, and in each of the counties
thereof, subject to the following terms and conditions:

(a) for the transportation of commodities other than
household goods and livestock between points served
singly or in combination by scheduled carriers, the
applicant shall charge rates which shall be as much
as 20% higher in all cases than those charged by
scheduled carriers; (b) applicant shall not operate
on schedule between any points; (c) applicant shall
not engage in the business of carrying parcels or
packages commonly carried by carriers rendering an
express service; (d) applicant shall not under this
certificate be permitted, without further authority
from this Commission, to establish a branch office or
to have an agent employed in any other town or city
than Hudson for the purpose of developing business.

Decision No. 2703 modified by Decision No. 3605, by eliminating therefrom said original condition as follows: (a) for the transportation of commodities other than household goods and livestock between points served singly or in combination by scheduled carriers, applicant shall charge rates which shall be as much as 20% higher in all cases than those charged by scheduled carriers, so far as the operations of Lyon and Thompson under the certificates granted in Application Nos. 1808 and 832 are concerned, so far as the condition affects the transportation of farm products, except milk and cream.

By the above-styled application, authority is sought to change its office location to a point in Commerce City, Adams County, Colorado, or the City and County of Denver, rather than Hudson, Colorado, inasmuch as Hudson is not situated in any of the base counties applicant is authorized to serve.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that Lois Mae Eshe, General Manager of applicant, appeared and testified in support of the instant application, stating that applicant is a wholly-owned subsidiary of Union Supply Company, a jobber, wholesaler and distributor of mining machinery, located in Commerce City, Colorado; that in addition to PUC No. 257, applicant is the owner and operator of certain line-haul authority (PUC Nos. 1195 and 1195-I, with offices in Denver), which generally authorizes transportation of general commodities to and from Idaho Springs, Colorado, serving the Towns of Climax, Breckenridge, Dillon and Empire; that PUC No. 257 and PUC No. 1195 are jointly operated, insofar as telephone service and use of equipment are concerned; that she is also co-partner in a certain trucking firm known as South Park Motor Lines; that applicant is seeking the proposed office change because Hudson, Colorado is not situated in any of the base counties which applicant is authorized to serve, and the elimination of said office

restriction would allow applicant to actively compete for additional business and generally improve its competitive position, and accordingly would place applicant in a situation to render a more efficient and economical service to its customers and to the shipping public.

No public or shipper witness appeared to testify in support of the application.

Protestants elected to present no direct evidence in protest to said application. They did, however, move that said application be dismissed, for the reason that applicant failed to sustain its burden of proof in establishing that public convenience and necessity would require the elimination of the office restriction as herein sought.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that protestants' motion to dismiss should be granted, and the instant application denied.

O R D E R

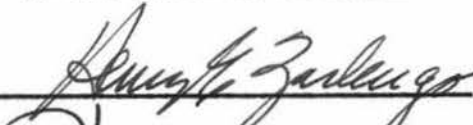
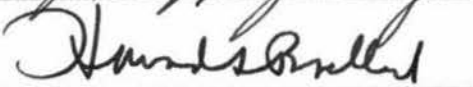
THE COMMISSION ORDERS:

That motion of protestants herein be, and the same hereby is, granted.

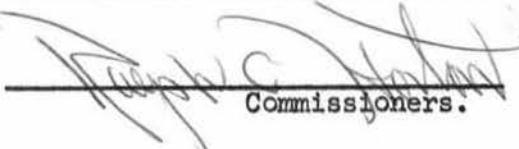
That Application No. 20069-Extension be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 13th day of December, 1963.


Commissioners.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HERMAN SHEPARD, DOING BUSINESS AS)
"SHEPARD TELEVISION SERVICE," 111)
ADAMS STREET, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 20130-PP

December 13, 1963

Appearances: Leslie R. Kehl, Esq.,
Denver, Colorado, and
Richard Lamm, Esq.,
Denver, Colorado,
for Applicant;
Joseph F. Nigro, Esq.,
Denver, Colorado, for
Package Delivery
Service Company.

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.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the commencement of the hearing, applicant moved to amend his application to show the following authority sought:

"transportation of TV, Hi-Fi, radios, phonographs, and tape recorders, from only the J. C. Penney Company, Inc. stores, located in Denver, Littleton, Aurora, Lakewood, and Westminster, Colorado, to their customers located within a twenty-mile radius of the intersection of Colfax Avenue and Broadway, Denver, Colorado."

All parties appearing agreed to said amendment, which was restrictive in nature, and same was allowed. Thereupon, protestant withdrew protest to the granting of authority herein sought.

Applicant herein appeared and testified that J. C. Penney Company, Inc., requested that he file the instant application, and would, if authority herein sought is granted, enter into special carriage contracts with him to engage his services; that service agreement entered into with J. C. Penney Company, Inc. is fully set forth in Exhibit A; that he has ample and suitable equipment, sufficient net worth, and operating experience to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of said application; that there is a need for applicant's proposed transportation service; that applicant will have sufficient equipment and experience to properly carry on said operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear to the Commission that the proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

ORDER

THE COMMISSION ORDERS:

That Herman Shepard, doing business as "Shepard Television Service," Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of TV, Hi-Fi, radios, phonographs, and tape recorders, from J. C. Penney Company, Inc. stores, only, located in Denver, Littleton, Aurora, Lakewood, and Westminster, Colorado, to their customers located within a radius of twenty miles of the intersection of Colfax Avenue and Broadway, Denver, Colorado; and this ORDER shall be deemed to be, and be, a PERMIT therefor.


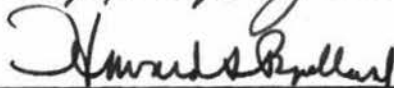
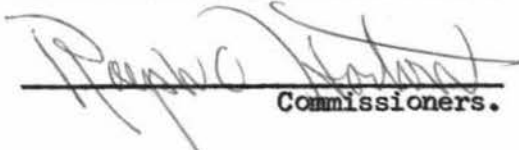
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 13th day of December, 1963.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ERNEST P. NEUMANN, 6850 RUTH WAY,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
- - - - -)

APPLICATION NO. 20129-PP

- - - - -
December 13, 1963
- - - - -

Appearances: Ernest P. Neumann, Denver,
Colorado, pro se;
John P. Thompson, Esq.,
Denver, Colorado, for
Allen Transfer Company,
Boulder-Denver Truck Line;
Joseph F. Nigro, Esq.,
Denver, Colorado, for
Package Delivery Service
Company, Colorado Transfer
& Warehousemen's Association
and the individual members
thereof.

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 barber and beauty shop supplies, from point to point within the City and County of Denver, and a thirty-five-mile radius of Colfax and Broadway, Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that at the commencement of the hearing, applicant herein moved to amend his application to seek the following authority:

"Transportation of barber and beauty shop supplies, for only Buerger Bros. Supply Company, Denver, Colorado, and its customers, in the Counties of Denver, Adams, Arapahoe, and Jefferson, State of Colorado, restricted to the use of one vehicle, only."

All parties agreed to said amendment, which was restrictive in nature, and same was allowed.

Accordingly, protestants withdrew their protest to the granting of such amended authority.

Applicant herein appeared and testified if authority herein sought is granted, he will enter into special carriage contracts to provide needed and specialized service with his customer; that Buerger Bros. Supply Company had requested that he file the instant application; that he will have suitable equipment, sufficient net worth and operating experience to render said service.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of authority herein sought; that there is a need for applicant's proposed transportation services; that applicant will have sufficient equipment and experience to properly carry on said operation; that applicant's financial standing is established to the satisfaction of the Commission; that it does not appear that applicant's proposed operation will impair the efficient public service of any authorized common carrier adequately serving the same territory, over the same general highway route, or routes; that the granting of authority, as provided in the following Order, will be in the public interest, and such authority should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ernest P. Neumann, Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of barber and beauty shop supplies, for Buerger Bros. Supply Company, Denver, Colorado, only, and its customers, in the Counties of Denver, Adams, Arapahoe, and Jefferson,

State of Colorado, restricted to the use of one vehicle, only;
and this ORDER shall be a PERMIT therefor.

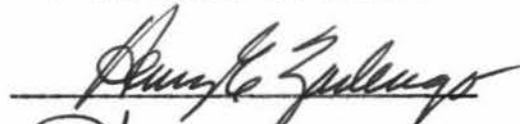
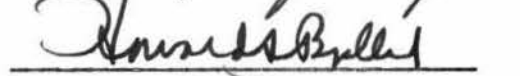

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 13th day of December, 1963.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEO C. HART, DOING BUSINESS AS)
"SUNRISE DISPOSAL," 6041 TICHY)
BOULEVARD, COMMERCE CITY, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
3581 TO MERLYN K. BURDICK, DOING) APPLICATION NO. 20133-Transfer
BUSINESS AS "SUNRISE DISPOSAL)
COMPANY," 351 SOUTH KEARNEY STREET,)
DENVER, COLORADO, AND P. O. BOX 186,)
COMMERCE CITY, COLORADO.)
-----)

December 13, 1963

Appearances: Leo C. Hart, Commerce City,
Colorado, pro se;
Merlyn K. Burdick, Denver,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Leo C. Hart, doing business as "Sunrise Disposal," Commerce City, Colorado, was granted a certificate of public convenience and necessity (PUC No. 3581), authorizing transportation of:

ashes, trash, and other waste materials, between points in the City of Commerce Town, and from said area to regularly-designated and approved dumps and disposal places in Adams, Jefferson and Denver Counties.

Said certificate-holder now seeks authority to transfer said operating rights to Merlyn K. Burdick, doing business as "Sunrise Disposal Company," Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that transferor herein appeared at the hearing and testified in support of said application, stating he has continuously operated under said certificate since granted by this Commission; that the consideration for transfer of said operating rights, Customer List, and certain equipment, is the sum of \$15,000; that there is no outstanding indebtedness against said certificate.

Transferee herein also appeared and testified, stating he is presently operating under PUC No. 3581 by virtue of Temporary Authority issued by this Commission; that he will have ample and suitable equipment, sufficient net worth and operating experience with which to continue said operations.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of said application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Leo C. Hart, doing business as "Sunrise Disposal," Commerce City, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to PUC No. 3581 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Merlyn K. Burdick, doing business as "Sunrise Disposal Company," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.


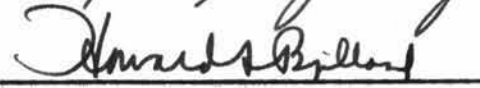
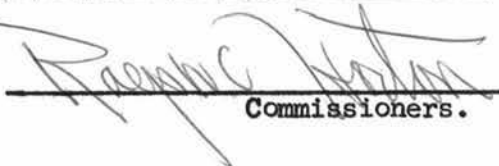
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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 the time of transfer of said permit.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1963.

ea

original

(Decision No. 61945)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ERNEST ARANDA, 816 SOUTH WAHSATCH,)	
COLORADO SPRINGS, COLORADO, FOR AU-)	
THORITY TO TRANSFER PUC NO. 2572 TO)	APPLICATION NO. 20135-Transfer
SUPERIOR SANITATION, INC., c/o 218)	
MINING EXCHANGE BUILDING, COLORADO)	
SPRINGS, COLORADO.)	

December 13, 1963

Appearances: Otto K. Hilbert, Esq., Colo-
rado Springs, Colorado,
for Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Ernest Aranda, Colorado Springs, Colorado, was granted a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire (PUC No. 2572), for the transportation of:

trash, ashes, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within a radius of ten miles of the corner of Pikes Peak and Nevada Avenues, Colorado Springs, Colorado, and the city dump, located approximately .8 of a mile from the City Limits of Colorado Springs, Colorado, and any dump which is now, or which may hereafter be, located within the area above described;

ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within the Corporate Limits of Colorado Springs, Colorado, and the City dump, now or hereafter designated by appropriate city officials of Colorado Springs, Colorado.

By the above-styled application, said certificate-holder seeks authority to transfer PUC No. 2572 to Superior Sanitation, Inc., Colorado Springs, Colorado,

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of said Examiner states that transferor herein appeared at the hearing and testified he has continuously operated under PUC No. 2572 since granted by this Commission; that the consideration for transfer is the sum of \$800.00; that there is no outstanding indebtedness against said certificate.

James Frank, President of transferee corporation, also appeared and testified his corporation will have ample and suitable equipment, sufficient net worth and operating experience with which to continue operations under PUC No. 2572.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on said operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Ernest Aranda, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2572 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Superior Sanitation, Inc., Colorado Springs, Colorado, subject to payment of outstanding in-

debtedness against said operation, if any there be, whether secured or unsecured.

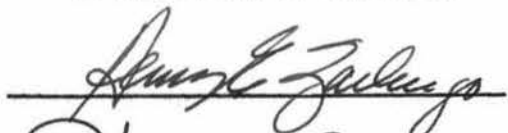
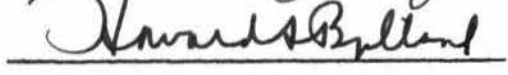

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements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

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1963.
mls

original

(Decision No. 61946)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEWIS HENRY LARABEE, DOING BUSINESS)
AS "LARABEE ASH & TRASH SERVICE,")
2710 WEST COLORADO AVENUE, COLORADO)
SPRINGS, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 20136-Transfer
TRANSFER PUC NO. 2576 TO C. G. HAY-)
WOOD AND CARMEY BACK, DOING BUSINESS)
AS "HAYWOOD AND BACK," 1117 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
LEWIS HENRY LARABEE, DOING BUSINESS)
AS "LARABEE ASH & TRASH SERVICE,")
2710 WEST COLORADO AVENUE, COLORADO)
SPRINGS, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 20136-Transfer
TRANSFER PUC NO. 2576 TO C. G. HAY-) Amended
WOOD, 1117 WEST COLORADO AVENUE,)
COLORADO SPRINGS, COLORADO.)

December 13, 1963

Appearances: Lewis Henry Larabee, Colorado
Springs, Colorado, pro se;
C. G. Haywood, Colorado
Springs, Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Lewis Henry Larabee was granted a certificate of public convenience and necessity (PUC No. 2576), authorizing operation as a common carrier by motor vehicle for hire, for the transportation of:

ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within a radius of 10 miles of the corner of Pikes Peak and Nevada Avenues in Colorado Springs, Colorado, and the city dump, located approximately .8 of a mile from the city limits of Colorado Springs, Colorado, and any dump which is now or which may hereafter be located within the area above described;

ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials, between points within the Corporate Limits of Colorado Springs, Colorado, and the City Dump.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, transferor herein appeared and testified he has continuously operated said certificate since granted by the Commission; that the consideration for transfer herein is the sum of \$1,500; that there are no outstanding unpaid operating obligations against said certificate.

C. G. Haywood, transferee herein, also appeared and testified that Carmey Back had recently withdrawn from a partnership which has heretofore existed; that therefore he is the sole transferee herein; that he is presently operating PUC No. 2576 by virtue of Temporary Authority issued by this Commission; that he will have ample and suitable equipment, sufficient net worth and operating experience to render and continue operations under said certificate.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of the instant application; that transferee will have sufficient equipment and experience to properly carry on said operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Lewis Henry Larabee, doing business as "Larabee Ash &

Trash Service," Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2576 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to C. G. Haywood, Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

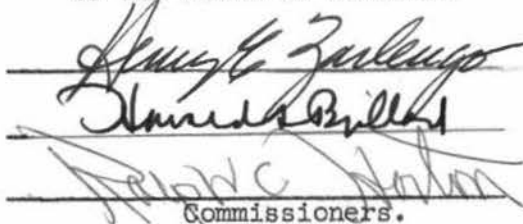
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements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


Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1963.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RUDOLPH R. PROCTOR, 260 MARSHALL,)
LAKEWOOD, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. B-6084 TO)
FRANK C. HEITMAN, 4601 WEST ALAMEDA,)
DENVER, COLORADO.)

APPLICATION NO. 20132-PP-Transfer

December 16, 1963

Appearances: Rudolph R. Proctor, Lake-
wood, Colorado, pro se;
Frank C. Heitman, Denver,
Colorado, pro se;
Joseph F. Nigro, Esq.,
Denver, Colorado, for
Colorado Transfer and
Warehousemen's Associa-
tion and the individual
members thereof.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Heretofore, Rudolph R. Proctor, Lakewood, Colorado, was granted
a Class "B" permit to operate as a private carrier by motor vehicle for
hire (Permit No. B-6084), authorizing transportation of:

logs, poles, and timber products, from forests,
to and from sawmills, places of storage, load-
ing points, and markets within a radius of 75
miles of said forests; rough lumber and sawmill
products, from sawmills in said 75-mile radius,
to markets in the State of Colorado, with no
town-to-town service;

lumber and building materials, from lumber
yards and brick yards in Denver and points with-
in a ten-mile radius thereof, to building sites
in the mountains west of Denver within a radius
of seventy miles of Denver; no town-to-town ser-
vice in competition with regular line-haul car-
riers; limited to the use of two two-and-one-
half-ton trucks;

logs, poles, and timber products, from forests,
to and from sawmills, places of storage, load-

ing points, and markets within a radius of 125 miles of said forests;

rough lumber and sawmill products, from sawmills in said 125 mile radius, to markets in the State of Colorado, with no town-to-town service.

By the above-styled application, said permit-holder seeks authority to transfer said operating rights to Frank C. Heitman, Denver, Colorado.

Said application was regularly set for hearing before the Commission, and was heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. At the conclusion of the hearing, the matter was taken under advisement, and said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusions.

Report of the Examiner states that at the hearing, transferor herein appeared and testified that the consideration for transfer of Permit No. B-6084 is a 1952 panel truck; that certain debts are due and owing against said operation.

Report of the Examiner further states that transferee herein also appeared at the hearing and testified he has ample and suitable equipment, sufficient net worth and operating experience to render and continue operations under said permit.

The Commission, having considered the record and files and the written statement of the Examiner herein, states and finds that no one protests the granting of said application; that transferee will have sufficient equipment and experience to properly carry on the operation; that transferee's financial standing is established to the satisfaction of the Commission; 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 Rudolph R. Proctor, Lakewood, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-6084 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Frank C. Heitman, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, whether secured or unsecured.

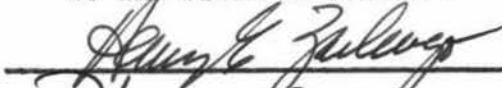

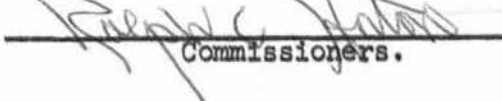
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 16th day of December, 1963.
mls

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 AN ORDER AUTHORIZING THE)
ISSUANCE OF CERTAIN SECURITIES AND)
THE APPLICATION OF THE PROCEEDS)
THEREFROM FOR CERTAIN SPECIFIED)
PURPOSES.)

APPLICATION NO. 20160
Securities

S T A T E M E N T

By the Commission:


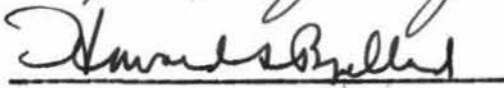
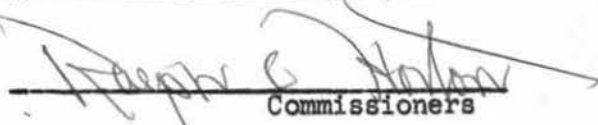
Upon consideration of the application filed December 9,
1963, by Delta-Montrose Rural Power Lines Association, a corporation,
in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on January 6,
1964, at 10:00 o'clock A. M., 532 State Services Building, Denver,
Colorado, respecting 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 proceeding. Intervention petitions
should be filed with the Commission on or before December 31, 1963,
and should set forth the grounds of the proposed intervention and
the position and interest of the petitioners, in the proceeding and
must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 12th day of December, 1963.

(Decision No. 61949)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE INCREASED AND REDUCED RATES
AND CHARGES FOR ACCOUNT OF
SIGHTSEEING OPERATORS: SPECIAL
LIMOUSINE AND BUS FARES AND
TRANSFER CHARGES

INVESTIGATION AND SUSPENSION
DOCKET NO. 521

December 12, 1963

S T A T E M E N T

BY THE COMMISSION:

On November 26, 1963, the Colorado Sightseeing Operators' Association by Donald B. Proctor filed Tariff No. 5-A, Colorado P.U.C. No. 6 for the account of various carriers of passengers in sightseeing service and Checker Cab Company, by its President and Treasurer, Ed. W. Dundon, filed Tariff 1-B, Colorado P.U.C. No. 3, both tariffs scheduled to become effective December 27, 1963, naming increased, reduced and new round trip fares for the transportation of passengers from Denver, Colorado to Estes Park, Colorado Springs Region, Pikes Peak, Denver Mountain Parks, etc., and return; from and to points within the corporate limits of the City and County of Denver, Colorado.

The changes as proposed will result in reductions and increases and also changes in wordings and additional sightseeing tours which if permitted to become effective may result in violations of the Public Utilities Law. It is the opinion of the Commission that said tariffs 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:

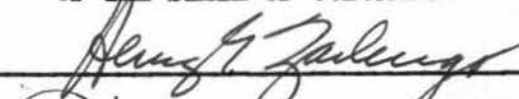
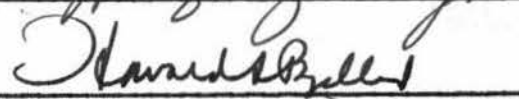
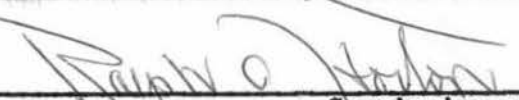
That upon its own motion, without formal pleading, the schedules as referred to in the statement herein should be suspended and that it should enter upon a hearing concerning the lawfulness thereof.

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 and charges resulting from the changes proposed by the Colorado Sightseeing Operators' Association, Passenger Tariff No. 5-A, Colorado P.U.C. No. 6 and Checker Cab Company, Passenger Tariff No. 1-B, Colorado P.U.C. No. 3.
3. The operation of the said schedules be and it is hereby suspended, and the use thereof be deferred to and including April 25, 1964, unless otherwise ordered by the Commission.
4. Neither the schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.
5. Seven days prior to the hearing date hereon, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case.
6. A copy of this order shall be filed with the schedules in the office of the Commission and also be served upon Donald B. Proctor, Publisher, The Colorado Sightseeing Operators' Association, 1264 Ulster Street, Denver, Colorado, 80208, and Ed. W. Dundon, President and Treasurer, Checker Cab Company, 1669 Broadway, Denver, Colorado, 80202, and that Checker Cab Company and carriers parties to the tariff of said association be, and they are hereby, made respondents to this proceedings.
7. This Investigation and Suspension Docket No. 521 be, and the same is hereby set for hearing before the Commission on Wednesday, January 15, 1964 at 2:00 P.M. in the hearing room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado this
20th day of December, 1963.