

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF GOLDSTEIN TRANSPORTATION AND)
STORAGE, INC., 1420 - 38TH STREET,)
DENVER, COLORADO, FOR AUTHORIZATION)
TO TRANSFER PERMIT NO. B-503 TO)
COLO. FREIGHT DISTRIBUTION, INC.)
1420 - 38TH STREET, DENVER, COLORADO.)

APPLICATION NO. 22634-PP-Transfer

October 13, 1967

Appearances: Leslie R. Kehl, Esq., Denver, Colorado,
for Goldstein Transportation and
Storage, Inc., and Colo. Freight
Distribution, Inc.;
John P. Thompson, Esq., Denver, Colorado,
for Denver-Climax Truck Line, Denver-
Laramie-Walden Truck Line, Inc., Denver-
Loveland Transportation Company, Edson
Express, and Overland Motor Express;
Julius I. Ginsberg, Esq., Denver, Colorado,
for Bennie Goldstein and Nathan Goldstein.

PROCEDURE AND RECORD

By application filed May 29, 1967, as amended by filing of
June 20, 1967, Goldstein Transportation and Storage, Inc. (Goldstein)
seeks authorization to transfer Permit No. B-503 to Colo. Freight Dis-
tribution, Inc. (Colo. Freight). After due and proper notice, the appli-
cation was set for hearing before the Commission at 10 a.m. on August 2,
1967 in the Commission's Hearing Room, 532 State Services Building, 1525
Sherman Street, Denver, Colorado, Commissioner Edwin R. Lundborg, presiding.

Appearing in protest hereto was Denver-Climax Truck Line,
Denver-Laramie-Walden Truck Line, Inc., Denver-Loveland Transportation
Company, Edson Express, and Overland Motor Express. Motion was made by
the applicants to strike the protests of all the aforesaid named carriers
upon the grounds that no protest in writing had been filed with the
Commission or served upon the applicants. The Commission served notice of
the within hearing upon all interested parties, including the protesting

carriers and their counsel, by notice dated July 18, 1967. This notice provided, among other things, the following:

Protests must be filed in writing with the Commission and served by mailing a copy thereof to the applicant and/or his attorney at least ten days prior to the date set for hearing.

Counsel for the protesting carriers admitted that notice in writing was not filed with the Commission nor served upon the applicants, although counsel did have notice of the hearing. Counsel stated that he had assumed no notice in writing was required due to his participation for these same named carriers in a prior application before the Commission identified as Application No. 22228-PP-Stock Transfer. The aforesaid prior application involved the same authority being considered herein but involved, however, a stock transfer and a different transferor and transferee. Further, it should be noted, that the prior proceeding was dismissed by written Order of this Commission, dated June 8, 1967, being Decision No. 69634. The service list of the Commission reveals that the order of dismissal was served upon protestants' counsel. The presiding Commissioner granted applicants' motion to strike the protests of all named protestants. The Commission now confirms this action and expressly finds that all protesting carriers failed to give proper notice in writing of their intent to protest the within application, either by filing said notice with the Commission or by serving said notice on the applicants or their attorney. The Commission further finds that notice of said hearing on the within application was duly given and no good cause was shown for the allowance of the protesting carriers to appear without complying with the Commission's protest requirements.

Applicants moved that the proceeding embraced herein be heard on a consolidated record with certain other related matters. Applicants' motion was denied by the presiding Commissioner and is now confirmed by the Commission.

Appearing as witnesses were Leonard L. Haney, Jerry D. McMorris and Bennie Goldstein. These witnesses supported the following exhibits

(non-sequence of exhibit numbers due to the utilization of exhibit numbers consistent with those used in related matters not part of this consolidated record):

Exhibit No. 2 - Agreement, dated May 8, 1967, between Transport Service, Inc., Vendee, and Earl F. Buckingham, Dorothy M. Buckingham, Leonard L. Haney, Lawrence Hancock, Jr. and Gordon P. Weichel, Vendors.

Exhibit No. 6 - Agreement, dated August 2, 1967, between Bennie Goldstein and Nathan Goldstein, Earl F. Buckingham, Dorothy M. Buckingham and Transport Service, Inc.

Exhibit No. 7 - Temporary authority letter, dated June 6, 1967, providing for temporary control of Goldstein Transportation and Storage, Inc. by Transport Service, Inc.

Exhibit No. 8 - Consolidated balance sheet as of March 31, 1967 for Transport Service, Inc. and its subsidiaries.

Exhibit No. 9 - Minutes of special joint meeting of the stockholders and directors of Colo. Freight Distribution, Inc. and Goldstein Transportation and Storage, Inc., which meeting was held in Denver, Colorado on May 8, 1967.

Counsel for applicants moved that the testimony as given by the witnesses in related Application No. 22629 be incorporated by reference into the present proceeding. This motion was granted by the presiding Commissioner and is now confirmed by the Commission. All exhibits were admitted in evidence and, at the conclusion of the hearing, the presiding Commissioner took the application under advisement.

FINDINGS OF FACT

After due and careful consideration of the entire record in this proceeding, including all matters incorporated herein, the Commission finds as fact from the record as follows:

1. That Goldstein Transportation and Storage, Inc. is the owner and operator of Permit No. B-503, issued by the Public Utilities Commission of the State of Colorado.

2. That the above Permit authorizes the holder thereof to perform transportation as a private carrier by motor vehicle over irregular routes.

The specific authority is as follows:

Permit No. B-503

Not over substantially regular or established routes, or between fixed termini or to a fixed terminus or termini, all operations to be suspended to the extent that they duplicate authority under PUC No. 416, as to both territory and commodities. Decision No. 63607: Suspends all operations under Permit No. B-503 to the extent that they duplicate the authority under PUC 3171 as to both territory and commodities.

3. That the above Permit is presently in good standing before the Commission and has been actively operated by the transferor.

4. That on May 8, 1967 Transport Service, Inc. entered into an agreement with Haney, Hancock and Weichel to purchase all of the outstanding stock of Colo. Freight Distribution, Inc. which is a holding company owning all of the stock of Goldstein Transportation and Storage, Inc. In addition, it was agreed that, in the interests of corporate simplification, the operating company, Goldstein, would be liquidated into the parent Colo. Freight, and, as the result of such liquidation, Permit No. B-503 would be transferred to Colo. Freight. Inasmuch as the transaction is a liquidation, there is no consideration, and further, the financial resources available to operate the authority will remain substantially the same. In this regard, it should be noted that the stock purchasing company, Transport Service, Inc., (see related Application No. 22626) shows a net worth of \$488,808 and is able to provide financial assistance to the carrier if that be required. Transport Service, Inc. is presently in control of the transferor under temporary authority granted by this Commission.

5. That Transport Service, Inc., as the controller of Colo. Freight Distribution, Inc., is experienced through operations of its subsidiaries, Westway Motor Freight, Inc. and North Eastern Motor Freight, Inc., in the transportation of commodities generally, both in intrastate and interstate commerce, and is, therefore, generally familiar with all the rules and regulations of the Commission and will assure that the transferee remains in compliance with those rules if the present transfer is approved.

6. That the motor vehicle operating rights considered herein are the subject of a chattel mortgage securing payments in favor of Bennie Goldstein and Nathan Goldstein under an agreement for stock purchase, dated August 4, 1964, and agreements of non-competition and employment, dated September 30, 1964. Said chattel mortgage is to remain in effect subsequent to the transfer of the operating rights as herein sought. Inasmuch as the Commission has already approved said chattel mortgage in a prior transfer proceeding, no further approval is necessary at this time and the existence of the chattel mortgage against the operating rights shall in no way be affected by the present transfer. Bennie and Nathan Goldstein agree to the transfer as sought in the present application so long as their security under the aforesaid chattel mortgage is not reduced.

7. That the proposed transfer is in the public interest and should be authorized as set forth in the order following.

O R D E R

THE COMMISSION ORDERS:

That Goldstein Transportation and Storage, Inc. be, and hereby is, authorized to transfer all its right, title and interest in and to Permit No. B-503 to Colo. Freight Distribution, Inc., subject to the chattel mortgage against said operating rights heretofore approved by this Commission.

The full and complete operating authority under Permit No. B-503 shall be as follow, to-wit:

"Not over substantially regular or established routes, or between fixed termini or to a fixed terminus or termini, all operations to be suspended to the extent that they duplicate authority under PUC No. 416, as to both territory and commodities. Decision No. 63607: Suspends all operations under Permit No. B-503 to the extent that they duplicate the authority under PUC 3171 as to both territory and commodities."

That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the

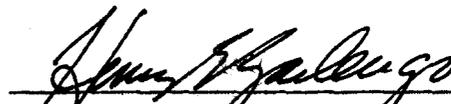
Commission that said Permit has been formerly assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this order. Failure to file said written acceptance of the terms of this order within thirty (30) days from the effective date of the order 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.

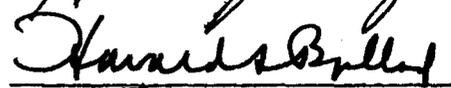
The tariff of rates, rules and regulations of the transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

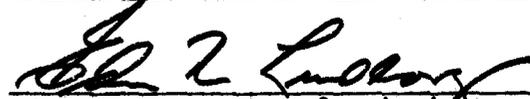
The right of transferee to operate under this order shall depend upon its compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, governing operations under said Permit up to the time of transfer of said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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 13th day of October, 1967.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF GOLDSTEIN TRANSPORTATION AND)
STORAGE, INC., 1420 - 38TH STREET,)
DENVER, COLORADO, FOR AUTHORIZATION)
TO TRANSFER PERMIT NO. A-787 TO)
COLO. FREIGHT DISTRIBUTION, INC.,)
1420 - 38TH STREET, DENVER, COLORADO.)

APPLICATION NO. 22635-PP-Transfer

October 13, 1967

Appearances: Leslie R. Kehl, Esq., Denver, Colorado,
for Goldstein Transportation and
Storage, Inc. and Colo. Freight
Distribution, Inc.;

John P. Thompson, Esq., Denver, Colorado,
for Denver-Climax Truck Line, Denver-
Laramie-Walden Truck Line, Inc., Denver-
Loveland Transportation Company, Edson
Express, and Overland Motor Express;

Julius I. Ginsberg, Esq., Denver, Colorado,
for Bennie Goldstein and Nathan Goldstein.

PROCEDURE AND RECORD

By application filed May 29, 1967, as amended by filing of
June 20, 1967, Goldstein Transportation and Storage, Inc. (Goldstein)
seeks authorization to transfer Permit No. A-787 to Colo. Freight Dis-
tribution, Inc. (Colo. Freight). After due and proper notice, the appli-
cation was set for hearing before the Commission at 10 a.m. on August 2,
1967 in the Commission's Hearing Room, 532 State Services Building, 1525
Sherman Street, Denver, Colorado, Commissioner Edwin R. Lundborg presiding.

Appearing in protest hereto was Denver-Climax Truck Line, Denver-
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Edson Express, and Overland Motor Express. Motion was made by the appli-
cants to strike the protests of all the aforesaid named carriers on the
grounds that no protest in writing had been filed with the Commission or
served upon the applicants. The Commission served notice of the within
hearing upon all interested parties, including the protesting carriers and

their counsel, by notice dated July 18, 1967. This notice provided, among other things, the following:

Protests must be filed in writing with the Commission and served by mailing a copy thereof to the applicant and/or his attorney at least ten days prior to the date set for hearing.

Counsel for the protesting carriers admitted that notice in writing was not filed with the Commission nor served upon the applicants, although counsel did have notice of the hearing. Counsel stated that he had assumed no notice in writing was required due to his participation for these same named carriers in a prior application before the Commission identified as Application No. 22229-PP-Stock Transfer. The aforesaid prior application involved the same authority being considered herein but involved, however, a stock transfer rather than a direct transfer of the Permit. In addition, the prior application involved a different transferor and transferee. Further, it should be noted, that the prior proceeding was dismissed by written Order of this Commission, dated June 8, 1967, being Decision No. 69634. The service list of the Commission reveals that the order of dismissal was served upon protestants' counsel. The presiding Commissioner granted applicants' motion to strike the protests of all named protestants. The Commission now confirms this action and expressly finds that all protesting carriers failed to give proper notice in writing of their intent to protest the within application, either by filing said notice with the Commission or by serving said notice on the applicants or their attorney. The Commission further finds that notice of said hearing on the within application was duly given and no good cause was shown for the allowance of the protesting carriers to appear without complying with the Commission's protest requirements.

Applicants moved that the proceeding embraced herein be heard on a consolidated record with certain other related matters. Applicants' motion was denied by the presiding Commissioner and is now confirmed by the Commission.

Appearing as witnesses were Leonard L. Haney, Jerry D. McMorris and Bennie Goldstein. These witnesses supported the following exhibits (non-sequence of exhibit numbers due to the utilization of exhibit numbers consistent with those used in related matters not part of this consolidated record):

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Exhibit No. 6 - Agreement, dated August 2, 1967, between Bennie Goldstein and Nathan Goldstein, Earl F. Buckingham, Dorothy M. Buckingham and Transport Service, Inc.

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Exhibit No. 8 - Consolidated balance sheet as of March 31, 1967 for Transport Service, Inc. and its subsidiaries.

Exhibit No. 9 - Minutes of special joint meeting of the stockholders and directors of Colo. Freight Distribution, Inc. and Goldstein Transportation and Storage, Inc., which meeting was held in Denver, Colorado on May 8, 1967.

Counsel for applicants moved that the testimony as given by the witnesses in related Application No. 22629 be incorporated by reference into the present proceeding. This motion was granted by the presiding Commissioner and is now confirmed by the Commission. All exhibits were admitted in evidence and, at the conclusion of the hearing, the presiding Commissioner took the application under advisement.

FINDINGS OF FACT

After due and careful consideration of the entire record in this proceeding, including all matters incorporated herein, the Commission finds as fact from the record as follows:

1. That Goldstein Transportation and Storage, Inc. is the owner and operator of Permit No. A-787, issued by the Public Utilities Commission of the State of Colorado.

2. That the above Permit authorizes the holder thereof to perform transportation as a private carrier by motor vehicle over regular routes. The specific authority is as follows:

Permit No. A-787

Freight between Denver and Julesburg and intermediate points over U.S. Highways 85, 38 and 138; between Fort Lupton vicinity and Trinidad and intermediate points, over U.S. Highway No. 85; between Fort Lupton vicinity and Wyoming State Line and intermediate points over U.S. Highway No. 85; and between Denver and Kansas State Line and intermediate points, over U.S. Highway No. 40 to Limon, and Highway No. 24. Decision No. 46245: EXTENDED TO: Pick-up and delivery service within a radius of 5 miles of the City Limits of Denver, Colorado, where the goods involved have had or will have a prior or subsequent movement under this authority and where the entire transportation is covered by a single bill of lading. Decision No. 49306: The transportation of Government freight moving on Government bills of lading between Peterson Field (Elsmere, Colorado) on the one hand, and points served under Permit A-787 on the other hand. Decision No. 53078: Extended to include the right to render pick-up and delivery service within an area within a radius of three and one-half miles of Pueblo, Colorado, on shipments having a prior or subsequent movement on said carrier's line, and to serve Triplex Manufacturing Company and the Pueblo Air Base.

3. That the above Permit is presently in good standing before the Commission and has been actively operated by the transferor.

4. That, on May 8, 1967, Transport Service, Inc. entered into an agreement with Haney, Hancock and Weichel to purchase all of the outstanding stock of Colo. Freight Distribution, Inc. which is a holding company owning all of the stock of Goldstein Transportation and Storage, Inc. In addition, it was agreed that in the interests of corporate simplification, the operating company, Goldstein, would be liquidated into the parent, Colo. Freight, and, as the result of such liquidation, Permit No. A-787 would be transferred to Colo. Freight. Inasmuch as the transaction is a liquidation, there is no consideration, and further, the financial resources available to operate the authority will remain substantially the same. In this regard, it should be noted that the stock purchasing company, Transport Service, Inc., (see related Application No. 22627)

shows a net worth of \$488,808 and is able to provide financial assistance to the carrier if that be required. Transport Service, Inc. is presently in control of the transferor under temporary authority granted by this Commission.

5. That Transport Service, Inc., as the controller of Colo. Freight Distribution, Inc., is experienced through operations of its subsidiaries, Westway Motor Freight, Inc. and North Eastern Motor Freight, Inc., in the transportation of commodities generally, both in intrastate and interstate commerce, and is, therefore, generally familiar with all the rules and regulations of the Commission and will assure that the transferee remains in compliance with those rules if the present transfer is approved.

6. That the motor vehicle operating rights considered herein are the subject of a chattel mortgage securing payments in favor of Bennie Goldstein and Nathan Goldstein under an agreement for stock purchase, dated August 4, 1964, and agreements of non-competition and employment, dated September 30, 1964. Said chattel mortgage is to remain in effect subsequent to the transfer of the operating rights as herein sought. Inasmuch as the Commission has already approved said chattel mortgage in a prior transfer proceeding, no further approval is necessary at this time and the existence of the chattel mortgage against the operating rights shall in no way be affected by the present transfer. Bennie and Nathan Goldstein agree to the transfer as sought in the present application so long as their security under the aforesaid chattel mortgage is not reduced.

7. That the proposed transfer is in the public interest and should be authorized as set forth in the order following.

O R D E R

THE COMMISSION ORDERS:

That Goldstein Transportation and Storage, Inc. be, and hereby is, authorized to transfer all its right, title and interest in and to

Permit No. A-787 to Colo. Freight Distribution, Inc., subject to the chattel mortgage against said operating rights heretofore approved by this Commission.

The full and complete operating authority under Permit No. A-787 shall be as follows, to-wit:

"Freight between Denver and Julesburg and intermediate points over U.S. Highways 85, 38 and 138; between Fort Lupton vicinity and Trinidad and intermediate points, over U.S. Highway No. 85; between Fort Lupton vicinity and Wyoming State Line and intermediate points over U.S. Highway No. 85; and between Denver and Kansas State Line and intermediate points, over U.S. Highway No. 40 to Limon, and Highway No. 24. Decision No. 46245: EXTENDED TO: Pick-up and delivery service within a radius of 5 miles of the City Limits of Denver, Colorado, where the goods involved have had or will have a prior or subsequent movement under this authority and where the entire transportation is covered by a single bill of lading. Decision No. 49306: The transportation of Government freight moving on Government bills of lading between Peterson Field (Elsmere, Colorado) on the one hand, and points served under Permit A-787 on the other hand. Decision No. 53078: Extended to include the right to render pick-up and delivery service within an area within a radius of three and one-half miles of Pueblo, Colorado, on shipments having a prior or subsequent movement on said carrier's line, and to serve Triplex Manufacturing Company and the Pueblo Air Base."

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 formerly assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this order. 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.

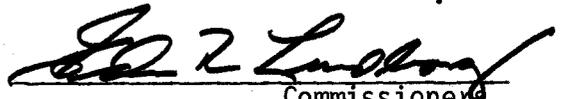
The tariff of rates, rules and regulations of the transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this order shall depend upon 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, governing operations under said permit up to the time of transfer of said permit.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of October, 1967.

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provided, however, that said certificates shall be effective for only a period of sixty (60) days, commencing October 6, 1967.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 6th day of October, 1967

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
MERLIN CRAPO)
IKIE'S TRAILER PARK, SP.26)
MONTROSE, COLORADO 81401)
-----)

PERMIT NO. B-6953

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore, the Commission authorized the above-named carrier to suspend operations under the above-entitled authority.

The Commission is now in receipt of a communication from the above-named carrier requesting that said authority be reinstated.

The Commission finds that the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, reinstated as of October 4, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin G. ...

Donald ...

Ed ...
Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF
FARM PAC KITCHENS, INC.
AND FURR'S REALTY CO.
1708 AVENUE G
LUBBOCK, TEXAS

* * *
)
}
}
}

PUC NO. 4760-I

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 8, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin E. Gault
Donald Biller
Ed R. Lowery
Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
HENRY A. HODER)
WILDHORN RANCH)
P. O. BOX 2137)
FLORISSANT, COLORADO 80816)

PUC NO. 2137

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective May 1, 1966.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Ziegler
Howard B. Butler
Ed. R. Lindsay
Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
)
DELMER DEVER)
P,O BOX 334)
PLATTEVILLE, COLORADO 80651)

PERMIT NO. M-7085

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 8, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin E. ...
Donald ...

Ed R. ...
Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
GALE J. DOGGETT dba)
DOGGETT TRUCKING COMPANY)
BOX 193)
SIDNEY, NEBRASKA 69162)

PERMIT NO. M-10233

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

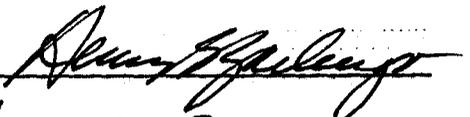
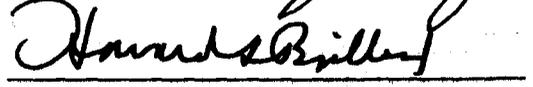
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 26, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
LARRY TORTORICE)
ROUTE 1, BOX 88)
TRINIDAD, COLORADO 81082)

PERMIT NO. M-9856

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

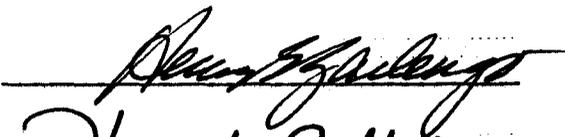
O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 9, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF	* * *)	
BESTWOOD PRODUCTS CO., CORP.)	
5081 SOUTH RIO GRANDE		)	<u>PERMIT NO. M-2250</u>
LITTLETON, COLORADO)	

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 2, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry H. Williams

Donald S. Bjelland

Ed. R. Lundberg

Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
DIXIE FORM & STEEL CO.)
BOX 6387, ALAMO HEIGHT STATION)
SAN ANTONIO, TEXAS 78209)

PERMIT NO. M-12232

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

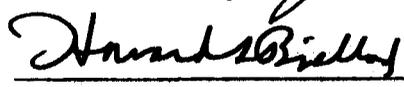
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective September 29, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 16th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
A. C. Cockrum dba)
A. C. Cockrum Construction Co.)
P. O. Box 92)
Larkspur, Colorado 80118)

AUTHORITY NO. M-15086
CASE NO. 2231-M-Ins.

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 10, 1967 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin G. Galt
Howard B. Bille
Ed. R. Lundberg
Commissioners

Dated at Denver, Colorado, this
16th day of October 1967 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDGAR PETE HAYNES, 930 WEST OAK)
STREET, FORT COLLINS, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-5549.)

APPLICATION NO. 22720-PP-Extension

October 13, 1967

Appearances: Edgar Pete Haynes, Fort Collins,
Colorado, pro se;
John P. Thompson, Esq., Denver,
Colorado, for Denver-Loveland
Transportation Co., Protestant.

PROCEDURE AND RECORD

On July 27, 1967, Edgar Pete Haynes, 930 West Oak Street, Fort Collins, Colorado, filed the instant application (No. 22720-PP-Extension) for an extension of his present Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of commodities as set forth in the application. On September 21 and 22, 1967, counsel for Protestant filed protest to the instant application.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Auditorium, Larimer County Court House, Fort Collins, Colorado, at 10 a.m. on October 3, 1967. On October 11, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner to the Commission establishes that at the hearing Motion to Amend the application was made to restrict the extended authority applied for as follows:

"Transportation of sugar in sacks from the factory of the Great Western Sugar Company at or near Loveland, Colorado to the Steele Grocery Store at Fort Collins; restricted, however, to the use of one vehicle rated at no more than one ton capacity."

This amendment being restrictive in nature was granted and approved by the Hearing Examiner and upon such approval, the Protestant withdrew its protest. The ruling of the Hearing Examiner granting and approving the said amendment is hereby specifically approved and confirmed by the Commission.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant presently holds authority under Permit B-5549, which is described as follows:

"Delivery of packages from merchants located in the City of Fort Collins, Colorado, or within a radius of 5 miles thereof, to customers located in the same territory, including the return of trade-ins, or other returns from the customer to the merchant; provided, that no individual package shall exceed 100 pounds in weight."

This authority is presently in good standing with the Commission.

2. Applicant has duly and properly applied for an extension to his Class "B" Permit to include the transportation of packaged sugar, as listed in this application.
3. Applicant has a 1955 Dodge 1-ton truck, 20 years of experience in related fields and a net worth of \$20,000, all of which are ample and suitable for operation of the authority applied for herein.
4. There is no special need that the requested service be rendered by this particular Applicant.
5. The Applicant's present authority is restricted to delivery of packages from merchants within the City of Fort Collins, Colorado, or within a radius of 5 miles thereof, to customers located in the same territory. Under this authority, the Applicant has, in the past, delivered groceries from local stores to their customers.

6. This Applicant is 72 years of age, has never operated a truck on the highways, is not familiar with the rules and regulations of the Commission, and is not a suitable person to grant authority to operate a truck upon the open highways of this State.
7. The granting of the authority as applied for will not be in the public interest and should be denied.

CONCLUSIONS

That the Commission make and enter its Order denying the application for extension.

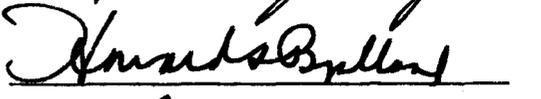
Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

ORDER

THE COMMISSION ORDERS:

1. That the instant Application (No. 22720-PP-Extension) for extension of Permit No. B-5549 be, and the same hereby is, denied.
2. This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of October, 1967

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF JOHN I. GRIFFITH, 1025 WEST 8TH)
STREET, LOVELAND, COLORADO, AND)
ARCH KEITH MORFORD, JR., ROUTE 1,)
BOX 396, FORT COLLINS, COLORADO,)
DOING BUSINESS AS "KEEP-EM-KLEEN,")
1025 WEST 8TH STREET, LOVELAND,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22640

IN THE MATTER OF THE APPLICATION)
OF JOHN I. GRIFFITH, DOING BUSINESS)
AS "KEEP-EM-KLEEN," 1025 WEST)
8TH STREET, LOVELAND, COLORADO FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22640-AMENDED

October 16, 1967

Appearances: F. Ray DeGood, Esq., Loveland,
Colorado, for John I. Griffith,
Applicant;
William Andrew Wilson, Esq., Denver,
Colorado, for Wayne Bridwell, doing
business as "Bridwell Trash Hauling,"
James P. Donnell, Eddie Gallegos,
Richard Mondragon, doing business as
"Dick's Trash Hauling Service," all
of Fort Collins, Colorado, Protestants.

PROCEDURE AND RECORD

On June 13, 1967, John I. Griffith, 1025 West 8th Street,
Loveland, Colorado, and Arch Keith Morford, Jr., Route 1, Box 396, Fort
Collins, Colorado, doing business as "Keep-Em-Kleen," 1025 West 8th
Street, Loveland, Colorado, filed the instant application (No. 22640) for
a certificate of public convenience and necessity to operate as a common
carrier by motor vehicle for hire for the transportation of ashes, trash
and related commodities as set forth in the application. On June 14, 1967,
the Staff of the Commission issued temporary authority to so operate to

the above applicants. On August 8, 1967, a Notice of Protest to the instant application was received from Wayne Bridwell, doing business as "Bridwell Trash Hauling." On August 11, 1967, counsel for Applicant informed the Commission by letter that the partnership of applicants has been dissolved and that John I. Griffith will continue the said business as a sole proprietorship in the name of "Keep-Em-Kleen" and desires to pursue the instant application as requested in the capacity as a sole proprietorship.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Auditorium, Larimer County Court House, Fort Collins, Colorado, at 10 a.m. on October 3, 1967. On October 10, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner to the Commission establishes that at the hearing motion was made to amend the application by removing the name of Arch Keith Morford, Jr., as an Applicant, and thereby showing the application in the name of John I. Griffith, doing business as "Keep-Em-Kleen" only. The Motion to Amend the instant application was granted and approved by the Hearing Examiner and upon such approval and the affirmance that the application does not include the City of Fort Collins, the Protestants withdrew their respective protests. The ruling of the Hearing Examiner granting and approving the said amendment is hereby specifically approved and confirmed by the Commission.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. John I. Griffith, the Applicant herein, holds no previously granted authority from this Commission, other than an "M" Permit.
2. This applicant will coordinate his ash and trash service, if this application is granted, with a sewer and septic tank service that he now performs.
3. Applicant has duly and properly applied for a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire, as listed in this application, and proposes to do business in the name and style of "Keep-Em-Kleen."
4. Applicant has a 3/4 ton Pickup, has had one year of experience in related fields, and has a net worth of \$19,000, all of which are ample and suitable for operation of the authority applied for herein.
5. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
6. There is a present or special need for the service and the granting of the authority as applied for will be in the public interest.
7. The existing service is inadequate to meet the particular transportation requirements sought herein, and the present and future public convenience and necessity requires or will require the proposed authority.
8. The authority should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, John I. Griffith, doing business as "Keep-Em-Kleen," to operate as a common carrier by motor vehicle for hire with authority to be designated as follows:

"Transportation of ashes, trash and other waste materials from the territory consisting of Carter Lake Reservoir, Horsetooth Reservoir, Flatiron Reservoir and Pine Wood Reservoir, including shorelines and all territory and property located within one mile of the highwater lines of all said reservoirs, the area between points on the water shed of the Buckhorn River, northwest of Loveland, Colorado, between Masonville, Colorado and a northwesterly point fourteen road miles above Masonville, Colorado, and intermediate points and the area between points on the water shed of the Poudre River, northwest of Fort Collins, Colorado, between the intersection of U.S. Highway 287 and State Highway 14, known as "Ted's Place," to the highest point of Cameron Pass on State Highway 14, and intermediate points, and to regularly designated and approved dumps and disposal places, all areas and places being located in Larimer County, Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That John I. Griffith, doing business as "Keep-Em-Kleen," 1025 West 8th Street, Loveland, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire for

"Transportation of ashes, trash and other waste materials from the territory consisting of Carter Lake Reservoir, Horsetooth Reservoir, Flatiron Reservoir and Pine Wood Reservoir, including shorelines and all territory and property located within one mile of the highwater lines of all said reservoirs, the area between points on the water shed of the Buckhorn River, northwest of Loveland, Colorado, between Masonville, Colorado and a northwesterly point fourteen road miles above Masonville, Colorado, and intermediate points and the area between points on the water shed of the Poudre River, northwest of Fort Collins, Colorado, between the intersection of U.S. Highway 287 and State Highway 14, known as "Ted's Place," to the highest point of Cameron Pass on State Highway 14, and intermediate points, and to regularly designated and approved dumps and disposal places, all areas and places being located in Larimer County, Colorado;"

and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

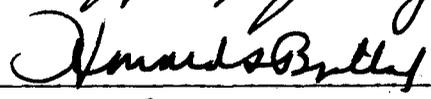
That applicant shall operate his carrier system in accordance with the Order of the Commission, except when prevented by Act of God, the public enemy or extreme conditions.

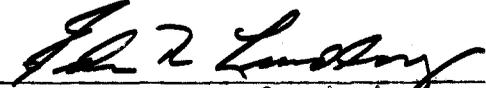
That this Order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 16th day of October, 1967.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
PROVISIONERS, INC.)
2535 Airport Way)
Seattle, Washington 98116)

AUTHORITY NO. FUC 4761-I
CASE NO. 709-H-Ins.

October 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 10, 1967 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

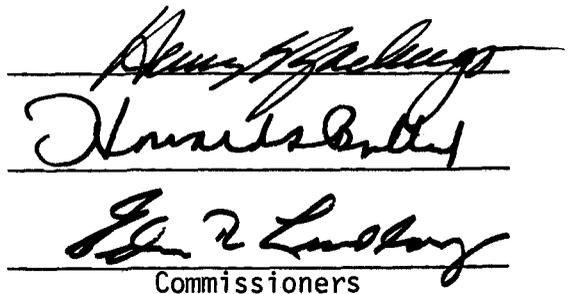
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
13th day of October, 1967 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARVIN E. VAN SICKEL, 806 SUMMIT)
VIEW DRIVE, FORT COLLINS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 22717-PP

October 13, 1967

Appearances: Marvin E. Van Sichel, Fort
Collins, Colorado, pro se.

PROCEDURE AND RECORD

On July 25, 1967, Marvin E. Van Sichel, 806 Summit View Drive, Fort Collins, Colorado, filed the instant application (No. 22717-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application. On September 14, 1967 the Staff of the Commission issued temporary authority to so operate to Marvin E. Van Sichel.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Auditorium, Larimer County Court House, Fort Collins, Colorado, at 10 a.m. on October 3, 1967. On October 11, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities, as listed in this application.
3. Applicant has a 1959 International Truck with Logging Trailer, 10 years experience in related fields, and a net worth of \$15,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Marvin E. Van Sickle, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"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; provided, however, that no town-to-town service shall be rendered."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Marvin E. Van Sickle, 806 Summit View Drive, Fort Collins, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"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; provided, however, that no town-to-town service shall be rendered;"

and this ORDER shall be deemed to be, and be a PERMIT therefor.

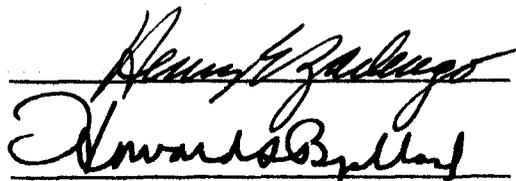
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, 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 October, 1967.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILFORD E. LILLIE, DOING BUSINESS AS)
"LILLIE TRANSFER AND MOVING COMPANY")
1903 SOUTH CEDAR STREET, COLORADO)
SPRINGS, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 3400 TO WESLEY)
N. PETTIGREW, DOING BUSINESS AS)
"LILLY TRANSFER AND MOVING COMPANY")
405 SOUTH NEVADA AVENUE, COLORADO)
SPRINGS, COLORADO.)

APPLICATION NO. 22747-Transfer

October 13, 1967

Appearances: Alfred Heinicke, Esq., Colorado Springs, Colorado, for Transferor;
Don Shook, Esq., Colorado Springs, Colorado, for Transferee;
Joseph F. Nigro, Esq., Denver, Colorado, for Weicker Transfer & Storage Company, Protestant.

PROCEDURE AND RECORD

On August 10, 1967, Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," 1903 South Cedar Street, Colorado Springs, Colorado, and Wesley N. Pettigrew, doing business as "Lilly Transfer and Moving Company," 405 South Nevada Avenue, Colorado Springs, Colorado, filed the instant joint application (No. 22747-Transfer), seeking authority from the Commission to transfer Certificate of Public Convenience and Necessity No. 3400 from Wilford E. Lillie to Wesley N. Pettigrew. On September 11, 1967, Weicker Transfer & Storage Company filed a protest to the instant application.

On August 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the County Office Building, 27 E. Vermijo Street, Colorado Springs, Colorado, at 10 a.m. on September 28, 1967. On October 13, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2),

transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions.

Mr. J. C. Reinhard, Manager of Protestant, Weicker Transfer & Storage Company in Colorado Springs, appeared and protested the granting of the transfer of the authority under PUC No. 3400.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Transferor herein, Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," is the present owner and operator of PUC No. 3400, which he has in the past continually operated (except as hereinafter noted) and which presently is in good standing before the Commission. Said Certificate is described in the Letter of Authority attached hereto.
2. The Transferee herein, Wesley N. Pettigrew, doing business as "Lilly Transfer and Moving Company" holds no previously granted authority from this Commission, other than an "M" Permit to Wesley N. Pettigrew, and there is, therefore, no duplication involved.
3. The parties have entered into an Agreement for the transfer of PUC No. 3400 and, pursuant to said Agreement, the consideration for the transfer is \$5,500, and the Certificate is free and clear of any debts, encumbrances or obligations.
4. The Applicants have duly and properly applied for the transfer.
5. Transferee has a 2½ ton Ford Commercial type Van and a ½ ton Dodge Pickup, 35 years of experience in related fields, and a net worth of \$51,468.75, all of which are ample and suitable for operation of the authority applied for herein.
6. Protestant, Weicker Transfer & Storage Company, is the owner and operator of PUC No. 341 & I, which generally authorizes said Protestant to engage in the moving and general cartage business in the City of Colorado Springs, Colorado, which authority conflicts in part at least with the authority being transferred.
7. Since acquiring this authority approximately 10 years ago, Transferor has not made any growth and has, in fact, abandoned and allowed to become dormant that part of PUC No. 3400 providing for "conduct of a transfer, moving and general cartage business within the City Limits of Colorado Springs, Colorado."

8. Transferor has not abandoned or allowed to become dormant that part of his authority contained in Decision No. 46855, which allows for the "transportation of merchandise to or from The Pettigrew Auction Company in Colorado Springs, from and to points within ten (10) miles of Colorado Springs, Colorado."
9. The part of the authority which Transferor has in fact abandoned or allowed to become dormant should be cancelled.
10. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as safety requirements of the Commission, and has or will make adequate provision for insurance.
11. The transfer is compatible with the public interest and should be granted, conditioned however that a portion of the authority be cancelled, as hereinafter set forth.

CONCLUSIONS

That the Commission make and enter its Order authorizing Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," to transfer all of his rights, title and interest in and to Certificate PUC No. 3400 to Wesley N. Pettigrew, doing business as "Lilly Transfer and Moving Company," and that henceforth the entire authority shall be described as follows:

"Transportation of merchandise to and from the Pettigrew Auction Company in Colorado Springs, Colorado, from and to points within a ten (10) mile radius of Colorado Springs, Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

ORDER

THE COMMISSION ORDERS:

That Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," 1903 South Cedar Street, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all rights, title, and interest in and to PUC No. 3400 to Wesley N. Pettigrew, doing business as "Lilly Transfer and Moving Company," 405 South Nevada Avenue, Colorado Springs, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under PUC No. 3400 shall be as follows, to-wit:

"Transportation of merchandise to and from the Pettigrew Auction Company in Colorado Springs, Colorado, from and to points within a ten (10) mile radius of Colorado Springs, Colorado."

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 of the Annual Report by the transferor herein, covering the 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 October, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ED H. BURGNER, P. O. BOX 96, LA)
PORTE, COLORADO, FOR AUTHORITY)
TO EXTEND OPERATIONS UNDER PERMIT)
NO. B-3569.)

APPLICATION NO. 22786-PP-Extension

October 13, 1967

Appearances: Ed H. Burgener, La Porte,
Colorado, pro se.

PROCEDURE AND RECORD

On August 30, 1967, Ed H. Burgener, P. O. Box 96, La Porte, Colorado, filed the instant application (No. 22786-PP-Extension) for an extension of his present Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of commodities as set forth in the application. On September 6, 1967, the Staff of the Commission issued temporary authority to so operate under the extension to said applicant.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Auditorium, Larimer County Court House, Fort Collins, Colorado, at 10 a.m. on October 3, 1967. On October 6, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by

the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant presently holds authority under Permit B-3569, as described in the attached Letter of Authority.

This authority is presently in good standing before the Commission.

2. Applicant has duly and properly applied for an extension to his Class "B" Permit, the sole purpose being to add the town of Eaton, Colorado to the area, because of new plant facilities located there.

3. The extension applied for herein would not conflict with the authority presently held by Applicant.

4. Applicant has the following equipment:

- 1 - 1960 Ford Tandem Dump Truck
- 2 - 1965 Ford Tandem Dump Trucks
- 1 - 1966 Ford Tandem Dump Truck

He has had 20 years of experience in related fields, and has a net worth of \$55,000, all of which are ample and suitable for operation of the authority applied for herein.

5. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.

6. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.

7. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.

8. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Ed H. Burgener, to extend his authority under Permit B-3569, and that henceforth the entire authority shall be described as follows:

- "1. 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 (50) miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small

- construction jobs within a radius of fifty (50) 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 (50) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty (50) miles of said pits and supply points.
2. Transportation of quartz, lime rock, gypsum and other materials used in making cement, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado, to processing plants at Boettcher, Colorado.
 3. Transportation of quartz and lime rock and gypsum, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado to Great Western Sugar Company at Loveland, Windsor and Eaton, Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Ed H. Burgener, P. O. Box 96, La Porte, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-3569.

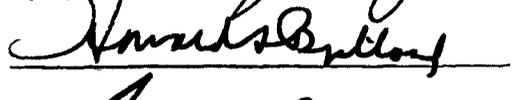
That henceforth the full and complete authority under Permit No. B-3569 shall be as follows, to-wit:

- "1. 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 (50) miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty (50) 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 (50) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty (50) miles of said pits and supply points.
2. Transportation of quartz, lime rock, gypsum and other materials used in making cement, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado, to processing plants at Boettcher, Colorado.

3. Transportation of quartz and lime rock and gypsum, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado to Great Western Sugar Company at Loveland, Windsor and Eaton, Colorado."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of October, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
H. D. MARTIN, KREMMLING, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 22689-PP

October 17, 1967

STATEMENT AND FINDINGS OF FACT

By the above-styled application, Applicant herein sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs, poles, timber products from forests to sawmills within a radius of 50 miles of forests; rough lumber within the 50-mile radius to markets in the State of Colorado with no town-to-town service.

Said application was regularly set for hearing before the Commission at 10 a.m. on October 19, 1967, at Steamboat Springs, Colorado.

The Commission is now in receipt of a communication from Mrs. H. D. Martin, stating that the Applicant herein is deceased and requesting dismissal of said application.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

O R D E R

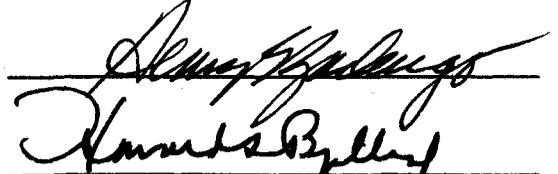
THE COMMISSION ORDERS:

That hearing on Application No. 22689-PP, presently set for October 19, 1967, at Steamboat Springs, Colorado, be, and the same hereby is, vacated.

That said Application No. 22689-PP be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 17th day of October, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARVENE S. JOY, 738 SUMMIT VIEW)
DRIVE, FORT COLLINS, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT B-4662.)

APPLICATION NO. 22780-PP-Extension

October 13, 1967

Appearances: Arvene S. Joy, Fort Collins,
Colorado, pro se.

PROCEDURE AND RECORD

On August 30, 1967, Arvene S. Joy, 738 Summit View Drive, Fort Collins, Colorado, filed the instant application (No. 22780-PP-Extension) for an extension of his present Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of commodities as set forth in the application. On September 6, 1967, the Staff of the Commission issued temporary authority to operate under requested extension to Applicant.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Auditorium, Larimer County Court House, Fort Collins, Colorado, at 10 a.m. on October 3, 1967. On October 10, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant presently holds authority under Permit B-4662, described in the Letter of Authority attached hereto. This authority is presently in good standing before the Commission.
2. The extension applied for herein would not conflict with the above described authority.
3. The sole purpose of this extension is to add the town of Eaton, Colorado, to the area because of new plant facilities located there.
4. Applicant has duly and properly applied for an extension to his Class "B" Permit.
5. Applicant has two 1966 Fort Tandem Dump Trucks, 25 years of experience, and a net worth of \$35,000, all of which are ample and suitable for operation of the authority applied for herein.
6. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
7. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
8. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
9. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Arvene S. Joy, to extend his authority under Permit B-4662, and that henceforth the entire authority shall be described as follows:

- "1. 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 (50) miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty (50) 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 (50) miles of said jobs; insulrock, from pits and supply

points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points.

2. Transportation of quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado, to processing plants located at Boettcher, Colorado.
3. Transportation of quartz, lime rock and gypsum, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado, to Great Western Sugar Company, at Loveland, Windsor and Eaton, Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Arvene S. Joy, 738 Summit View Drive, Fort Collins, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4662.

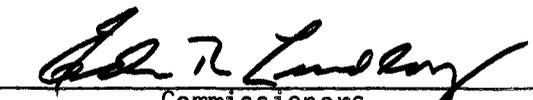
That henceforth the full and complete authority under Permit No. B-4662 shall be as follows, to-wit:

- "1. 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 (50) miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty (50) 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 (50) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty (50) miles of said pits and supply points.
2. Transportation of quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado, to processing plants located at Boettcher, Colorado.
3. Transportation of quartz, lime rock and gypsum, from pits and supply points within a radius of fifty (50) miles of Fort Collins, Colorado, to Great Western Sugar Company, at Loveland, Windsor and Eaton, Colorado."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of October, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE FAILURE OF CERTAIN CORPORATIONS,)
PARTNERSHIPS, AND/OR PERSONS TO COMPLETE)
ACTIONS INSTITUTED BEFORE THE COMMISSION)
FOR AUTHORITY TO OPERATE AS COMMON OR)
PRIVATE CARRIERS BY MOTOR VEHICLE FOR HIRE)
IN INTERSTATE COMMERCE ONLY OVER THE PUBLIC)
HIGHWAYS OF THE STATE OF COLORADO.)

October 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The files and records of the Commission disclose that the herein-
after stated corporations, partnerships, and/or persons as specifically set
forth in the Order part of this Decision have paid to the Commission the
required filing fee for authority to operate as a Common or Private Carrier
by Motor Vehicle for hire in interstate commerce only over the public highways
of the State of Colorado but have either (1) failed to file an application
requesting such authority or (2) have failed, after filing an application
for such authority, to file either a request for identification cards, the
required certificate of insurance or a written designation for service of
notices, orders or process -- all of which is required by law and the Commis-
sion's Rules and Regulations Governing Common or Private Carriers by Motor
Vehicle.

The files and records of the Commission -- in addition to the above --
further disclose that all of said corporations, partnerships, and/or persons
have previously been duly notified by the Commission of their failure to
comply with one or more of the above specifically stated items.

The Commission states and finds that all actions heretofore insti-
tuted before the Commission by the corporations, partnerships, and/or persons
as listed in the Order part of this Decision should be dismissed.

O R D E R

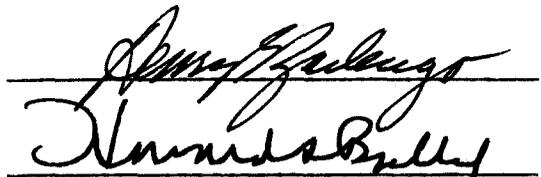
THE COMMISSION ORDERS:

That all actions heretofore instituted by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as Common or Private Carriers by Motor Vehicle for hire in interstate commerce only over the public highways of the State of Colorado, be, and the same hereby are, dismissed:

J. Mack Bailey	1016 Beverly Burkburnett, Texas 76354
Dowler Trucking Co. Inc.	Box 1731 Casper, Wyoming 82601
Hirschbach Motor Lines, Inc.	3324 N. Highway 75 Sioux City, Iowa 51100
Elmer Nash	Box 147 St. Francis, Kansas 67756
H. W. Phillips & Sons, Inc.	P. O. Box 16489 Whitehaven Station Memphis, Tennessee 38100
Ralph Walker	P. O. Box 3222 Jackson, Mississippi 39207
Max Wilson	517 N. Bluff Anthony, Kansas 67003

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of October, 1967.
gh

(Decision No. 70257)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
TROY A. POLLARD, DOING BUSINESS AS) PUC NO. 1610 AND PUC NO. 1610-I
"POLLARD CONTRACTING CO.," BOX 177,)
RANGELY, COLORADO.)

October 17, 1967

STATEMENT AND FINDINGS OF FACT

The Commission has received a request from Truman A. Stockton, Jr., Attorney on behalf of Troy A. Pollard, doing business as "Pollard Contracting Co.," requesting a waiver from the Commission to file its Annual Report on a fiscal year basis rather than on a calendar year basis as provided in Rule 26 of the Rules and Regulations Governing Common Carriers by Motor Vehicle.

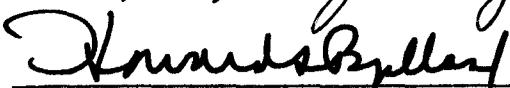
Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request for waiver of Rule 26 above referred to be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
GREEN TRUCKING, INC., P. O. BOX) PUC NO. 515 AND PUC NO. 515-I
356, FOWLER, COLORADO.)

October 17, 1967

STATEMENT AND FINDINGS OF FACT

The Commission has received a request from James L. Nunn, Certified Public Accountant on behalf of Green Trucking, Inc., requesting a waiver from the Commission to file its Annual Report on a fiscal year basis rather than on a calendar year basis as provided in Rule 26 of the Rules and Regulations Governing Common Carriers by Motor Vehicle.

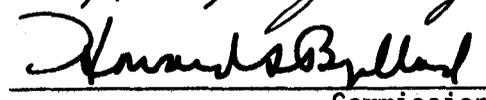
Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request for waiver of Rule 26 above referred to be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE MATTER OF CITIZENS UTILITIES)
COMPANY, 15-17 WEST 4TH STREET,)
LA JUNTA, COLORADO, CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
TRANSMIT AND DISTRIBUTE NATURAL GAS)
IN THE E½ OF SECTIONS 24 AND 25,)
TOWNSHIP 22 SOUTH, RANGE 50 WEST, 6TH)
P.M., BENT COUNTY, COLORADO.)

CASE NO. 5349

October 17, 1967

S T A T E M E N T

BY THE COMMISSION:

By Decision No. 69830 of July 20, 1967, the Commission on its own motion instituted Case No. 5349. Citizens Utilities Company was given twenty days within which to reply to the Show Cause Order. At the time the Show Cause was instituted, the matter was set for hearing before the Commission on August 11, 1967 in the event the Company did not satisfy the cause of action. Plateau Natural Gas Company, an interested party in the proceeding, filed a petition to intervene which was granted by the Commission. The Commission by further orders vacated the hearing as originally set and reset the matter to a later date, and said later date was again vacated with the hearing to be set by the Commission after further notice to all interested parties.

Case No. 5349 was instituted as a result of a letter received by the Commission from several prospective gas customers residing in the unincorporated community of Hasty, Colorado. These prospective customers alleged that Plateau Natural Gas was making preparations to serve gas in Hasty, but the customers filing the letter with the Commission stated they were located in an area certificated to the Citizens Utilities Company. They were therefore unable to receive gas service from Plateau Natural Gas Company which had planned to serve the community of Hasty.

By Decision No. 44514 of August 25, 1955 in Application No. 13445, Citizens Utilities Company was granted a certificate of convenience and necessity by this Commission to serve a portion of Bent County with another portion of Bent County being allocated to Kansas-Colorado Utilities, Inc. Plateau Natural Gas Company is the successor in interest of Kansas-Colorado Utilities, Inc. and presently holds all of the certificates heretofore granted to Kansas-Colorado. The letter filed by the prospective customers further alleges that it is not economically feasible for Citizens to render gas service to them, while it apparently would be feasible for Plateau to do so since they could be included with the other prospective customers in the Hasty Area lying within the certificated area of Plateau.

The Commission is now in receipt of correspondence from Plateau Natural Gas Company which encloses a letter agreement between Plateau and Citizens whereby Citizens agrees to relinquish from its existing certificate of public convenience and necessity certain territory. By deleting this territory from the existing certificate of Citizens, the prospective customers presently residing in this area will be able to receive gas service from Plateau Natural Gas Company.

F I N D I N G S

THE COMMISSION FINDS:

That such territory hereinafter set forth should be deleted from the existing certificate of public convenience and necessity now held by Citizens and transferred to Plateau Natural Gas Company.

That the two parties in interest have agreed to this transfer, and as a result, Plateau will be able to serve those prospective gas customers residing in the area to be transferred.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 44514 of August 25, 1955, Application No. 13445, being the application of Citizens Utilities Company, should be amended by deleting therefrom the following territory:

E $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 24, Township 22 S, Range 50 W
E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 24, Township 22 S, Range 50 W
E $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 25, Township 22 S, Range 50 W
E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 25, Township 22 S, Range 50 W
All in Bent County, Colorado.

That except as amended herein Decision No. 44514 shall remain in full force and effect.

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

E $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 24, Township 22 S, Range 50 W
E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 24, Township 22 S, Range 50 W
E $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec. 25, Township 22 S, Range 50 W
E $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 25, Township 22 S, Range 50 W
All in Bent County, Colorado.

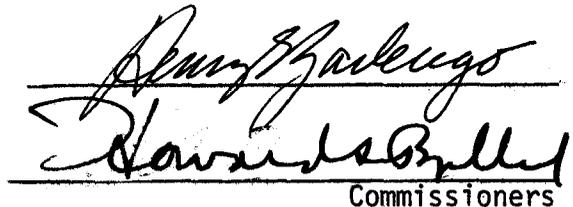
That a copy of this Order be forthwith served on Plateau Natural Gas Company.

That Case No. 5349 be, and hereby is, closed.

That a copy of this Order be filed with Application No. 13445, of Citizens Utilities Company.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROY E. BARKER, DOING BUSINESS AS)
"ROY E. BARKER PRODUCE," 121)
MAGNOLIA STREET, NORTH LITTLE ROCK,)
ARKANSAS, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO ROY)
E. BARKER PRODUCE, INC., 121)
MAGNOLIA STREET, NORTH LITTLE ROCK,)
ARKANSAS.)

PERMIT NO. B-6959-I-Transfer

October 17, 1967

STATEMENT AND FINDINGS OF FACT

Heretofore, Roy E. Barker, doing business as "Roy E. Barker Produce," North Little Rock, Arkansas, was granted a permit to operate as a private carrier by motor vehicle for hire, being Permit No. B-6959-I, authorizing the following, to-wit:

"Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

Said permit-holder now seeks authority to transfer Permit No. B-6959-I to Roy E. Barker Produce, Inc., North Little Rock, Arkansas.

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 compatible with the public interest and should be authorized, as set forth in the Order following.

O R D E R

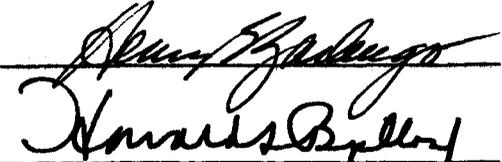
THE COMMISSION ORDERS:

That Roy E. Barker, doing business as "Roy E. Barker Produce," North Little Rock, Arkansas, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-6959-I -- with authority

as set forth in the Statement preceding, which is made a part hereof,
by reference -- to Roy E. Barker Produce, Inc., North Little Rock, Arkansas,
subject to the provisions of the Federal Motor Carrier Act of 1935, as
amended, and subject to encumbrances against said operating rights, if any,
approved by this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER EDWIN R. LUNDBORG
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 17th day of October, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF

BERGSTRESER GLASS, INC.
144 S. E. SECOND STREET
LOVELAND, COLORADO 80537

PERMIT NO. M-3296

October 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

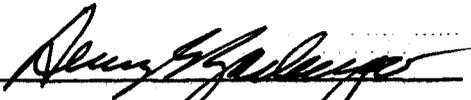
ORDER

THE COMMISSION ORDERS:

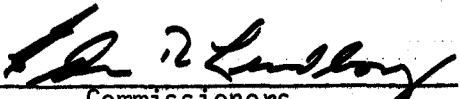
That the above-entitled authority be, and the same hereby is, cancelled effective October 13, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 17th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF

EDWARD E. PIKE
2510 SPRUCE
PUEBLO, COLORADO 81004

* * *
)
)
)
)
)

PERMIT NO. M-345

October 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

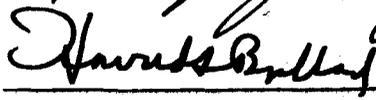
That the above-entitled authority be, and the same hereby is, cancelled effective

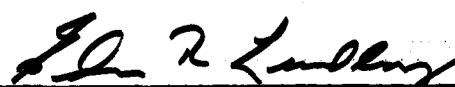
October 16, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 17th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
)
JACQUES BROTHERS)
12700 WEST 44TH AVENUE)
WHEATRIDGE, COLORADO 80033)

PERMIT NO. M-2575

October 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

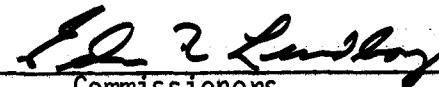
That the above-entitled authority be, and the same hereby is, cancelled effective October 10, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 17th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)

METRO WATER SERVICE)
1815 ESCALANTE STREET)
GRAND JUNCTION, COLO. 81501)

PERMIT NO. M-7054

October 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

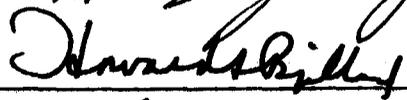
THE COMMISSION ORDERS:

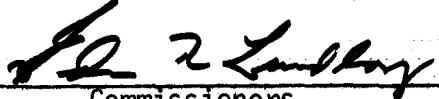
That the above-entitled authority be, and the same hereby is, cancelled effective October 16, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 17th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REDUCED MINIMUM CHARGE ON)	
LOCAL TRAFFIC VIA ANNA GASPERETTI	)	<u>Investigation and Suspension</u>
D/B/A GARDNER-RED WING FREIGHT LINE	)	<u>Docket No. 599</u>
-----)	

October 18, 1967

STATEMENT AND FINDINGS

BY THE COMMISSION:

On September 6, 1967, Colorado Motor Carriers' Association, Agent, J. R. Smith, Chief of Tariff Bureau, for and on behalf of Anna Gasperetti, d/b/a Gardner-Red Wing Freight Line, operating under Certificate No. 5764, filed 41st Revised Page No. 93, Item 930, to Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11>(*The Motor Truck Common Carriers' Association, Agent, Series) naming a reduced minimum charge as set forth in Appendix "A" attached hereto and made a part hereof, scheduled to become effective October 13, 1967.

By Decision No. 70182 dated October 4, 1967, said schedule was suspended and the use thereof deferred to and including February 10, 1968, unless otherwise ordered by the Commission.

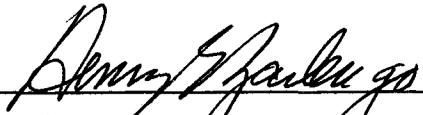
The Commission is now in receipt of a letter filed on October 16, 1967, signed by Anna Gasperetti of Gardner-Red Wing Freight Line, requesting that the reduced minimum charge be withdrawn and the proceedings under Investigation and Suspension Docket No. 599 be cancelled. Upon consideration of said request, we find that the respondent should be allowed to withdraw the publication covered by 41st Revised Page No. 93, Item 930, to Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11, and that the proceeding under Investigation and Suspension Docket No. 599 should be discontinued.

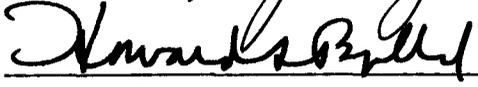
O R D E R

THE COMMISSION ORDERS, that, --

1. The Statement, Findings and Appendix "A" attached hereto, be, and they are hereby, made a part hereof.
2. That respondent herein be, and it is hereby, notified and required to cancel 41st revised Page No. 93, item 930, of Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11, as shown in Appendix "A" attached hereto, on or before November 8, 1967, upon notice to the Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission.
3. Hearing of Investigation and Suspension Docket No. 599 presently set for November 20, 1967 at Denver, Colorado, be, and the same hereby is, vacated, and the proceeding discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado, this
18th day of October, 1967. av

APPENDIX "A"

41st Revised Page No. 93 cancels	Charges on this page are not subject to the provisions of (Colo.) Amendment No. 66	Colo. PUC No. 11* (*The Motor Truck Common Carriers' Association, Agent, Series)
40th Revised Page No. 93		

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
Local and Joint Freight Tariff No. 12-A

RULES AND REGULATIONS

Item No.	Application
-------------	-------------

MINIMUM CHARGE: (continued)

(Q) Except as provided in Notes 1 and 2, the minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day via or in connection with the carriers named below will be:

Single Line Traffic	\$3.50
Joint Line Traffic	4.50

The provisions of this paragraph apply only via or in connection with the following carriers:

930 (con- clu- ded on page 93-A)	Frederic A. Bethke, d/b/a Bethke Truck Lines Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line Burlington Truck Lines, Inc. Capron Truck Co. Clark, Bill, Truck Line, Inc. Colorado Cartage Company, Inc. Denver-Climax Truck Line, Inc. Denver-Laramie-Walden Truck Line, Inc. Denver-Limon-Burlington Transfer Company Denver-Loveland Transportation, Inc. Digby, W. J., Inc. Edson Express, Inc. Thomas P. Miller, d/b/a Evergreen Freight Line Anna Gasperetti, d/b/a Gardner-Red Wing Freight Line / (R) (Subject to Note 2) Garrett Freightlines, Inc. Goldstein Transportation and Storage, Inc. Harp Transportation Line, Inc.	IML Freight, Inc. Mauverdene Robinson, d/b/a K & K Transfer Company L & E Freight Line, Inc. Elden G. Wille, d/b/a Lake City Truck Line Larson Transportation Company Lowder, Buel I. Miller Bros., Inc. Milliken Johnstown Truck Line, Inc. Ruby D. Jackson, d/b/a Mountain Express Truck Line (Subject to Note 2) North Eastern Motor Freight, Inc. Red Ball Motor Freight, Inc. Ringsby Truck Lines, Inc. Rio Grande Motor Way, Inc. Richard H. Eshe and Lois Mae Eshe, d/b/a South Park Motor Lines Donald R. Wills, d/b/a Tweedy Transfer Westway Motor Freight, Inc. John B. Windecker, d/b/a Windecker Truck Line Yuma County Transportation Co.
--	--	--

NOTE 1: The provisions of paragraph (Q) WILL NOT apply on traffic transported locally by Donald G. Anderson, d/b/a Castle Rock Transfer, but will apply on traffic transported jointly between the carriers named above, on the one hand, and, on the other, Donald G. Anderson, d/b/a Castle Rock Transfer.

NOTE 2: Participation of / (R) Anna Gasperetti, d/b/a Gardner-Red Wing Freight Line and Ruby D. Jackson, d/b/a Mountain Express Truck Line in Paragraph (Q) is restricted to apply in connection with the joint line minimum charge only.

For explanation of abbreviations and symbols, see page 50.

Issued September 6, 1967
Correction No. 4439

Effective October 13, 1967

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

	* * *	
RE INCREASED RATES APPLICABLE)	
TO PACKAGE DELIVERY SERVICE CO.	)	<u>Investigation and Suspension</u>
-----	)	<u>Docket No. 593</u>

October 18, 1967

STATEMENT AND FINDINGS

BY THE COMMISSION:

On August 15, 1967, Package Delivery Service Co., Tim K. Evenson, President, filed with the Commission Local Tariff No. 50 Colorado PUC No. 50, naming increased rates on packages and merchandise based on the number of units tendered per month, and time and mileage charges applicable to equipment and labor, scheduled to become effective September 18, 1967. By Decision No. 70085 dated September 13, 1967, said schedules were suspended and the use thereof deferred to and including January 17, 1967, unless otherwise ordered by the Commission.

By special permission application MTS 80 filed September 25, 1967 by Package Delivery Service Co., Tim K. Evenson, President, the petitioner requested permission to issue Supplement No. 1 to its tariff No. 50, PUC No. 50, amending the unit rates on page 5 of Section 1 of the tariff, and the Time and Mileage charges on page 7 of section 3 of the Tariff.

Said supplement proposed to reduce the unit rate to a level agreed upon between the carrier and shippers, and in support of these proposed changes in the unit rates, petitioner enclosed letters signed by, - the President of Denver Dry Goods Co., the Vice President of Joslins, the Operations Vice President of May-D&F, the Group Controller of Sears Roebuck, the Traffic Manager of Montgomery Ward and the Operation's Manager of the Neusteter Co., indicating their agreement to the proposed level of rates.

By letter filed with the Commission on October 9, 1967, T. K. Evenson, President of Package Delivery Service Co., requested that Section No. 3 entitled "Time and Mileage Rates" be withdrawn in its entirety from Local Tariff No. 50, Colorado PUC No. 50.

Upon consideration of said requests, the Commission finds that respondent should be allowed to cancel Section No. 3 entitled "Time and Mileage Rates" from its Tariff No. 50, Colorado PUC No. 50, that the rates published on page 5, Section No. 1 of said tariff should be cancelled without prejudice to the filing of revised unit rates as proposed by special permission application MTS 80, and that the proceeding under Investigation and Suspension Docket No. 593 should be discontinued.

O R D E R

THE COMMISSION ORDERS, that, --

1. The Statement and Findings herein be, and they are hereby, made a part hereof.
2. Respondent herein be, and it is hereby, notified and required to cancel Page 5, Section No. 1, and Page 7, Section No. 3 of Local Tariff No. 50, Colorado PUC No. 50, without prejudice to the filing of revised unit rates in Section 1 as listed below, on or before November 8, 1967, upon notice to the Commission and the general public by not less than 1 day's filing and posting in the manner prescribed by law and the rules of the Commission:

<u>RETAIL DIVISION</u>	
<u>Rates for ESTABLISHED ROUTES</u>	
Rates are based on the actual number of units, both city and suburban combined, which the carrier delivers for the shipper per month, minimum charge \$1.50 per month.	
<u>Concerns tendering less than 5,000 units per month</u>	
	<u>Per Unit</u>
From 1 to 100 units	\$.6400
From 101 to 300 units	\$.5800
From 301 to 500 units	\$.5200
From 501 to 1000 units	\$.4750
From 1001 to 2000 units	\$.4300
From 2001 to 3000 units	\$.3900
From 3001 to 5000 units	\$.3600
Collecting and remitting C.O.D. shipments, each	\$.4000

(Concluded on the following page.)

Concerns tendering over 5000 units per month

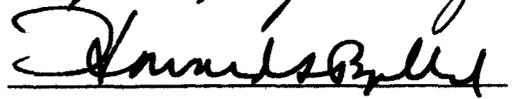
	Per Unit
First 30,000 units	\$.3350
Next 30,000 units	\$.3250
Next 30,000 units	\$.3150
Next 30,000 units	\$.2950
Collecting and remitting C.O.D. shipments, each	\$.1900
Concerns tendering over 20,000 unlabelled catalogs at one time, each	\$.1800
Shoe shops tendering over 100 units per month, each	\$.3350
Fur coat and hanger deliveries, each	1½ units

Above rates include two delivery attempts

Shipments beyond a thirty mile radius of the City limits of Denver shall be at the rates as set forth above plus one-half unit for each whole unit count. Fur coats and garments on hangers shall be two units each.

3. The hearing for Investigation and Suspension Docket No. 593 presently set for November 6, 1967, at Denver, Colorado, be, and the same hereby is, vacated and the proceeding discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this
18th day of October, 1967. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ORLANDO, J. E., ELIPIO AND ADELMO)
CHACON)
Manassa, Colorado 81141)

AUTHORITY NO. B 6519
CASE NO. 401-H-Ins.

October 18, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 14, 1967, in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zuleiga
Harold B. Bull
Ed R. Lundberg
Commissioners

Dated at Denver, Colorado, this
18th day of October, 1967 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF RUSSELL TURNER, DOING BUSINESS)	
AS "DISPOSAL SERVICE COMPANY,")	
2556 MAPLETON AVENUE, BOULDER,	)	<u>APPLICATION NO. 22766-Transfer</u>
COLORADO, FOR AUTHORITY TO TRANSFER)	
PUC NO. 3412 TO DISPOSAL SERVICE)	
COMPANY, INC., 407 SOUTH HOLLY)	
STREET, DENVER, COLORADO.)	

October 19, 1967

Appearances: William C. Wise, Esq., Denver,
Colorado, for Transferor and
Transferee.

PROCEDURE AND RECORD

On August 23, 1967, Russell Turner, doing business as "Disposal Service Company," 2556 Mapleton Avenue, Boulder, Colorado, and Disposal Service Company, Inc., 407 South Holly Street, Denver, Colorado, filed the instant joint application (No. 22766-Transfer) seeking authority from the Commission to transfer Certificate of Public Convenience and Necessity No. 3412 from Russell Turner to Disposal Service Company, Inc.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on October 6, 1967. On October 16, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted

by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Transferor herein, Russell Turner, doing business as "Disposal Service Company," is the present owner and operator of PUC No. 3412, which he has in the past continually operated and which presently is in good standing before the Commission. Said Certificate is described as follows:

"Transportation of trash, ashes, cans, bottles, dirt, sand, gravel, rock, manure, swill, trees, tree limbs; coal, wood, timber, lumber, junk, old building material and salvage, refuse and rubbish, of all kinds and of similar nature, from all points within the City of Boulder and a 5-mile radius thereof, to the present City Dump of Boulder, Colorado, or any dump that may be hereafter established therefor."
2. Transferee herein, Disposal Service Company, Inc., holds no previously granted authority from this Commission, other than two "M" permits, Nos. 2386 and 5088.
3. The parties have entered into an Agreement for the transfer of PUC No. 3412 and, pursuant to said Agreement, the consideration for the transfer is \$10,000 and the certificate is free and clear of any debts, encumbrances or obligations.
4. The Applicants have duly and properly applied for the transfer.
5. Transferee corporation has four trucks (see late filed exhibit - List of Equipment,) three years of experience in related fields, and a net worth of \$7,147, all of which are ample and suitable for operation of the authority sought herein.
6. Transferee is a Colorado corporation, duly organized and existing under the laws of the State of Colorado.
7. Transferee corporation is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and has or will make adequate provision for insurance.
8. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Russell Turner, doing business as "Disposal Service Company," to transfer all of his rights, title and interest in and to Certificate PUC No. 3412 to Disposal Service Company, Inc., a Colorado corporation, and that the entire authority shall henceforth be described as follows:

"Transportation of ashes, trash, rubbish and refuse of all kinds between points in the City of Boulder, Colorado, and a five (5) mile radius thereof, to the present City Dump of Boulder, Colorado, or any dump that may be hereafter established therefor."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Russell Turner, doing business as "Disposal Service Company," 2556 Mapleton Avenue, Boulder, Colorado, be, and hereby is, authorized to transfer all rights, title, and interest in and to PUC No. 3412 to Disposal Service Company, Inc., 407 South Holly Street, Denver, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under PUC No. 3412 shall be as follows, to-wit:

"Transportation of ashes, trash, rubbish and refuse of all kinds between points in the City of Boulder, Colorado, and a five (5) mile radius thereof, to the present City Dump of Boulder, Colorado, or any dump that may be hereafter established therefor."

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry Gailings
Howard B. Bell
Ed R. Lundberg
Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1967.
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EPHRAIM FREIGHTWAYS, INC., 1385)
UMATILLA, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 22671-Amended

October 19, 1967

STATEMENT AND FINDINGS OF FACT

On October 6, 1967, Subpoena Duces Tecum was directed to Jerome W. Ephraim, President, Ephraim Freightways, Inc., at the request of Protestant Red Ball Motor Freight, Inc.

On October 9, 1967, "Motion to Quash Subpoena Duces Tecum Addressed to Jerome W. Ephraim," was filed by Ephraim Freightways, Inc. by its attorneys, Stockton and Lewis and William F. Schenkein.

The Commission states and finds that said Motion to Quash should be set for Oral Argument as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Motion to Quash Subpoena Duces Tecum Addressed to Jerome W. Ephraim filed with the Commission on October 9, 1967, be, and the same hereby is, set for oral argument before the Commission at 10 a.m. on November 13, 1967, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry E. Zaulaigo
Howard B. Miller
Ed. R. Lusk
Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD M. BERG, DOING BUSINESS AS)
"BERG HAY CO.," ROUTE 2, BOX 238,)
FORT LUPTON, COLORADO FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22765-PP

October 19, 1967

Appearances: Richard M. Berg, Fort Lupton,
Colorado, pro se.

PROCEDURE AND RECORD

On August 24, 1967, Richard M. Berg, doing business as "Berg Hay Co.," Route 2, Box 238, Fort Lupton, Colorado, filed the instant application (No. 22765-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of hay as set forth in the application.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on October 6, 1967. On October 16, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of hay, as listed in this application.
3. Applicant has two 1953 International Tractors and one 1953 International Straight Truck, 9 years of experience in related fields and a net worth of \$40,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Richard M. Berg, doing business as "Berg Hay Co.," to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of Hay from point to point in Adams, Weld, Boulder and Morgan Counties, Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Richard M. Berg, doing business as "Berg Hay Co.," Route 2, Box 238, Fort Lupton, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of hay from point to point in Adams, Weld, Boulder and Morgan counties, 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.

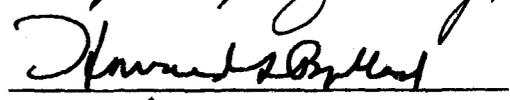
That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

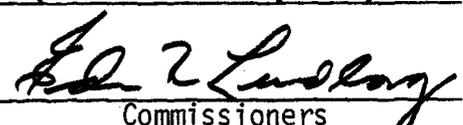
That right of Applicant to operate hereunder shall depend upon his compliance with all laws and rules and regulations of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)	
OF GUNNISON TRANSPORTATION COMPANY,)	
A CORPORATION, P.O. BOX 447, GUNNISON,)	<u>APPLICATION NO. 22698-Transfer</u>
COLORADO, TO TRANSFER PUC NO. 797)	
AND PUC NO. 797-I TO GUNNISON TRUCK-)	
ING, INC., A COLORADO CORPORATION,)	
10TH AND TOMICHI, GUNNISON, COLORADO.)	

IN THE MATTER OF THE APPLICATION)	
OF RAY E. LABERTEW, P.O. BOX 477,)	
GUNNISON, COLORADO, TO TRANSFER)	<u>APPLICATION NO. 22699-Transfer</u>
PUC NO. 1068 TO GUNNISON TRUCKING,)	
INC., A COLORADO CORPORATION,)	
10TH AND TOMICHI, GUNNISON, COLORADO.)	

RE MOTOR VEHICLE OPERATIONS OF RAY)	
E. LABERTEW, P.O. BOX 447, GUNNISON,)	<u>PUC NO. 1068</u>
COLORADO,)	

October 19, 1967

Appearances: John R. Barry, Esq., Denver, Colorado,
for Transferors and Transferee.

PROCEDURE AND RECORD

On July 10, 1967, Gunnison Transportation Company, a corporation, P. O. Box 447, Gunnison, Colorado, and Gunnison Trucking, Inc., a Colorado corporation, 10th and Tomichi, Gunnison, Colorado, filed the instant joint application (No. 22698-Transfer), seeking authority from the Commission to transfer Certificate of Public Convenience and Necessity No. 797 and 797-I from Gunnison Transportation Company to Gunnison Trucking, Inc. Also on July 10, 1967, Ray E. Labertew, P. O. Box 447, Gunnison, Colorado and Gunnison Trucking, Inc., a Colorado corporation, 10th and Tomichi, Gunnison, Colorado, filed the instant joint application (No. 22699-Transfer), seeking authority from the Commission to transfer Certificate of Public Convenience and Necessity No. 1068 from Ray E. Labertew to Gunnison Trucking, Inc.

On July 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant applications. After due and proper notice, the Applications were heard on a consolidated basis by said Examiner in Hearing Room "A" of the Commission, 534 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on August 17, 1967. On October 13, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that Ray E. Labertew, the principal stockholder of Gunnison Transportation Company appeared as spokesman for said company and individually for Transferor, and Mr. Jack Coleman, the principal stockholder of Gunnison Trucking, Inc., the Transferee, testified in support of the application. No one appeared in protest of the matter. Mr. Coleman had previously owned authorities PUC No. 797 and PUC No. 797-I and, in fact, transferred them to Ray E. Labertew and Gunnison Transportation Company, and had also caused Gunnison Trucking, Inc. to be formed for the purpose of acquiring the authorities mentioned in Application No. 22698-Transfer and Application No. 22699-Transfer.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Gunnison Transportation Company is a Colorado corporation whose principal stockholder is Ray E. Labertew.
2. Gunnison Transportation Company is the owner and operator of PUC No. 797 and 797-I, which are certificates of public convenience and necessity, as described in the attached Letter of Authority.
3. Ray E. Labertew is the owner and operator of PUC No. 1068, which is a certificate of public convenience and necessity, as described in the attached Letter of Authority.

4. Gunnison Trucking, Inc., the Transferee, is a newly formed corporation, whose principal stockholder is Jack Coleman and which presently holds no authority issued by this Commission.
5. The purpose of these applications is to transfer both authorities PUC No. 797 and 797-I, as well as PUC No. 1068, from Gunnison Transportation Company and Ray E. Labertew respectively, to Gunnison Trucking, Inc.
6. All authorities involved in this proceeding have been continuously operated in the past by the Transferors and said authorities are presently in good standing before the Commission.
7. The Transferors and the Transferee have entered into a contract for the purchase and sale of these authorities as set forth in Exhibit No. 2.
8. Jack Coleman, the principal stockholder of Gunnison Trucking, Inc., the Transferee corporation, has had 15 years of experience in conducting transportation services and has, in fact, formerly owned and operated the authorities involved herein. His experience is ample and suitable for operation of the authorities applied for herein.
9. The Transferee, Gunnison Trucking, Inc., has available the equipment set forth in Exhibit No. 4, which is more than adequate to conduct operations under the authority sought to be transferred.
10. The financial ability of the Transferee is \$45,000, as shown on Exhibit No. 3, which is ample and suitable for operation of the authority applied for herein.
11. The Transferee has made suitable provisions for insurance and is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements prescribed by the Commission.
12. The present descriptions of the authorities involved herein are cumbersome, overlap one another, duplicate in some instances, and would be hard to interpret and regulate.
13. The authorities involved herein should be joined and redescribed to the extent that they would not overlap or duplicate and, further, to the extent that they would be easier to enforce, regulate and interpret by all concerned.
14. The transfers are compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the transfer of the authorities as applied for herein; that the Commission further order that PUC No. 1068 be cancelled and that the authority under PUC No. 797 and 797-I shall henceforth be described as follows:

- "1. Transportation on call and demand of farm supplies (including coal, feed, lumber, farm machinery, farm equipment and furniture) from farm to farm, farm to town, and town to farm within a fifty (50) mile radius of Montrose, restricted, however, in that the conduct of operations hereunder shall be limited to one (1) office in Gunnison, Colorado.
2. Transportation of mine props and timber, telephone poles, brick, heavy machinery, farm products in bulk (does not include livestock) and used household goods and furniture from point to point within a fifty (50) mile radius of Montrose, Colorado, restricted, however, in that the conduct of operations hereunder shall be limited to one (1) office in Gunnison, Colorado.
3. Transportation on call and demand of freight, from point to point within a radius of fifty (50) miles of Gunnison, Colorado, and from and to, to and from all points in the State of Colorado; restricted, however, against transportation of small shipments of package freight outside said fifty (50) mile radius.
4. INTERSTATE AUTHORITY: Between all points in Colorado and the Colorado State Boundary Lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Gunnison Transportation Company, a corporation, P. O. Box 447, Gunnison Colorado, be, and hereby is, authorized to transfer all rights, title, and interest in and to PUC No. 797 and PUC No. 797-I to Gunnison Trucking, Inc., a Colorado Corporation, 10th and Tomichi, Gunnison, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That Ray E. Labertew, P. O. Box 447, Gunnison, Colorado, be, and hereby is, authorized to transfer all rights, title, and interest in and to PUC No. 1068 to Gunnison Trucking, Inc., a Colorado corporation, 10th and Tomichi, Gunnison, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

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

The tariffs of rates, rules, and regulations of transferors shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

The right of transferee to operate under this Order shall depend upon the prior filing of the annual reports by transferors herein, covering the operations under said certificates up to the time of transfer of said certificates.

That Certificate of Public Convenience and Necessity PUC No. 1068 be, and hereby is, cancelled.

That henceforth the full and complete authority under PUC No. 797 and PUC No. 797-I shall be as follows, to-wit:

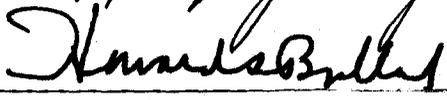
- "1. Transportation on call and demand of farm supplies (including coal, feed, lumber, farm machinery, farm equipment and furniture) from farm to farm, farm to town, and town to farm within a fifty (50) mile radius of Montrose, restricted, however, in that the conduct of operations hereunder shall be limited to one (1) office in Gunnison, Colorado.
2. Transportation of mine props and timber, telephone poles, brick, heavy machinery, farm products in bulk (does not include livestock) and used household goods and furniture from point to point within a fifty (50) mile radius of Montrose, Colorado, restricted, however, in that the conduct of operations hereunder shall be limited to one (1) office in Gunnison, Colorado.

3. Transportation on call and demand of freight, from point to point within a radius of fifty (50) miles of Gunnison, Colorado, and from and to, to and from all points in the State of Colorado; restricted, however, against transportation of small shipments of package freight outside said fifty (50) mile radius.
4. INTERSTATE AUTHORITY: Between all points in Colorado and the Colorado State Boundary Lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1967.

1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MURPH'S EXPRESS, INC., 1401 ZUNI)
STREET, DENVER, COLORADO, FOR AUTH-)
ORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-3669.)

APPLICATION NO. 22678-PP-Extension
Amended.

October 19, 1967

Appearances: Joseph F. Nigro, Esq., Denver,
Colorado, for Applicant;
Anna Gasperetti, doing business
as "City Storage and Transfer,"
Walsenburg, Colorado, pro se,
Protestant.

PROCEDURE AND RECORD

On June 28, 1967, Murph's Express, Inc., 1401 Zuni Street, Denver, Colorado, filed an application (No. 22678-PP-Extension) for an extension of its present Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of commodities as set forth in the application. On August 4th, 1967, Applicant filed the instant application (No. 22678-PP-Extension Amended) amending its application filed June 28, 1967. On June 30, 1967, the Staff of the Commission issued temporary authority to so operate under the requested extension to applicant. On July 27, 1967, Anna Gasperetti, doing business as "City Storage and Transfer" filed a protest to the application.

On July 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, at 10 a.m. on August 18, 1967. On October 13, 1967, the said Examiner, pursuant to the provisions of 1963 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Hearing Examiner establishes that prior to the hearing, Applicant moved to amend his application so as to restrict against any service whatsoever into or out of Huerfano County, Colorado. The motion to amend the instant application was approved by the Hearing Examiner and upon such approval, the Protestant withdrew her protest. The ruling of the Hearing Examiner granting and approving the said amendment is hereby specifically approved and confirmed by the Commission.

The Commission has now given careful consideration to the record and exhibits of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is a Colorado corporation, duly organized and existing by virtue of the laws of the State of Colorado, and Richard E. Huff is the principal stockholder and operator of said corporation.
2. Applicant presently holds authority under Permit B-3669, presently in good standing with the Commission, and which is described in the Letter of Authority attached hereto.
3. Applicant also holds authority under Certificate PUC No. 3473 and 3473-I, described in Letter of Authority attached hereto, which are not involved in this application. These Certificates do not duplicate or conflict with the authority contained in Permit B-3669.
4. The description of the authority contained in Permit B-3669 is ambiguous and lends itself to questionable interpretation and should, therefore, be redescribed as hereinafter set forth under "Conclusions."
5. Applicant, by this amended application, seeks to extend operations under Permit B-3669, to provide for:

"Transportation of household appliances, furniture, furnishings, fixtures, equipment, musical instruments, sporting goods, building materials, landscaping and horticultural supplies and automotive equipment, to retail customers of J. C. Penney Company only, and where such commodities require transportation, installation, and/or assembly, from warehouses and stores of said J. C. Penney Company, situated in Colorado to retail customers of said stores and to retail stores of J. C. Penney Company only, restricted against over-the-road transportation between warehouses and restricted against competition with all line haul carriers and further restricted against any service whatsoever into or out of Huerfano County."

6. The application, as above set forth in its amended form, is ambiguous and lends itself to questionable interpretation and, should, therefore, be reworded as hereinafter set forth under "Conclusions."
7. Applicant has 4 van type trucks and 1 hydraulic lift stake truck to use exclusively for J. C. Penney, 11 years of experience in this field, and a net worth of \$62,500, all of which are ample and suitable for operation of the authority applied for herein.
8. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
9. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with J. C. Penney Company to perform services thereunder.
10. The transportation of such goods as are described in this application from dealers (in particular, J. C. Penney Company) to their customers, especially where "set-up" is desirable in the home of the customer, is a very specialized service and would save the public time and money by having this joint service.
11. Applicant would be able to offer such specialized service and will train personnel to install and instruct customers in use of the product, along with the transportation of the product.
12. The public interest can best be served by combining delivery with installation.
13. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
14. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Murph's Express, Inc., to extend its authority under Permit B-3669, and that henceforth the entire authority shall be described as follows:

- "1. Transportation of displays, scaffolding, goods, wares and merchandise and electrical supplies to and from warehouses, wholesale distributors and retailers between points in Denver on the one hand and on the other hand, points within an area not less than ten (10) nor more than fifteen (15) miles of Denver, Colorado, for the following customers only: Colorado Appliance Company, Safeway Steel Scaffolding Co., General Electric Company, E. T. Vonier, Inc., and Powers Regulator Company; restricted against service to or from the towns and cities of Golden, Boulder, Broomfield, Brighton, Castle Rock and Morrison, and further restricted against service in competition with scheduled line-haul carriers.

2. Transportation of lawn, garden, agricultural and horticultural materials, equipment and supplies between points within ten (10) miles of the intersection of Colfax and Broadway, Denver, Colorado, on the one hand, and points in the Counties of Denver, Adams, Arapahoe, Jefferson, Douglas, and Boulder on the other hand for one customer only, Sears Roebuck Co.; restricted against service in competition with Evergreen Freight Line.
3. Transportation of household appliances, crated and uncrated, to contractors and builders where the transportation is incidental to the installation of said appliances between points within ten (10) miles of the intersection of Colfax and Broadway, Denver, Colorado, on the one hand and points in the Counties of Denver, Adams, Arapahoe, Jefferson, Douglas and Boulder on the other hand for the following customers only: General Electric Co., Western Appliance Corp., and Fred Schmidt Appliance and Television.
4. Transportation of household appliances, furniture, furnishings, fixtures, equipment, musical instruments, sporting goods, building materials, landscaping and horticultural supplies and automotive equipment to retail customers of J. C. Penney Company only, and only where such commodities require installation and/or assembly, from all warehouses and stores of the said J. C. Penney Company, situated in the State of Colorado, to retail customers and to retail stores of the J. C. Penney Company only; restricted against over-the-road transportation between warehouses and restricted against competition with all line-haul carriers, and further restricted against any service whatsoever into or out of Huerfano County."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Murph's Express, Inc., 1401 Zuni Street, Denver, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-3669.

That henceforth the full and complete authority under Permit No. B-3669 shall be as follows, to-wit:

- "1. Transportation of displays, scaffolding, goods, wares, and merchandise and electrical supplies to and from warehouses, wholesale distributors and retailers between points in Denver on the one hand and on the other hand, points within an area not less than ten (10) nor more than fifteen (15) miles of Denver, Colorado, for the following customers only: Colorado Appliance Company, Safeway Steel Scaffolding Co., General Electric Company, E. T. Vonier, Inc., and Powers Regulator Company; restricted against service to or from the towns and cities of Golden, Boulder, Broomfield, Brighton, Castle Rock and Morrison, and further restricted against service in competition with scheduled line-haul carriers.

2. Transportation of lawn, garden, agricultural and horticultural materials, equipment and supplies between points within ten (10) miles of the intersection of Colfax and Broadway, Denver, Colorado, on the one hand, and points in the Counties of Denver, Adams, Arapahoe, Jefferson, Douglas, and Boulder on the other hand for one customer only, Sears Roebuck Co.; restricted against service in competition with Evergreen Freight Line.
3. Transportation of household appliances, crated and uncrated, to contractors and builders where the transportation is incidental to the installation of said appliances between points within ten (10) miles of the intersection of Colfax and Broadway, Denver, Colorado, on the one hand and points in the Counties of Denver, Adams, Arapahoe, Jefferson, Douglas and Boulder on the other hand for the following customers only: General Electric Co., Western Appliance Corp., and Fred Schmidt Appliance and Television.
4. Transportation of household appliances, furniture, furnishings, fixtures, equipment, musical instruments, sporting goods, building materials, landscaping and horticultural supplies and automotive equipment to retail customers of J. C. Penney Company only, and only where such commodities require installation and/or assembly, from all warehouses and stores of the said J. C. Penney Company, situated in the State of Colorado, to retail customers and to retail stores of the J. C. Penney Company only; restricted against over-the-road transportation between warehouses and restricted against competition with all line-haul carriers, and further restricted against any service whatsoever into or out of Huerfano County."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PAUL V. CHRISTENSON, 4800 GRANT)
STREET, DENVER, COLORADO, FOR) APPLICATION NO. 22778-PP-Extension
AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-6322.)

October 19, 1967

Appearances: Paul V. Christenson, Denver,
Colorado, pro se.

PROCEDURE AND RECORD

On August 24, 1967, Paul V. Christenson, 4800 Grant Street, Denver, Colorado, filed the instant application (No. 22778-PP-Extension) for an extension of his present Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of commodities as set forth in the application. On August 24, 1967, the staff of the Commission issued temporary authority to so operate under the requested extension to applicant.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on October 6, 1967. On October 16, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Examiner to the Commission establishes that at the hearing no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant presently holds authority under Permit B-6322, which is described in the Letter of Authority attached hereto.
2. This authority is presently in good standing before the Commission.
3. The extension applied for herein would not conflict with the authority contained in Permit B-6322.
4. Applicant has duly and properly applied for an extension to his Class "B" Permit for transportation of coal from mines in Larimer, Boulder, Weld and Adams Counties, Colorado, to points in a 50-mile radius thereof.
5. Applicant has three Timpte Trailers and three Auto Car Tractors, 12 years of experience in related fields, and a net worth of \$30,000, all of which are ample and suitable for operation of the authority applied for herein.
6. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
7. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
8. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
9. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Paul V. Christenson, to extend his authority under Permit B-6322, and that henceforth the entire authority shall be described as follows:

- "1. 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 50 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from

pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points; transportation of road-surfacing materials restricted against the use of tank vehicles.

2. Clay, peat moss and fertilizers, between points within a radius of 100 miles of Denver, Colorado.
3. Transportation of coal from mines in Larimer, Boulder, Weld and Adams Counties, Colorado to points in a fifty (50) mile radius thereof."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Paul V. Christenson, 4800 Grant Street, Denver, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6322.

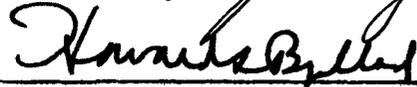
That henceforth the full and complete authority under Permit No. B-6322 shall be as follows, to-wit:

- "1. 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 50 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of 50 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 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points; transportation of road-surfacing materials restricted against the use of tank vehicles.
2. Clay, peat moss and fertilizers, between points within a radius of 100 miles of Denver, Colorado.
3. Transportation of coal from mines in Larimer, Boulder, Weld and Adams Counties, Colorado to points in a fifty (50) mile radius thereof."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 19th day of October, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE WESTERN COLORADO POWER COMPANY,)
A COLORADO CORPORATION, FOR A CERTI-)
FICATE OF CONVENIENCE AND NECESSITY,)
AUTHORIZING IT TO ACQUIRE THE ELEC-)
TRICAL DISTRIBUTION SYSTEM, STREET)
LIGHTING SYSTEM, AND SUBSTATION TRANS-)
FORMERS NOW OWNED BY THE TOWN OF)
SILVERTON, SAN JUAN COUNTY, COLORADO,)
AND TO EXERCISE THE RIGHTS AND)
PRIVILEGES IN A FRANCHISE GRANTED TO)
APPLICANT BY THE SAID TOWN OF SILVER-)
TON FOR THE DISTRIBUTION AND SALE OF)
ELECTRIC ENERGY THEREIN.)

APPLICATION NO. 22103
SUPPLEMENTAL ORDER

October 20, 1967

Appearances: McKelvey & McKelvey, by R. Franklin
McKelvey, Esq., Durango, Colorado,
Robert B. Porter, Esq., Salt Lake
City, Utah, and
F. Gerald Irvine, Esq., Salt Lake
City, Utah, for Applicant;
M. R. Garrison, Denver, Colorado
and
J. M. McNulty, Denver, Colorado, of
the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 6, 1967, the Western Colorado Power Company filed, in letter form, an application to this Commission for permission to file and have entered into evidence without public hearing Exhibit No. 3 Revised, Statement of Original Cost Depreciation and Depreciated Original Cost, of the Town of Silverton Distribution Plant, acquired by Western Colorado Power Company, authorized and approved by this Commission, Decision and Order No. 68060, Application No. 22103, August 23, 1966. This request by Western Colorado Power Company is made with reference to Section 115-6-12, Colorado Revised Statutes, 1963, whereby the Commission may alter or amend any order or decision made by it.

Application No. 22103 was heard August 22, 1966 at 9:00 A.M. at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, after due notice to all interested parties. At said time and place this matter was duly heard by the Commission and, at the conclusion of the hearing, taken under advisement. No one appeared in opposition to the granting of this application. Thus, in view of the fact there were no protestants or intervenors to the acquisition of the Town of Silverton electrical distribution system by Western Colorado Power Company, further public hearing appears unnecessary for amending the record with regard to the following described revision of Exhibit No. 3.

Original Exhibit No. 3 consisting of estimates prepared by Western Colorado Power Company introduced into evidence at the hearing is as follows:

SILVERTON, COLORADO

STATEMENT OF ESTIMATED ORIGINAL COST
DEPRECIATION AND DEPRECIATED ORIGINAL COST
AS OF MARCH 1966

DISTRIBUTION PLANT

<u>Item No.</u>	<u>Title</u>	<u>Original Cost</u>	<u>Depreciation</u>	<u>Depreciated Original Cost</u>
362	Station Equipment	\$ 2,790	\$ 1,545	\$ 1,245
364	Poles, Towers & Fixtures	6,251	5,280	971
365	Overhead Conductors and Devices	3,469	695	2,774
368	Line Transformers	9,420	7,415	2,005
369	Services	4,623	3,983	640
370	Meters	5,359	3,096	2,263
373	Street Lighting	4,663	2,099	2,564
	TOTAL	<u>\$36,575</u>	<u>\$24,113</u>	<u>\$12,462</u>

The only figures submitted at the hearing in regard to the original cost were as shown above. Such original cost taken with the purchase price of \$15,000 would result in a plant acquisition adjustment of \$2,538.

On September 28, 1966 Western Colorado Power Company filed with the Commission its proposed journal entries and on October 9, 1967 a

revised Exhibit No. 3 in support of said journal entries accounting for the acquisition of the electric distribution properties of the Town of Silverton. The proposed journal entries are as follows:

PROPOSED JOURNAL ENTRY TO CLEAR FROM ELECTRIC PLANT ACCOUNT 102, "ELECTRIC PLANT PURCHASED OR SOLD," THE AMOUNT CHARGED THERETO COVERING COST OF THE PROPERTY PURCHASED FROM TOWN OF SILVERTON, COLORADO.

	<u>DEBIT</u>	<u>CREDIT</u>
101 Electric Plant in Service	\$36,575.00	
362 Station Equipment	\$2,790.00	
364 Poles, Towers & Fixtures	6,251.00	
365 Overhead Conductors and Devices	3,469.00	
368 Line Transformers	9,420.00	
369.1 Overhead Services	4,623.00	
370 Meters	5,359.00	
373.1 Overhead Street Lighting and Signal Systems	4,663.00	
108 Accumulated Provision for Depreciation of Electric Plant in Service		\$21,575.00
102 Electric Plant Purchased or Sold		15,000.00

To transfer the original cost of property acquired from Town of Silverton, Colorado, from Electric Plant Account 102 to classified Electric Plant Accounts as above, in accordance with the Federal Power Commission's Uniform System of Accounts for Electric Utilities, effective January 1, 1961, Instruction 5 of Electric Plant Accounts.

In revised Exhibit No. 3 which was filed on October 9, 1967, the accumulated provision for depreciation has been decreased from \$24,113 to \$21,575 so that the net original cost of the property is \$15,000, an amount equal to the purchase price. Thus, plant acquisition adjustment becomes zero instead of \$2,538.

Western Colorado Power Company in its letter of October 6, 1967, states the following:

"The figures contained in Exhibit 3 mentioned in your letter were prepared early in 1966 and were preliminary estimates for the purpose of commencing negotiations with the Town of Silverton. After further study and examination of the facilities, we updated and revised the figures contained in the initial appraisal. Therefore, we submit herewith a revised Exhibit 3 which is a statement of original cost, depreciation and depreciated original cost of the electrical facilities acquired from the Town of Silverton, Colorado. By this letter, in accord with Section 115-6-12, Colorado Revised Statutes, we request that a supplemental order be entered by the Commission approving a depreciation reserve of \$21,575 instead of \$24,113."

In view of the fact that the figures contained in Exhibit No. 3 and in Exhibit No. 3 Revised are estimated figures and the amount at issue is only \$2,538, it appears that the public interest would not be served by further formal and costly investigation and public hearings on this matter. Therefore, the Commission finds that Western Colorado Power Company be permitted to enter into the record Application No. 22103, Exhibit No. 3 Revised as submitted October 6, 1967, and be permitted to enter into its books of account the items as proposed in the journal entries to clear from electric plant account No. 102, Electric Plant Purchased or Sold, the amount charged thereto covering the cost of the property purchased from the Town of Silverton, Colorado, filed with the Commission September 28, 1966, which reflect the identical figures as shown on Exhibit No. 3 Revised.

O R D E R

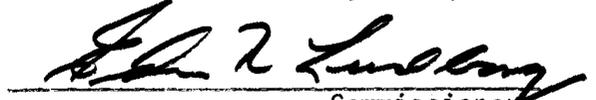
THE COMMISSION ORDERS:

That Exhibit No. 3 Revised, Statement of Original Cost Depreciation and Depreciated Original Cost, Silverton, Colorado Distribution Plant be made a part of the record, Application No. 22103; and that Western Colorado Power Company enter on its books of account the items set forth in its proposed journal entries to clear from electric plant account No. 102 "Electric Plant Purchased or Sold," the amount charged thereto covering cost of the property purchased from the Town of Silverton, Colorado, filed September 28, 1966.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1967.

gh

(Decision No. 70277)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
UNION PACIFIC RAILROAD COMPANY TO)
DISCONTINUE AND ABANDON THE STATION)
AGENCY AT KIT CARSON IN CHEYENNE)
COUNTY, COLORADO)

APPLICATION NO. 22775

RE: UNION PACIFIC RAILROAD COMPANY)
TO DISCONTINUE AND ABANDON THE STA-)
TION AGENCY AT KIT CARSON IN CHEYENNE)
COUNTY, COLORADO.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 601

October 20, 1967

S T A T E M E N T

BY THE COMMISSION:

On August 31, 1967, Union Pacific Railroad Company, by its Attorneys, filed an application under Rule 6 of the Commission's Rules and Regulations Pertaining to Railroads Operating in the State of Colorado.

Request was made by applicant for an Order authorizing discontinuance of its Agency Station at Kit Carson, Cheyenne County, Colorado, effective October 15, 1967, and thereafter to handle all railroad business of said station at the Agency Station of Cheyenne Wells, located twenty-five miles to the east. Agency service at Kit Carson is now provided by an agent on duty from 7:00 A.M. to 4:00 P.M., Monday through Friday on a year-around basis.

Applicant states there is no passenger service or mail handling service at Kit Carson and shows that most of the revenue at this station results from carload business which can be readily handled at another station. Expenses and revenues for the past years are reported as follows:

Kit Carson Station--

	<u>Year</u>	<u>Total Revenue</u>	<u>Station Expense</u>
	1964	\$5,708.98	\$6,081.82
	1965	6,735.72	6,394.82
	1966	7,295.68	6,513.30
(3 Mos.)	1967	2,101.47	1,575.66

Summary of carload shipments is as follows:

	<u>Year</u>	<u>Forwarded</u>	<u>Received</u>	<u>Total Carloads</u>
	1964	14	16	30
	1965	15	16	31
	1966	26	13	39
(3 Mos.)	1967	6	5	11

It is also reported that business for the blind sidings of Sorrento, Wild Horse, First View and Boyero is handled through the Kit Carson Station. Meanwhile, railroad accounting for Kit Carson and Cheyenne Wells is performed on a regionalized basis through the Denver Freight Office. Also, the Station Agency is no longer needed for operating purposes. It is proposed that telephone calls may be made by Kit Carson patrons to the Agent at Cheyenne Wells for any business information, and that toll charges would be paid by Applicant. In view of present day communications, business methods, means of travel and limited public need, it is submitted that public convenience and necessity no longer require continued maintenance of an agency station at Kit Carson, Colorado.

The intention of Applicant having been properly publicized by the posting of public notice at its station in Kit Carson, the Commission has received protest correspondence and objections indicating that discontinuance of the agency service will cause great inconvenience to the residents of Kit Carson and adjacent area.

It appears then that in order to obtain a full understanding of this situation, it is necessary to suspend the effective date of the proposed agent withdrawal so that a more complete investigation may be had. The application and file in this matter will, therefore, be transferred to Investigation and Suspension Docket No. 601 on the Commission's Docket.

F I N D I N G S

THE COMMISSION FINDS:

That the application of Union Pacific Railroad Company to withdraw its station agency at Kit Carson, Colorado, should be suspended pending a more complete investigation of the matter.

O R D E R

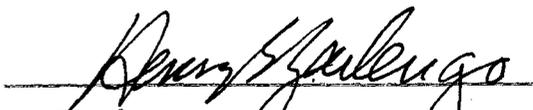
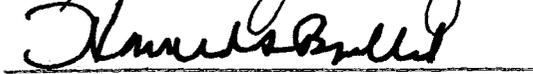
THE COMMISSION ORDERS:

That the effective date of the proposed station closing at Kit Carson, Colorado by Union Pacific Railroad Company, be, and it hereby is, suspended for a period of one hundred and twenty (120) days from October 15, 1967, or until February 12, 1968, unless otherwise ordered.

That Application No. 22775, originally assigned to the instant proceedings, be, and it is hereby closed, and all records and files of said application be transferred to Investigation and Suspension Docket No. 601.

That a copy of this Order be filed with Application No. 22775 and with Investigation and Suspension Docket No. 601, and copies served on Knowles, Hopper & Molen, c/o E. G. Knowles, Esq., 560 Denver Club Building, Denver, Colorado, as Attorneys for Applicant; and the following protestants herein: Mr. & Mrs. E. A. Lafferty, P. O. Box 11, Kit Carson, Colorado; Town of Kit Carson, c/o Mayor Arthur Steiner, P. O. Box 125, Kit Carson, Colorado; Mr. Elmer Shade, Commander, Post No. 3411 V.F.W., Kit Carson, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE MOTOR VEHICLE)
OPERATIONS OF LAS ANIMAS TRANSFER CO.)
(HARRIS, ROBERT L. D/B/A), 242 BENT)
AVENUE, LAS ANIMAS, COLORADO, UNDER)
CERTIFICATE PUC No. 254 and PUC No.)
254-I.)

CASE No. 5352

October 19, 1967

STATEMENT AND FINDINGS

BY THE COMMISSION:

By decision No. 70043 dated September 6, 1967, Case No.5352 was set for hearing before the Commission at Denver, Colorado on October 9, 1967. Respondent Las Animas Transfer Co. (Harris, Robert L. d/b/a) 242 Bent Avenue, Las Animas, Colorado, was directed to show cause why the Commission should not take such action and enter such order as might be appropriate, including, but not limited to, a cease and desist order, or if warranted, an Order cancelling and revoking PUC No. 254 and 254-I.

The above action was taken as a result of an investigation entered into by the Rate Department of the Public Utilities Commission as to the carrier properly assessing and collecting the lawfully published Tariff rates and charges on cement in bags from Ideal Cement Company, Portland, Colorado, to customers located in Las Animas, Colorado. Said investigation disclosed that the carrier had been charging less than the rates on file with the Commission as published in Colorado Motor Carriers' Association Tariff No. 14, Colorado PUC No. 13, for 33 shipments of cement in bags, resulting in undercharges of \$751.10, which is in violation of the statutes of Colorado and Rules and Regulations of the Commission.

By decision No. 70102 dated September 19, 1967, the hearing set for October 9, 1967 was vacated and reset for hearing on November 29,

1967 at the State Services Building, Denver, Colorado.

The Commission is in receipt of a letter filed October 6, 1967, signed by David E. Driggers, attorney for Las Animas Transfer Co., which enclosed copies of the billings for payment of the undercharges on the 33 shipments of cement previously referred to, and copies of the checks which paid these undercharges. Mr. Driggers also requested that the Commission enter an order terminating and dismissing this proceeding.

The Commission finds that for good cause shown, Case No. 5352 should be dismissed and the proceeding discontinued.

O R D E R

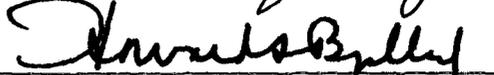
THE COMMISSION ORDERS, that, --

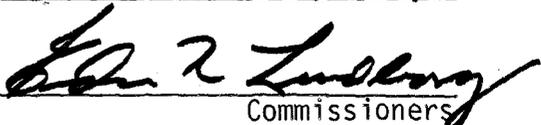
1. The Statement and Findings herein be, and they are hereby, made a part hereof.

2. Case No. 5352 presently set for hearing on November 29, 1967 at Denver, Colorado be, and the same hereby is, dismissed and the proceeding discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado, this
19th day of October, 1967. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF ERNEST C. STILLE, DRAKE,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER CERTIFICATE)
PUC NO. 4787.)

APPLICATION NO. 22669-Extension

October 20, 1967

Appearances: John E. Kochenburger, Esq., Fort Collins, Colorado, for Applicant; William Andrew Wilson, Esq., Denver, Colorado, for Wayne Bridwell, dba "Bridwell Trash Hauling," James P. Donnell, Eddie Gallegos, Rick's Hauling Service, Incorporated, and Richard Mondragon, doing business as "Dick's Trash Hauling Service;" Protestants; David L. Wood, Esq., Fort Collins, Colorado, for Lee Parker and Robert E. Makinster, doing business as "Parker-Makinster," Protestant.

PROCEDURE AND RECORD

On August 4, 1967, Ernest C. Stille, Drake, Colorado, filed the instant application (No. 22669-Extension) seeking authority to extend operations under PUC No. 4787 as set forth in the application. On August 4, 1967 a protest to the instant application was received on behalf of Lee Parker and Robert E. Makinster. On August 8, 1967, a joint protest was filed by Wayne Bridwell, dba Bridwell Trash Hauling, James P. Donnel, Eddie Gallegos, Rick's Hauling Service, Incorporated and Richard Mondragon, dba Dick's Trash Hauling Service.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Auditorium, Larimer County Court House, Fort Collins, Colorado, at 10 a.m. on October 3, 1967. On October 13, 1967, the said Examiner, pursuant to the provisions of 1963

CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The Record transmitted by the Hearing Examiner establishes that the matter was protested by Lee P. Parker; Carl Swanson, Estes Park City Councilman; Robert L. Dekker, Rodeo Committee; and George Nytes, Estes Park general customer. Motion to Amend the application was made to add the following stipulation to the authority sought herein:

"It being understood that the above designated area shall not include that area within the city limits of Loveland, Estes Park, Fort Collins and La Porte, Colorado."

This stipulation and amendment being restrictive in nature was granted and approved by the Hearing Examiner and upon such approval, the Protestants represented by William Andrew Wilson, Esq. withdrew their respective protests. Lee Parker and Robert E. Makinster, doing business as "Parker-Makinster," Estes Park, Colorado, protested only part (a) set forth in the application which requested "an area including the corporate limits of Estes Park, Colorado, and 5 miles from said corporate limits...." and did not protest the balance of the authority sought in the requested extension.

The ruling of the Hearing Examiner granting and approving the said stipulation and amendment stated above is hereby specifically approved and confirmed by the Commission.

The Commission has now given careful consideration to the record and exhibits of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant presently holds authority under PUC No. 4787 described as follows:

"Transportation of ashes, trash, and other waste materials, between points on the watershed of the Big Thompson River, west of Loveland, Colorado, to the eastern town limits of the Town of Estes Park, Colorado, and intermediate points, to regularly designated and approved dumps and disposal places in Larimer County, Colorado."

This authority is presently in good standing with the Commission. The present authority held by the Applicant as above set forth, does not include the corporate limits of the town of Estes Park and a 5-mile radius thereof, except on the eastern town limits as indicated.

2. Applicant has duly and properly applied for an extension to his Certificate PUC No. 4787 for transportation of ashes, trash and related commodities to certain areas listed in the application, as follows:

In Larimer County:

- (a) An area including the corporate limits of Estes Park, Colorado and 5 miles from said corporate limits.
 - (b) The Poudre Canyon and Poudre Canyon Watershed from the boundaries of Larimer County on the West and Highway U.S. 287 on the East.
 - (c) An area one mile on all sides from and around the shores of Horsetooth Reservoir.
 - (d) An area one mile on all sides from and around the shores of Carter Lake.
 - (e) An area one mile on all sides from and around the shores of Rattlesnake Reservoir.
 - (f) An area one mile on all sides from and around the shores of Flatiron Reservoir.
 - (g) The Buckhorn Canyon Watershed in Larimer County, Colorado.
3. Applicant and his customer witnesses failed to show that public convenience and necessity require additional service within the Town of Estes Park or its immediate surroundings and said customers' testimony revealed only that they were interested in increasing competition so as to lower prices.
 4. The area including the corporate limits of Estes Park, Colorado and 5 miles from said corporate limits is being adequately served by Protestants, "Parker-Makinster," so as to meet the particular transportation requirements therein.
 5. Granting the extension of this authority so as to include the corporate limits of Estes Park, Colorado and 5 miles from said corporate limits, would not be in the public interest and the present or future public convenience and necessity does not or will not require such service.
 6. Applicant has the following equipment:

1960 International 1-ton truck
1956 Ford 1-ton truck
1967 Ford ½-ton Pickup

He has had three years of experience in related fields, and a net worth of \$37,500, all of which are ample and suitable for operation of the authority applied for herein.

7. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
8. There was sufficient complaint concerning the rates being charged by Protestants, Lee Parker and Robert E. Makinster, doing business as "Parker-Makinster,"
9. The present or future public convenience and necessity requires services providing for the transportation of ashes, trash and other waste materials in the following areas located in Larimer County:

The Poudre River Canyon and Poudre River watershed from the boundaries of Larimer County on the west and U.S. Highway 287 on the east,

The Buckhorn Canyon watershed, in Larimer County,

The territory consisting of Horsetooth Reservoir, Carter Lake, Rattlesnake Reservoir, Flatiron Reservoir, including shorelines and all territory and property located within one mile of the high water lines of said reservoirs,

to regularly designated and approved dumps and disposal sites in Larimer County, Colorado, excluding, however, any area or service within the city limits of Loveland, Fort Collins and La Porte, Colorado.
10. The application, inasmuch as it applies to an area including the corporate limits of Estes Park, Colorado, and 5 miles from said corporate limits, should be denied.
11. The balance of the application will be, as amended, in the public interest, and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Ernest C. Stille, to extend his authority under Certificate PUC No. 4787, and that henceforth the entire authority shall be described as follows:

"Transportation of ashes, trash and other waste materials between points in Larimer County as follows:

1. The Big Thompson River watershed lying west of Loveland, Colorado, to the eastern limits of the Town of Estes Park,
2. The Poudre River Canyon and Poudre River watershed from the boundaries of Larimer County on the west and U.S. Highway 287 on the east,
3. The Buckhorn Canyon watershed, in Larimer County,
4. The territory consisting of Horsetooth Reservoir, Carter Lake, Rattlesnake Reservoir, Flatiron Reservoir, including shorelines and all territory and property located within one mile of the high water lines of said reservoirs,

to regularly designated and approved dumps and disposal sites in Larimer County, Colorado, excluding, however, any area or service within the city limits of Loveland, Fort Collins and LaPorte, Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Ernest C. Stille, Drake, Colorado, be, and hereby is, authorized to extend operations under PUC No. 4787.

That henceforth the full and complete authority under PUC No. 4787 shall authorize the following:

"Transportation of ashes, trash and other waste materials between points in Larimer County as follows:

1. The Big Thompson River watershed lying west of Loveland, Colorado, to the eastern limits of the Town of Estes Park,
2. The Poudre River Canyon and Poudre River watershed from the boundaries of Larimer County on the west and U.S. Highway 287 on the east,
3. The Buckhorn Canyon watershed, in Larimer County,
4. The territory consisting of Horsetooth Reservoir, Carter Lake, Rattlesnake Reservoir, Flatiron Reservoir, including shorelines and all territory and property located within one mile of the high water lines of said reservoirs,

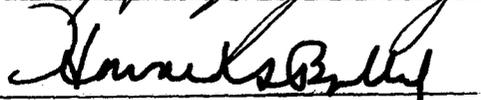
to regularly designated and approved dumps and disposal sites in Larimer County, Colorado, excluding, however, any area or service within the city limits of Loveland, Fort Collins and La Porte, Colorado."

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 20th day of October, 1967.
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LYNN C. GEORGE, DOING BUSINESS AS)
"LYNN C. GEORGE TRUCK LINE,")
BOX 548, PAGOSA SPRINGS, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER CERTIFICATE PUC NO. 3735 AND)
PUC NO. 3735-I.)

APPLICATION NO. 22681-Extension

October 20, 1967

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Applicant;
Warren D. Braucher, Esq., Denver,
Colorado, for Rio Grande Motor
Way, Inc., Protestant.

PROCEDURE AND RECORD

On June 28, 1967, Lynn C. George, doing business as "Lynn C. George Truck Line," Box 548, Pagosa Springs, Colorado, filed the instant application (No. 22681-Extension) seeking authority to extend operations under PUC No. 3735 and PUC No. 3735-I for the transportation of general commodities, except bulk commodities, in tank vehicles, between all points in those portions of Archuleta, Hinsdale and Mineral Counties, Colorado, located west of the Continental Divide. On August 28, 1967, Rio Grande Motor Way, Inc. filed a protest to the instant application.

On August 21, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the District Court Room, Court House, Pagosa Springs, Colorado, at 10 a.m. on September 6, 1967. On October 16, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Hearing Examiner establishes that Wally Fletchinger, General Traffic Manager of Rio Grande Motor Way, Inc. testified in protest to the granting of the extended authority sought herein.

Motion was made by Applicant to strike any protest under private carrier authority which Motion was granted and approved by the Hearing Examiner. The ruling of the Hearing Examiner granting and approving the motion is hereby specifically approved and confirmed by the Commission.

The Commission has now given careful consideration to the record and exhibits of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant is an individual, doing business as "Lynn C. George Truck Line," and presently holds authority identified as PUC No. 3735 & I, described in the Letter of Authority attached hereto.
2. Applicant also has a "B" Permit No. B-5460, for the transportation of sand, gravel and coal, described in the Letter of Authority attached hereto.
3. This application seeks to extend the authority under Certificate PUC No. 3735 so as to authorize transportation of general commodities, except bulk commodities, in tank vehicles, between all points in those portions of Archuleta, Hinsdale and Mineral Counties, Colorado, located west of the Continental Divide.
4. Protestant, Rio Grande Motor Way, Inc., is a Colorado corporation, holding authority to operate as a common carrier transporting property between certain points and in certain areas by reason of its Certificate PUC No. 149, (described in the Letter of Authority attached hereto), which, to a certain extent, serves a portion of the area described in this application.
5. In the event this application is granted, it would duplicate entirely that portion of Certificate No. PUC 3735 described by Decision No. 65032, which extended the original certificate. Therefore, for purposes of clarification and interpretation, the authority of Applicant should be reworded.

6. The present or future public convenience and necessity requires or will require the service applied for herein, except as hereinafter noted.
7. Protestant, Rio Grande Motor Way, Inc., adequately serves the area set forth in this application, insofar as points along U. S. Highway No. 160 are concerned; however, Protestant does not adequately serve the points described in this application off or away from U.S. Highway No. 160.
8. Those shippers off U.S. Highway No. 160 need a special call and demand service which this Applicant can adequately and readily supply.
9. Applicant has equipment as listed in Exhibit No. 3, plus dock, office and terminal facilities, he has had 17 years of experience in related fields, and has a net worth of \$57,205.03 (Exhibit No. 4), all of which are ample and suitable for operation of the authority applied for herein.
10. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
11. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
12. The proposed operation, as hereinafter set forth, will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
13. The granting of the authority as applied for, restricted however as hereinafter set forth, will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Lynn C. George, doing business as "Lynn C. George Truck Line," to extend his authority under PUC No. 3735 and No. 3735-I, and that henceforth the entire authority shall read as follows:

- "1. Transportation of general commodities, on schedule, between Pagosa Springs, Colorado and the Colorado-New Mexico State Line over Colorado Highway No. 7 serving all intermediate points, including the off-route point of Edith, Colorado.
2. Transportation of general commodities, on call and demand, from and to points on U.S. Highway No. 160 between Pagosa Springs and South Fork, Colorado, restricted, however, against any direct service between the two terminus points of Pagosa Springs and South Fork, Colorado.

3. Transportation of general commodities, except bulk commodities in tank vehicles, on call and demand, between points located in those portions of Archuleta, Hinsdale and Mineral Counties, State of Colorado, west of the Continental Divide, restricted, however, against competition with line-haul, scheduled, common carriers.
4. INTERSTATE AUTHORITY: Between all points in Colorado and the Colorado State boundary lines where all highways cross same in interstate commerce only, subject to the provision of the Federal Motor Carrier Act of 1935, as amended."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Lynn C. George, doing business as "Lynn C. George Truck Line," Box 548, Pagosa Springs, Colorado, be, and hereby is, authorized to extend operations under PUC No. 3735 and 3735-I.

That henceforth the full and complete authority under PUC No. 3735 and PUC No. 3735-I shall be as follows, to-wit:

- "1. Transportation of general commodities, on schedule, between Pagosa Springs, Colorado and the Colorado-New Mexico State Line over Colorado Highway No. 7 serving all intermediate points, including the off-route point of Edith, Colorado.
2. Transportation of general commodities, on call and demand, from and to points on U. S. Highway No. 160 between Pagosa Springs and South Fork, Colorado, restricted, however, against any direct service between the two terminus points of Pagosa Springs and South Fork, Colorado.
3. Transportation of general commodities, except bulk commodities in tank vehicles, on call and demand, between points located in those portions of Archuleta, Hinsdale and Mineral Counties, State of Colorado, west of the Continental Divide, restricted, however, against competition with line-haul, scheduled, common carriers.
4. INTERSTATE AUTHORITY: Between all points in Colorado and the Colorado State boundary lines where all highways cross same in interstate commerce only, subject to the provision of the Federal Motor Carrier Act of 1935, as amended."

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.

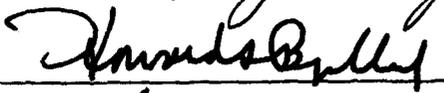
That applicant shall operate his carrier system in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

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 20th day of October, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
HAROLD AND FLOYD HAUN DBA)
HAUN IMPLEMENT COMPANY)
Spencer, Nebraska 68777)

AUTHORITY NO. PUC 4283-I
CASE NO. 723-H-Ins.

October 19, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 10, 1967, in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

ORDER

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Samuel J. ...
James B. ...
Ed. J. ...
Commissioners

Dated at Denver, Colorado, this
19th day of October, 1967 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
BIG SKY CORPORATION dba)
SUMMIT STAGE LINE LTD.)
P. O. BOX 218)
DILLON, COLORADO 80435)

PUC NO. 5894

October 20, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

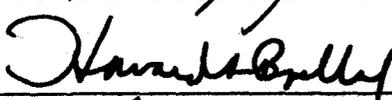
That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from October 14, 1967 to and including April 14, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 20th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF	* * *)	
)	
HELEN M. MORTENSEN (ADMN. ESTATE OF)	
RANDALL C. MORTENSEN (DECEASED)		)	<u>PUC NO. 2205</u>
BOX 563)	
ALAMOSA, COLORADO 81101)	

October 20, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 11, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin G. Gault
Donald B. Byler
Ed R. Lundberg
 Commissioners

Dated at Denver, Colorado,
this 20th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF	* * *)	
)	
HELEN M. MORTENSEN (ADMX. ESTATE OF		)	<u>PERMIT NO. B-3224-I</u>
RANDALL C. MORTENSEN, DECEASED)	
BOX 563)	
ALAMOSA, COLORADO 81101)	

October 20, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

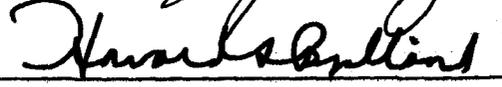
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 11, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 20th day of October 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF

* * *
)
)
)
)
)

CLEM LOVISONNE
212 HARRISON AVENUE
CANON CITY, COLORADO 81212

PERMIT NO. B-6549

October 20, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

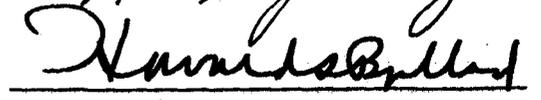
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 23, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 20th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)	
)	
GEORGE W. FULTS)	
511 - 29 ROAD)	
GRAND JUNCTION, COLORADO 81501	)	<u>PERMIT NO. B-5598</u>

October 20, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from October 20, 1967 to and including April 20, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]

Commissioners

Dated at Denver, Colorado,
this 20th day of October 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE FAILURE OF CERTAIN CORPO-)
RATIONS, PARTNERSHIPS, AND/OR)
PERSONS TO COMPLETE ACTIONS INSTI-)
TUTED BEFORE THE COMMISSION FOR)
AUTHORITY TO OPERATE AS COMMERCIAL)
CARRIERS BY MOTOR VEHICLE (NOT FOR)
HIRE) OVER THE PUBLIC HIGHWAYS OF)
THE STATE OF COLORADO.)

October 20, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The files and records of the Commission disclose that the hereinafter stated corporations, partnerships, and/or persons as specifically set forth in the Order part of this Decision have paid to the Commission the required filing fee for authority to operate as a Commercial Carrier by Motor Vehicle (not for hire) over the public highways of the State of Colorado but have either (1) failed to file an application requesting such authority or (2) have failed, after filing an application for such authority, to file either a request for identification cards or the required certificate of insurance -- all of which is required by law and the Commission's Rules and Regulations Governing Commercial Carriers by Motor Vehicle.

The files and records of the Commission -- in addition to the above -- further disclose that all of said corporations, partnerships, and/or persons have previously been duly notified by the Commission of their failure to comply with one or more of the above specifically stated items.

The Commission states and finds that all actions heretofore instituted before the Commission by the corporations, partnerships, and/or persons as listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That all actions heretofore instituted by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as a Commercial Carrier by Motor Vehicle (not for hire) over the public highways of the State of Colorado, be, and the same hereby are, dismissed:

Wallace R. Anderson dba A & L Home Furnishings Affiliated Industries, Inc.	35 No. 3rd West, Vernal, Utah 84078 Welsh & Biddle Street, Kane, Pa. 17105
Alfred W. Drayton dba Al's Welding Service	P. O. Box 1252, Rifle, Colo. 81650
Ella M. Alles	506 16th Avenue, Greeley, Colo. 80630
Basil Bagwell	76 No. Trenton, Tulsa, Okla. 74111
R. E. Bell, Jr.	Route 2, Bowie, Texas 76230
M. A. Briscoe dba Briscoe Instrument Lab.	8105 E. Colfax Avenue, Denver, Colo. 80220
Gilbert P. & Loretta H. Bunt dba Bunts Upholstery & Drapery C-F Corp. dba Carlson-Frink Co.	901-903 16th Street, Greeley, Colo. 80630 1200 13th St., Denver, Colo. 80204
Donald W. Ward dba Cookie Specialist	1825 East 6th St., Pueblo, Colo. 81001
Correct Craft, Inc.	5717 So. Orange Avenue, Orlando, Fla. 32809
W. B. Crofford	1417 26th St., Wichita Falls, Texas 76301
Arlie Curry	1581 No. Louisville, Tulsa, Okla. 74101
Robert L. Nix dba Curtis Hardware	Box 127, Silverton, Colo. 81433
Virginia A. & William B. Haggard dba Ginger Motor Co.	111 So. Weber, Colo. Springs, Colo. 80903
Joe N. Hatter,	Box 55, Cop Cove, Texas 76621
William A. Hatter	Box 214, Moody, Texas 76557
Heaton Cattle Co.,	Box 41, Pampa, Texas 79065
Glenn Hoxworth	P.O. Box 175, Brush, Colo. 80723
Donald G. & Albert Hrdlicka	Route 1, Jim Falls, Wisc. 54748
George Jackson	2304 Maiden, Vernon, Texas 76384
Kansas Quality Egg Mkt. Assoc., Edward Cox dba Laird Auto Wrecking	Isabel, Kansas 67055 Laird, Colorado 80709
Jim Lamb dba Lamb Produce	2303 E. 2nd Street, Tulsa, Okla. Star Route, Vian, Okla. 74101
Lydle Marshall	904 Beckwith, Caruthersville, Mo. 73155
Alton L. McCoy	Ohio, Colorado 81237
J. H. McLenden	Box 116, Aurora, Colo. 80010
Mid-Continent Construction (Corp) Roy Miller	Oshkosh, Nebr. 68102
Donald J. Mosley	Box 1011, Idaho Springs, Colo. 80452
Laura Industries dba N/A	#1 Bell Road, Selma, Ala. 36701
Nepoleon Newton	1520 N. E. Euclid, Oklahoma City, Okla 73102
Quinter Mfg. Co.	Quinter, Kansas 67752
Republic Supply Co.	Box 490, Vernal, Utah 84078
Rick's Nursery, Inc.	1827 W. Uintah, Colorado Springs, Colo. 80904

J. E. Mongold & Charles A. Smith dba
 Smith Pro.
 Stone Steel & Wire, Inc.
 Robert Sasser
 Owen Slaughtenhaupt
 Sugar Creek Foods, Div. of
 Nat. Dairy Prod. Corp.,
 Olen Tarman & Claude Tarman dba
 Olen Tarman
 Don Young dba
 Thornton Produce
 W. R. Mann & Charles Cole dba
 Trailer Service & Rentals
 Van Burrus & Milton E. Lampe dba
 Tri-State Lumber & Supply Co.
 Tony M. Trujillo
 United Post & Pole Co.
 Dorcy & Minnie Watterman
 A. W. Roll dba Art Roll Mfg. Co. dba
 Trail-R-Craft
 Roland Willard Whited
 Zestee Foods, Inc.

1228 S.W. 2nd Street, Oklahoma City, Ok
 Box 251, Marlow, Okla. 73085
 669 Reynolds, Canon City, Colo. 81212
 2828 Texas Avenue, Grand Junction, Colo
 1401 Jones Street, Omaha, Nebr. 68102
 707 Santa Fe, La Junta, Colo. 80150
 9411 High Street, Thornton, Colo. 80229
 201 Airport Dr., Farmington, New Mexico
 St. Francis, Kansas 67756
 212 Ortega N.W., Albuquerque, N. Mexico
 1000 Cimarron Street, Aztec, New Mexico
 218 So. Booth, Pueblo, Colo. 81001
 4107 W. Harry, Wichita, Kans. 67209
 Route 3, Sterling, Colo. 80751
 2808 So. Western, Okla City, Okla 7310

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
 OF THE STATE OF COLORADO

Henry G. Gault

Howard B. ...

Ed. R. Ludlow

 Commissioners

Dated at Denver, Colorado,
 this 20th day of October, 1967
 et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF WESTERN POWER & GAS COMPANY, INC.,)
A CORPORATION, 115 WEST SECOND STREET,)
PUEBLO, COLORADO, FOR AUTHORITY TO)
ISSUE UP TO 148,006 SHARES OF ITS)
COMMON STOCK.)

APPLICATION NO. 22873
SECURITIES

October 20, 1967

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed October 18, 1967 by Western Power & Gas Company, Inc. in the above-styled matter:

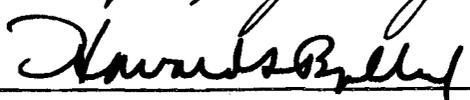
O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on November 1, 1967 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 October 26, 1967 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 20th day of October, 1967.

(Decision No. 70290)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RANDALL R. SAIN, DOING BUSINESS AS)
"C. B. TRUCK LINE," 1034 HUMBLE)
PLACE, EL PASO, TEXAS, FOR AUTHORITY)
TO TRANSFER INTERSTATE OPERATING)
RIGHTS TO C-B TRUCK LINES, INC.,)
1034 HUMBLE PLACE, EL PASO, TEXAS.)

PUC NO. 5168-I-Transfer

November 14, 1967

Heretofore, Randall R. Sain, doing business as "C. B. Truck Line," El Paso, Texas, was granted a certificate of public convenience and necessity, being PUC No. 5168-I, authorizing operation as a common carrier by motor vehicle for hire:

"Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

Said certificate-holder now seeks authority to transfer said PUC No. 5168-I to C-B Truck Lines, Inc., El Paso, Texas.

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 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 Randall R. Sain, doing business as "C. B. Truck Line," El Paso, Texas, be, and hereby is, authorized to transfer all his right, title and interest in and to PUC No. 5168-I -- with authority as set forth in the Statement preceding which is made a part hereof by reference -- to C-B Truck Lines, Inc., a Texas Corporation, subject to encumbrances

against said operating rights, if any, approved by this Commission, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin G. Salgado

Howard Byler

Ed R. Lullong
Commissioners

Dated at Denver, Colorado,
this 14th day of November, 1967
et

(Decision No. 70291)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. M. MUCKLEROY, P. O. BOX 314,)
KIRBYVILLE, TEXAS, FOR AUTHORITY TO)
TRANSFER INTERSTATE OPERATING)
RIGHTS TO R. L. MUCKLEROY AND J. M.)
MUCKLEROY, DOING BUSINESS AS)
"MUCKLEROY CATTLE COMPANY," P. O.)
BOX 314, KIRBYVILLE, TEXAS.)

PUC NO. 6806-I-Transfer

November 14, 1967

Heretofore, J. M. Muckleroy, Kirbyville, Texas, was granted a certificate of public convenience and necessity, being PUC No. 6806-I, authorizing operation as a common carrier by motor vehicle for hire:

"Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

Said certificate-holder now seeks authority to transfer said PUC No. 6806-I to R. L. Muckleroy and J. M. Muckleroy, doing business as "Muckleroy Cattle Company," Kirbyville, Texas.

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 compatible with the public interest and should be authorized as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

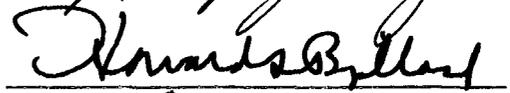
That J. M. Muckleroy, Kirbyville, Texas, be, and hereby is, authorized to transfer all his right, title and interest in and to PUC No. 6806-I -- with authority as set forth in the Statement preceding which is made a part hereof by reference -- to R. L. Muckleroy and J. M. Muckleroy, doing business as "Muckleroy Cattle Company," Kirbyville, Texas, subject to encumbrances

against said operating rights, if any, approved by this Commission, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 14th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILFORD E. LILLIE, DOING BUSINESS AS)
"LILLIE TRANSFER AND MOVING COMPANY")
1903 SOUTH CEDAR STREET, COLORADO)
SPRINGS, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 3400 TO WESLEY N.)
PETTIGREW, DOING BUSINESS AS "LILLY)
TRANSFER AND MOVING COMPANY," 405)
SOUTH NEVADA AVENUE, COLORADO)
SPRINGS, COLORADO.)

APPLICATION NO. 22747-Transfer
SUPPLEMENTAL ORDER

November 14, 1967

Appearances: Don Shook, Esq., Colorado Springs,
Colorado, for Transferor;
Alfred Heinicke, Esq., Colorado
Springs, Colorado, for Transferee;
Joseph F. Nigro, Esq., Denver, Colo-
rado, for Weicker Transfer &
Storage Company, Protestant.

STATEMENT AND FINDINGS OF FACT

On October 13, 1967, the Commission entered Decision No. 70252, authorizing Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," Colorado Springs, Colorado, to transfer PUC No. 3400 to Wesley N. Pettigrew, doing business as "Lilly Transfer and Moving Company," Colorado Springs, Colorado.

The Commission has received a communication from Alfred Heinicke, Attorney for the Transferee, stating that there has been no transfer of the above certificate as the terms of the contract were not met, and that the parties do not desire to complete the transfer of the said authority.

The Commission states and finds that Decision No. 70252, dated October 13, 1967, entered by the Commission in Application No. 22747-Transfer, should be set aside, that the records of the Commission show that Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," is the owner of said PUC No. 3400, and that the authority under said PUC No. 3400 shall be, and remain as it was at the time of the filing of the Application

No. 22747-Transfer to transfer said certificate, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 70252, dated October 13, 1967, authorizing transfer of PUC No. 3400 from Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," to Wesley N. Pettigrew, doing business as "Lilly Transfer and Moving Company," be, and the same hereby is, vacated, set aside, and held for naught; that the Secretary of the Commission is hereby directed to change the records of the Commission to show that Wilford E. Lillie, doing business as "Lillie Transfer and Moving Company," is the owner of said PUC No. 3400; and that the authority under PUC No. 3400 shall be, and remain as it was at the time of the filing of Application No. 22747-Transfer to transfer said PUC No. 3400, to-wit:

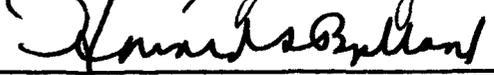
"Conduct of a transfer, moving and general cartage business within the City Limits of Colorado Springs, Colorado.

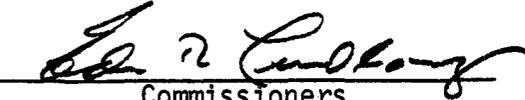
"Transportation of merchandise to or from The Pettigrew Auction Company in Colorado Springs, from and to points within ten (10) miles of Colorado Springs, Colorado."

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 14th day of November, 1967

(Decision No. 70293)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) SOUTHERN UNION GAS COMPANY, A COR-) PORATION, 1500 FIDELITY UNION TOWER,) DALLAS, TEXAS, FOR AN ORDER AUTHOR-) IZING THE ISSUANCE OF CERTAIN) SECURITIES INCIDENT TO A MERGER.) -----	<u>APPLICATION NO. 22874-Securities</u>
--	---

November 14, 1967

Appearances: John R. Barry, Esq., Denver, Colorado, and
A. S. Grenier, Esq., Dallas, Texas, for Applicant;
J. M. McNulty, Denver, Colorado, and
E. R. Thompson, Denver, Colorado, of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

Southern Union Gas Company filed this Application on October 20, 1967, seeking authority of the Commission to issue, deliver and sell certain securities incident to the consummation of the merger of Western Gas Service Company into Applicant.

By Commission's Decision and Order No. 70306, this matter was set for public hearing November 10, 1967, at 10:00 o'clock A.M., 534 State Services Building, Denver, Colorado. At such time and place, after due notice to all interested parties, the Application was heard and at the conclusion thereof taken under advisement by the Commission. No Petitions of Intervention were filed with the Commission prior to the hearing and no one appeared at the hearing in opposition to the authority sought by Applicant in this matter.

Applicant is a corporation organized under the laws of Delaware, and is lawfully transacting a public utility business in the State of Colorado, owning and operating a gas transportation system in LaPlata

County, and a gas distribution system serving Durango, Colorado, and vicinity. Applicant is also extensively engaged in the operation of natural gas utility properties located in Texas, New Mexico and Arizona, and through two wholly-owned subsidiaries, it is engaged to a limited degree in the business of exploring for and producing oil and natural gas, and in the gathering of natural gas for resale in the field to Applicant and other purchasers. Western Gas Service Company is a Delaware corporation transacting business as a public utility in the States of Texas, New Mexico and Oklahoma. Due to their nature and geographic location, the properties of Western are readily susceptible of efficient operation with Applicant's presently owned properties and the proposed merger should result in substantial economies in executive, administrative, accounting and other general expenses.

Witness for Applicant, Scott Hughes, Executive Vice President and Chief Financial Officer, testified to the following matters summarily as set forth below:

Subject to the obtaining of necessary regulatory authorization, Applicant seeks authority of the Commission to issue the following securities incident to the consummation of the merger:

(a) Cumulative Convertible Junior Preferred Stock

Applicant proposes to create a new class of stock to be designated Cumulative Convertible Junior Preferred Stock ("Junior Preferred Stock"), par value \$7.50 per share, consisting of 390,600 shares to be exchanged on the basis of one share of Junior Preferred Stock for each share of the presently outstanding Western common stock. The Junior Preferred Stock will: (1) bear cumulative dividends, payable quarterly, at an annual rate of 90¢ per share; (2) be senior to the common stock of Applicant and junior to its Preferred Stock; (3) be convertible into 7/8ths of a share of Applicant's common stock for a period of five years beginning four years after the effective date of the merger; (4) have the benefit of

customary antidilution and other protective charter provisions; and (5) be callable in whole or in part on 30 days' notice at an initial call price of \$21.00 per share, reducing to \$18.75 per share five years after the effective date of the merger. If any shares are called for redemption before such shares otherwise are convertible, the conversion right will be fully effective during a period of not less than 20 days to be set by prior written notice.

(b) Preferred Stock

Applicant proposes to create out of its authorized but unissued cumulative preferred stock, par value \$100 per share, an additional series of preferred stock consisting of 12,800 shares with a dividend rate of 6% per annum (the "6% Preferred Stock") to be exchanged on the basis of one share of 6% Preferred Stock for each share of the outstanding preferred stock of Western, all of which shares have a similar dividend rate of 6% per annum.

(c) Debentures

Applicant proposes to create a new series of 5.86% Sinking Fund Debentures in a principal amount not to exceed \$7,401,000, to be due on or about December 31, 1992, to be issued and delivered upon consummation of the merger to the holder of, and in exchange for, Western's outstanding debentures and first mortgage bonds which are outstanding in several series and which bear interest at rates varying from 3-3/4% to 6-1/2% per annum.

The proposed indenture securing the new Debentures will be dated as of December 31, 1967, with The Northern Trust Company (Chicago) designated to serve as Trustee. It will contain standard provisions and conform to the requirements of the Federal Trust Indenture Act. It will provide, among

other things, for a sinking fund designed to retire all the Debentures within their 25-year term.

(d) Long-Term Bank Loans

Applicant proposes to issue its promissory notes to commercial banks in an aggregate principal amount not exceeding \$6,000,000. Such amount would be in addition to the \$17,500,000 of promissory notes authorized by Decision No. 69778 issued by this Commission on July 6, 1967 (of which \$3,000,000 have been issued to date). The payee banks are expected to be those which traditionally have participated in Applicant's bank financing of the same character over a period of years, namely: The Northern Trust Company, Chicago, Illinois; First National Bank in Dallas, Dallas, Texas; Republic National Bank of Dallas, Dallas, Texas; and Mercantile National Bank at Dallas, Dallas, Texas.

The notes to be issued by Applicant in evidence of the loans herein proposed are expected to be issued at various times in 1968 and 1969. Such notes will be regular bank form and will bear interest at a rate of 1/4 of 1% per annum above the prime bank interest rate prevailing at the time such notes are issued, respectively. Each of the notes will have a maturity date of December 1, 1970. Any of the notes, however, may be paid in advance of maturity at Applicant's election.

It is expected that approximately \$3,500,000 of the proceeds to Applicant from the issuance and delivery of the bank notes for which authorization is sought herein will be used in accordance with the Plan of Merger to discharge all outstanding short-term debt owed by Western to banks or insurance companies on the effective date of the merger. The remainder of such proceeds, like the proceeds from the notes authorized in Decision No. 69778, will be added to Applicant's general

funds, and will be used along with the other funds available and to become available to Applicant for the acquisition of property, the construction, completion, extension or improvement of the facilities of the merged and expanded company, for the discharge of Applicant's obligations, or in reimbursement of its treasury for a portion of the moneys expended for the same purposes from income of Applicant or other moneys in its treasury not secured by or obtained from the issuance, assumption or guarantee of securities within five years prior to the filing of its application herein.

For accounting and reporting purposes, the amount of notes used to discharge short-term debt of Western would be treated as issued pursuant to the authorization herein requested. Thereafter, until exhaustion of the \$17,500,000 authorization granted by the Commission's Decision No. 69778, notes issued by Applicant would be treated as authorized by said order, after which any additional notes would be treated as authorized by the Commission's order in this proceeding.

There will be no underwriting fees or commissions payable by Applicant in connection with any of the proposed securities transactions.

The Plan and Agreement of Merger entered into between Applicant and Western have been filed as exhibits in this proceeding and separate meetings of the stockholders of each company have been called for November 20, 1967, to consider approval of the Agreement of Merger.

As evidence of Southern Union Gas Company's financial position, there were introduced into evidence as Exhibit No. 6, the Company's balance sheet as of July 31, 1967, and a pro forma balance sheet as of the same date showing the effects of the proposed merger and issuance of securities set forth in this application. The Company's capitalization as of July 31, 1967, and pro forma as of that date are as follows:

	<u>July 31, 1967</u>		<u>Pro Forma July 31, 1967</u> giving effect to the pro- posed Merger and issuance of \$2,500,000 of Bank Notes	
	<u>Capitalization</u>	<u>Capitalization Ratios</u>	<u>Capitalization</u>	<u>Capitalization Ratios</u>
<u>Equity Capital</u>				
Preferred Stock	\$ 19,841,800	14.69%	\$ 21,121,800	13.68%
Junior Preferred Stock			2,929,500	1.90%
Common Stock	<u>49,165,927</u>	<u>36.39%</u>	<u>50,779,580</u>	<u>32.88%</u>
Total Equity Capital	\$ 69,007,727	51.08%	\$ 74,830,880	48.46%
<u>Long-Term Debt</u>	<u>66,101,000</u>	<u>48.92%</u>	<u>79,599,000</u>	<u>51.54%</u>
<u>Total Capital Structure</u>	<u>\$ 135,108,727</u>	<u>100.00%</u>	<u>\$ 154,429,880</u>	<u>100.00%</u>

It is expected that the Company's earnings after income taxes during the period of the debt securities covered by the Application herein will substantially exceed the long-term debt interest requirements.

For the purpose of determining the basis for the computation of the fee for the issuance of the authority in the Order to follow of \$2,500,000 of bank notes, Applicant introduced into evidence net investment figures as of July 31, 1967 for the total company (adjusted to include the new assets to be acquired under the merger) and for the State of Colorado, respectively, of \$122,069,397 and \$1,266,671. The ratio of net investment in Colorado to that of Southern Union Gas Company as the surviving corporation after the merger is 1.04%. The issuance fee in this instance is the minimum amount of \$50.00.

F I N D I N G S

THE COMMISSION FINDS:

That the Applicant, Southern Union Gas Company, a Delaware corporation, is a public utility as defined by Chapter 115-1-3, Colorado Revised Statutes 1963.

That this Commission has jurisdiction over said Applicant and the subject matter of this application.

That this Commission is fully advised in the premises.

That the above and foregoing Statement is incorporated in these Findings by reference.

That the issuance of securities incident to the merger of Western Gas Service Company into Southern Union Gas Company and the issuance of promissory notes in an aggregate amount not to exceed \$2,500,000 (in addition and subsequent to the \$17,500,000 of notes authorized by our Decision No. 69778) as herein set forth are reasonably required and necessary for the purposes set forth herein.

That the proposed securities transactions are not inconsistent with the public interest; that the purpose or purposes thereof are permitted by and are consistent with the provisions of Chapter 115, Colorado Revised Statutes 1963.

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

O R D E R

THE COMMISSION ORDERS:

To the full extent that approval, authorization or permission are required by the laws of Colorado, that the application of Southern Union Gas Company is hereby granted and approved; and

(1) That Applicant is hereby authorized to issue and deliver the following securities:

(a) 390,600 shares of cumulative convertible Junior Preferred Stock, par value \$7.50 per share, with a dividend rate of 90¢ per annum, to be convertible as hereinabove described into shares of Applicant's Common Stock at a rate of 7/8ths of a share of such Common Stock for each share of such Junior Preferred Stock;

(b) Such number of shares of Common Stock (not to exceed 341,775 shares in the aggregate) as may be

necessary from time to time to satisfy the conversion rights to be afforded holders of the Junior Preferred Stock;

(c) 12,800 shares of 6% Cumulative Preferred Stock;

(d) Not more than \$7,401,000 principal amount of 5.86% Sinking Fund Debentures due 1992;

(e) Not more than an aggregate principal amount of \$3,500,000 of promissory notes for the purpose of paying short-term indebtedness owed to banks and insurance companies by Western Gas Service Company on the effective date of the merger, plus not more than \$2,500,000 of additional promissory notes to be issued after issuance of all the \$17,500,000 of promissory notes authorized by the order of this Commission in Decision No. 69778, all of such notes to bear interest at a rate of not more than 1/4 of 1% per annum above the prime bank interest rate in effect as of their date or dates of issuance, respectively, and to mature December 1, 1970;

and to apply the proceeds from the issuance of the aforesaid securities to the purposes and in the manner herein specified.

(2) That Southern Union Gas Company is hereby authorized to take such further steps and actions as may, in conformity with applicable laws and regulations, be necessary, incident or appropriate to the full accomplishment of the transactions, or any of them, hereinabove approved and authorized;

(3) (i) That within 30 days from and after the effective date of the merger (expected to be about December 31, 1967) and the issuance of the securities herein authorized (other than the promissory notes to be issued after the issuance of the \$17,500,000 of notes authorized in Decision No. 69778) Southern Union Gas Company shall file with the Commission its report showing consummation of the merger and the issuance of said securities together with a conformed copy of the indenture

executed to secure the issuance of the debentures herein authorized; and (ii) within 30 days from and after the issuance of each of the promissory notes herein authorized to be issued after the issuance of the notes authorized in Decision No. 69778, Southern Union shall file with the Commission its report setting forth the date, amount and interest rate of each such note and payee thereof.

(4) That each of the stock certificates, debentures and promissory notes issued by Applicant hereunder, shall be identified by a legend appearing thereon, as follows:

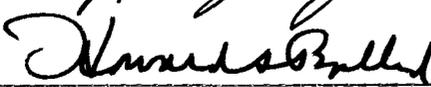
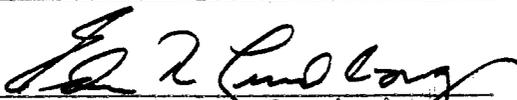
"Colo. PUC No. 22874";

(5) That nothing herein shall be construed to imply any recommendation or guaranty of, or any obligation with respect to, any of the aforesaid securities or the payment of interest thereon, on the part of the State of Colorado; and

(6) That the Commission retain jurisdiction of these proceedings to the end that it may make such further Order, or Orders, in the premises as to it may seem to be proper and desirable.

The authority herein granted shall be effective and exercisable from and after this date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 14th day of November, 1967.

1s

(Decision No. 70294)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILBUR J. PIERCE AND BETTIE JEAN)
PIERCE, DOING BUSINESS AS "PIERCE)
TRUCK LINE," BOX 173, JEFFERSON,)
COLORADO, TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-2268.)

APPLICATION NO. 22636-PP-Extension
SUPPLEMENTAL ORDER

November 13, 1967

Appearances; John P. Thompson, Esq., Denver,
Colorado, for Applicants;
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for Groendyke
Transport, Inc., Ruan Transport
Corporation and Ward Transport,
Inc., Protestants;
Shirley Avery, Buena Vista, Colorado,
for Eveready Freight Service, Inc.,
pro se, Protestant.

STATEMENT AND FINDINGS OF FACT

On October 13, 1967, the Commission entered Decision No. 70224 in
the above-entitled matter.

On November 2, 1967, "Petition for Rehearing" was filed with the
Commission by Protestants, Groendyke Transport, Inc., Ruan Transport Corpora-
tion and Ward Transport, Inc., by their Attorney Edward T. Lyons, Jr.

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

O R D E R

THE COMMISSION ORDERS:

That "Petition for Rehearing", filed with the Commission 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

George Farley

Harold B. Bell

Ed R. Lundberg
Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1967
et

Original

(Decision No. 70295)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE MATTER OF INCREASED CHARTER)	
COACH CHARGES, NATIONAL BUS TRAFFIC)	
ASSOCIATION, INC., AGENT, CHARTER)	
COACH TARIFF No. A-405, COLORADO)	<u>Investigation and Suspension</u>
PUC No. 145)	<u>Docket No. 600</u>
-----)	

November 14, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 11, 1967, the National Bus Traffic Association, Inc., Agent, P. J. Campbell, Chairman, 506 South Wasatch Avenue, Chicago, Illinois, filed 2nd Revised pages B-1 and B-2, and 4th Revised pages B-3 and B-4, to Colorado-Utah Area Charter Coach Tariff No. A-405, Colorado PUC No. 145, on behalf of the Motor Vehicle Common Carriers of passengers participating therein, making changes in the table numbers to be used in determining the charges under Section C of the tariff, scheduled to become effective October 15, 1967. Said changes result in increased charges for intrastate charter coach movements within the State of Colorado.

By Decision No. 70234, dated October 10, 1967, said schedules were suspended and the use thereof deferred to and including February 12, 1967, unless otherwise ordered by the Commission.

The Commission is now in receipt of Application No. 45, filed on November 8, 1967, by the National Bus Traffic Association, Inc., Agent, P. J. Campbell, Chairman, Chicago, Illinois, requesting authority to reissue 2nd Revised pages B-1 and B-2, and 4th Revised pages B-3 and B-4 to Colorado-Utah Area Charter Coach Tariff No. A-405, Colorado PUC No. 145, and to republish on consecutively numbered revised pages, references to Tables of Charges which name the currently effective Colorado Intrastate Charter Coach Rates. In addition, it was requested in Application No. 45 that Investigation and Suspension Docket No. 600 be discontinued and the hearing thereunder cancelled without prejudice.

Upon consideration of said request, the Commission finds that the respondent should be allowed to reissue the suspended schedules and to republish on consecutively numbered pages reference to Tables of Charges which name the currently effective Colorado Intrastate Charter Coach Rates, and that the proceeding under Investigation and Suspension Docket No. 600 should be discontinued.

O R D E R

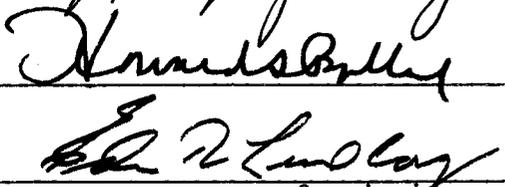
THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact, be, and they are hereby, made a part hereof.

2. That respondent herein be, and it is hereby, notified and required to reissue 2nd Revised pages B-1 and B-2, and 4th Revised pages B-3 and B-4, of Colorado-Utah Area Charter Coach Tariff No. A-405, Colorado PUC No. 145, and to republish on consecutively numbered Revised pages, references to Tables of Charges which name the currently effective Colorado Intrastate Charter Coach Rates, on or before November 30, 1967, upon notice to the Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed by law and the rules and regulations of the Commission.

3. That Hearing of Investigation and Suspension Docket No. 600, presently set for hearing on January 22, 1968, at Denver, Colorado, be, and the same hereby is, vacated and the proceeding discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado, this
14th day of November, 1967. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 420 & I)
BY: BOOK TRUCK LINE)
5600 EAST PIKES PEAK)
COLORADO SPRINGS, COLORADO)
Respondent.)

CASE NO. 123-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

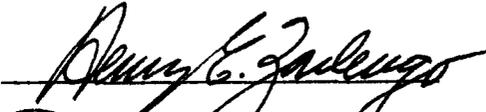
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

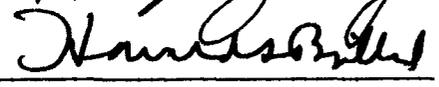
That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1192)
BY: MAJOR TRANSFER & STORAGE)
218 ADAMS)
MONTE VISTA, COLORADO 81144)
Respondent.)

CASE NO. 124-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

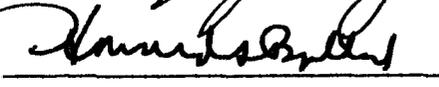
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioner

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1229 & I)
BY: MR. H. W. BILLINGS)
601 WEST 6TH)
SPRINGFIELD, COLORADO 81073)
Respondent.)

CASE NO. 125-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

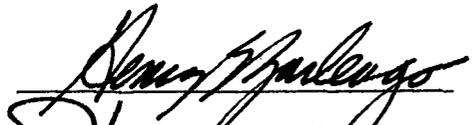
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
)
Laura C. Zimmerman dba)
Zimmerman Truck Lines)
949 Donelan)
Burlington, Colorado 80807)

AUTHORITY NO. M-2256
CASE NO. 174-M-Ins.

October 23, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 27, 1966 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

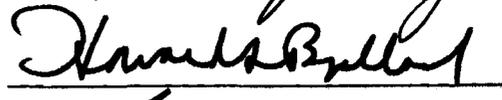
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this
23rd day of October 1967 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS AMENDMENTS TO THE RULES)
AND REGULATIONS AND ELIMINATION OF)
RATE APPLICABLE TO DRUMS OR BARRELS,)
EMPTY, VIA MOTOR VEHICLE CARRIERS)

CASE No. 1585

October 23, 1967

STATEMENT AND FINDINGS

BY THE COMMISSION:

On September 25, 1967, the Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed various revised pages to its Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11>(*The Motor Truck Common Carriers' Association, Agent, Series) naming changes in item 355; adding a new item No. 965 and eliminating item 1587, as set forth specifically in Appendix "A" attached hereto and made a part hereof, the same as if incorporated herein, scheduled to become effective October 30, 1967.

In support of the proposed changes the following justifications have been submitted to the Commission:

Concerning item 355 applicable to Freight-All-Kinds, with exceptions, Mr. Wally Fletchinger, General Traffic Manager, Rio Grande Motor Way, Inc., in his letter of August 9, 1967, stated, --

"Since item 770 provides that charges on less-than-truckload shipments are not to exceed charges on basis of minimum weight. The purpose of this proposal is to prevent the charges computed under Item 355 from becoming the maximum charge that may be assessed on an *LTL shipment. The ratings in Item 355 are restricted to shipments that consignor load and consignee unloads and it is felt that ratings that are dependent on such a provision should not be a basis for a ceiling on less-than-truckload charges. In effect, this would be placing a maximum on less-than-truckload charges when such maximum is based on charges that contain a restrictive clause."

* denotes less-than-truckload

A typical example of the above would be as follows:

Between Denver and Canon City, Colorado

<u>LTL Shipments</u> (Rated as Class 70) (Minimum weight 10,000 lbs.)	<u>Item No. 355</u> (Rated as Class 37½) (Minimum weight 20,000 lbs.)
10,000 lbs. x 96¢ = \$96.00	20,000 lbs. x 62¢ = \$124.00
12,000 lbs. x 96¢ = 115.20	
13,000 lbs. x 96¢ = 124.80	

Item No. 965 provides new provisions and charges for the use of pilot car or cars. A further letter of Mr. Fletchinger's, dated August 10, 1967, states, --

"Since Colorado law requires a flagman or flagmen on commodities with widths of 12-feet or over, a carrier must provide the service without proper compensation being published in the tariff. The above proposal is to allow a carrier to furnish such service under proper tariff rules and regulations."

Item No. 1587, for the account of Rio Grande Motor Way, Inc., on empty barrels from Grand Junction to Denver Colorado, is a duplication of rates appearing in two separate tariff publications. Mr. Fletchinger's letter of August 29, 1967, states that:

"This is a duplicating rate as Item No. #467A, Supplement No. 39 of *RGMW Tariff 10-I, contains ratings on the same commodities from the same origin to the same destination. Since the rates in *RGMW Tariff 10-I on these drums or barrels have recently been increased due to negotiations with the shipper, we ask that the rate in Colorado Tariff 12-A be cancelled."

* denotes Rio Grande Motor Way, Inc.
under Investigation and Suspension Docket No. 594,
Decision No. 70086, September 13, 1967.

Since the proposed changes as set forth in Appendix "A" appear to represent just, fair and reasonable rates and charges and governing provisions, an order should be entered prescribing the same, under the provisions of Rule 18 - C (1) (a) of the Commission's Rules.

O R D E R

THE COMMISSION ORDERS, that: --

1. The Statement, Findings and Appendix "A" herein be, and they are hereby, made a part hereof.

2. The rates and charges as set forth in the Appendix "A" of this order, subject to the rules and regulations as provided in the aforesaid tariff shall 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 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 October 30, 1967, 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.

6. On and after October 30, 1967, all private carriers by motor vehicle operating in competition with any motor vehicle common carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.

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 as 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

Henry H. Gault
Howard B. Smith
Ed. R. Ludwig
Commissioners

Dated at Denver, Colorado, this
23rd day of October, 1967. av

APPENDIX "A"

Colorado Motor Carriers' Association, Agent
Local and Joint Freight Tariff No. 12-A
Colorado PUC No. 11*

*(The Motor Truck Common Carriers' Association, Agent, Series)

Effective October 30, 1967

Exceptions to Ratings of the Governing Classification

8th Revised Page No. 65-A

Item No.	Articles	Class Rating
----------	----------	--------------

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

Subject to consignor load; consignee unload. This provision must appear on the shipping order copy of the bill of lading in one of two ways: (1) Consignor must show that the shipment is loaded by consignor and is to be unloaded by consignee, or (2) consignor must show that the shipment is loaded by consignor. In the event this second alternative is employed, the consignee, at time of delivery, must notate the delivery receipt copy of the carrier's waybill that the shipment was unloaded by consignee.

Trailers or trucks, single units, to have not less than 1,800 cubic feet capacity.

355

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 column headed "Minimum weight 5,000 Pounds". 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.

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.

Ⓜ Not subject to Item 770 of this tariff nor to Rule 595, Section 1, of National Motor Freight Classification A-9.

RULES AND REGULATIONS

Original Page No. 93-C

Item No.	Application
----------	-------------

PILOT CAR OR CARS:

When the motor vehicle law of Colorado requires the use of pilot car or cars to flag traffic, such car or cars shall be furnished by the consignor or consignee or, at the request of the consignor or consignee, such pilot car or cars will be furnished by the carrier and the charge for such service will be as follows:

∕
965

- Ⓐ Ten cents (10¢) per running mile (round trip), plus \$15.00 per day, per pilot car. Such mileage to be computed from the starting point of the pilot car to the origin of the shipment, to the destination of the shipment and back to the starting point of the pilot car. Driver shall be charged for as extra labor as provided for in Item 850 of this tariff. Such time to include all active hours of duty from the starting point of the pilot car to the said starting point.

SECTION NO. 2

Commodity Rates

(For application, see Page No. 190 of tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity	From	To	Rates	Route No.
	Commodities in the same item may be shipped in straight or mixed truck loads.	(Except as noted in individual items)			

15th Revised Page No. 202

1587	Drums or barrels, iron or steel, empty,	Grand Junction, Colorado	Denver, Colorado	Ⓔ Ⓐ	87
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Minimum of 20 barrels per shipment.

∕ denotes addition

Ⓐ denotes increase

Ⓔ denotes elimination

Ⓒ denotes - a change resulting in neither an increase nor a reduction

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. E. CLAYTON AND G. C. CLAYTON,)
DOING BUSINESS AS "C. E. CLAYTON &)
SON," P. O. BOX 26, FRASER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22694-PP

October 24, 1967

PROCEDURE AND RECORD

On July 10, 1967, C. E. Clayton and G. C. Clayton, doing business as "C. E. Clayton & Son," P. O. Box 26, Fraser, Colorado, filed the instant application (No. 22694-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of commodities as set forth in the Application.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was called for hearing by said Examiner in the District Court Room, Court House, Steamboat Springs, Colorado on October 19, 1967 at 10 a.m. The Applicants did not appear at that time and place.

CONCLUSION

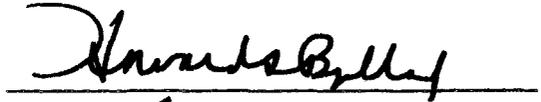
The Examiner has now filed a report with the Commission recommending that the application be re-set for hearing at a future date.

O R D E R

THE COMMISSION ORDERS:

That Application No. 22694-PP be reset by the Secretary of the Commission for hearing at a later date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VAL N. JACOBS, STEAMBOAT SPRINGS,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 22779-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

October 24, 1967

Appearances: Val N. Jacobs, Steamboat Springs,
Colorado, pro se.

PROCEDURE AND RECORD

On August 31, 1967, Val N. Jacobs, Steamboat Springs, Colorado, filed the instant application (No. 22779-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle, as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the District Court Room, Court House, Steamboat Springs, Colorado, at 10 a.m. on October 19, 1967. On October 20, 1967, the said Examiner pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs and poles and related commodities as listed in this application.
3. Applicant has a 1952 Peterbilt Cummins, 10 years of experience in related fields and a net worth of \$40,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Val N. Jacobs, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

ORDER

THE COMMISSION ORDERS:

That Val N. Jacobs, Steamboat Springs, Colorado, be, and hereby

is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of logs, poles and timber products from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

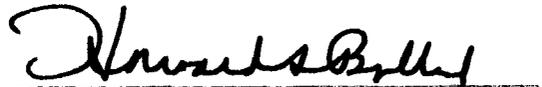
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, 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




Commissioner

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of October, 1967.
gh

(Decision No. 70303)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
DAVID D. WINTERS, P. O. BOX 448,)	
STEAMBOAT SPRINGS, COLORADO, FOR A)	<u>APPLICATION NO. 22777-PP</u>
CLASS "B" PERMIT TO OPERATE AS A)	
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	

October 26, 1967

Appearances: David D. Winters, Steamboat
Springs, Colorado, pro se.

PROCEDURE AND RECORD

On August 30, 1967, David D. Winters, P. O. Box 448, Steamboat Springs, Colorado, filed the instant application (No. 22777-PP) for a Class "B" permit to operate as a private carrier by motor vehicle in intrastate commerce for the transportation of logs, poles, and related commodities as set forth in the application.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the District Court Room, Court House, Steamboat Springs, Colorado, at 10 a.m. on October 19, 1967.

Mr. David D. Winters, the Applicant, testified in support of the application and no one appeared to protest the granting of the application.

On October 20, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities, as listed in this application.
3. Applicant has a 1951 Peterbilt Cummins Logging Truck, 5 years of experience in related fields, and a net worth of \$6,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, David D. Winters, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 45 miles of said forests; rough lumber, from sawmills in said 45-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That David D. Winters, Steamboat Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 45 miles of said forests; rough lumber, from sawmills in said 45-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

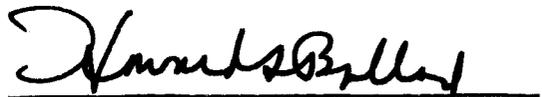
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

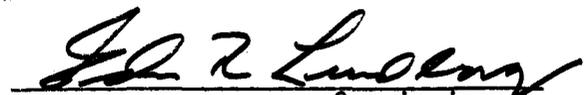
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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




Commissioner's

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MAURICE C. BURBRIDGE, MARY JANE)
BROOKS AND MILDRED B. SIMMONS, 1417)
14TH STREET, GREELEY, COLORADO, FOR)
AUTHORITY TO TRANSFER ALL THEIR)
OUTSTANDING CAPITAL STOCK IN AND TO)
A. T. BURBRIDGE TRUCK, INC., RECORD)
OWNER OF PERMIT NO. A-20 (PRESENTLY)
LEASED TO CLIFFORD M. BURBRIDGE) TO)
VIRGINIA M. BASSETT, 3027 SUNSET)
DRIVE, GREELEY, COLORADO, GERTRUDE)
R. BURBRIDGE, 2518 HIGHLAND ROAD,)
GREELEY, COLORADO.)
- - - - -

APPLICATION NO. 22783-PP
Stock Transfer

- - - - -
October 26, 1967
- - - - -

Appearances: William H. Southard, Esq., Greeley,
Colorado, for Maurice C. Burbridge
and Virginia M. Bassett, Applicants.

PROCEDURE AND RECORD

On August 18, 1967, Maurice C. Burbridge, Mary Jane Brooks and Mildred B. Simmons, the Sellers, and Virginia M. Bassett, Gertrude R. Burbridge and Clifford M. Burbridge, filed the joint application (No. 22783-PP-Stock Transfer), seeking authority from the Commission for the transfer of all of the outstanding stock of A. T. Burbridge Truck, Inc., record owner of Permit No. A-20, from Maurice C. Burbridge, Mary Jane Brooks and Mildred B. Simmons to Virginia M. Bassett, Gertrude R. Burbridge and Clifford M. Burbridge.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on this application. After due and proper notice, the application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on October 6, 1967.

Mr. Clifford M. Burbridge appeared at the hearing and testified in support of the application. No one appeared at the hearing to protest the granting of the instant authority.

On October 18, 1967, pursuant to the provisions of CRS 115-6-9 (2), the said Examiner transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The Commission has now given careful consideration to the record and exhibits of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Agreement concerning this transfer was executed in 1965; however, the parties neglected to process the transfer through the Public Utilities Commission and this proceeding is for the purpose of so completing the transfer.
2. A. T. Burbridge Truck, Inc. is a Colorado corporation, duly organized under the laws of the State of Colorado, and is the record owner of Permit A-20, which is described in the Letter of Authority attached hereto.
3. Maurice C. Burbridge, Mary Jane Brooks and Mildred B. Simmons (deceased) are the owners of 75% of the capital stock of A. T. Burbridge Truck, Inc. and the remaining 25% is owned by Clifford M. Burbridge.
4. The authority under Permit A-20 has been continually operated in the past, is presently under lease to Clifford M. Burbridge, and is in good standing before the Commission.
5. The parties have entered into an Agreement for the transfer of the stock held by Maurice C. Burbridge, Mary Jane Brooks and Mildred B. Simmons to Virginia M. Bassett, Gertrude R. Burbridge and Clifford M. Burbridge. The consideration to be paid is \$12,000, which is for the Permit only, and the Permit is free and clear of any debts, encumbrances or obligations.
6. The Applicants have duly and properly applied for the transfer.
7. Transferees have the following equipment:
 - 3/4 ton 1967 Ford Pickup
 - 2 ton 1963 Ford
 - 2½ ton 1963 Ford
 - 2½ ton 1965 Ford
 - 1961 Ford Tractor with Brown Trailer

They have a net worth of \$160,000 and 20 years of experience in related fields, all of which are ample and suitable for operation of the authority applied for herein.

8. The Transferees are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and have or will make adequate provision for insurance.
9. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Maurice C. Burbridge, Mary Jane Brooks and Mildred B. Simmons to transfer all of their outstanding capital stock in and to A. T. Burbridge Truck, Inc., record owner of Permit No. A-20 (presently leased to Clifford M. Burbridge) to Virginia M. Bassett, Gertrude R. Burbridge and Clifford M. Burbridge; and that henceforth the entire authority shall be described as follows:

"Transportation of freight between Denver and Eaton and intermediate points over U.S. 85, including service to all points within a five (5) mile radius of Denver and Greeley, Colorado. All service in said five-mile radius to be limited to the transportation of freight involving a prior or subsequent movement over Applicant's presently authorized established routes."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

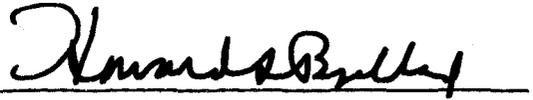
THE COMMISSION ORDERS:

That Maurice C. Burbridge, Mary Jane Brooks and Mildred B. Simmons be, and hereby are, authorized to transfer all of the outstanding capital stock in and to A. T. Burbridge Truck, Inc., record owner of Permit No. A-20 (presently leased to Clifford M. Burbridge) to Virginia M. Bassett, Gertrude R. Burbridge and Clifford M. Burbridge; and that henceforth the entire authority shall be described as follows:

"Transportation of freight between Denver and Eaton and intermediate points over U.S. 85, including service to all points within a five (5) mile radius of Denver and Greeley, Colorado. All service in said five-mile radius to be limited to the transportation of freight involving a prior or subsequent movement over Applicant's presently authorized established routes."

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
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE IRON OR STEEL ARTICLES AS DEFINED,)
FROM MINNEQUA, COLORADO TO STRAIGHT)
CREEK TUNNEL PROJECT LOCATED NEAR THE)
TOP OF LOVELAND PASS, COLORADO)

CASE No. 1585

October 23, 1967

STATEMENT AND FINDINGS

BY THE COMMISSION:

On September 21, 1967, Goldstein Transportation and Storage, Inc., by its President, Jerry McMorris, filed 1st Revised page 26-B to its Motor Freight Tariff No. 4, Colorado PUC No. 4, setting forth reduced rates applicable to iron and steel articles which are scheduled to become effective October 23, 1967, as follows:

RATES ARE IN CENTS PER 100 POUNDS				
ITEM NO.	COMMODITY	FROM	To	RATE
/ (R) 3009.1	IRON OR STEEL ARTICLES VIZ.:	MINNEQUA	THE EAST PORTAL (LOCATED APPROXIMATELY 11 MILES FROM SILVER PLUME) AND TO THE WEST PORTAL (LOCATED APPROXIMATELY 8 MILES FROM DILLON) OF THE STRAIGHT CREEK TUNNEL PROJECT	45,000 POUNDS 38
	ANGLES, NOI			
	BARs, NOI			
	BEAMS, NOI			
	CHANNELS, NOI			
	RAILS, RAILWAY TRACK, NOI			
	NAILS OR SPIKES, NOI, PLAIN OR GALVANIZED			
	MESH OR FABRIC, REINFORCING OR SUPPORTING			
	ROCK BOLTS AND ACCESSORIES THEREOF.			

- ° TRUCKLOAD MINIMUM WEIGHT
- / DENOTES ADDITION.
- (R) DENOTES REDUCTION.

In support of the proposed reduction, the following justifications have been submitted to the Commission by William W. Shipp, Manager of Traffic:

"Our cost studies indicate that we can operate our trucks at a cost of 40 cents per mile. Also, on these particular loads it would cost approximately \$10.00 to load and unload.

"Although there is a difference in the mileage between the East Portal and West Portal, the same rate has been applied due to the fact that it would be almost impossible to determine at time of shipment which destination the freight would be delivered."

The distances involved for this transportation via Denver, Colorado, which proponent carrier will utilize, are measured from the entrance gate of U. S. Highway No. 25 at the plant of the C F & I Steel Corporation, Minnequa, Colorado, as 173 miles to the east side and 183 miles to the west side of the tunnel project.

The revenue derived on the basis of the mileage figures above will produce .4942 and .4672 cents per round trip mile, respectively.

Since the proposed changes as set forth herein appear to represent just, fair and reasonable rates and charges and governing provisions, an order should be entered prescribing the same, under the provisions of Rule 18, paragraph C (1) of the Commission's Rules of Practice and Procedure.

O R D E R

THE COMMISSION ORDERS, that, --

1. The Statement and Findings herein be, and they are hereby, made a part hereof.

2. The rates and charges, as set forth in this order, subject to the Rules and Regulations previously prescribed for transportation involved herein, shall be the prescribed rates, rules, 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 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.

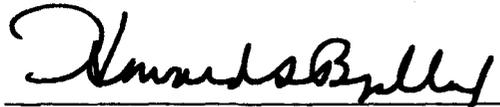
5. This order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

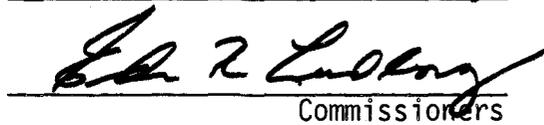
6. The order entered in Case No. 1585 on February 15, 1936, as since amended, shall continue in full force and effect until further order of the Commission.

7. This order shall become effective forthwith.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Commissioner Henry E. Zarlengo
necessarily absent and not
participating.

Dated at Denver, Colorado, this
23rd day of October, 1967. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHERN UNION GAS COMPANY, A COR-)
PORATION, 1500 FIDELITY UNION)
TOWER, DALLAS, TEXAS, FOR AN ORDER)
AUTHORIZING THE ISSUANCE OF CERTAIN)
SECURITIES INCIDENT TO A MERGER.)

APPLICATION NO. 22874
SECURITIES

October 24, 1967

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed October 20, 1967 by Southern Union Gas Company, a corporation, in the above-styled matter:

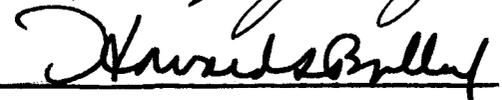
O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on November 10, 1967 at 10:00 o'clock A. M., Hearing Room A, 534 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 November 3, 1967 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 24th day of October, 1967

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD O. MOORE, SUCCESSOR IN INTEREST)
TO DENVER-FORT COLLINS FREIGHT SERVICE,)
INC., RECORD OWNER OF PERMIT NO. A-809)
AND PERMIT NO. A-809-I, BY VIRTUE OF)
HAVING PURCHASED SAID PERMITS AT)
SEALED BID SALE HELD AUGUST 21, 1967,)
PURSUANT TO AUTHORITY CONTAINED IN)
SECTION 6331 OF THE INTERNAL REVENUE)
CODE, TO TRANSFER SAID PERMIT NO.)
A-809 AND PERMIT NO. A-809-I TO)
RICHARD O. MOORE, DOING BUSINESS AS)
"R W TRANSPORT SERVICE," 9105 EAST)
FLOYD AVENUE, DENVER, COLORADO.)

APPLICATION NO. 22788-PP-Transfer

October 24, 1967

Appearances: Warren D. Braucher, Esq., Denver,
Colorado, for Applicant, Richard
O. Moore;
Leslie R. Kehl, Esq., Denver, Colorado,
for Frederic A. Bethke, Bulk Transporters,
Inc., and Consolidated Milk Lines,
Protestants;
John P. Thompson, Esq., Denver, Colorado,
for Edson Express, Inc., Denver-
Loveland Transportation Company,
Denver-Laramie-Walden Truck Lines,
Inc., Protestants;
Kenuff D. Wolford, Esq., Denver,
Colorado, for Illine Alma Lafferty,
Protestants;
Jack H. Dwyer, Esq., Denver, Colorado,
for Siegel Oil Company, Protestant;
John J. Conway, Esq., Denver, Colorado,
for Contract Carriers Conference of
the Colorado Motor Carriers' Association,
Protestant.

STATEMENT AND FINDINGS OF FACT

The Commission, pursuant to law, designated and appointed Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the above-entitled application. After due and proper notice, the application was called for hearing by said Examiner on October 6, 1967, at Denver, Colorado. Said application was continued and reset for hearing at 10:00 a.m. on October 26, 1967, at 532 State Services Building, Denver, Colorado.

The Commission has received a communication from Warren D. Braucher, Attorney for the Applicant, Richard O. Moore, stating that the Applicant no longer desires to prosecute said application and requesting dismissal thereof.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

O R D E R

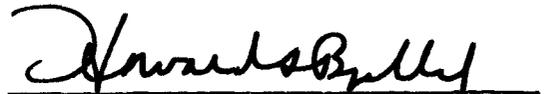
THE COMMISSION ORDERS:

That the hearing on Application No. 22788-PP-Transfer, presently set for 10:00 a.m., on October 26, 1967, at Denver, Colorado, be, and the same hereby is, vacated.

That Application No. 22788-PP-Transfer be, and the same hereby is, dismissed.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 24th day of October, 1967.
gh

Original

(Decision No. 70308)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE CANCELLATION)
OF NATIONAL TOURS TARIFF No. 1,)
COLORADO PUC No. 4 (KIOWA INVESTMENT)
COMPANY, INC., d/b/a NATIONAL TOURS,)
SERIES))

APPLICATION No. 22074 Transfer
2nd SUPPLEMENTAL ORDER

October 20, 1967

BY THE COMMISSION:

By Decision No. 68525, dated November 7, 1966, as supplemented by Decision No. 69182, dated March 20, 1967, the Commission ordered the cancellation of Certificate PUC No. 102, held by Alamo Properties, Inc. National Tours operated PUC No. 102 under a lease arrangement with Alamo Properties, Inc., the owner of said certificate, which certificate was cancelled on January 1, 1965. National Tours, while operating under Certificate PUC No. 102, had on file with the Commission its tariff No. 1, Colorado PUC No. 1, the Kiowa Investment Company, Inc., d/b/a National Tours Series, which named sightseeing trip fares between Colorado Springs, Broadmoor and Manitou, and Points in the Pikes Peak Region, also auto livery service fares between all points in the Pikes Peak Sightseeing Region, and from and to said points to and from other points in the State of Colorado, and Rules and Regulations covering same. The tariff remains in the active files of the Commission. In view of the cancellation of Certificate PUC No. 102, the Commission finds that said tariff should be cancelled.

O R D E R

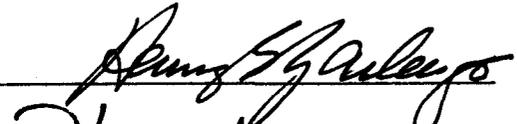
THE COMMISSION ORDERS, that, --

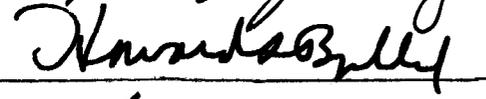
1. The Statement and Findings herein be, and they are hereby, made a part hereof.

2. National Tours, 322 South 8th Street, Colorado Springs, Colorado be, and it is hereby required, to cancel the tariff referred to in the Statement and Findings hereof, on or before November 15, 1967, upon not less than one day's notice to the Commission and the general public as provided by law and the rules and regulations of the Commission, and that a copy of this order be placed in the tariff files of the Commission relating to said tariff.

3. This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioner

Dated at Denver, Colorado, this
20th day of October, 1967. av

(Decision No. 70309)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DON J. NOLDE, DOING BUSINESS AS)
"DON'S DISPOSAL," 850 39TH STREET,)
BOULDER, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 3500 TO BESTWAY)
DISPOSAL CO., A COLORADO CORPORATION,)
DOING BUSINESS AS "FLATIRONS DISPOSAL,")
2460 GRAPE, BOULDER, COLORADO.)

APPLICATION NO. 22614-Transfer

October 26, 1967

Appearances: Charles E. Williams, Esq., for Applicants.

PROCEDURE AND RECORD

On May 24, 1967, Don J. Nolde, doing business as "Don's Disposal," 850 - 39th Street, Boulder, Colorado, filed the joint instant application (No. 22614-Transfer) for authority to transfer Certificate of Public Convenience and Necessity No. 3500 from "Don's Disposal" to "Flatirons Disposal."

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was called for hearing by said Examiner in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at 10 a.m. on October 20, 1967. No one appeared so as to present evidence in support of this application, and at the request of Counsel, this matter was continued to be re-set for hearing at a future date.

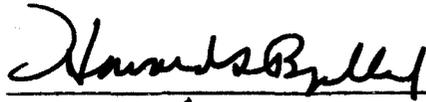
O R D E R

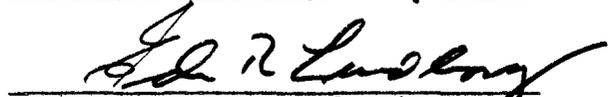
THE COMMISSION ORDERS:

That Application No. 22614-Transfer be reset by the Secretary of

the Commission for hearing at a later date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioner

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PAUL HALLER, STRATTON, NEBRASKA,)
FOR AUTHORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO LARRY K. FORCH)
AND PAUL JAMES FORCH, DOING BUSINESS)
AS "FORCH BROS.," STRATTON, NEBRASKA.)

PUC NO. 2657-I - Transfer

October 26, 1967

Heretofore, Paul Haller, Stratton, Nebraska, was granted a certificate of public convenience and necessity, being PUC No. 2657-I, authorizing operation as a common carrier by motor vehicle for hire as follows, to-wit:

Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

Said certificate-holder now seeks authority to transfer said PUC No. 2657-I to Larry K. Forch and Paul James Forch, doing business as "Forch Bros.," Stratton, Nebraska.

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 compatible with the public interest, and should be authorized, as set forth in the Order following.

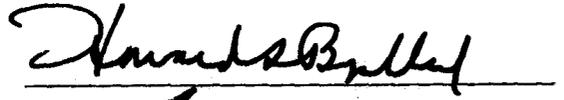
O R D E R

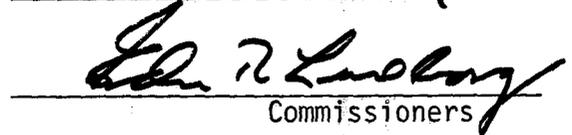
THE COMMISSION ORDERS:

That Paul Haller, Stratton, Nebraska, be, and hereby is, authorized to transfer all his right, title and interest in and to PUC No. 2657-I -- with authority as set forth in the Statement preceding which is made a part hereof by reference -- to Larry K. Forch and Paul James Forch, doing business as "Forch Bros.," Stratton, Nebraska, subject to encumbrances against said certificate, if any, approved by this Commission and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.
bk

(Decision No. 70311)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD P. CHRISTENSON, DOING BUSINESS)
AS "DON CHRISTENSON TRUCKING," 2136)
HARLAN BOULEVARD, EDGEWATER, COLORADO,)
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-6921)

APPLICATION NO. 22748-PP-Extension
SUPPLEMENTAL ORDER

October 26, 1967

Appearances: Mrs. Donald Christenson, Edgewater,
Colorado, for Applicant;
John H. Lewis, Esq., Denver,
Colorado, for Keller H. Light
Trucking, Inc., Protestant.

STATEMENT AND FINDINGS OF FACT

On October 9, 1967, the Commission entered Decision No. 70212, in the above-entitled application, authorizing extension of operations under Permit No. B-6921.

It now appears that, in setting forth the authority contained under Permit No. B-6921, a typographical error appears in paragraph numbered 4 in the Order therein contained on page 4 of said Decision No. 70212.

The Commission states and finds that Decision No. 70212 should be amended, as set forth in the Order following.

O R D E R

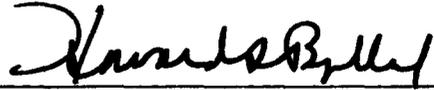
THE COMMISSION ORDERS:

That Decision No. 70212, dated October 9, 1967, be, and the same hereby is, amended, nunc pro tunc, as of said 9th day of October, 1967, by striking therefrom paragraph numbered 4 of the Order contained therein, appearing on page 4 thereof, and inserting in lieu thereof, the following:

"4. Transportation of clay, from pits and supply points in the State of Colorado, to processing plants within the State of Colorado within a 50 mile radius of said pits and supply points."

That, except as herein amended, Decision No. 70212 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION ON)
BURNEY DELMAR DOWDELL, BOX 42, WALDEN,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22564-PP

October 26, 1967

Appearances: Burney Delmar Dowdell, Walden,
Colorado, pro se.

PROCEDURE AND RECORD

On April 28, 1967, Burney Delmar Dowdell, Box 42, Walden, Colorado, filed the instant Application (No. 22564-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application.

On September 14, 1967 the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the District Court Room, Court House, Steamboat Springs, Colorado at 10 a.m. on October 19, 1967. On October 20, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities as listed in this application.
3. Applicant has a 1963 GMC Series 5000 Truck, 2½ years of experience in related fields and a net worth of \$5,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the effective public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Burney Delmar Dowdell, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"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; provided, however, that no town-to-town service shall be rendered."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Burney Delmar Dowdell, Box 42, Walden, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor

vehicle for hire for

"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; provided, however, that no town-to-town service shall be rendered;"

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

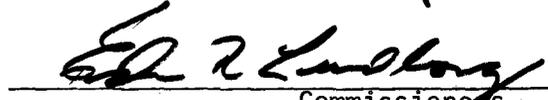
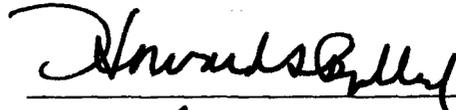
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, 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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.

bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD L. WILHELM, BOX 876,)
STEAMBOAT SPRINGS, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
B-5690 AND PERMIT NO. B-5690-I TO)
PAUL MCGILTON, DOING BUSINESS AS)
"MCGILTON TRUCK LINE," 720 TAYLOR)
STREET, CRAIG, COLORADO.)

APPLICATION NO. 22790-PP-Transfer

October 26, 1967

Appearances: Claus J. Hume, Esq., Craig,
Colorado, for Transferor
and Transferee.

PROCEDURE AND RECORD

On September 7, 1967, Richard L. Wilhelm, Box 876, Steamboat Springs, Colorado, and Paul McGilton, doing business as "McGilton Truck Line," 720 Taylor Street, Craig, Colorado, filed the instant joint application (No. 22790-PP-Transfer), seeking authority from the Commission to transfer Permit No. B-5690 and B-5690-I from Richard L. Wilhelm to Paul McGilton.

On September 14, 1967 the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the District Court Room, Court House, Steamboat Springs, Colorado, at 10 a.m. on October 19, 1967. On October 23, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Transferor herein, Richard L. Wilhelm, is the present owner and operator of Permit Nos. B-5690 and B-5690-I, which he has in the past continually operated and which presently are in good standing before the Commission. Description of said Permits are attached hereto.
2. The Transferee herein, Paul McGilton, doing business as "McGilton Truck Line," presently holds Permit A-2493, which does not duplicate the authority being transferred to him in this proceeding.
3. The parties have entered into an Agreement and, pursuant to said Agreement, the consideration for the transfer is \$500, and the Permits are free and clear of any debts, encumbrances or obligations.
4. The Applicants have duly and properly applied for the transfer.
5. Transferee has the following equipment:
 - 1954 Peterbilt
 - 1 Flatbed Trailer
 - 1 Logging Trailer
 - 1956 Ford Pickup

He has had 22 years of experience in related fields, and has a net worth of \$10,500, all of which are ample and suitable for operation of the authority applied for herein.

6. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and has or will make adequate provision for insurance.
7. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Richard L. Wilhelm to transfer all of his rights, title and interest in and to Permits No. B-5690 and B-5690-I to Paul McGilton, doing business as "McGilton Truck Line," the description of which to remain in its present form.

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Richard L. Wilhelm, Box 876, Steamboat Springs, Colorado, be, and hereby is, authorized to transfer all rights, title, and interest in and to Permit No. 5690 and B-5690-I to Paul McGilton, doing business as "McGilton Truck Line," 720 Taylor Street, Craig, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Permit No. B-5690 and B-5690-I shall be as follows, to-wit:

"Transportation of forest products, logs and rough lumber, from forests, sawmills, and peeling plants, to points of storage and processing within the State of Colorado, without the right to perform town-to-town service;

sand, gravel, and other road-surfacing materials used in the construction of roads and highways from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 50 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of 50 miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points with a radius of 50 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 50 miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles.

Between all points in Colorado and the Colorado State boundary lines, where all highways cross same in interstate commerce only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

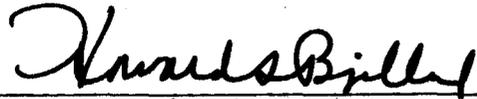
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with the conditions and requirements of this 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 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING

Dated at Denver, Colorado,
this 26th day of October, 1967.

bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SUSIE PERKINS, 332 SOUTH CONEJOS)
STREET, COLORADO SPRINGS, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
2606 TO G. A. BROWN AND ROBERT F.)
BROWN, DOING BUSINESS AS "BROWN)
BROTHERS TRASH SERVICE," 846 EAST)
LAS ANIMAS STREET, COLORADO)
SPRINGS, COLORADO.)

APPLICATION NO. 22789-Transfer

October 26, 1967

Appearances: Susie Perkins, Colorado Springs,
Colorado, pro se;
G. A. Brown and Robert F. Brown,
doing business as "Brown Brothers
Trash Service," Colorado Springs,
Colorado, by
Robert F. Brown, pro se.

PROCEDURE AND RECORD

On September 6, 1967, Susie Perkins, 332 South Conejos Street,
Colorado Springs, Colorado, and G. A. Brown and Robert F. Brown, doing
business as "Brown Brothers Trash Service," 846 East Las Animas Street,
Colorado Springs, Colorado, filed the instant joint application (No. 22789-
Transfer), seeking authority from the Commission to transfer Certificate
of Public Convenience and Necessity No. 2606 from Susie Perkins to G. A.
Brown and Robert F. Brown.

On September 14, 1967, the Commission, pursuant to law, designated
Robert L. Pyle as an Examiner for the purpose of conducting the hearing on
the instant application. After due and proper notice, the Application was
heard by said Examiner in the Hearing Room of the Commission, 532 State
Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on
October 20, 1967. On October 23, 1967, the said Examiner, pursuant to the
provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record

of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Transferor herein, Susie Perkins, is the present owner and operator of PUC No. 2606, which she has in the past continually operated and which presently is in good standing before the Commission. This Certificate is described as follows:

"Transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush, and other waste materials from points within a radius of ten (10) miles of the corner of Pikes Peak and Nevada Avenues in Colorado Springs, Colorado, to any duly designated or approved dump or dump site within a thirty (30) mile radius of Pikes Peak and Nevada Avenues, Colorado Springs, Colorado."
2. The Transferees herein, G. A. Brown and Robert F. Brown, doing business as "Brown Brothers Trash Service," do not hold previously granted authority from this Commission.
3. Transferees are relatives of Transferor and the sole purpose of the transfer is that Transferor is desirous of retiring from the business.
4. The parties have entered into an Agreement for the transfer of PUC No. 2606 and, pursuant to said Agreement, the consideration to be paid for the transfer is \$2,500, which includes the goodwill and assets of the business as well as the authority involved. The Certificate is free and clear of any debts, encumbrances or obligations.
5. The Applicants have duly and properly applied for the transfer.
6. Transferees have the following equipment:

1957 Chevrolet Packer
1951 Chevrolet Dump Truck
1955 GMC Dump Truck
1957 International with Leach Packer

They have had two years of experience in related fields and have a net worth of \$4,000, all of which is ample and suitable for operation of the authority applied for herein.

7. Transferees are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and have or will make adequate provision for insurance.
8. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Susie Perkins to transfer all of her rights, title and interest in and to Certificate PUC No. 2606, in its present form, to G. A. Brown and Robert F. Brown, doing business as "Brown Brothers Trash Service."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Susie Perkins, 332 South Conejos Street, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all rights, title and interest in and to PUC No. 2606 to G. A. Brown and Robert F. Brown, doing business as "Brown Brothers Trash Service," 846 East Las Animas Street, Colorado Springs, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under PUC No. 2606 shall be as follows, to-wit:

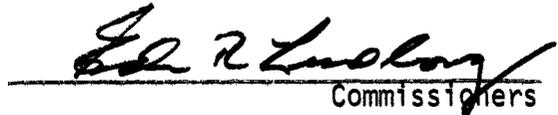
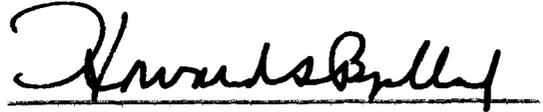
"Transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush and other waste materials from points within a radius of ten (10) miles of the corner of Pikes Peak and Nevada Avenues in Colorado Springs, Colorado, to any duly designated or approved dump or dump site within a thirty (30) mile radius of Pikes Peak and Nevada Avenues, Colorado Springs, Colorado."

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MERLE F. WIECHMAN, BOX 188,)
STEAMBOAT SPRINGS, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22581-PP

October 26, 1967

Appearances: Merle F. Wiechman, Steamboat
Spring, Colorado, pro se.

PROCEDURE AND RECORD

On May 15, 1967, Merle F. Wiechamn, Box 188, Steamboat Springs, Colorado, filed the instant application (No. 22581-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application.

On September 14, 1967 the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the District Court Room, Court House, Steamboat Springs, Colorado, at 10 a.m. on October 19, 1967. On October 23, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant previously held Permit No. B-3941 which was revoked for failure to file Certificate of Insurance as required by law; however, Applicant stated that this was because of a "slip-up" on the part of his agent. There should be no reason why he should not be reissued the authority.
2. In the event this application is granted, Applicant would like to have the same permit number, B-3941, issued to him.
3. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities, as listed in this application.
4. Applicant has an F-600 Ford and Trailer, 20 years of experience in related fields, and has a net worth of \$9,000, all of which are ample and suitable for operation of the authority applied for herein.
5. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
6. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
7. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
8. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Merle F. Wiechman, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"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; provided, however, that no town-to-town service shall be rendered."

and that said operating rights be known as "Permit No. B-3941," being the number of a permit formerly held by him.

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as

hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Merle F. Wiechman, Box 188, Steamboat Springs, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"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; provided, however, that no town-to-town service shall be rendered;"

and that said operating rights be known as "Permit No. B-3941," being the number of a permit formerly held by him; and this ORDER shall be deemed to be, and be, a PERMIT therefor.

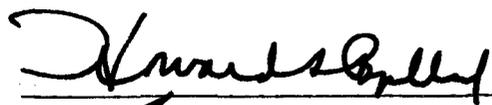
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, 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





Commissioner

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.

bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD W. BEDELL, BOX 424,)
KREMMLING, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22753-PP

October 26, 1967

Appearances: Richard W. Bedell, Kremmling,
Colorado, pro se.

PROCEDURE AND RECORD

On August 15, 1967, Richard W. Bedell, Box 424, Kremmling, Colorado, filed the instant application (No. 22753-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the District Court Room, Court House, Steamboat Springs, Colorado, at 10 a.m. on October 19, 1967. On October 23, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of said proceeding, together with a statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant previously held Permit No. B-6780 which was revoked for failure to file Certificate of Insurance as required by law; however, Applicant stated that this was because of a "slip-up" on the part of his agent; and there should be no reason why he should not be reissued the authority.
2. In the event this application is granted, Applicant would like to have the same permit number, B-6780, issued to him.
3. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities, as listed in this application.
4. Applicant has a 1962 International Series 180 Truck, 6 years of experience in related fields, and a net worth of \$5,000, all of which are ample and suitable for operation of the authority applied for herein.
5. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
6. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
7. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
8. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Richard W. Bedell, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

and that said operating rights be known as "Permit No. B-6780," being the number of a permit formerly held by him.

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Richard W. Bedell, Box 424, Kremmling, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered;"

and that said operating rights be known as "Permit No. B-6780," being the number of a permit formerly held by him;

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.

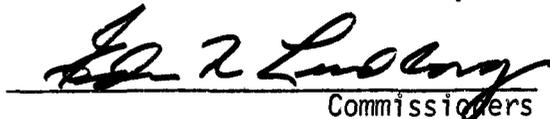
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.

gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
PERMIT NO. B-6656)
BY: MR. CHARLES HESSE)
1107 EAST 18TH STREET)
GREELEY, COLORADO 80630)
Respondent.)

CASE NO. 111-T
SUPPLEMENTAL ORDER

October 26, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin F. Gabel
Donald S. Bailey
John R. Lundberg
Commissioners

Dated at Denver, Colorado,
this 26th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 551 & I)
BY: GLOBE TRUCK LINES, INC.)
2065 DELGANY STREET)
DENVER, COLORADO 80202)
Respondent.)

CASE NO. 112-T
SUPPLEMENTAL ORDER

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

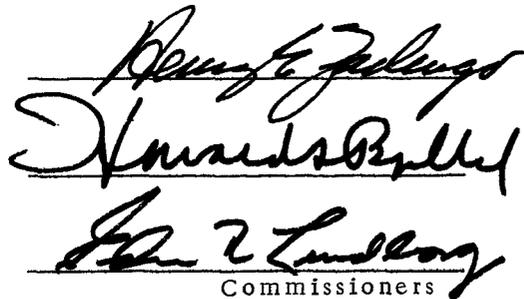
O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATES NOS. 1472 & I AND)
518 & I)
BY: NAUTA TRUCKING)
BOX 405)
FORT COLLINS, COLORADO 80522)
Respondent.)

CASE NO. 113-T
SUPPLEMENTAL ORDER

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

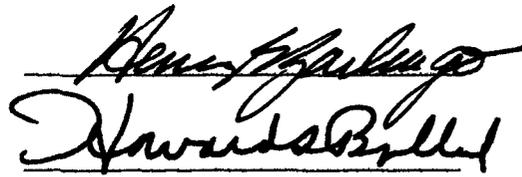
O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ESTATE OF GLENN A. POPP, ABSENTEE,)
BARBARA JEAN POPP, TEMPORARY CONSERVA-)
TRIX, DOROTHY IRENE BURNS AND WILLIAM)
F. BURNS, FOR AUTHORITY TO SELL ALL OF)
THE OUTSTANDING CAPITAL STOCK OF, AND)
TRANSFER CONTROL OF, H. M. POPP TRUCK)
LINE, INC., DOING BUSINESS AS "PETCO,)
INC.," A DIVISION OF H. M. POPP TRUCK)
LINE, 7627 NORTH DAHLIA STREET, COM-)
MERCE CITY, COLORADO, HOLDER OF PUC)
NO. 6742 AND PUC NO. 6742-I, TO LOREN)
G. MARKLEY, MELTON H. BRYAN AND T. M.)
GLIDEWELL.)

APPLICATION NO. 22854-Stock Transfer

October 26, 1967

Appearances: T. M. Ledingham, Esq., Denver,
Colorado, for the Estate of
Glenn A. Popp, Absentee, Barbara
Jean Popp, Temporary Conservatrix,
Vendors;
James G. Johnston, Esq., Denver,
Colorado, for Dorothy Irene Burns
and William F. Burns, Vendors;
Alvin J. Meiklejohn, Esq. and
Peter J. Crouse, Esq., Denver, Colorado,
for Loren G. Markley, Melton H. Bryan,
and T. M. Glidewell, Vendees;
Walter K. Boyd, Esq., Midland, Texas,
for The Permian Corporation in the
interests of a Creditor of H. M. Popp
Truck Line.

PROCEDURE AND RECORD

On October 5, 1967, the parties hereto filed application (No. 22854-Stock Transfer), seeking authority for the Estate of Glenn A. Popp, Absentee, Barbara Jean Popp, Temporary Conservatrix, Dorothy Irene Burns and William F. Burns to sell all of the outstanding capital stock of, and transfer control of, H. M. Popp Truck Line, Inc., doing business as "Petco, Inc.," a division of H. M. Popp Truck Line, holder of PUC No. 6742 and PUC No. 6742-I, to Loren G. Markley, Melton H. Bryan and T. M. Glidewell.

On October 10, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10:00 a.m. on October 24, 1967. On October 26, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The Commission has now given careful consideration to the record and exhibits of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. H. M. Popp Truck Line, Inc. is a Kansas corporation authorized to do business in the State of Colorado. Its general office is located at 7627 North Dahlia Street, Commerce, City, Colorado.
2. Pursuant to Decision No. 67733 entered by the Commission July 11, 1966, H. M. Popp Truck Line, Inc. acquired a portion of PUC No. 1512, authorizing the following for-hire motor vehicle common carrier operations:

"Transportation of petroleum products, in bulk, between all points within the State of Colorado."

The authority thus acquired by H. M. Popp Truck Line, Inc. was assigned PUC No. 6742, and the corresponding interstate "I" authority was assigned PUC No. 6742-I. Decision No. 67980, entered August 12, 1966 by the Commission, authorized H. M. Popp Truck Line, Inc. to conduct its operations within the State of Colorado under an assumed name or trade name, "Petco, Inc., a Division of H. M. Popp Truck Line."

3. The present owners of all of the outstanding stock of H. M. Popp Truck Line, Inc. are warranted to be as follows:

<u>Owner and Holder</u>	<u>Certificate Number</u>	<u>Number of Shares</u>
Dorothy Irene Burns	2	1
Glenn Popp	4	1
Dorothy Irene Burns	5	59
Glenn Popp	7	59
Total:		<u>120</u>

4. The stock held by Glenn Popp is now in the custody of Barbara Jean Popp, who is the Temporary Conservatrix of the Estate of Glenn A. Popp, Absentee, which said Estate is being administered in the Probate Court in and for the City and County of Denver and State of Colorado under Docket No. P-44521. Barbara Jean Popp has been issued Letters as Temporary Conservatrix and the Court having jurisdiction over the Estate has entered its Order authorizing the transaction proposed herein and described hereinafter, in which the Estate proposes to sell all of the stock of Glenn A. Popp, who is one and the same with Glenn Popp. Mr. T. M. Ledingham, Esq., who is a licensed attorney at law within the State of Colorado, offered his opinion as attorney for the Estate of Glenn A. Popp, Absentee, that all of the procedural requirements had been duly accomplished to vest authority in Barbara Jean Popp as Temporary Conservatrix to enter into and consummate the transaction here before the Commission. Mr. Ledingham further offered his opinion that Barbara Jean Popp, in consideration of her appointment as Temporary Conservatrix, the accomplishment of the procedural requirements, and the entry of the Court Order aforesaid, has full power and authority to enter into the transaction and to consummate the same if approved by the Commission as such transaction is now before the Commission. Based thereon, the Examiner finds as a fact that Barbara Jean Popp is the duly appointed, qualified and acting Temporary Conservatrix of the Estate of Glenn A. Popp, Absentee; that all of the procedural and legal requirements have been complied with to vest in the said Barbara Jean Popp as Temporary Conservatrix of said Estate full power and authority to enter into the transaction before the Commission and to consummate said transaction selling the stock held in the name of Glenn Popp should the Commission authorize and empower her to do so pursuant to its regulatory jurisdiction.

5. H. M. Popp Truck Line, Inc. is one of the largest, if not the largest, motor common carriers of bulk petroleum products conducting operations intrastate within the State of Colorado. For the year ended December 31, 1966, it had gross freight revenues in the amount of \$1,140,909.97. For the same period it had a loss from its common carrier operations in the amount of \$52,107.89. After its other income and expenses, it incurred a final net loss chargeable against surplus and capital in the amount of \$149,968.12. At December 31, 1966, its net worth was \$53,510.81. For the nine months ended on September 30, 1967, H. M. Popp Truck Line, Inc. had freight revenues of \$1,059,054.94; nevertheless, it had a net loss from its motor carrier operations in the amount of \$1,239.45, and after giving effect to its other income and deductions, it had a final net loss chargeable against capital and surplus in the amount of \$17,165.63. The net corporate equity as of September 30, 1967, was \$36,345.18. It was said that as of June 30 the corporation had a deficit net worth and that only the intervention of the heavy summer transportation season had produced the profits which enabled the corporation to show the September 30, 1967 equity as aforesaid. Further losses are anticipated commencing with October 1 and continuing through December 31, as the transportation slack seasons are experienced. The corporation is heavily in debt and its financial condition, both from the standpoint of its net worth position and its inability to conduct operations at a profit, is found to be desperate.

6. When Glenn A. Popp mysteriously disappeared in July of 1967 (thereby causing opening of the absentee estate referred to above), it left the corporation without top executive management. Mr. William S. Burns, one of the sellers, became President of the corporation and with certain volunteer services of Mr. Loren Markley and Mr. S. A. Markley, two of the purchasers herein, has managed to keep the corporation conducting operations during the period of negotiations and until the transaction here before the Commission could be approved by both Court and Commission. H. M. Popp Truck Line, Inc. is in need of management ability.
7. Under the terms of a "Stock Purchase Agreement," S. A. Markley, L. G. Markley, Melton Bryan and Martin Glidewell have agreed to purchase all of the outstanding stock of H. M. Popp Truck Line, Inc. There are two parts to the purchase price of the stock. Part 1 of the purchase price, which is the basic consideration, consists of a \$15,000.00 purchase price for the block of stock held by the Estate of Glenn A. Popp, Absentee, and \$15,000.00 for the block of stock held by William S. Burns and Dorothy Irene Burns, who are husband and wife. Part 2 of the purchase price is a contingent consideration. H. M. Popp Truck Line, Inc. holds certain life insurance policies payable on the death of Glenn A. Popp. Under the contract the corporation will continue to pay the premiums on these life insurance policies. If Mr. Popp is declared dead and the death benefits are paid to the corporation under the terms of the life insurance contracts, then the additional price, which is denominated "Part 2" by the parties, becomes payable. It is computed by taking the gross amount of the death proceeds and deducting therefrom the premiums which the corporation will have continued to pay, and any income tax which may be payable on such proceeds. The net amount will then be divided into three parts. An amount representing one-third of this net amount will be payable to each of the Estate of Glenn A. Popp, Absentee, and to Mr. and Mrs. Burns. The agreement between the parties specifically provides that the transaction is to be closed and consummated and title to the shares of stock will pass with the paying of Part 1. The contingent nature of Part 2 of the purchase price in no way affects the closing of the transaction and the change of ownership of the corporation. In the circumstances, the transaction and the purchase price is fair and reasonable.
8. If the Commission authorizes this transaction, Mr. Loren G. Markley will be the President of the corporation, Mr. Martin Glidewell will be Secretary-Treasurer, and Mr. Melton Bryan will be Vice President. These three will constitute the Board of Directors. While Mr. S. A. Markely (the father of Loren G. Markley) is one of the buyers in the Stock Purchase Agreement and thus obligated thereon, it is not contemplated that he will be one of the shareholders when the stock is reissued to the purchasers. The stock of H. M. Popp Truck Line, Inc. will be issued as follows if the Commission approves the transaction:

Loren G. Markley - 60 shares
Melton H. Bryan - 30 shares
T. M. Glidewell - 30 shares

9. Mr. S. A. Markley, one of the purchasers on the contract, is a man of considerable means, having assets "in excess of one million dollars." He states that after consummation of the transaction he is willing to, and will, advance money to the corporation to enable it to meet its obligations. Mr. S. A. Markley some years ago owned the operating rights which are involved in this proceeding. Mr. Markley obtained these operating rights at the time they were originally issued and then several years ago sold them. He has experience in conducting operations on the operating rights which are involved in this transaction and he states that the corporation can be made into a profitable enterprise.
10. Mr. Loren G. Markley, who will be the President and chief executive officer of H. M. Popp Truck Line, Inc., in the days when his father had the operating rights, was a partner of his father in the enterprise and was himself experienced in conducting motor common carrier operations under the operating rights which are involved in this transaction. He offers his opinion that the company can be made a profitable venture under adequate management. He has been raised in the trucking industry, has had experience with the exact operating rights involved herein, and the Examiner finds that he is a suitable and competent person to manage the affairs of H. M. Popp Truck Line, Inc. Mr. Markley stated that he was familiar with the rules and regulations of this Commission and the laws of the State of Colorado and would abide by and observe both in the conduct of the corporate activities should the Commission approve the transaction.
11. H. M. Popp Truck Line, Inc. owns or operates 25 power units and 36 semi-trailers or full trailers for the conduct of its motor vehicle operations. It has not discontinued operations and if the transaction is approved will continue to conduct operations, with additional finances and aggressive new management.
12. The Permian Corporation holds a note issued by H. M. Popp Truck Line, Inc. in the amount of \$250,000.00, which is secured by security interests in certain real estate and equipment which is owned by H. M. Popp Truck Line, Inc. It appeared at the hearing to obtain from the proposed new management a recognition of the fact of existence of this obligation and a recognition from the new management that there was an agreement not to compete which had been executed by H. M. Popp Truck Line, Inc. The Permian Corporation does not oppose the granting of this application.
13. The proposed new stockholders and management are fit, willing and able, financially and otherwise, to own the stock and conduct the affairs of H. M. Popp Truck Line, Inc.
14. The situation of H. M. Popp Truck Line, Inc. requires immediate infusion of new capital and management, and accordingly, any order authorizing the transaction should be made effective immediately.
15. The proposed transaction is consistent with the public interest and should be authorized.

CONCLUSIONS

That the Commission make and enter its Order authorizing Barbara Jean Popp, Temporary Conservatrix of the Estate of Glenn A. Popp, Absentee, Dorothy Irene Burns and William S. Burns, to sell and convey all of their stock in H. M. Popp Truck Line, Inc. in accordance with the terms and conditions of "Stock Purchase Agreement" and "Guarantee" to Loren G. Markley, Melton H. Bryan and Martin Glidewell, and those individuals be authorized to acquire control through stock ownership of H. M. Popp Truck Line, Inc.

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That The Estate of Glenn A. Popp, Absentee, Barbara Jean Popp, Temporary Conservatrix, Dorothy Irene Burns and William F. Burns be, and they hereby are, authorized to transfer all of the outstanding capital stock in and to, and transfer control of, H. M. Popp Truck Line, Inc., doing business as "Petco, Inc.," a Division of H. M. Popp Truck Line, record owner of PUC No. 6742 and PUC No. 6742-I, to Loren G. Markley, Melton H. Bryan and T. M. Glidewell.

That said transfer of stock shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said stock 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 written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority granted herein to make the stock transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1007 & I)
BY: AA TAXICAB CO., INC.)
1101 EAST ABRIENDO AVENUE)
PUEBLO, COLORADO 81001)
Respondent.)

CASE NO. 115-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

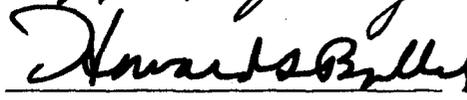
Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 641 & I)
BY: BEMAN MOTORS TRANSPORTATION, INC.)
EAST HIGHWAY 50)
ROCKY FORD, COLORADO 81067)
Respondent.)

CASE NO. 116-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

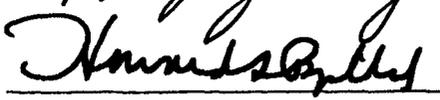
That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 667 & I)
BY: GADDY'S TRUCK SERVICE)
BOX 147)
CALHAN, COLORADO 80808)
Respondent.)

CASE NO. 117-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

Respondent.

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

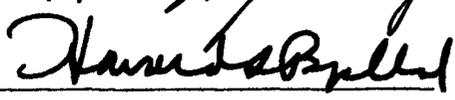
Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 757 & I)
BY: MR. RALPH LOYD)
SPRINGFIELD,)
COLORADO 81073)
Respondent.)

CASE NO. 118-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

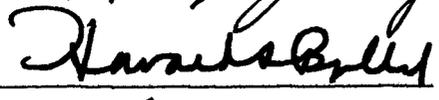
Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1440 & I)
BY: GEISER FEED & TRUCK)
LA VETA,)
COLORADO 81055)
Respondent.)

CASE NO. 119-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file necessary tariff as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

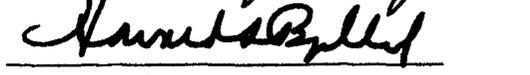
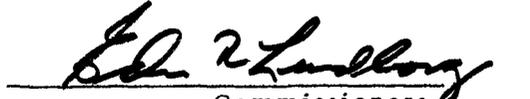
Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATES NOS. 818 & I AND)
819)
BY: V-Y TRUCK LINE)
P. O. BOX 43)
CROOK, COLORADO 80720)
Respondent.)

CASE NO. 120-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file necessary tariff as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

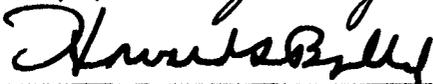
Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
PERMIT NO. B-1877)	
	CASE NO. 121-T
BY: B. R. HAYES, INC.)	<u>NOTICE OF HEARING</u>
627 - 28TH STREET)	AND
GREELEY, COLORADO 80630)	<u>ORDER TO SHOW CAUSE</u>
Respondent.)	

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file necessary tariff as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

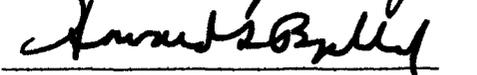
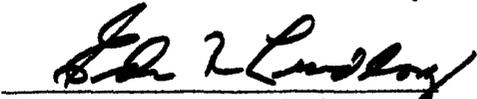
Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
PERMIT NO. B-6151)
BY: M & M WATER SERVICE)
350 ROSE STREET)
P. O. BOX 818)
CRAIG, COLORADO 81626)
Respondent.)

CASE NO. 122-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file necessary tariff as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

Colorado, at 10:00 o'clock A. M., on November 17, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ANNA GASPERETTI, DOING BUSINESS AS)
"CITY STORAGE & TRANSFER," 111 WEST)
TENTH STREET, WALSENBURG, COLORADO.)

PUC NO. 570

-----)
RE MOTOR VEHICLE OPERATIONS OF)
ANNA GASPERETTI, DOING BUSINESS AS)
"GARDNER-REDWING FREIGHT LINE," 111)
WEST TENTH STREET, WALSENBURG,)
COLORADO.)
-----)

PUC NO. 5764 AND PUC NO. 5764-I

October 30, 1967

STATEMENT AND FINDINGS OF FACT

The Commission has received a request from George W. Woodward, Attorney for Mrs. Anna Gasperetti, requesting authority to do business under the trade name and style: Anna Gasperetti, doing business as "The Tri-C Transfer and Storage," in the conduct of operations under PUC No. 570, PUC No. 5764 and PUC No. 5764-I.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Anna Gasperetti, doing business as "City Storage & Transfer," and "Gardner-Redwing Freight Line," be, and hereby is, authorized to conduct operations under the trade name and style of:

Anna Gasperetti
doing business as
The Tri-C Transfer and Storage

in the conduct of operations under PUC No. 570, PUC No. 5764 and PUC No. 5764-I, and that the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to reflect the same.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold Byrd

Ed Z. Zarlengo

Commissioner

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of October, 1967.

bk

(Decision No. 70330)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS G. LITTON AND AILEEN K. LITTON,)
DOING BUSINESS AS "THE LITTON WAREHOUSE)
COMPANY, DOING BUSINESS AS GATEWAY)
NUCLA EXPRESS," 433 SOUTH AVENUE,)
GRAND JUNCTION, COLORADO.)

PUC NO. 5404 AND PUC NO. 5404-I

October 30, 1967

STATEMENT AND FINDINGS OF FACT

The Commission has received a request from the above-styled certificate-holders requesting authority to do business under the trade name and style: Thomas G. Litton and Aileen K. Litton, doing business as "The Litton Warehouse Company," and to drop the name of "Gateway Nucla Express," in the conduct of operations under PUC No. 5404 and PUC No. 5404-I.

The Commission states and finds that said request is compatible with the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

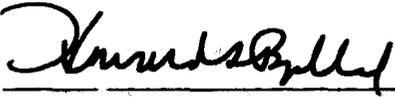
That Thomas G. Litton and Aileen K. Litton, doing business as "The Litton Warehouse Company, doing business as Gateway Nucla Express," Grand Junction, Colorado, be, and hereby are, authorized to conduct operations under the trade name and style of:

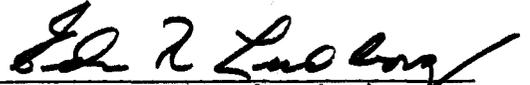
Thomas G. Litton and Aileen K. Litton
doing business as
"The Litton Warehouse Company,"

in the conduct of operations under PUC No. 5404 and PUC No. 5404-I, and that the Secretary of the Commission be, and hereby is, directed to change the records of the Commission to reflect the same.

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
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of October, 1967.
bk

(Decision No. 70331)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD L. HOLTON, ROUTE 2, BOX 34A,)
DELTA, COLORADO FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22666-PP
SUPPLEMENTAL ORDER

October 27, 1967

Appearances: Donald L. Holton, Delta,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 10, 1967, the Commission entered Decision No. 69901 in the above-styled application, granting to applicant herein the right to operate as a Class "B" private carrier by motor vehicle for hire.

Said applicant has failed to comply with the requirements set forth in said Decision No. 69901, viz., has failed to file a certificate of insurance, public liability and property damage.

The Commission states and finds that inasmuch as applicant has not fulfilled requirements set forth in Decision No. 69901, operating rights granted thereby should be revoked, as set forth in the Order following.

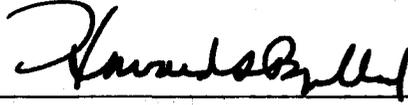
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Donald L. Holton, Delta, Colorado, by Decision No. 69901, dated August 10, 1967, be, and the same, hereby are, revoked, for failure of applicant to comply with requirements set forth in said Decision No. 69901.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EAGLE TRUCK LINE, INC., P. O.)
BOX 486, EAGLE, COLORADO.)

PUC NO. 1442, PUC NO. 1442-I,
PUC No. 1484

October 27, 1967

STATEMENT AND FINDINGS OF FACT

The Commission has received a request from Bob Deane, President of Eagle Truck Line, Inc., requesting a waiver from the Commission to file its Annual Report on a fiscal year basis rather than on a calendar year basis as provided in Rule 26 of the Commission's Rules and Regulations Governing Common Carriers by Motor Vehicle.

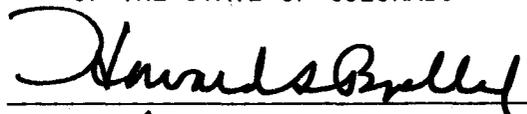
Upon full consideration of the matter the Commission states and finds that to grant the request will not be in the public interest and should be denied.

O R D E R

THE COMMISSION ORDERS:

That the request for waiver of Rule 26 above referred to be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.

bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EARL F. BUCKINGHAM, 950 SOUTH HARRISON)
STREET, DENVER, COLORADO, TO TRANSFER)
ALL OF THE OUTSTANDING CAPITAL STOCK)
OF THE BURCH WAREHOUSE AND TRANSFER)
COMPANY, 200 SOUTH SANTA FE AVENUE,)
PUEBLO, COLORADO, RECORD OWNER OF PUC)
NO. 3382, TO JOHN R. FLETCHALL, EDWIN)
KRENZER, AND ROBERT E. McCURDY, 930)
LAWRENCE STREET, DENVER, COLORADO.)

APPLICATION NO. 22611-Stock Transfer

October 27, 1967

Appearances: Earl F. Buckingham, Denver,
Colorado, the Transferor;
Leslie R. Kehl, Esq., Denver,
Colorado, for the Transferees.

PROCEDURE AND RECORD

On May 29, 1967, Earl F. Buckingham, 950 South Harrison Street, Denver, Colorado, and John R. Fletchall, Edwin Krenzer and Robert E. McCurdy, 930 Lawrence Street, Denver, Colorado, filed the instant joint application (No. 22611-Stock Transfer), for authority to transfer all of the outstanding capital stock of the Burch Warehouse and Transfer Company, 200 South Santa Fe Avenue, Pueblo, Colorado, record owner of PUC No. 3382, from Earl F. Buckingham to John R. Fletchall, Edwin Krenzer and Robert E. McCurdy.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado at 10 a.m. on October 6, 1967. On October 16, 1967, the said Examiner, pursuant to the provisions of the 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing

Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record and exhibits of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Burch Warehouse and Transfer Company is a Colorado corporation, duly organized and existing under the laws of the State of Colorado, and is the owner and operator of PUC No. 3382, which is a certificate of public convenience and necessity described as follows:

"Conduct of a transfer, moving, and general cartage business, including transportation of household goods, within the City of Pueblo, Colorado, and within a ten-mile radius of the corner of Fifth and Main Streets, in Pueblo, Colorado."
2. Earl F. Buckingham is the owner of all the outstanding capital stock of Burch Warehouse and Transfer Company, and has in the past continually operated the authority, which is presently in good standing before the Commission.
3. Transferees, John R. Fletchall, Edwin Krenzer and Robert E. McCurdy, a partnership, hold no previously granted authority from this Commission.
4. The parties have entered into an Agreement for the transfer of all the stock in Burch Warehouse and Transfer Company, as above indicated, and as more fully described in Exhibit No. 1, wherein the consideration to be paid is \$150,000, which includes not only the authority owned by Burch Warehouse and Transfer Company, but also equipment as described in the Agreement, the goodwill and, in fact, the whole business of Burch Warehouse and Transfer Company.
5. The authority pursuant to the Agreement is to be encumbered, pending payment of the balance of the purchase price. This lien is in the form of a Trust Deed, as more fully described in the Agreement.
6. Applicants have duly and properly applied for the transfer.
7. Transferees have 7 pieces of equipment and all assets of the corporation, and adequate experience, all of which are ample and sufficient for the operation of the authority applied for herein.

8. Transferees are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and have or will make adequate provision for insurance.
9. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Earl F. Buckingham to transfer all of the outstanding capital stock of Burch Warehouse and Transfer Company to John R. Fletchall, Edwin Krenzer and Robert E. McCurdy, and that henceforth the authority shall be described as follows:

"Conduct of a transfer, moving, and general cartage business, including transportation of household goods, on call and demand, within the City of Pueblo, Colorado, and within a ten (10) mile radius of the corner of Fifth and Main Streets, in Pueblo, Colorado."

From a check of the records of the Commission, we find as fact that John R. Fletchall, Edwin Krenzer and Robert E. McCurdy, are also the owners of all of the capital stock of Thacker Brothers Transportation, Inc., which corporation presently owns Certificate of Public Convenience and Necessity No. 3429 issued by this Commission. Said Certificate No. 3429 completely overlaps and duplicates Certificate No. 3382, and pursuant to Rule 5 of the Commission's Rules and Regulations Governing Common Carriers, said Certificate No. 3429 should be cancelled. Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and added to, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Earl F. Buckingham, 950 South Harrison Street, Denver, Colorado, be, and hereby is, authorized to transfer all of the outstanding capital stock of the Burch Warehouse and Transfer Company, 200 South Santa Fe Avenue, Pueblo, Colorado, record owner of PUC No. 3382, to John R. Fletchall, Edwin Krenzer, and Robert E. McCurdy, 920 Lawrence Street, Denver, Colorado.

That henceforth the full and complete authority under PUC No. 3382 shall be as follows, to-wit:

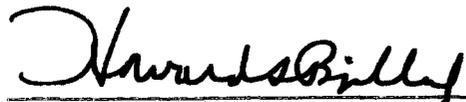
"Conduct of a transfer, moving and general cartage business, including transportation of household goods, on call and demand, within the City of Pueblo, Colorado, and within a ten (10) mile radius of the corner of Fifth and Main Streets, in Pueblo, Colorado."

That, as a condition of the approval of the instant stock transfer, Certificate of Public Convenience and Necessity No. 3429 be, and the same hereby is, cancelled.

That said transfer of stock shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said stock 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 written acceptance of the terms of this Order on or before the effective date of this Order shall automatically revoke the authority granted herein to make the stock transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
gh

(Decision No. 70334)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD O. MOORE, SUCCESSOR IN)
INTEREST TO DENVER-FORT COLLINS)
FREIGHT SERVICE, INC., RECORD OWNER)
OF PERMIT NO. A-783, FOR AUTHORITY)
TO TRANSFER SAID PERMIT TO RICHARD)
O. MOORE, DOING BUSINESS AS "R. W.)
TRANSPORT SERVICE," 9105 EAST FLOYD)
AVENUE, DENVER, COLORADO.)
- - - - -

APPLICATION NO. 22787-PP-Transfer

October 27, 1967

Appearances: Warren D. Braucher, Esq., Denver, Colorado, for Transferee;
Leslie R. Kehl, Esq., Denver, Colorado, for Frederic A. Bethke, Bulk Transporters, Inc., and Consolidated Milk Lines, Protestants;
John P. Thompson, Esq., Denver, Colorado, for Edson Express, Inc., Denver-Loveland Transportation Company, Denver-Laramie-Walden Truck Lines, Inc., Protestants;
Kenuff D. Wolford, Esq., Denver, Colorado, for Illine Alma Lafferty, Protestant;
Jack H. Dwyer, Esq., Denver, Colorado, for Siegel Oil Company, Protestant;
John J. Conway, Esq., Denver, Colorado, for Contract Carriers Conference of the Colorado Motor Carriers Association, Protestants.

PROCEDURE AND RECORD

On September 5, 1967, Richard O. Moore, Applicant herein, filed application for authority to transfer Permit No. A-783 from Richard O. Moore, Successor in Interest to Denver-Fort Collins Freight Service, Inc., record owner of Permit No. A-783 by virtue of having purchased said permit at sealed bid sale held August 21, 1967, pursuant to authority contained in Section 6231 of the Internal Revenue Code, to Richard O. Moore, doing business as "R. W. Transport Service."

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on this application. After due and proper notice, the application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on October 6, 1967. On October 17, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding, together with a written statement of his Findings of Fact and Conclusions.

All rulings made by the Hearing Examiner on Motions are hereby ratified and confirmed. During the course of the hearing, the protests of Illine Alma Lafferty, Bulk Transporters, Inc., Frederic A. Bethke, doing business as Bethke Truck Lines, and E. Bonabel Davis and Frederic A. Bethke, doing business as Consolidated Milk Lines, were withdrawn. Therefore, the only Protestants in this proceeding are Edson Express, Denver=Laramie-Walden Truck Line, Inc. and Denver=Loveland Transportation Company, represented by Attorney John P. Thompson.

The Commission has now given careful consideration to the records and exhibits of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Through proceedings of the Internal Revenue Service and, pursuant to authority contained in the Internal Revenue Code, authority described as Permit No. A-783 was seized for non-payment of delinquent taxes due from Denver-Fort Collins Freight Service, Inc., a Colorado corporation and, further, said property was sold through the means of sealed bids.
2. Richard O. Moore, the Applicant herein, was the successful bidder, which bid was opened August 21, 1967 at 10:00 o'clock A.M. at the Federal Office Building, Denver, Colorado, with a bid of \$2,000 for both Permit No. A-783 and Permits No. A-809 and No. A-809-I, and it is presumed that \$1,000 was paid for the authority (Permit No. A-783) herein involved.

3. The consideration of \$1,000 paid for the authority was fair and reasonable.
4. The "bare authority" was the only thing obtained in the transaction and Transferee, Richard O. Moore, has no equipment at this time; however, Transferee is financially able to do so and will purchase necessary equipment so as to operate the authority, if this transfer is granted.
5. Permit No. A-783 authorizes transportation of freight, generally, and is described fully in the Letter of Authority.
6. Transferee herein, Richard O. Moore, doing business as "R.W. Transport Service," does not hold previously granted authority from this Commission and there is, therefore, no duplication of any operating rights.
7. There are encumbrances on file with this Commission against the authority.
8. Applicant has a net worth of \$64,396 (Applicant's Exhibit No. 3) which, along with his experience in related fields, is ample and suitable for operation of the authority applied for herein.
9. Applicant has duly and properly applied for the transfer.
10. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and has or will make adequate provision for insurance.
11. If this transfer is approved, the Transferee intends to and will engage in bona fide motor carrier operations in the operating rights set forth herein.
12. Operations under this authority are not being conducted at the present time; however, the cessation of operations was caused by circumstances over which the operator of such operating rights had no control.
13. No part of the authority contained in Permit No. A-783 has been abandoned or has, in fact, been allowed to become dormant.
14. Protestant, Edson Express, Inc., holds certificate of authority PUC No. 40, which in certain areas competes with the authority contained in Permit No. A-783.
15. Protestant, Denver-Loveland Transportation Company, holds certificate of authority PUC No. 205, which in certain areas competes with the authority contained in Permit No. A-783.
16. Protestant, Denver-Laramie-Walden Truck Lines, Inc., holds certificate of authority PUC No. 51, which in certain areas competes with the authority contained in Permit No. A-783.
17. Protestants' evidence was insufficient to warrant a denial of this application for transfer.

18. For purposes of clarification and regulation, the authority contained in Permit No. A-783 should be redescribed.
19. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Richard O. Moore, successor in interest to Denver-Fort Collins Freight Service, Inc., record owner of Permit No. A-783, to transfer all of his rights, title and interest in and to Permit No. A-783 to Richard O. Moore, doing business as "R. W. Transport Service," and that henceforth the entire authority shall be described as follows:

- "1. Transportation of freight between Denver, Colorado and Wellington, Colorado over U.S. Highway 287 serving all intermediate points, and the off-route point of Fort Collins Water Filter Plant located fourteen (14) miles northwest of Fort Collins, Colorado on Colorado Highway No. 14.
2. The conduct of a pick-up and delivery service between points within a five (5) mile radius of Denver, Colorado, between points within a two (2) mile radius of the City Limits of Longmont, Colorado and between points within a two (2) mile radius of the City Limits of Fort Collins, Colorado for freight having a prior or subsequent movement over presently authorized routes of Permit No. A-783."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Richard O. Moore, Successor in Interest to Denver-Fort Collins Freight Service, Inc., Record Owner of Permit No. A-783, be, and hereby is, authorized to transfer all rights, title and interest in and to Permit No. A-783 to Richard O. Moore, doing business as "R. W. Transport Service," 9105 East Floyd Avenue, Denver, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Permit No. A-783 shall be as follows, to-wit:

1. Transportation of freight between Denver, Colorado and Wellington, Colorado over U.S. Highway 287 serving all intermediate points, and the off-route point of Fort Collins Water Filter Plant located fourteen (14) miles northwest of Fort Collins, Colorado on Colorado Highway No. 14.

2. The conduct of a pick-up and delivery service between points within a five (5) mile radius of Denver, Colorado, between points within a two (2) mile radius of the City Limits of Longmont, Colorado and between points within a two (2) mile radius of the City Limits of Fort Collins, Colorado for freight having a prior or subsequent movement over presently authorized routes of Permit No. A-783."

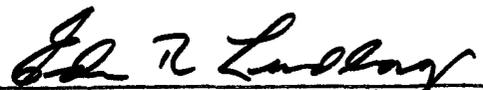
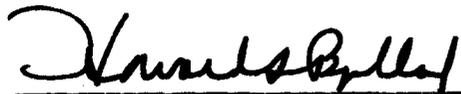
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.

gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DENVER-CLIMAX TRUCK LINE, INC.,)
5445 DAHLIA STREET, COMMERCE CITY,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PUC NO. 257.)

APPLICATION NO. 22516-Extension

October 27, 1967

Appearances: John P. Thompson, Esq., Denver,
Colorado, for Denver-Climax
Truck Line, Inc., Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, for Ruan Transport
Corporation, North Eastern Motor
Freight, Inc., Westway Motor Freight,
Inc., North Park Transportation Com-
pany, Protestants;
Joseph F. Nigro, Esq., Denver, Colorado,
for Weicker Transfer & Storage Company,
Inc., Buehler Transfer Co., Bekins Van
& Storage Co., Duffy Storage & Moving
Co., Hoffman Transfer, United States
Transfer & Storage Co., Johnson Storage &
Moving Co., Amick Transfer & Storage Co.,
Protestants;
Lloyd C. Espinosa, Denver, Colorado,
for the Staff of the Commission.

PROCEDURE AND RECORD

On April 4, 1967, Denver-Climax Truck Line, Inc. filed the instant application (No. 22516-Extension) with the Commission seeking an extension authority under Certificate of Public Convenience and Necessity PUC No. 257. Thereafter, written protests were filed with the Commission by Ruan Transport Corporation, North Eastern Motor Freight, Inc., Westway Motor Freight, Inc., North Park Transportation Company, Weicker Transfer & Storage Company, Inc., Buehler Transfer Co., Bekins Van & Storage Co., Duffy Storage & Moving Co., Hoffman Transfer, United States Transfer & Storage Co., Johnson Storage & Moving Co., and Amick Transfer & Storage Co.

On April 19, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on

this application and, after due and proper notice, the application was heard by said Examiner on May 22, 1967, in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10:00 a.m.

At such hearing, Lois Mae Eshe, the General Manager of Denver-Climax Truck Line, Inc., testified in support of the application. Lloyd C. Espinosa, the Supervisor of the Commission Enforcement Division, testified under subpoena as a witness called by the applicant. Paul V. Haerr, the District Manager for Ruan Transport Corporation, Peter Kooi, the President of North Park Transportation Company, and William Shipp, the Manager of Traffic for North Eastern Motor Freight, Inc. and Westway Motor Freight, Inc. testified in opposition to the application. Protestants Exhibit No. 1, being a copy of the authority sheet of Ruan Transport Corporation (PUC No. 1515 and PUC No. 1515-I), was admitted in evidence. Briefs were filed with the Hearing Examiner by the parties.

On October 18, 1967, the said Hearing Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Denver-Climax Truck Line, Inc. is a Colorado corporation, organized and existing under the laws of the State of Colorado.
2. Applicant presently holds Certificate of Authority identified as PUC No. 1195 and PUC No. 1195-I, description of which is attached hereto, which is not directly involved in this application and which generally authorizes the transportation of freight between Denver and Climax with certain off-route points.
3. For the operation of this authority, which is the major authority operated by Applicant, an office is maintained at 5445 Dahlia Street, Commerce City, Colorado.

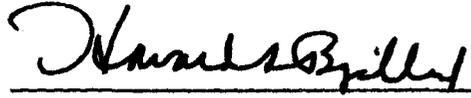
4. Applicant also holds Certificate of Authority identified as PUC No. 257, which is described in the Letter of Authority.
5. In the instant application, Denver-Climax Truck Line, Inc. seeks to maintain an office under PUC No. 257 in Commerce City (and in conjunction with its other office) instead of Hudson, Colorado.
6. Certificate of Authority PUC No. 257 contains the following provision:

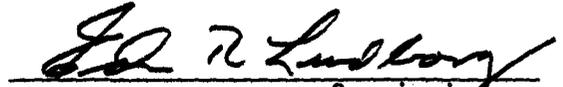
"Applicant shall not under this certificate be permitted without further authority from this Commission, to establish a branch office or to have an agent employed in any other town or city than Hudson for the purpose of developing business."
7. PUC No. 257 generally provides for the conduct of a transfer, moving and general cartage business in the Counties of Morgan, Adams, Arapahoe and Denver as its base counties, and the office restriction which this application seeks to have removed restricts the office to the Town of Hudson, Colorado, located in Weld County which is not one of the base counties.
8. Ruan Transport Corporation, one of the Protestants, holds Certificate of Authority PUC No. 1515 and PUC No. 1515-I, which generally provides for the transportation of petroleum products in bulk, between all points in the State of Colorado. Ruan Transport Corporation maintains its principal office in Commerce City, Colorado.
9. Protestant, North Eastern Motor Freight, Inc., holds Certificate of Authority PUC No. 374 and PUC No. 374-I, which generally provides for the transportation of freight and express between points and places in the State of Colorado and maintains an office and terminal facilities within the Denver metropolitan area as well as other locations.
10. Protestant, Westway Motor Freight, Inc., holds Certificates of Authority PUC No. 701 and PUC No. 701-I and PUC No. 3407, which generally provide for the transportation of freight and express between points and places in the State of Colorado and maintains an office and terminal facilities within the Denver metropolitan area as well as other locations.
11. Protestants, Weicker Transfer & Storage Company, Inc., Buehler Transfer Co., Bekins Van & Storage Co., Duffy Storage & Moving Co., Hoffman Transfer, United States Transfer & Storage Co., Johnson Storage & Moving Co., and Amick Transfer & Storage Co. are certificated common carriers operating in Denver, Adams, Arapahoe and Jefferson Counties wherein they also maintain offices for the solicitation of business.
12. North Park Transportation Company, Protestant, holds Certificates of Authority PUC No. 5888 and PUC No. 1600 and PUC No. 1600-I, which generally provide for the transportation of freight and express between points and places in the State of Colorado and maintains an office in Denver, Colorado.

13. The evidence presented in opposition to this application is too general, indefinite and uncertain, so as to cause a denial of the application on any grounds set forth by Protestants.
14. Maintaining equipment and an office at a point other than a base county creates added expense on the part of the carrier which must ultimately be passed on to the public.
15. Denver-Climax Truck Line, Inc. could operate much more efficiently under the authority in question if it were allowed to combine the office under this authority with its existing office in Commerce City.
16. In the State of Colorado there are a total of 57 occasional carriers and only 4 of these authorities are restricted to offices outside of base counties.
17. In the instant case and under Certificate of Authority PUC No. 257, the original authority contained Weld as a base county, wherein the town of Hudson is located and through a clerical error, apparently on the part of the Public Utilities Commission, Weld was dropped as a base county but the office restriction remained in Hudson.
18. There is no abandonment of Certificate of Authority PUC No. 257, or any part thereof.
19. Applicant's practice of soliciting business under PUC No. 257 is not, of itself, a sufficient basis to find misuse or illegal operations when viewed in the light of the overall operations as conducted by this Applicant and, in the instant case, is not material misuse of the authority.
20. Applicant has duly and properly applied for this extension to PUC No. 257 to maintain an office in Commerce City, Adams County, Colorado, instead of at Hudson, Weld County, Colorado.
21. Applicant's equipment, net worth and experience are all ample and suitable for the purposes of this extension and, as far as this particular application is concerned, need not be set forth with exactness.
22. Applicant corporation is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has made adequate provision for insurance.
23. There is a present and special need for the service. The present or future public convenience and necessity requires or will require that Denver-Climax Truck Line, Inc. be allowed to abandon its office in Hudson, Colorado for the operation of PUC No. 257 and that said carrier be allowed to operate its Certificate of Authority PUC No. 257 out of its office located in Commerce City, Colorado.
24. This Commission, by Decision No. 61941 dated December 13, 1963, did enter its order denying a similar application.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN CASPER, DOING BUSINESS AS)
"SPRINGFIELD DRAY AND CLEANUP," P.)
O. BOX 187, SPRINGFIELD, COLORADO,)
TO TRANSFER PUC NO. 3372 TO ROBERT)
J. CASPER, DOING BUSINESS AS)
"SPRINGFIELD DRAY AND CLEANUP,")
P. O. BOX 187, SPRINGFIELD, COLORADO.)

APPLICATION NO. 22781-Transfer

October 27, 1967

Appearances: John Casper, Springfield,
Colorado, Transferor, pro se;
Robert J. Casper, Springfield,
Colorado, Transferee, pro se.

PROCEDURE AND RECORD

On August 30, 1967, John Casper, doing business as "Springfield Dray and Cleanup," P. O. Box 187, Springfield, Colorado, and Robert J. Casper, doing business as "Springfield Dray and Cleanup," P. O. Box 187, Springfield, Colorado, filed the instant joint application (No. 22781-Transfer), seeking authority from the Commission to transfer Certificate of Public Convenience and Necessity No. 3372 from John Casper, doing business as "Springfield Dray and Cleanup," to Robert J. Casper, doing business as "Springfield Dray and Cleanup."

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10:00 a.m. on October 20, 1967. On October 24, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record and exhibits transmitted by the

Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Transferor herein, John Casper, doing business as "Springfield Dray and Cleanup," is the present owner and operator of PUC No. 3372, which he has in the past continually operated and which presently is in good standing before the Commission. This Certificate is described as follows:

"On call and demand, for the transportation of: trash, refuse, garbage, and other waste materials, between points within a radius of ten miles of Springfield, Colorado."
2. The Transferee herein, Robert J. Casper, doing business as "Springfield Dray and Cleanup," holds no previously granted authority from this Commission.
3. Transferee is a younger brother of Transferor and the sole purpose in this application for transfer is because the Transferor is desirous of retiring from the business.
4. The parties have entered into an Agreement for the transfer of PUC No. 3372 and, pursuant to said Agreement, the consideration to be paid for the transfer is \$7,000, which will also include the equipment. The Certificate is free and clear of any debts, encumbrances or obligations.
5. Transferee has a 1957 International Truck with Daybrook Packer, 3 months of experience in related fields and a net worth of \$24,200, all of which are ample and suitable for operation of the authority applied for herein.
6. Transferee is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and has or will make adequate provision for insurance.
7. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing John Casper, doing business as "Springfield Dray and Cleanup," to transfer all of his rights, title and interest in and to Certificate PUC No. 3372 to Robert J. Casper, doing business as "Springfield Dray and Cleanup," and that henceforth the entire authority shall be described as follows:

"Transportation of trash, refuse, garbage and other waste materials from points within Springfield, Colorado and a ten (10) mile radius thereof to regularly designated and approved dumps or disposal sites."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That John Casper, doing business as "Springfield Dray and Cleanup," P. O. Box 187, Springfield, Colorado, be, and hereby is, authorized to transfer all rights, title and interest in and to PUC No. 3372 to Robert J. Casper, doing business as "Springfield Dray and Cleanup," P. O. Box 187, Springfield, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under PUC No. 3372 shall be as follows, to-wit:

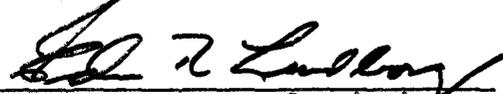
"Transportation of trash, refuse, garbage and other waste materials from points within Springfield, Colorado, and a ten (10) mile radius thereof to regularly designated and approved dumps or disposal sites."

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK J. KLOBERDANZ AND THERESA M.)
KLOBERDANZ, DOING BUSINESS AS)
"KLOBERDANZ TRUCK LINES," P. O. BOX)
1618, STERLING, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 870 TO V-Y TRUCK)
LINE, INC., P. O. BOX 43, CROOK, COLORADO.)

APPLICATION NO. 22800-Transfer

IN THE MATTER OF THE APPLICATION OF)
V-Y TRUCK LINE, INC., P. O. BOX 43,)
CROOK, COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 818 AND PUC NO. 818-I)
(IN THE EVENT AUTHORITY SOUGHT IN APPLI-)
CATION NO. 22800-Transfer IS GRANTED) BY)
MEANS OF CONSOLIDATION OF PUC NO. 818,)
PUC NO. 818-I, PUC NO. 819, PUC NO. 870,)
PERMIT NO. B-1492 AND PERMIT NO.)
B-1492-I, SO AS TO AUTHORIZE OPERATIONS)
AS A COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22801-Extension

October 27, 1967

STATEMENT AND FINDINGS OF FACT

On October 27, 1967, B. F. Walker, Inc. and Star Milk Lines Co., by their Attorney, Edward T. Lyons, Jr., filed a Petition to Intervene in Protest of Applications, in the above captioned proceedings and caused copies of said Petition to be served by mail upon parties of record in these proceedings.

The Commission states and finds that applicants for intervention, B. F. Walker, Inc. and Star Milk Lines Co., are parties who may or might be interested in or affected by any order which may be entered in these proceedings and that the intervention should be allowed.

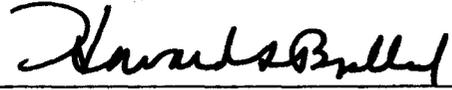
O R D E R

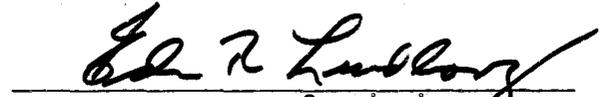
THE COMMISSION ORDERS:

That Petition to Intervene by B. F. Walker, Inc. and Star Milk Lines Co. in Protest of Applications, be, and the same hereby is, granted.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioner

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
bk

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

THE PEERLESS ALLOY, INC.,)	
Complainant)	
)	
v.	)	Informal Reparation Docket No. 1570
	)	Denver and Rio Grande Western Railroad
	)	Company and Colorado and Wyoming Railway
DENVER & RIO GRANDE WESTERN	)	Company. Reparation Application No. 2 -
RAILROAD COMPANY AND THE	)	Reparation \$132.08
COLORADO AND WYOMING RAILWAY)	
COMPANY, RESPONDENTS)	
-----)	

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

An application having been duly filed to submit the matter for determination upon the pleadings and record, the Commission, after investigation of all the facts, finds that on December 23, 1966, Complainant, Peerless Alloy, Inc., forwarded over the lines of the Denver and Rio Grande Western Railroad Company and the Colorado and Wyoming Railway Company, hereinafter referred to as respondents, a carload consisting of 100,060 pounds of pig lead, utilizing rail car Soo Lines 136932, consigned to C F & I Steel Corporation at Minnequa, Colorado, shipped from Denver, Colorado. The respondents collected freight charges based on a rate of \$8.04 per net ton for total freight charges of \$402.24.

The Commission finds, that prior to December 10, 1967, a rate of 27¢ cwt., minimum 100,000 pounds, was in effect - Item 3562-C, WTL-2000; that on December 10, 1967, said 27¢ rate was cancelled by Supplement No. 50 to WTL-2000; that said 27¢ rate was republished in item 905, Supplement No. 49 to Colorado-Utah-Wyoming Committee Freight Tariff No. 12-C, issued March 2, 1967, effective August 6, 1967; and that during the interim period the legal rate was \$8.04 per net ton, minimum 40,000 pounds, per item 1075 D&RGW Tariff No. 6000-H.

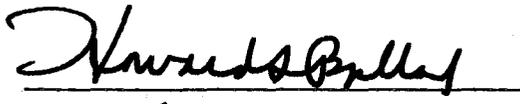
The Commission further finds that the rate applied during the interim period was unreasonable and excessive; that complainant, Peerless Alloy, Inc., paid and bore the charges on the shipment in question; that it has been damaged to the extent of the difference between the charges paid of \$402.24 and charges of \$270.16, that would have accrued at a rate of 27¢ cwt., that it is entitled to reparation in the amount of \$132.08 (\$402.24 - 270.16).

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings herein be, and they are hereby, made a part hereof.
2. That Respondents, Denver and Rio Grande Western Railroad Company and The Colorado and Wyoming Railway Company are, and they are hereby, authorized and directed to pay unto the Peerless Alloy, Inc., Denver, Colorado, on or before November 20, 1967.
3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioner

Dated at Denver, Colorado, this
27th day of October, 1967. av

Commissioner Henry E. Zarlengo
necessarily absent and not
participating.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
Bernard Garon dba)
Western States Novelty Company)
212 North Union)
Pueblo, Colorado 81003)

AUTHORITY NO. M-6621
CASE NO. 1869-M-Ins.

October 31, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 27, 1967 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin E. Fairbridge
Howard B. Miller
Ed R. Ludlow
Commissioners

Dated at Denver, Colorado, this
31st day of October 1967 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE NATIONAL MOTOR FREIGHT)
CLASSIFICATION A-9, COLORADO)
PUC No. 6, SUPPLEMENT No. 16)
-----)

CASE No. 1585

October 19, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On September 25, 1967, the National Motor Freight Traffic Association, Inc., Agent, H. J. Sonnenberg, Issuing Officer, 1616 P Street, N.W., Washington, D.C., 20036, filed Supplement No. 16 to its NMFC A-9, Colorado PUC No. 6, scheduled to become effective November 29, 1967, except as otherwise provided. In Decision No. 68180, dated September 14, 1966, the Commission instituted a continuing procedure for prescribing the changes as they occur, unless suspended. The National Motor Freight Traffic Association, Inc., Agent, has furnished justification for the changes and revisions made in Supplement No. 16, which appear as Appendix "A" hereto. The changes as shown by Supplement No. 16 are set forth in Appendix "B" hereto.

Since the changes, as proposed in Supplement No. 16, appear to represent just, fair and reasonable classes and rules, an order should be entered prescribing the same, under the provisions of Rule 18-C (1) of the Commission's Rules of Practice and Procedure.

O R D E R

THE COMMISSION ORDERS, that, --

1. The Statement and Findings, and appendixes "A" and "B" herein be, and they are hereby, made a part hereof.
2. The classes and rules as set forth in Supplement No. 16, amending NMFC A-9, Colorado PUC No. 6, shall be the prescribed classes and rules of the Commission.

3. All motor vehicle common and private carriers having tariffs on file with the Commission which are governed by the National Motor Freight Classification A-9, Colorado PUC No. 6, as amended, shall comply with the changes provided herein on November 29, 1967, except as otherwise provided.

4. On and after November 29, 1967, except as otherwise provided, all motor vehicle common and private carriers having rates and/or charges on file which are governed by the National Motor Freight Classification No. A-9, Colorado PUC No. 6, as amended, shall cease and desist from publishing, demanding or applying classes and rules which shall differ from the classes and rules published in National Motor Freight Classification A-9, as amended, except call and demand common and Class B private carriers shall be subject to the penalty rule of twenty (20) percent.

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

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

7. This order shall become effective forthwith.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado, this
19th day of October, 1967. av

Title Page to Appendixes

National Motor Freight Traffic Association, Inc., Agent
NMFC, A-9, Colorado PUC No. 6
Supplement No. 16

Effective November 29, 1967

Except as otherwise provided

APPENDIX A - Justification

APPENDIX B - Supplement No. 16
amending NMFC A-9

CLASSES AND RULES

applying on:

Freight Traffic covered by tariffs governed by this
classification as such tariffs may provide.

Decision No. 70340
Case No. 1585
October 19, 1967

APPENDIX "A"

Page 1a, Appendix A, Supplement No. 16, NMFC A-9, Colorado PUC No. 6

Preface: Below is a summary list of changes being proposed in this Supplement. "*" indicates new item number. Following this summary list will be found a detailed explanation of the reasons for the proposed change ("D?S?" means docket number and subject number under which the National Classification Board handled this proposal.)

Rule 255	41330-A	48584-A	149184-A	154280-A	177020-A
Rule 257	*41332	*53170	*149190	154282-A	177780-A
Rule 535	41340-A	*53172	*149360	156980-A	180000-A
Rule 685	41350-A	84300-A	*149362	161700-A	183080-A
3060-A	41372-A	88172-A	*149364	161701-A	*192220
24080-B	*42865	92660-A	153670-A	161702-A	Pkg. 1171
28280-A	*42867	*92662	153672-A	*162560	Pkg. 1383
29780-A	48580-A	149180-A	153760-A	*162562	Pkg. 2036
*33420	48582-A	149182-A	153762-A	175330-B	Pkg. 2037 Pkg. 2039

Rule 255 (D128-S96) Rule 255 amended to include reference to new Rule 257 as explained above, which broadened application results in a reduction.

Rule 257 (D128-S96) This is a shipper proposal to provide for a new type of package and one which has been tested in accordance with the rules of the classification. Thousands of containers were tested in connection with almost 50 commodities with excellent results. In addition, the Dangerous Articles Tariff authorizes the involved container for many commodities. A new rule is being authorized rather than amendment of numerous items for specific commodities. This rule is a broadening of the package requirements.

Rule 535 (D128-S96) Rule 535 republished to cover the expiration date provided in new Rule 257. Since there was no Rule 257 heretofore, the broadened application of such new rule results in a reduction even though it is qualified by an expiration date.

Rule 685 (D128-S96) Rule 685, Line 20 amended to include reference to new Rule 257 as explained above, which broadened application results in a reduction.

3060-A (Memo) Adipic Acid. Item republished to include reference to new package, which broadened application results in a reduction.

24080-B (D127-S52) Bleach, laundry. This is a shipper proposal to provide a new type of package (Pkgs. 705 or 2036) and one which has been tested in accordance with the rules of the classification. The proposal results in a broadening of the packaging provisions of item 24080, covering laundry bleach.

28280-A (D127-S21) Buckles or Fasteners, NOI. "NOI" added to the item description for tariff clarification to avoid conflict with new item 33420 being added. Restriction of this item results in an increase.

29780-A (Memo) Boxes or Cans. Item republished for clarification to substitute the word "or" for the objectionable term "including" which change results in neither an increase nor a reduction.

*33420 (D127-S21)	Buckles, sheet steel, boot or clothing. New item added to the classification at shipper's request to specifically provide for this commodity. Classes assigned are reflective of the transportation characteristics of this commodity. Density is 42 pounds per cubic foot with a value of 40¢ per pound.
41330-A *41332 41340-A 41350-A 41372-A (Memo)	Reels. Item 41330 republished in substitute semi-colons for the heretofore commas in the interests of clarification, which results in neither increases nor reductions. "Sub" numbers assigned in lieu of two present item numbers (which are being cancelled) and note item 413372 being cancelled but same provisions re-added as new note item 41332 to place it nearer the item which makes reference to it.
*42865 *42867 (D127-S30)	Aluminum Oxide and Titanium Dioxide, ultra fine powder. New description being added at shipper's request to provide specifically for ultra fine aluminum oxide and titanium dioxide with classes reflecting an average density of 8.03 pounds per cubic foot and a value of \$1.00 per pound. Note provisions being added to clarify application of description for ultra fine aluminum oxide and titanium dioxide.
48580-A 48582-A 48584-A (D128-S97) (D127-S52)	Cleaning, Scouring or Washing Compounds. This is a shipper proposal to provide for a new type of package (Pkgs. 2036 and 2039), which broadened application results in a reduction. Many thousands of packages have been tested with good results and although this is a broadening of the packaging provisions of item 48580 covering cleaning, scouring or washing compounds, it has been justified by actual tests conducted under permit. Note items brought forward without change in application.
*53170 *53172 (D127-S5)	Machines, ice making. New item added to the classification to provide a specific description for this commodity. Classes assigned are reflective of the transportation characteristics of this commodity. Density averages 10.6 pounds per cubic foot. New note added to the classification in conjunction with new item to more clearly indicate the type of machine embraced therein.
84300-A (D123-S134)	Games or Toys, NOI, plastic or rubber, pneumatic. Item description amended to remove its application to toy balloons which have densities ranging from 4.3 to 13.9 pounds per cubic foot. This action will make toy balloons classed under items 84260 and 84265 according to density. Insofar as this item 84300 is concerned, its application is being restricted and therefore is flagged with the increase symbol.
88172-A (Memo)	Note republished to correct error (\$3.50 should have been \$3.75) which correction, technically broadening the application of the note, results in a reduction.
92660-A (D126-S29)	Handles, milk carton carrying. Item description amended to include a type of milk carton carrying handle shipped without paper tape which have similar transportation characteristics to those handles requiring tape. Density is 35.9 pounds per cubic foot and value is 33 cents per pound. Change results in both increases and reduction.

- *92662-Note (D126-S29) New Note being added to embrace the provisions formerly contained in item 92660. Addition is for tariff clarification.
-
- 149180-A
149182-A
149184-A
(D124-S104)
(D124-S112) Pads or Padding, Wool, Synthetic Fibres. Item description being amended to eliminate reference to hair pads or padding as they are being provided for in the new item.
-
- *149190
*149360
*149362
*149364
(D124-S104)
(D124-S112) Pads or Padding, hair, with binder. New item being added for this material at class 300 AQ at shipper's request. This change will reflect average density and remove the necessity for the density certification required in items 149360, 149362 and 149364 resulting in a reduction.
-
- 153670-A
153672-A
(D123-S138) Loose Leaf Book Fillers. TL reductions are in response to shipper proposal and are justified by characteristics of density and value. Change in minimum weight factor results in an increase.
-
- 153760-A
153762-A
(D123-S137) Pads, Tablets or Blank Books. TL reduction and increase in minimum weight is in response to shipper proposal and is justified by characteristic of density and value, resulting in both an increase and reduction.
-
- 154280-A
154882-A
(D123-S136) School Blanks or Forms. TL reduction is in response to shipper proposal and is justified by characteristics of density and value.
-
- 156980-A
(D127-S19) Fittings, pipe, tube or tubing, plastic. Item description amended for tariff clarification and simplification to more adequately reflect present trade practices, resulting in neither an increase or reduction.
-
- 161700-A
161701-A
161702-A
(Memo) Magazines or Periodicals. Item 161700 republished to correct typographical error in spelling of word "Periodicals" which correction results in neither increases nor reductions. Items 161701 and 161702 brought forward without change in application.
-
- *162560
*162562
(D128-S80) Plates or Sheets, direct image or photo-offset printing. New description added at shipper's request for aluminum printing plates having densities ranging from 43 to 114 pounds per cubic foot with values ranging from 74 to \$1.05 per pound. Note being added to clearly spell out necessary packaging for aluminum printing plates being added above.
-
- 175330-B
(Memo) Sheeting or Tape, light reflecting. Item being cancelled in compliance with ICC order decided May 23, 1967 in I&S M-20563 as amended by order dated August 15, 1967 (service dated August 21, 1967). This order directs the cancellation of the item, and since the item never became effective, its cancellation cannot result in any increase or reduction.
-

177020-A
(D127-S52) Sour, laundry. This is a shipper proposal to provide a new type of package (Pkg 2036) and one which has been tested in accordance with the rules of the classification. The proposal results in a broadening of the packaging provisions of item 177020, covering laundry sour. Broadening of application results in a reduction.

177780-A
(D126-S22) Spring assemblies, coiled or spiral wire springs. Item description amended to provide classes based on a weight density break of 10 pounds per cubic foot. Classes assigned above and at or below this break are reflective of such densities and provide more adequately for such articles in accordance with modern trade practices. Change in description, classes and minimum weights results in both increases and reductions.

180000-A
(Memo) Superphosphate. Item republished to eliminate "plastic bags" per se and in lieu therefore, make reference to "Package 707" which latter being more detailed, results in a technical increase. This error was recently called to the attention of the National Classification Board and this change should have been made earlier when Package 707 was originally published in the classification.

183080-A
(D127-S30) Titanium Dioxide, NOI. Item description being amended by the addition of "NOI" to preclude conflict with the new description being added below for ultra fine titanium dioxide, which change restricts the application of this item, thereby resulting in an increase.

*192220
(D126-S27) Manholes, tank truck or tank trailer. New item added to the classification at shipper's request to provide for this article. Separate provisions are being established for commodities made of "aluminum" and "steel", at classes which are reflective of their transportation characteristic. Aluminum manholes have a density of 20.6 pounds per cubic foot with a value of \$1.29 per pound and steel manholes a density of 33.3 pounds per cubic foot with a value of 50¢ per pound.

Pkg. 1171
(Memo) New Package 1171 being added to provide additional manner of shipping adipic acid (item 3060). By permitting this new package, the application of the classification is broadened, thereby resulting in a reduction.

Pkg. 1383
(Memo) Package 1383 is being cancelled but same provisions are being added as new Package 2037 and therefore this cancellation results in neither increases nor reductions.

Pkg. 2036
(D127-S52) This is a new package being added to the classification in connection with item 24080, 48580 and 177020 covering laundry bleach; cleaning, scouring or washing compounds; and laundry sour, respectively. A shipper requested package which was tested under Rule 689 of the classification and merited, its inclusion in that publication. This is a broadening of the packaging provisions of the involved items.

Pkg. 2037
(Memo) New Package 2037 added incorporating provisions formerly identified under Package 1383. As this makes no change in actual application, merely a renumbering, this results in neither increases nor reductions.

Pkg. 2039
(D128-S97) This is a shipper proposal to provide for a new type of package, which broadens the application of the classification, thereby resulting in a reduction. This new type of packaging is a modification of an existing package and has been tested under the rules of the classification. Many thousands of packages have been tested with good results and although this is a broadening of the packaging provision of item 48580 covering cleaning, scouring or washing compounds, it has been justified by actual tests conducted under permit.

- finis -

APPENDIX "B"

PAGE 1B, APPENDIX B, SUPPLEMENT No. 16, NMFC A-9, COLORADO PUC No. 6

RULES

RULE 255 (CANCELS RULE 255, PAGE 221 OF CLASSIFICATION.)

DEFINITION OF DRUMS

DRUMS ARE CYLINDRICAL (NOTES 2 AND 3) SHIPPING CONTAINERS NOT LESS THAN 3 NOR MORE THAN ONE HUNDRED AND SIXTY-FIVE GALLONS CAPACITY, WITHOUT BILGE, WITH OR WITHOUT BAILES OR HANDLES (NOTE 1), AND MUST BE MADE OF WOOD, FIBREBOARD, METAL OR RUBBER. UNLESS OTHERWISE PROVIDED IN THIS CLASSIFICATION OR IN TARIFFS GOVERNED THEREBY, THE RATES OR CLASSES SHOWN FOR FREIGHT IN "BARRELS" WILL ALSO APPLY ON FREIGHT IN SUCH DRUMS OF NOT LESS THAN THREE GALLONS CAPACITY. FOR DETAILED SPECIFICATIONS, SEE RULES 230, 257, 260, 291, 294, 296 AND 297.

NOTE 1 --A BAIL IS A HANDLE EXTENDING COMPLETELY ACROSS THE TOP OF A CONTAINER AND ATTACHED TO THE SIDES.

NOTE 2 --SQUARE OR RECTANGULAR ALUMINUM OR STEEL CONTAINERS MEETING THE REQUIREMENTS FOR DRUMS OF 5 GALLONS TO AND INCLUDING 7 GALLONS CAPACITY MAY BE ACCEPTED.

NOTE 3--FIBREBOARD DRUMS, NOT CYLINDRICAL, MEETING THE SPECIFICATIONS OF RULE 291, NOTE 6, FOR DRUMS OF LESS THAN SIXTY-FIVE GALLON CAPACITY MAY BE ACCEPTED.

⊕ (ADD RULE 257 TO PAGE 221 OF CLASSIFICATION.)

ⓔ RULE 257

SPECIFICATIONS FOR MOLDED POLYETHYLENE DRUMS

(A) DRUMS MUST BE MADE OF POLYETHYLENE WHICH SHALL HAVE THE FOLLOWING PROPERTIES, AS DETERMINED BY THE AMERICAN SOCIETY FOR TESTING MATERIALS (ASTM) PER METHODS DESIGNATED. TESTS SHALL BE PERFORMED ON PLASTIC WITH ADDITIVES INCLUDED:

PROPERTY	SPECIFICATION	ASTM METHOD
MELT INDEX	1.2 MAXIMUM	D1238 (62T)
DENSITY RANGE	0.941-0.965	D1505 (63T)
TENSILE STRENGTH	3000 PSI MINIMUM	D 638 (61T)
PERCENT ELONGATION	75 PERCENT MINIMUM	D 638 (61T)

(B) CAPACITY OF DRUMS MUST NOT EXCEED 6½ GALLONS. MINIMUM THICKNESS IN ANY PART MUST BE NOT LESS THAN 45 MILS. REMOVABLE HEADS NOT AUTHORIZED. OPENING IN HEAD MUST NOT EXCEED 2.7 INCHES IN DIAMETER.

(C) CONTAINERS FILLED TO 98 PERCENT CAPACITY WITH WATER OR OTHER SOLUTION COMPATIBLE WITH POLYETHYLENE WHICH REMAINS LIQUID AT 0° F. SHALL BE SUBJECT TO THE FOLLOWING TESTS PROVIDED THE FILLED CONTAINERS TO BE TESTED HAVE BEEN STORED AT 0° F. OR LOWER TEMPERATURE FOR AT LEAST 4 HOURS IMMEDIATELY PRECEDING TEST.

1. SHALL NOT LEAK WHEN DROPPED FROM A HEIGHT OF 4 FEET ONTO SOLID CONCRETE SO AS TO DROP DIAGONALLY ON TOP EDGE OR ANY PART CONSTRUCTED TO A LESSER STRENGTH.

2. SHALL NOT SHOW PRESSURE DROP OR EVIDENCE OF LEAKAGE WHEN SUBJECTED TO HYDROSTATIC PRESSURE OF AT LEAST 15 POUNDS PER SQUARE INCH AT EQUILIBRIUM FOR A PERIOD OF 5 MINUTES.

3. SHALL BE CAPABLE OF WITHSTANDING A VIBRATION TEST BY PLACING THE CONTAINER ON THE VIBRATION TABLE ANCHORED IN SUCH MANNER THAT ALL HORIZONTAL MOTION SHALL BE RESTRICTED AND ONLY VERTICAL MOTION ALLOWED. THE TEST SHALL BE PERFORMED FOR ONE HOUR USING AN AMPLITUDE OF ONE INCH AT A FREQUENCY THAT CAUSES THE TEST CONTAINER TO BE RAISED FROM THE FLOOR OF THE TABLE TO SUCH A DEGREE THAT A PIECE OF PAPER OR FLAT STEEL STRAP OR TAPE CAN BE PASSED BETWEEN THE TABLE AND THE CONTAINER.

4. SHALL BE CAPABLE OF WITHSTANDING A STATIC COMPRESSION TEST OF 600 POUNDS WITHOUT BUCKLING OF THE SIDE WALLS SUFFICIENT TO CAUSE DAMAGE, BUT IN NO CASE SHALL THE MAXIMUM TOP TO BOTTOM DEFLECTION BE MORE THAN ONE INCH. COMPRESSION SHALL BE APPLIED TO THE LOADING BEARING AREAS OF THE TOP OF THE CONTAINER FOR A PERIOD OF NOT LESS THAN 48 HOURS.

RULE 535 (CANCELS RULE 535, PAGE 16 OF SUPPLEMENT 15.)

EXPIRATION DATES

RULES, ITEMS, OR OTHER PROVISIONS, MAKING REFERENCE HERETO, EXPIRE WITH THE DATE INDICATED BELOW, UNLESS SOONER CANCELLED, CHANGED OR EXTENDED.

RULE, ITEM, OR PACKAGE	PROVISIONS WHICH EXPIRE	DATE EXPIRING
⊕ RULE 257	ALL PROVISIONS OF RULE	SEPTEMBER 30, 1969
RULE 260	PROVISIONS OF NOTE 2	NOVEMBER 22, 1968
RULE 310	PROVISIONS OF NOTE 4	PROVISIONS OF NOTE 4 OF RULE 310 HAVE NO APPLICATION, HAVING EXPIRED WITH OCT. 18, 1967 AS SCHEDULED.
RULE 360	PROVISIONS OF SEC. 1 (c) AND NOTE THERETO	DECEMBER 31, 1967
ITEM 134215) ITEM 134216) ITEM 134217)	THE PROVISIONS OF THESE ITEMS, PAGE 48! OF CLASSIFICATION, HAVE NO APPLICATION, HAVING EXPIRED WITH DECEMBER 18, 1966 AS SCHEDULED.	
PACKAGE 500	ALL PROVISIONS OF PACKAGE	JULY 31, 1969

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE LAST PAGE OF THIS APPENDIX.

RULES - CONTINUED

RULE 685 (CANCELS RULE 685, PAGES 42 AND 43 OF SUPPLEMENT 6.)
PACKING OR PACKAGING--ALTERNATE FORMS

WHEN IN THE SEPARATE DESCRIPTION OF ARTICLES, NO CLASS IS PROVIDED FOR AN ARTICLE IN A CONTAINER OR SHIPPING FORM BELOW:	APPLY THE SAME CLASS AS PROVIDED FOR THAT ARTICLE IN THE CONTAINER OR SHIPPING FORM INDICATED BY THE LETTER "X" BELOW. (SEE NOTE 1 BELOW)	BAGS	IN PACKAGES COMPRESSED TO, OR HAVING A DENSITY AS SHOWN IN INDIVIDUAL ITEMS.	BARRELS	BOXES	BUNDLES	CRATES	IN BALES, NOT COMPRESSED	IN PACKAGES

XXXX OTHER PORTIONS OMITTED NOT PERTINENT HERE.

20 DRUMS, AS DESCRIBED IN RULES 230, 255, #257M 260, 291, 294 AND 296 X X X X X X X X

ITEM	ARTICLES	CLASSES		(MW)
		LTL	TL	
3060-A	ACIDS, SUBJECT TO ITEM 2060: #ADIPIC, IN BULK IN BARRELS, BOXES OR IN PACKAGES 1171, 1381, 1425 OR 2037	65	35	30.2
24080-B	BLEACH, LAUNDRY, DRY, NO1, IN BOXES, OR IN PACKAGES 705 OR #2036	55	35	36.2
28280-A	BOOT GROUP, SUBJECT TO ITEM 28120: BUCKLES OR FASTENERS, #NO1, IN BARRELS OR BOXES	85	55	30.2
29780-A	BOX GROUP, SUBJECT TO ITEM 28900: BOXES OR CANS, CHEMICALLY HARDENED FIBRE, #OR ROVING CANS OR ROVING CAN BODIES, FIBREBOARD OR CHEMICALLY HARDENED FIBRE:			
SUB 1	NOT NESTED	200	SEE ITEM 29940	
SUB 2	OTHER THAN TAPER SIDED, NESTED, OR ONE OR MORE COMPLETELY OR PARTIALLY ENCLOSED WITHIN TWO OTHERS, IN BUNDLES	150	SEE ITEM 29940	
SUB 3	TAPER SIDED, NESTED	85	SEE ITEM 29940	
*33420	BUCKLES, SHEET STEEL, BOOT OR CLOTHING, CONSISTING OF CLASP AND TAKE-UP SECTION, IN BARRELS OR BOXES	65	40	30.2
41330-A	CARRIERS, SHIPPING, GROUP, SUBJECT TO ITEM 40770: #REELS, SEE NOTES, ITEMS 41073, 41322 AND 41332: CORDAGE; CABLE, ELECTRIC, WITH OR WITHOUT LAGS; PIPE, LEAD; WIRE; BRAID, WIRE; ROPE, WIRE;			
SUB 1	COMPRESSED GROUND WOOD OR FIBREBOARD WALLBOARD HEADS (ENDS) AND FIBREBOARD DRUMS, IN BOXES OR CRATES	110	70	14.2
SUB 2	STEEL OR WOODEN OR WOODEN WITH STEEL DRUMS:			
SUB 3	SU:			
SUB 4	NEW	100	SEE ITEM 41380	
SUB 5	OLD (USED)	85	SEE ITEM 41380	
SUB 6	KD	55	SEE ITEM 41380	
41340-A	#CANCEL. SEE ITEM 41330.			
41350-A	#CANCEL. SEE ITEM 41330.			
41372-A	NOTE. #CANCEL. SEE ITEM 41332.			
*41332	NOTE--APPLIES ONLY WHEN DIAMETER OF HEADS IS 10 INCHES OR MORE; PROVISIONS FOR SPOOLS WILL APPLY WHEN DIAMETER OF HEADS IS LESS THAN 10 INCHES.			

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE LAST PAGE OF THIS APPENDIX.

ITEM	ARTICLES	CLASSES		(MW)
		LTL	TL	
42865	CHEMICALS GROUP, SUBJECT TO ITEM 42600: ALUMINUM OXIDE OR TITANIUM DIOXIDE, ULTRA FINE POWDER, SEE NOTE, ITEM 42867, IN BAGS, BARRELS OR BOXES	125	70	16.2
42867	NOTE--APPLIES ONLY WHEN PARTICLE SIZE OF POWDER DOES NOT EXCEED 0.100 MICRON.			
48580-A	CLEANING, SCOURING OR WASHING COMPOUNDS, NO1, SOAP POWDER, OR SOAP, NO1, SEE NOTES, ITEMS 48582 AND 48584:			
	LIQUID:			
SUB 1				
SUB 2	IN CARBOYS OTHER THAN PLASTIC CARBOYS	100	45	24.2
SUB 3	IN PLASTIC CARBOYS	70	40	30.2
SUB 4	IN BARRELS, BOXES, KITS OR PAILS OR PACKAGE 602:			
SUB 5	LTL	55	...	...
SUB 6	TL, OR IN MIXED TL WITH TEXTILE SOFTENERS, NO1		35	36.2
SUB 7	TL, IN TANK TRUCKS, SEE RULE 370		35	
SUB 8				
SUB 9	OTHER THAN LIQUID: IN BARRELS, BOXES, PAILS OR TUBS, IN PAILS IN CRATES, IN CLOTH BAGS, IN DOUBLE BAGS, IN PAPER-LINED WATER- PROOF CLOTH BAGS, IN MULTIPLE-WALL PAPER BAGS, IN PACKAGES 703, 12036 OR 12039, IN BULK IN BARRELS WITH CLOTH TOPS, OR WRAPPED IN FIBREBOARD (ONLY WHEN IN SOLID MASS):			
SUB 10	LTL	55	...	...
SUB 11	TL, OR IN MIXED TL, WITH TEXTILE SOFTENERS, NO1		35	36.2
48582-A	NOTE-- ONE HAND APPLICATOR MAY BE INCLUDED IN THE SAME SHIPPING CONTAINER FOR EACH INNER CONTAINER, OR ONE DIPPING BASKET ONLY MAY BE INCLUDED IN EACH BARREL, KIT OR PAIL. WEIGHT OF HAND APPLICATORS OR DIPPING BASKETS MUST NOT EXCEED 10 PERCENT OF THE WEIGHT UPON WHICH CHARGES ARE ASSESSED.			
48584-A	NOTE-- SOAP OR COMPOUNDS MAY CONTAIN NOT TO EXCEED 1 PERCENT BLUING OR WHITENING AGENT.			
53170	COOLERS GROUP, SUBJECT TO ITEM 53000: MACHINES, ICE MAKING, WITH OR WITHOUT STORAGE BINS, SEE NOTE, ITEM 53172, IN BOXES OR CRATES	92½	45	24.2
53172	NOTE--APPLIES ONLY ON SELF-CONTAINED ICE MAKING MACHINES OTHER THAN OUTDOOR ICE STATIONS OR ICE VENDING MACHINES.			
84300-A	GAMES OR TOYS GROUP, SUBJECT TO ITEM 83900: GAMES OR TOYS, NO1, PLASTIC OR RUBBER, PNEUMATIC, OTHER THAN TOY BALLOONS, IN BOXES:			
SUB 1	DEFLATED, SEE NOTE, ITEM 84324	70	SEE ITEM 85000	
SUB 2	INFLATED	300	SEE ITEM 85000	
88172-A	GLASSWARE GROUP, SUBJECT TO ITEM 87500: GLASSWARE, SUBJECT TO ITEM 88150: NOTE -- GLASSWARE, NO1, ACTUAL VALUE EXCEEDING \$5.00 PER POUND, NOT EXCEEDING 5 PERCENT OF THE GROSS WEIGHT OF THE PACKAGE IN WHICH SHIPPED, MAY BE INCLUDED IN THE SAME PACKAGE AT CLASSES APPLICABLE TO GLASSWARE, NO1, ACTUAL VALUE EXCEEDING \$3.75 PER POUND, BUT NOT EXCEEDING \$5.00 PER POUND.			
92650-A	HANDLES, SUBJECT TO ITEM 92500: MILK CARTON CARRYING, FIBREBOARD FINGER GRIPS, WITH OR WITHOUT PAPER TAPE FOR FASTENING TWO MILK CARTONS TOGETHER FOR CARRYING, IN BOXES, SEE NOTE, ITEM 92662	60	40	30.2
92662	NOTE--PAPER TABLE MAY BE SHIPPED IN PAPER WRAPPED ROLLS.			

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE LAST PAGE OF THIS APPENDIX.

ITEM	ARTICLES	CLASSES		
		LTL	TL	(MW)
	PADS OR PADDING, SUBJECT TO ITEM 149100:			
149180-A	HAIR, WOOL, SYNTHETIC FIBRE, MOSS OR VEGETABLE FIBRE OTHER THAN COTTON, SEPARATE OR COMBINED. CANCEL. SEE ITEMS 149190 AND 149360.			
149182-A	NOTE. CANCEL. SEE ITEM 149362.			
149184-A	NOTE. CANCEL. SEE ITEM 149364.			
149190	HAIR, WITH BINDER, WITH OR WITHOUT FABRIC OR SPONGE RUBBER REINFORCEMENT OR COVERING, IN PACKAGES	300	300	AQ
149360	WOOL, SYNTHETIC FIBRE, MOSS OR VEGETABLE FIBRE OTHER THAN COTTON, SEPARATE OR COMBINED, WITH OR WITHOUT BINDER, WITH OR WITHOUT FABRIC OR SPONGE RUBBER REINFORCEMENT OR COVERINGS, IN PACKAGES HAVING A DENSITY OF, SEE NOTES, ITEMS 149362 AND 149364:			
Sub 1	LESS THAN 2 POUNDS PER CUBIC FOOT	400	400	AQ
Sub 2	2 POUNDS PER CUBIC FOOT OR GREATER	300	300	AQ
149362	NOTE--SHIPPER MUST CERTIFY ON SHIPPING ORDER AND BILL OF LADING AS FOLLOWS: "THE DENSITY OF THE PADS OR PADDING IS HEREBY STATED TO BE 'LESS THAN 2 POUNDS,' OR '2 POUNDS OR OVER,' AS THE CASE MAY BE.			
149364	NOTE--THE CHARGE FOR A PACKAGE OR PIECE OF A LESSER DENSITY MAY BE ASSESSED ON THE BASIS OF THE NEXT LOWER CLASS PROVIDED IN CONNECTION WITH THE NEXT HEAVIER DENSITY AT THE WEIGHT WHICH WOULD ACCRUE FROM MULTIPLYING THE CUBAGE OF SUCH PACKAGE OR PIECE BY THE LOWEST WEIGHT NAMED IN SUCH DENSITY GROUP. IN SUCH INSTANCES THE FOLLOWING CERTIFICATION MUST BE SHOWN ON THE SHIPPING ORDER AND BILL OF LADING AT THE TIME OF SHIPMENT: "THE CUBAGE OF THE INDIVIDUAL PACKAGES OR PIECES IN THIS SHIPMENT WHICH ARE SUBJECT TO CLASSES APPLICABLE TO A DENSITY GROUP IS ... (INSERT CUBAGE IN FEET)....AND THE DECLARED DENSITY IS (INSERT DECLARED DENSITY).....AT A RESULTANT WEIGHT OF (INSERT WEIGHT FOR BILLING PURPOSES)....."			
	PAPER ARTICLES GROUP, SUBJECT TO ITEM 152000:			
153670-A	LOOSE LEAF BOOK FILLERS, NOI, SEE NOTE, ITEM 153672, IN PACKAGES:			
Sub 1	NOT PRINTED; OR RULES, NOT OTHERWISE PRINTED	55	135	36.2
Sub 2	PRINTED WITH HEADINGS OR MARGINS ONLY	60	135	36.2
Sub 3	PRINTED, NOI	70	40	30.2
153672-A	NOTE--FILLERS MAY HAVE INDEX GUIDES ATTACHED.			
153760-A	PADS, TABLETS OR BLANK BOOKS, IN PACKAGES:			
Sub 1	NOT PRINTED, WITHOUT COVERS, OR WITH PRINTED OR NOT PRINTED PAPER OR PULPBOARD COVERS, SEE NOTE ITEM 153762.	55	135	36.2
Sub 2	NOT PRINTED, WITH PRINTED OR NOT PRINTED COVERS OF OTHER THAN PAPER OR PULPBOARD	60	135	36.2
Sub 3	PRINTED WITH HEADINGS OR MARGINS, WITH OR WITHOUT COVERS	60	135	36.2
153762-A	NOTE--WHEN IN BUNDLES, MUST BE COMPLETELY DOUBLE WRAPPED, AND SECURELY TIED WITH STRONG ROPE, COMPLETELY EN CIRCLING BUNDLE AT LEAST TWICE AROUND SIDES AND ENDS, SECURELY KNOTTED AT EACH CROSSING.			
154280-A	SCHOOL BLANKS OR FORMS, PRINTED AND RULED OR NOT RULED, LOOSE LEAVES (NOT LOOSE LEAF FILLERS), OR IN BOOKS OR PADS, SEE NOTE, ITEM 154282, IN BOXES OR WRAPPED BUNDLES	55	140	36.2
154282-A	NOTE--INCLUDES SCHOOL COPY BOOKS, BUT DOES NOT INCLUDE SCHOOL TEXT BOOKS NOR SCHOOL BLANKS OR FORMS IN LOOSE LEAF BINDERS OR IN LOOSE LEAF COVERS			
	PLASTIC OR RUBBER ARTICLES, OTHER THAN EXPANDED, GROUP, SUBJECT TO ITEM 156500:			
156980-A	PIPE, TUBE OR TUBING FITTINGS, IN BOXES:			
Sub 1	SMALLEST CROSS-SECTIONAL INSIDE DIMENSION, 2 INCHES OR LESS	85	55	24.2
Sub 2	SMALLEST CROSS SECTIONAL INSIDE DIMENSION OVER 2 INCHES	100	70	20.2

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE LAST PAGE OF THIS APPENDIX.

ITEM	ARTICLES	CLASSES		
		LTL	TL	(MM)
161700-A	PRINTED MATTER GROUP, SUBJECT TO ITEM 161500: MAGAZINES OR ▲PERIODICALS, NEW; MAGAZINES OR PERIODICALS, OLD, SEE NOTE, ITEM 161702; MAGAZINES OR PERIODICAL COVERS OR PART COVERS, HAVING VALUE FOR CREDIT PURPOSES, SEE NOTE, ITEM 161702; FLEXIBLE PAPER BOOK COVERS, HAVING VALUE FOR CREDIT PURPOSES, SEE NOTE, ITEM 161702; MAGAZINE OR PERIODICAL PARTS, PAPER, SEE NOTE, ITEM 161701; IN PACKAGES	55	35	36.2
Δ161701-A	NOTE--APPLIES ON COVERS; OR ON SINGLE OR MULTIPLE PAGES OF PRINTED ADVERTISING OR READING MATTER, FOLDED OR CUT OR NOT FOLDED NOR CUT TO FINAL SHEET SIZE. DOES NOT APPLY ON ARTICLES OR MATERIAL HAVING ANY FUNCTION OR PURPOSE OTHER THAN THAT OF READING MATTER OR CONVEYING AN ADVERTISER'S MESSAGE TO READERS.			
Δ161702-A	NOTE--OLD MAGAZINES, PERIODICALS, COVERS OR PART COVERS THEREOF DESCRIBED ON BILLS OF LADING AS SCRAP OR WASTE PAPER WILL BE CLASSED AS SCRAP PAPER.			
*162560	PRINTERS' EQUIPMENT GROUP, SUBJECT TO ITEM 162000: PLATES OR SHEETS, DIRECT IMAGE OR PHOTO-OFFSET PRINTING, ALUMINUM, NOT FURTHER PROCESSED THAN SURFACE GRAINED, IN BOXES OR ON SKIDS, SEE NOTE, ITEM 162562	70	45	30.2
*162562	NOTE--PACKAGES WEIGHING 300 POUNDS OR MORE MUST BE IN WOODEN BOXES OR ON SKIDS COMPLETELY ENCLOSED BY A WOODEN BODY.			
δ175330-B	SHEETING OR TAPE, LIGHT REFLECTING. CANCEL. NO APPLICATION. δ --EFFECTIVE SEPTEMBER 29, 1967 ON INTERSTATE TRAFFIC (ISSUED ON ONE DAY'S NOTICE UNDER AUTHORITY OF AND IN COMPLIANCE WITH ICC ORDER DATED AUGUST 15, 1967 IN INVESTIGATION AND SUSPENSION DOCKET No. M-20563) AND EFFECTIVE NOVEMBER 29, 1967 ON ALL OTHER TRAFFIC.			
177020-A	SOUR, LAUNDRY, NOI, IN DOUBLE BAGS OR IN BARRELS, BOXES OR PAILS, OR PACKAGE Δ2036	55	35	36.2
◆Δ177780-A	SPRING ASSEMBLIES GROUP, SUBJECT TO ITEM 177720: COILED OR SPIRAL WIRE SPRINGS WITH WOOD BOARD BASE FULL AREA ASSEMBLY, IN BOXES, ALSO TL, IN METAL STRAPPED WOOD CLEATED BUNDLES; HAVING A DENSITY OF:			
SUB 1	LESS THAN 10 POUNDS PER CUBIC FOOT	150)	{ 70	14.2
SUB 2	10 POUNDS PER CUBIC FOOT OR GREATER	92½)	{ 45	24.2
180000-A	SUPERPHOSPHATE (ACID PHOSPHATE), AMMONIATED OR OTHER THAN AMMONIATED, LTL, IN BAGS, IN ◆BARRELS, OR PACKAGE 707; TL, IN BULK OR IN PACKAGES.	50	35	40.2
183080-A	TITANIUM DIOXIDE, ◆NOI, IN PAPER BAGS OR BARRELS	60	35	36.2
*192220	VEHICLE PARTS, SUBJECT TO ITEM 190500: MANHOLES, TANK TRUCK OR TANK TRAILER, CONSISTING OF COVERS, MOUNTING COLLARS AND LOCKING OR FASTENING RINGS, IN BOXES:			
SUB 1	ALUMINUM	70	40	36.2
SUB 2	STEEL	55	35	40.2

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE LAST PAGE OF THIS APPENDIX.

SPECIFICATIONS FOR NUMBERED PACKAGES

MISCELLANEOUS

(ADD "PACKAGE 1171" TO PAGE 604 OF CLASSIFICATION.)

♣PACKAGE 1171

IN 3-PIECE BOX MADE OF CORRUGATED FIBREBOARD. CORRUGATING MEDIUM MUST WEIGH NOT LESS THAN 36 POUNDS PER 1,000 SQUARE FEET. BODY OF BOX MUST BE DOUBLE-WALL CONSTRUCTION TESTING NOT LESS THAN 500 POUNDS, AND MUST HAVE FLANGES AT TOP AND BOTTOM NOT LESS THAN 4 INCHES WIDE. TOP AND BOTTOM MUST BE COVERED BY FLANGED CAPS MADE OF VIRGIN KRAFT FIBREBOARD TESTING NOT LESS THAN 350 POUNDS, CONSTRUCTED SO AS TO PROVIDE DOUBLE THICKNESS, THE CORRUGATIONS OF ONE THICKNESS AT RIGHT ANGLES TO THE OTHER. FLANGES OF CAPS MUST FOLD DOWN OVER AND BACK UNDER FLANGES OF BODY. BOTH CAPS MUST BE SECURELY STRAPPED AROUND FLANGE WITH METAL STRAPS.

BOX MUST HAVE INNER CYLINDER WITH DIAMETER EQUAL TO THE WIDTH OF BOX AND LENGTH EQUAL TO HEIGHT OF BOX, MADE OF SINGLE-WALL CORRUGATED FIBREBOARD TESTING NOT LESS THAN 300 POUNDS.

BOX MUST BE SKIDDED BY NOT LESS THAN 3 SKIDS SECURELY ATTACHED THERETO. PLASTICS MUST BE IN INNER POLYETHYLENE BAG.

WHEN PACKAGES ARE DOUBLE TIERED, UPPER TIER MUST NOT REST ON LOWER TIER. GROSS WEIGHT MUST NOT EXCEED 2,000 POUNDS.

(CANCELS "PACKAGE 1383," PAGE 28 OF SUPPLEMENT 15.)

PACKAGE 1383

CANCEL. ▲SEE PACKAGE 2037.

(ADD "PACKAGE 2036" TO PAGE 608 OF CLASSIFICATION.)

♣PACKAGE 2036

IN INNER POLYETHYLENE BAGS NOT LESS THAN 2 MIL ENCLOSED IN A 6-GALLON POLYETHYLENE PAIL MEETING THE FOLLOWING REQUIREMENTS: LID AND SIDEWALLS MUST BE MADE OF POLYETHYLENE NOT LESS THAN 50 MILS THICK. BOTTOM MUST NOT BE LESS THAN 65 MILS IN THICKNESS. BAG TO BE SEALED WITH PLASTIC TIE AND PAIL TO BE CLOSED WITH A FRICTION POLYETHYLENE OVERLAPPING TOP, REINFORCED WITH (3) METAL CLIPS HOLDING TOP TO SIDE WALL. NET WEIGHT OF CONTENTS NOT TO EXCEED 60 POUNDS.

(ADD "PACKAGE 2037" TO PAGE 608 OF CLASSIFICATION.)

▲PACKAGE 2037

IN 5-PLY PAPER BAGS MEETING THE REQUIREMENTS OF RULE 200.

(ADD "PACKAGE 2039" TO PAGE 608 OF CLASSIFICATION.)

♣PACKAGE 2039

CLEANING, SCOURING OR WASHING COMPOUNDS, NO1, SOAP POWDER, OR SOAP, NO1, DRY, MAY BE IN BOXES HAVING FLAP GAPS ON EITHER TOPS OR BOTTOMS OR BOTH. WHERE GROSS WEIGHT DOES NOT EXCEED 40 POUNDS, BOX MUST TEST NOT LESS THAN 175 POUNDS AND AREA OF OPENINGS MUST NOT EXCEED 5 PERCENT OF AREA OF TOPS OR BOTTOMS. WHERE GROSS WEIGHT EXCEEDS 40 POUNDS BUT DOES NOT EXCEED 65 POUNDS, BOX MUST TEST NOT LESS THAN 200 POUNDS AND AREA OF OPENINGS MUST NOT EXCEED 7½ PERCENT OF AREA OF TOPS OR BOTTOMS

EXPLANATION OF REFERENCE MARKS

(FOR EXPLANATION OF ABBREVIATIONS, SEE PAGE 632 OF CLASSIFICATION)

REFER-
ENCE
MARK

EXPLANATION

- ♣ INDICATES REDUCTION.
- ◆ INDICATES INCREASE
- ▲ INDICATES CHANGE IN WORDING WHICH RESULTS IN NEITHER INCREASES NOR REDUCTIONS.
- △ MATTER IN THIS ITEM IS BROUGHT FORWARD WITHOUT CHANGE IN APPLICATION FROM ITEM BEING CANCELLED.
- ♣ INDICATES NEW ITEM.
- ° DEGREE
- (E) SUBJECT TO EXPIRATION DATE SHOWN IN RULE 535.
- ‡ EFFECTIVE SEPTEMBER 29, 1967, ON INTERSTATE TRAFFIC (ISSUED ON ONE DAY'S NOTICE UNDER AUTHORITY OF AND IN COMPLIANCE WITH ICC ORDER DATED AUGUST 15, 1967, IN INVESTIGATION AND SUSPENSION DOCKET No. M-20563) AND EFFECTIVE NOVEMBER 29, 1967, ON ALL OTHER TRAFFIC.
- (MW) MINIMUM WEIGHT FACTOR, SEE RULE 997.

- FINIS -

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1007 & I)
BY: AA TAXICAB CO., INC.)
1101 EAST ABRIENDO AVENUE)
PUEBLO, COLORADO 81001)
Respondent.)

CASE NO. 115-T
SUPPLEMENTAL ORDER

November 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF
CHARLES E. LARSON
215 SOUTH COLORADO AVENUE
BRUSH, COLORADO 80723

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PERMIT M-7050

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 4, 1967

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin G. Carls
Howard S. Butler
Ed R. Lullay
Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF
TIMBERLAKE CATTLE COMPANY
BOX 508
CHERAW, COLORADO 81030

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PERMIT NO. M-10648

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 28, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]
Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF
FELIX LUJAN
BOX 84
SAGUACHE, COLORADO 81149

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PERMIT NO. M-5703

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 29, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry J. Gillingham

Howard B. Kelly

Ed R. Lundberg

Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *
RE: MOTOR VEHICLE OPERATIONS OF)
DORMAN D. SILVER & HOWARD W. SILVER DBA)
SILVER AGRICULTURAL IMPLEMENTS)
P. O. BOX 456)
CRAIG, COLORADO 81626)

PERMIT NO. M-4883

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 26, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF
HENRY MASSMAN
HOLYOKE, COLORADO 80734

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PERMIT NO. M-1292

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

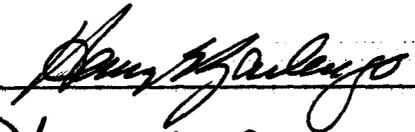
O R D E R

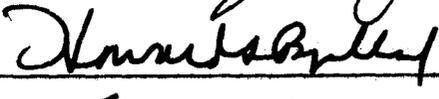
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 17, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF
LE ROY O. BELL
BOX 164, RAINBOW TRAILER COURT
BURLINGTON, COLORADO 80807

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PERMIT NO. M-10292

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 24, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin E. DeLoach
Howard S. Bell
Ed R. Ludlow
Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF
LE ROY O. BELL
BOX 164, RAINBOW TRAILER COURT
BURLINGTON, COLORADO 80873

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PUC NO. 7009-I

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 24, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

	* * *	
RE: MOTOR VEHICLE OPERATIONS OF)	
CLARENCE SAUNDERS DBA)	
RED TOP GRADING CO.	)	<u>PERMIT NO. M-6179</u>
P. O. BOX 6218)	
COLORADO SPRINGS, COLORADO 80900)	

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 26, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alonso E. Zubizarreta

Harold B. Butler

Ed. R. Ludlow

Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

	* * *	
RE: MOTOR VEHICLE OPERATIONS OF)	
CLARENCE SAUNDERS DBA)	
RED TOP GRADING CO.	)	<u>PERMIT NO. B-6349</u>
P. O. BOX 6218)	
COLORADO SPRINGS, COLORADO 80900)	

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

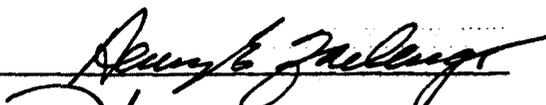
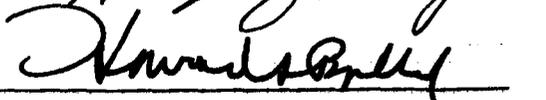
O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 26, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
ARNOLD S. DAVIS)
2812 SOUTH 2750 EAST)
SALT LAKE CITY, UTAH 81501)

PERMIT NO. B-6608

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

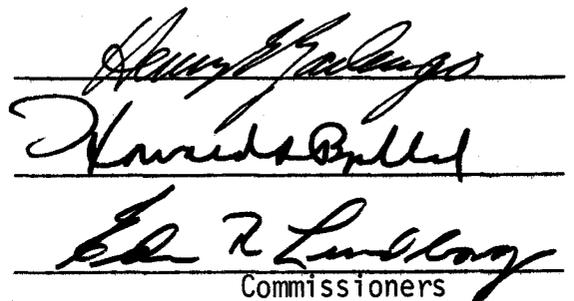
THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from November 6, 1967 to and including May 6, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 27th day of October 1967
bk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF YAMPA VALLEY ELECTRIC ASSOCIA-)
TION, INC., A CORPORATION, STEAM-)
BOAT SPRINGS, COLORADO, FOR AN)
ORDER AUTHORIZING THE ISSUANCE OF)
SECURITIES, AND THE APPLICATION)
OF THE PROCEEDS THEREFROM TO)
CERTAIN LAWFUL PURPOSES.)

APPLICATION NO. 22888
SECURITIES

October 31, 1967

S T A T E M E N T

BY THE COMMISSION:

Upon consideration of the application filed October 31, 1967 by Yampa Valley Electric Association, Inc., in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on November 10, 1967 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 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 November 3, 1967 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

Henry E. Zuckerman
Howard B. Butler
Edw. R. Luskay
Commissioners

Dated at Denver, Colorado,
this 31st day of October, 1967.

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE DRUMS OR BARRELS, IRON OR)
STEEL, EMPTY, FROM GRAND)
JUNCTION, COLORADO TO DENVER,)
COLORADO)

Investigation and Suspension
Docket No. 594

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On August 16, 1967, The Rio Grande Motor Way, Inc., by W. F. Fletchinger, General Traffic Manager, filed Supplement No. 39 to its Freight Tariff No. 10-I, Colorado PUC No. 56, naming increased and reduced rates applicable to minimums of 20 barrels per shipment [Ⓐ]# 75, and 10 barrels per shipment, [Ⓡ]# 100, scheduled to become effective September 18, 1967. It appearing that said publication was in conflict with item 1587 of Tariff 12-A, Colorado PUC No. 11, issued by Colorado Motor Carriers' Association, Agent, which names a rate of # 57 applicable to a minimum of 20 barrels per shipment, the Commission by Decision No. 70086 dated September 13, 1967, suspended said rates and the use thereof to and including January 16, 1968.

The Commission is in receipt of a letter from Mr. W. F. Fletchinger, dated October 23, 1967, wherein he requests that Investigation and Suspension Docket No. 594 be vacated and the matter dismissed.

Supporting said request, Mr. Fletchinger advises that the conflicting rate published in item 1587 of tariff No. 12-A, Colorado PUC No. 11, issued by the Colorado Motor Carriers' Association, Agent, has been cancelled by Docket No. 1068, said cancellation appearing on 15th revised page No. 202 of 12-A, with an effective date of

Ⓐ denotes increase

Ⓡ denotes decrease

denotes rates in cents per barrel

October 30, 1967.

The Commission finds that by decision No. 70300, in Case 1585, dated October 23, 1967, the cancellation of item 1587 of tariff No. 12-A, Colorado PUC No. 11, issued by Colorado Motor Carriers' Association, Agent, was prescribed to become effective October 30, 1967.

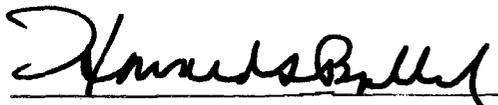
Upon consideration of said facts, the Commission finds that the hearing under Investigation and Suspension Docket No. 594 should be vacated and the proceedings discontinued.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings be, and they are hereby, made a part hereof.
2. That hearing presently set for 2:00 p.m. on November 6, 1967, at Denver, Colorado, be, and the same hereby is, vacated, and that this proceeding be, and it is hereby, discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Commissioner Henry E. Zarlengo
necessarily absent and not
participating.

Dated at Denver, Colorado, this
27th day of October, 1967. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
The J. B. Knight Company, Inc.)
P. O. Box 1152)
Brownfield, Texas 79316)

AUTHORITY NO. M-2127
CASE NO. 2244-M-Ins.

November 1, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 24, 1967 , in the above entitled Case, the Commission entered its Order revoking the above authority for failure to maintain effective insurance on file with the Commission.

The records of the Commission now disclose that proper insurance filing has been made.

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

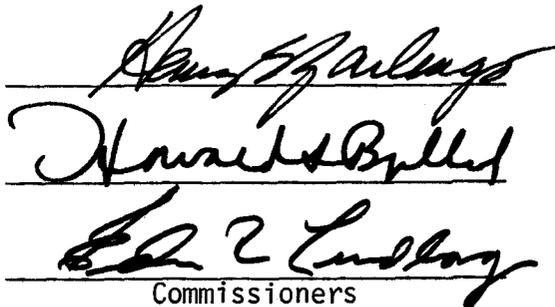
O R D E R

THE COMMISSION ORDERS:

That the herein 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.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado, this
1st day of November 1967 .

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD STANLEY STAFFORD, DOING BUSINESS)
AS "NORTHERN TRASH DISPOSAL COMPANY,")
ROUTE 2, BOX 115-A, LONGMONT, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 6815.)

APPLICATION NO. 22860-Extension

October 27, 1967

STATEMENT AND FINDINGS OF FACT

Golden Transfer Company of Longmont, Colorado, by its Attorney, William T. Secor, filed a Petition to Intervene as its interest may appear in the above-captioned proceeding and caused copies of said Petition to be served by mail upon parties of record in this proceeding.

The Commission states and finds that applicant for intervention, Golden Transfer Company of Longmont, Colorado, is a party who may or might be interested in or affected by any order which may be entered in this proceeding and that the intervention should be authorized.

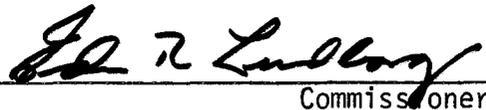
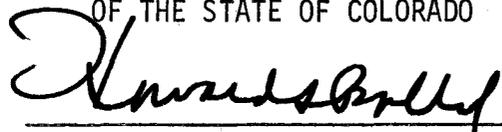
ORDER

THE COMMISSION ORDERS:

That Petition to Intervene of Golden Transfer Company of Longmont, Colorado, as its interest may appear, be, and the same hereby is, granted.

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
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RICHARD STANLEY STAFFORD, DOING BUSINESS)
AS "NORTHERN TRASH DISPOSAL COMPANY,")
ROUTE 2, BOX 115-A, LONGMONT, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 22818-PP

October 27, 1967

STATEMENT AND FINDINGS OF FACT

Golden Transfer Company of Longmont, Colorado, by its Attorney, William T. Secor, filed a Petition to Intervene as its interest may appear in the above-captioned proceeding and caused copies of said Petition to be served by mail upon parties of record in this proceeding.

The Commission states and finds that applicant for intervention, Golden Transfer Company of Longmont, Colorado, is a party who may or might be interested in or affected by any order which may be entered in this proceeding and that the intervention should be authorized.

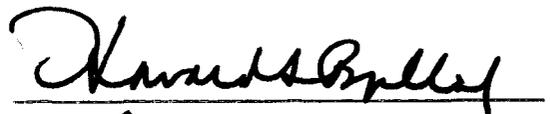
O R D E R

THE COMMISSION ORDERS:

That Petition to Intervene of Golden Transfer Company of Longmont, Colorado, as its interest may appear, be, and the same hereby is, granted.

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
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC)
SERVICE COMPANY OF COLORADO, 550 15TH STREET,)
DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY FOR THE CONSTRUCTION,)
OPERATION AND MAINTENANCE OF A 330 MW ELECTRIC)
GENERATING PLANT TO BE KNOWN AS THE FORT ST.)
VRAIN NUCLEAR GENERATING STATION, NEAR)
PLATTEVILLE, COLORADO, TOGETHER WITH A 230 KV)
TRANSMISSION LINE FROM SAID PLANT SITE TO A)
POINT NEAR BOULDER, COLORADO, AND A 230 KV)
TRANSMISSION LINE FROM SAID PLANT SITE TO A)
POINT NEAR FORT LUPTON, COLORADO.)

APPLICATION NO. 22803

October 27, 1967

STATEMENT AND FINDINGS OF FACT

Tri-State Generation and Transmission Association, Inc., by its Attorneys, Raphael J. Moses and John J. Conway filed with the Commission a Petition to Intervene as its interest may appear in the above-captioned proceeding and caused copies of said Petition to be served by mail upon parties of record in this proceeding.

Union Rural Electric Association, Inc. by its Attorneys, David J. Miller and Robert A. Ruyle, also filed with the Commission a Petition to Intervene as its interest may appear in the above-captioned proceeding and caused copies of said Petition to be served by mail upon parties of record in this proceeding.

V. J. Seavy, Jr., Attorney for and on behalf of the International Union, United Mine Workers of America, and its entire membership living and working in the State of Colorado, filed with the Commission a written Protest to the issuance of a certificate of public convenience and necessity sought in the above-captioned proceeding, and caused copies of said Protest to be served by mail upon parties of record in this proceeding.

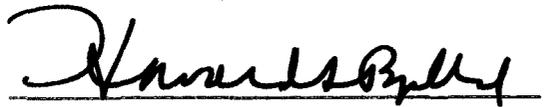
The Commission states and finds that said Petitions to Intervene and Protest should be set for oral argument as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Petition to Intervene on behalf of Tri-State Generation and Transmission Association, Inc., Petition to Intervene on behalf of Union Rural Electric Association, Inc., and Protest on behalf of the International Union, United Mine Workers of America, be, and the same hereby are, set for oral argument before the Commission at 9:00 o'clock A.M., on November 8, 1967, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IOWA ELECTRIC LIGHT AND POWER COMPANY,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO RENDER GAS)
SERVICE IN THE CITY OF STERLING, COLO-)
RADO, UNDER A MUNICIPAL FRANCHISE.)

APPLICATION NO. 22763

October 27, 1967

Appearances: William F. Dwyer, Esq., Denver,
Colorado, for Applicant;
E. R. Thompson, Denver, Colorado,
and
J. M. McNulty, Denver, Colorado,
of the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

On August 24, 1967, Iowa Electric Light and Power Company, by its attorneys, filed above-entitled application with the Commission. This matter was set for hearing, after due notice to the interested parties, by the Commission on Friday, October 27, 1967, 10:00 A.M., at 532 State Services Building, Denver, Colorado.

At said time and place this Application was heard by the Commission and at the conclusion of the hearing taken under advisement. No one appeared at the hearing in opposition to the granting of the authority sought.

Applicant is an Iowa Corporation having its principal place of business in the City of Cedar Rapids, Iowa, and is authorized to do business in the State of Colorado. Applicant has its Colorado Office in the City of Sterling, Colorado. The Articles of Incorporation of Applicant have heretofore been filed with this Commission. Applicant is engaged in the State of Colorado in the business of purchasing gas at wholesale from Kansas-Nebraska Natural Gas Company, Inc. and distributing the same as a public utility in the City of Sterling, the unincorporated community of Atwood and in the

suburban territory tributary and adjacent thereto, as heretofore defined by the Commission in Application No. 18115, Decision No. 56120 of March 22, 1961.

Testimony at the hearing revealed that Applicant has been rendering gas service within the corporate limits of Sterling, Colorado by virtue of a franchise issued to Applicant, the terms of which have not yet expired. Applicant applied for and obtained a new franchise to operate within the corporate boundaries of said City. Introduced at the hearing as Exhibits 1 - 5 respectively were the Application for Franchise; Proof of Publication of the Franchise; A Conformed Copy of the Franchise; Results of the Vote of the Special Municipal Election Regarding Said Franchise; and the Acceptance of the Franchise by Applicant.

The franchise granted in Exhibit 3 herein is entitled as follows:

"FRANCHISE

FRANCHISE BY THE CITY OF STERLING, COLORADO, TO IOWA ELECTRIC LIGHT AND POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, PURCHASE, MAINTAIN AND OPERATE INTO, WITHIN, AND THROUGH THE SAID CITY A PLANT OR PLANTS AND WORKS FOR THE TRANSMISSION AND DISTRIBUTION OF GAS, EITHER NATURAL, MANUFACTURED, MIXED, OR OTHERWISE, FOR HEATING, DOMESTIC, INDUSTRIAL, AND OTHER PURPOSES, WITH THE RIGHT AND PRIVILEGE FOR THE PERIOD AND UPON THE TERMS AND CONDITIONS HEREINAFTER SPECIFIED TO FURNISH, SELL, AND DISTRIBUTE ANY OR ALL OF SAID PRODUCTS TO THE CITY AND THE INHABITANTS THEREOF BY MEANS OF MAINS, PIPES, CONDUITS, SERVICES, AND OTHER NECESSARY STRUCTURES AND APPLIANCES THERETO APPERTAINING IN, UNDER, UPON, OVER, ACROSS, AND ALONG THE STREETS, ALLEYS, BRIDGES, AND PUBLIC GROUNDS WITHIN THE PRESENT AND FUTURE CORPORATE LIMITS OF THE CITY OF STERLING, COLORADO, AND FIXING THE TERMS AND CONDITIONS THEREOF."

The above-entitled franchise was signed by the Mayor on the 27th day of June 1967. The franchise is for a period of twenty years and it provides for a tax of three percent on gross revenues from the sale of gas within the corporate limits of the City exclusive of industrial sales. The franchise further provides that at the end of a fifteen year period, by the mutual consent of the parties, the tax to be paid by the Company may be varied by one percent up or down according to the then economic conditions. The franchise further provides for a base annual payment of a minimum of \$12,000.

Applicant at the present time is serving 4,300 customers in Sterling and the witness estimated the present population to be 13,500. The witness also estimated that the Company, during the twenty-year life of the franchise, would expend approximately \$25,000 annually on capital to be invested, for the rendering of gas service to the inhabitants of Sterling. The estimated amount of \$500,000 will be used for the basis of setting of the fee for the issuance of the certificate to be granted herein, but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

No other public utility is providing gas service in the City of Sterling; gas service will continue to be provided by Applicant under its gas tariff presently on file with the Commission as now in effect or as may be lawfully changed according to law or rules and regulations of the Commission. All gas shall be odorized prior to sales to customers.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement is made a part hereof by reference. That the Commission has jurisdiction of the Applicant herein, Iowa Electric Light and Power Company, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require, and will require, the exercise by Iowa Electric Light and Power Company of the franchise granted by the City of Sterling, Colorado, in Ordinance No. 6, Series of 1967, for the transmission, distribution and sale of gas, either natural, manufactured, mixed, or otherwise in the said City of Sterling; and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Applicant shall install, operate and maintain its gas transmission and distribution system and supply service in the area heretofore designated in accordance with rate schedules, rules and regulations, and service connection and main extension policy as are now or hereafter in effect and on file with the Commission; it shall maintain its books of account in accordance with the Uniform System of Accounts prescribed by the Commission; its operating practices shall at all times be in compliance with the Rules of the Public Utilities Commission of the State of Colorado Regulating the Service of Gas Utilities within the State of Colorado.

All gas sold by Applicant shall be odorized prior to sale to its customers.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

CHAIRMAN HENRY E. ZARLENGO
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
COLORADO-UTE ELECTRIC ASSOCIATION, INC.)
A COLORADO CORPORATION, MONTROSE, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY AUTHORIZING)
IT TO RENDER WHOLESALE ELECTRIC SERVICE)
TO CERTAIN ENTITIES AND TO OPERATE AND)
MAINTAIN CERTAIN FACILITIES, AND FOR AN)
ORDER APPROVING, RATIFYING, AND CON-)
FIRMING THE ISSUANCE OF CERTAIN SECURITIES)
TO THE UNITED STATES OF AMERICA.)

APPLICATION NO. 22882
SECURITIES

November 6, 1967

S T A T E M E N T

BY THE COMMISSION:

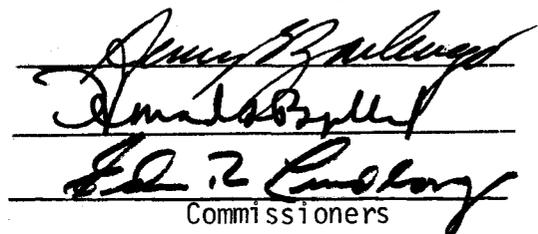
Upon consideration of the application filed October 30, 1967 by Colo-
rado-Ute Electric Association, Inc., in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on November 24, 1967 at 10:00
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 Corpora-
tion, 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 November 17, 1967 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,
November 6, 1967.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
VAIL LIMOUSINE SERVICE, INC.,)
3RD MEZZANINE, STAPLETON AIRFIELD,)
515 MAJESTIC BUILDING,)
DENVER, COLORADO 80202)

PUC NO. 6808

November 2, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

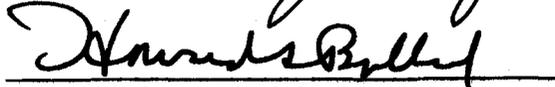
THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from November 1, 1967 to and including November 15, 1967.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 2nd day of November, 1967

(Decision No. 70361)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: AIR CARRIER OPERATIONS OF)
VAIL AIRWAYS, INC., 515 MAJESTIC) PUC NO. ACS-45
BUILDING, DENVER, COLORADO.)

October 2, 1967

STATEMENT AND FINDINGS OF FACT

On June 23, 1967, the Commission entered Decision No. 69707, authorizing Vail Airways, Inc. to suspend operations under PUC No. ACS-45 from July 1, 1967 to and including September 1, 1967.

The Commission has received a written request from Robert S. Wham, Attorney for Vail Airways, Inc., stating that the repairs to the Eagle airport have not yet been completed and requesting that Vail Airways, Inc. be authorized to further suspend operations under PUC No. ACS-45 from September 1, 1967 to and including November 15, 1967.

The Commission states and finds that to grant the herein requested further suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Vail Airways, Inc., be, and hereby is, authorized to further suspend operations under PUC No. ACS-45 from September 1, 1967 to and including November 15, 1967.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance filed, and compliance with all rules and regulations of the

Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry J. Gailinger

Howard Byrd

Ed R. Ludlow
Commissioners

Dated at Denver, Colorado,
this 2nd day of October, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN POWER & GAS COMPANY, INC.,)
A CORPORATION, FOR AUTHORITY TO)
ISSUE UP TO 148,006 SHARES OF ITS)
COMMON STOCK OF THE PAR VALUE OF)
\$2.50 PER SHARE.)

APPLICATION NO. 22873-Securities

November 6, 1967

Appearances: Harry S. Petersen, Esq.,
Pueblo, Colorado, and
Melvin A. Hardies, Esq., Chicago,
Illinois, for Applicant;
J. M. McNulty, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, of the Staff of
the Commission.

S T A T E M E N T

BY THE COMMISSION:

Western Power & Gas Company, Inc. (Applicant) filed Application No. 22873-Securities with this Commission on October 18, 1967. By such application, Applicant seeks authority of this Commission to issue up to 148,006 shares of its common stock of the par value of \$2.50 per share. Said application was set for hearing after due notice to all interested parties, in compliance with the statutes of the State of Colorado and the rules and regulations of this Commission, at 10:00 o'clock A.M. on Wednesday, November 1, 1967, in Room 532, State Services Building, Denver, Colorado. No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application.

Applicant is a Kansas corporation. A certified copy of its authorization by the Secretary of State of Colorado to do business in the State of Colorado as a foreign corporation is on file with the Commission. Its principal office in Colorado is at 115 West Second Street, Pueblo,

Colorado; its general offices are at 233 South 10th Street, Lincoln, Nebraska 68508.

Applicant is engaged in the business of owning and operating electric utility properties in Colorado and other utility properties in Kansas, Nebraska and South Dakota. Applicant also owns a majority of the common stock of Central Telephone Company, and Lee Telephone Company. Central Telephone Company, in turn, owns a majority of the common stock of Central Telephone Company of Illinois, LaCrosse Telephone Corporation, Southeastern Telephone Company, Virginia Telephone & Telegraph Company, and Western Telephone Company. These subsidiaries are all engaged in the business of providing telephone service in various parts of the States of Nevada, Minnesota, Iowa, Missouri, Illinois, Wisconsin, Virginia, North Carolina and Florida.

Subject to the authorizations of this Commission and the Kansas Corporation Commission, Applicant's Board of Directors has declared a dividend upon the common stock of the Applicant payable in common stock of the Applicant December 20, 1967, at the rate of one share for each 100 shares to holders of record at November 13, 1967. The number of common shares outstanding at August 31, 1967, was 13,853,109 and the number of shares then reserved for issuance upon conversions of convertible debt securities and exercises of stock options outstanding and exercisable on or before November 13, 1967, was 947,525; on the basis of which it is calculated that the dividend shares which may be issuable can not exceed 748,006. Only full shares will be issued; fractional shares will be paid for in cash based upon the bid price for common stock of the Applicant (ex dividend) on the over-the-counter market on November 3, 1967.

The value of the full dividend shares issued (and the amount of cash paid in lieu of fractional shares) will be charged to the Applicant's retained earnings. The par value (\$2.50) of each share issued will be credited to common stock capital and the balance of the value of such share will be credited to premium on common stock account. The

Applicant has adequate retained earnings for this purpose. The Applicant has more than 148,006 authorized and unissued shares of common stock available for issuance in discharge of the stock dividend.

The Applicant's witness stated Applicant has expended for construction, extension and improvement of its facilities out of its retained earnings an amount in excess of the aggregate of the amounts to be transferred to common stock capital and premium on common stock account in connection with the issuance of the dividend shares.

F I N D I N G S

THE COMMISSION FINDS:

That Western Power & Gas Company, Inc. is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes 1963.

That this Commission has jurisdiction of said Company and of the subject matter of the application herein.

That the Commission is fully advised in the premises.

That the foregoing Statement be, and it hereby is, adopted as part of the Findings herein.

That the proposed issue by Western Power & Gas Company, Inc. of up to 148,006 shares of its common stock of the par value of \$2.50 per share for the purposes and on the terms hereinabove described is not inconsistent with the public interest; that such issue is permitted by law and is consistent with the provisions of Chapter 115-1-4, Colorado Revised Statutes, 1963; and that the order sought should be issued and be made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That the issue by Western Power & Gas Company, Inc. of up to 148,006 shares of its common stock of the par value of \$2.50 per share for the purposes and on the terms hereinabove described be, and it hereby is, authorized and approved.

That the securities issued hereunder shall bear on the face thereof for proper and easy identification thereof a legend as follows:

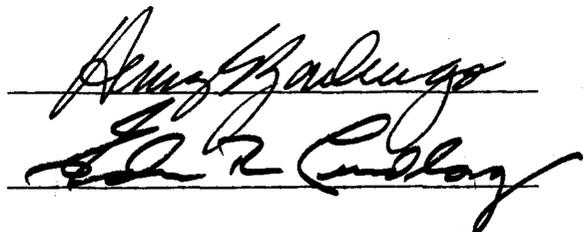
That within ninety (90) days after the final delivery of the shares of common stock to be issued as a dividend Applicant shall file with the Commission a verified report showing the issue of such securities and the costs and expenses incurred by the Applicant incident to such issue and the journal entries reflecting such transactions on the books of Western Power & Gas Company, Inc.

That nothing herein shall be construed to imply any recommendation or guarantee of or any obligation with respect to said issue of the aforementioned securities on the part of the State of Colorado.

That this Commission retain jurisdiction of these proceedings to the end that it may make such further Order or Orders in the premises as it may deem to be proper and desirable.

That the authority herein granted shall be exercisable from and after this date, this Order being made effective forthwith; however, the authorization hereby granted shall expire if and to the extent that it has not been exercised by March 1, 1968.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 6th day of November, 1967.

1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE ITEM 179670, STRAWS, PLASTIC, IN BOXES, NATIONAL MOTOR FREIGHT CLASSIFICATION No. A-9, COLORADO PUC No. 6, SUPPLEMENT No. 13 -----	}) }) }) })	<u>CASE No. 1585</u>
---	--------------------------	----------------------

November 6, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 9, 1967, the National Motor Freight Traffic Association, Inc., Agent, hereinafter referred to as the Association, by H. J. Sonnenberg, Issuing Officer, 1616 P Street, N.W., Washington, D. C. 20036, filed Supplement 20 to its NMFC A-9, Colorado PUC No. 6, scheduled to become effective December 7, 1967, setting forth the following provisions:

Item	ARTICLES	CLASSES		(MW)
		LTL	TL	
179670-A	Straws, drinking, plastic. Cancel. No application. (Cancellation of suspended matter in I&S Docket No. M-21751 authorized; ICC Permission No. M-94200).			

In Decision No. 68180, dated September 14, 1966, the Commission instituted a continuing procedure for prescribing the changes as they occur, unless suspended. The justification furnished by the Association appeared in Colorado Decision No. 69949, dated August 16, 1967.

However, under the provisions authorized by the Interstate Commerce Commission, the common carriers of property by motor vehicle may issue supplements to its tariffs cancelling the matter under suspension by the Interstate body as provided under the provisions of Interstate Commerce Commission permission M-94200. In this particular instance the

LTL denotes less-than-truckload.
TL denotes truckload.
(MW) denotes minimum weight factor, see Rule 997.

matter had not been set for hearing and, consequently, the proponents were at liberty to cancel.

Since the Association has cancelled and withdrawn Item 179670, straws, drinking, plastic, in boxes --- Classes LTL 150, TL 100, ⑩ 10.2, it appears that no good reason exists for the continuation of a proposal by the National Motor Freight Traffic Association, Inc., Agent, and continued as an effective provision in Case No. 1585, when the issues are moot on interstate traffic and the application for intrastate and interstate transportation will be removed. No protests have been entered with the Commission, and the Commission finds that the changes set forth in Supplement No. 20 of NMFC A-9, Colorado PUC No. 6, should be prescribed for Colorado intrastate traffic.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact herein be, and they are hereby, made a part hereof.
2. That the change as set forth in Supplement No. 20, amending NMFC A-9, Colorado PUC No. 6, shall be the prescribed classes and rules of the Commission.
3. That all motor vehicle common and private carriers having tariffs on file with the Commission which are governed by the National Motor Freight Classification A-9, Colorado PUC No. 6, as amended, shall comply with the changes provided herein on December 7, 1967.
4. That on and after December 7, 1967, all motor vehicle common and private carriers having rates and/or charges on file which are governed by the National Motor Freight Classification No. A-9, Colorado PUC No. 6, as amended, shall cease and desist from publishing, demanding or applying classes and rules which shall differ from the classes and rules published in National Motor Freight Classification A-9, as amended, except call and demand common and Class B private carriers shall be subject to the penalty rule of twenty (20) percent.

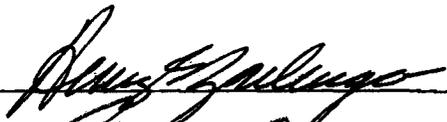
5. That this rule shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

7. That this Order shall become effective forthwith.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Commissioner Howard S. Bjelland
necessarily absent and not
participating.

Dated at Denver, Colorado, this
6th day of November, 1967. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE ITEM 188923, CARTS, REFUSE CAN,)
STEEL, NATIONAL MOTOR FREIGHT)
CLASSIFICATION No. A-9, COLORADO)
PUC No. 6, SUPPLEMENT No. 12)

CASE No. 1585

November 6, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 3, 1967, the National Motor Freight Traffic Association, Inc., Agent, hereinafter referred to as the Association, by H. J. Sonnenberg, Issuing Officer, 1616 P Street, N.W., Washington, D. C. 20036, filed Supplement No. 17, to its NMFC A-9, Colorado PUC No. 6, scheduled to become effective November 30, 1967, setting forth the following provisions:

Item	ARTICLES	CLASSES		Ⓜ
		LTL	TL	
188923-A	Vehicles, other than self-propelled subject to Item 188500. Carts, refuse can, Cancel. No application. (Cancellation of suspended matter in I&S Docket No. M-21662 authorized; ICC Permission No.M-94200)			

In Decision No. 68180, dated September 14, 1966, the Commission instituted a continuing procedure for prescribing the changes as they occur, unless suspended. The justification furnished by the Association appeared in Colorado Decision No. 69829, dated July 19, 1967, for Item 188923.

However, under the provisions authorized by the Interstate Commerce Commission, the common carriers of property by motor vehicle may issue supplements to its tariffs cancelling the matter under

LTL denotes less-than-truckload.
TL denotes truckload.
Ⓜ denotes minimum weight factor, see Rule 997.

suspension by the Interstate Body as provided under the provisions of the Interstate Commerce Commission permission M-94200. In this particular instance at hand the matter had not been set for hearing. Consequently, the proponents were at liberty to cancel.

Since the Association has cancelled and withdrawn Item No. 188923, Carts, refuse cans, steel, without solid sides, ends or bottoms, with or without cloth bag or hamper:

	CLASSES		
	LTL	TL	
Sub 1, S U	250	250	AQ
Sub 2, KD flat, in boxes	150	150	AQ

it appears that no good reason exists for the continuation of a proposal by the National Motor Freight Traffic Association, Inc., Agent, and continued as an effective provision in Case No. 1585, when the issues are moot on interstate traffic and the application for intrastate and interstate transportation will be removed. No protests have been entered with the Commission, and the Commission finds that the changes set forth in Supplement No. 17 of NMFC A-9, Colorado PUC No. 6, should be prescribed for Colorado intrastate traffic.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact herein be, and they are hereby, made a part hereof.
2. That the change as set forth in Supplement No. 17, amending NMFC A-9, Colorado PUC No. 6, shall be the prescribed classes and rules of the Commission.
3. That all motor vehicle common and private carriers having tariffs on file with the Commission which are governed by the National Motor Freight Classification A-9, Colorado PUC No. 6, as amended, shall comply with the changes provided herein on November 30, 1967.
4. That on and after November 30, 1967, all motor vehicle common and private carriers having rates and/or charges on file which

SU denotes set up.
 KD denotes knocked down.
 AQ denotes any quantity.

are governed by the National Motor Freight Classification No. A-9, Colorado PUC No. 6, as amended, shall cease and desist from publishing, demanding or applying classes and rules which shall differ from the classes and rules published in National Motor Freight Classification A-9, as amended, except call and demand common and Class B private carriers shall be subject to the penalty rule of twenty (20) percent.

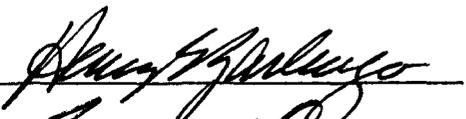
5. That this rule shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

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

7. That this Order shall become effective forthwith.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioner

Commissioner Howard S. Bjelland
necessarily absent and not
participating.

Dated at Denver, Colorado, this
6th day of November, 1967. av

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: AIR CARRIER OPERATIONS OF)
ASHBY HIBBS, DOING BUSINESS AS)
"SALIDA FLYING SERVICE," ROUTE 1,)
BOX 288, SALIDA, COLORADO.)

PUC NO. AC-14

November 7, 1967

STATEMENT AND FINDINGS OF FACT

The Commission has received a written request from Mrs. Ashby Hibbs requesting that PUC No. AC-14 be suspended for a period of six months.

The Commission states and finds that to grant the herein requested suspension will be in the public interest and should be granted as set forth in the Order following.

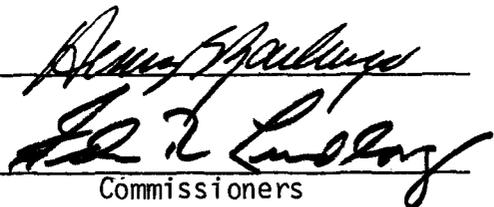
ORDER

THE COMMISSION ORDERS:

That Ashby Hibbs, doing business as "Salida Flying Service," Salida, Colorado, be, and hereby is, authorized to suspend operations under PUC No. AC-14 from November 1, 1967 to and including May 1, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 7th day of November, 1967.

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: THE FAILURE OF CERTAIN CORPORA-)
TIONS, PARTNERSHIPS, AND/OR PERSONS)
TO COMPLETE ACTIONS INSTITUTED)
BEFORE THE COMMISSION FOR AUTH-)
ORITY TO OPERATE AS COMMON OR)
PRIVATE CARRIERS BY MOTOR VEHICLE)
FOR HIRE IN INTERSTATE COMMERCE ONLY)
OVER THE PUBLIC HIGHWAYS OF THE)
STATE OF COLORADO.)

November 7, 1967

BY THE COMMISSION:

The files and records of the Commission disclose that the hereinafter stated corporations, partnerships, and/or persons as specifically set forth in the Order part of this Decision have paid to the Commission the required filing fee for authority to operate as a Common or Private Carrier by Motor Vehicle for hire in interstate commerce only over the public highways of the State of Colorado but have either (1) failed to file an application requesting such authority or (2) have failed, after filing an application for such authority, to file either a request for identification cards, the required certificate of insurance or a written designation for service of notices, orders or process -- all of which is required by law and the Commission's Rules and Regulations Governing Common or Private Carriers by Motor Vehicle.

The files and records of the Commission -- in addition to the above -- further disclose that all of said corporations, partnerships, and/or persons have previously been duly notified by the Commission of their failure to comply with one or more of the above specifically stated items.

The Commission states and finds that all actions heretofore instituted before the Commission by the corporations, partnerships, and/or persons as listed in the Order part of this Decision should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That all actions heretofore instituted by the following corporations, partnerships, and/or persons before this Commission to obtain authority to operate as Common or Private Carriers by Motor Vehicle for hire in interstate commerce only over the public highways of the State of Colorado, be, and the same hereby are, dismissed:

C. C. Blackwell	Rte 1, Box 348, Weatherford, Texas
L. C. Brignon	702 S. Penn, Mangum, Oklahoma
LeRoy & Henry Bolejack d/b/a Colorado Livestock Supply	923-8th St., Golden, Colorado 80401
Govie Glass	Brosely, Mo.
Arnold Hedberg	Rte 1, Marquette, Kansas 67464
Elvie L. Henderson	Box 263, Paducah, Texas 79248
George Dailey d/b/a J & S Dist. Co.	P. O. Box 280, Eustis, Fla. 32726
Jackie Pieratt	1709 Pearl, Wichita Falls, Texas 76301
Pure Vac	1187 Severson, Memphis, Tenn. 38100
Teter Trucking Co.	867 E. 30th St. Box 433, Pittsburg, Kans. 66762
Transports System Inc.,	2915 8th Ave., Chattanooga, Tenn.
Clyde Tucker,	P. O. Box 292, Temple, Okla. 73568
W. B. Ulmer	119 W. Chickasaw, Brookhaven, Mississippi
J. M. Wood Mfg. Co.	122 W. Franklin, Hillsboro, Texas

This Order shall become effective ten days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING.

Dated at Denver, Colorado,
this 7th day of November, 1967.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
W. A. GREEN, d/b/a)
COLORADO SPRINGS SIGHTSEEING CO.)
11318 LARSON LANE)
DENVER, COLORADO 80233)

PUC NO. 134

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

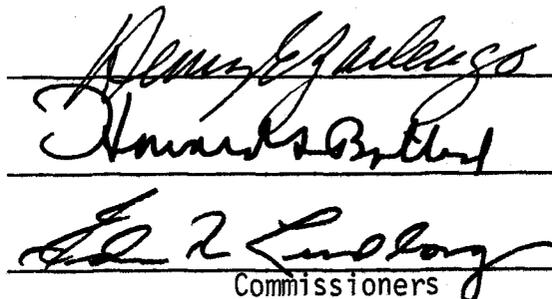
THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from November 13, 1967 to and including May 13, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REDUCED RATES, BEER IN CONTAINERS,
INCLUDING PALLETS, DUNNAGE AND SHIPPER'S
ADVERTISING MATERIAL, BETWEEN GOLDEN AND
DENVER, COLORADO, AND OTHER NEARBY POINTS

)
)
) Investigation and Suspension
Docket No. 602

November 6, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 13, 1967, Acme Delivery Service, Inc., Walter E. Rumpf, Vice President, filed with the Commission Local Motor Freight Tariff No. 12, Colorado PUC No. 12, naming reduced rates and charges for the transportation of beer, in containers, including pallets, dunnage and shipper's advertising material as set forth in Appendix "A" attached hereto, scheduled to become effective November 13, 1967.

The Commission is in receipt of a protest filed for and on behalf of Westway Motor Freight, Inc., by Leslie R. Kehl, Attorney for Protestant, requesting the suspension of said schedule.

Upon consideration of the said schedule and protest thereto, the proposed schedule may, if permitted to become effective, result in rates that may be in violation of the Public Utilities Law. It is the finding of the Commission that said schedule should be suspended and an investigation entered into and concerning the lawfulness of the rates and charges contained therein.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings, and Appendix A attached hereto, be, and they are hereby, made a part hereof.
2. That it shall enter upon a hearing concerning the lawfulness of the rates as proposed in the tariff referred to in the Statement hereof.

3. That the operation of said schedule be, and it is hereby, suspended and the use thereof deferred to and including March 12, 1968, unless otherwise ordered by the Commission.

4. That the investigation in this proceeding shall not be limited to the matters and issues hereinbefore stated for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of said schedules under the Public Utilities Law.

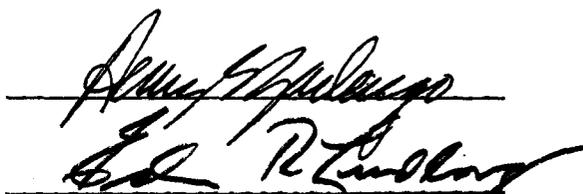
5. That neither the schedule hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.

6. That a copy of this order shall be filed with the schedule in the office of the Commission and that a copy hereof be served upon Acme Delivery Service, Inc., Walter E. Rumpf, Vice President, 842 Walnut Street, Denver, Colorado 80204, and said Carrier be, and it is hereby, made respondent in this proceeding. The necessary suspension supplement shall be issued, filed and posted to the schedule referred to in the statement and findings herein.

7. That seven days prior to the hearing date herein, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which it intends to introduce in evidence in support of its case.

8. That this Investigation and Suspension Docket No. 602 be, and the same is hereby, set for hearing before the Commission on the 5th day of December, 1967, at 2:00 o'clock p.m., in the hearing room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado 80203.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Commissioner Howard S. Bjelland
necessarily absent and not participating.
Dated at Denver, Colorado, this
6th day of November, 1967 av

APPENDIX "A"

Colo. PUC No. 12
cancels
Colo. PUC No. 10

ACME DELIVERY SERVICE, INC.

Colo. PUC No. 2479

LOCAL MOTOR FREIGHT TARIFF No. 12

naming

COMMODITY RATES

For the Transportation of

ADVERTISING MATERIAL

BEER

CONTAINERS, DUNNAGE OR PALLETS

Between

Golden, Colorado

and

Aurora, Denver, Englewood and Lakewood, Colorado

over irregular routes

For reference to governing publication, see Item 10.

Issued October 13, 1967

Effective November 13, 1967

Issued by:
Walter E. Rumpf, Vice President
842 Walnut Street
Denver, Colorado 80204

Item No.	GOVERNING PUBLICATION
----------	-----------------------

10 This tariff is subject to the Rules and Regulations published in the Colorado Motor Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colo. PUC No. 11 (The Motor Truck Common Carriers' Association, Agent, Series), supplements thereto and reissues thereof.

COMMODITY RATES

Item No.	Commodity	From	To	Rate
20	Beer, in containers, including pallets, dunnage and shipper's advertising material	Golden, Colo.	Aurora Denver Englewood Lakewood	See Below
	Containers, Dunnage or pallets, empty, returned	Aurora Denver Englewood Lakewood	Golden	

RATES

Aurora:	\$ ^(R) 40.00 per round trip
Denver:	35.00 per round trip
Englewood:	^(R) 40.00 per round trip
Lakewood:	^(R) 26.00 per round trip

Charges apply to all commodities no matter in which manner they are handled.

Minimum cubic feet per trailer shall be 1800.

Rates and charges include the privilege of the shipper placing its advertising on carrier's equipment.

Maximum load shall be that permitted under the Colorado Law governing vehicle sizes and weights.

^(R) Reduction.

(Finis)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DONALD L. BERG, 7770 OLIVE STREET,)
COMMERCE CITY, COLORADO 80022)

PERMIT NO. B-5557

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

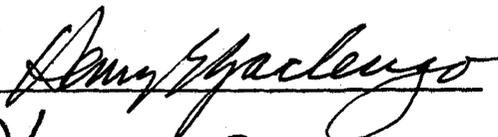
THE COMMISSION ORDERS:

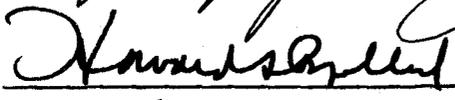
That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from October 31, 1967 to and including April 30, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
VICTOR D. SUNQUIST AND GEORGE LYNCH,)
DOLORES, COLORADO 81323)

PERMIT NO. B-6891

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from November 6, 1967 to and including May 6, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
RAY ALDER, 1803 26TH STREET, GREELEY,)
COLORADO.)

PUC NO. 5609-I

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

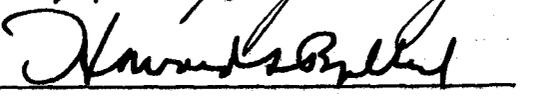
ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 2, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

	* * *	
RE: MOTOR VEHICLE OPERATIONS OF)	
JOHN O. SPENDRUP, 746 OURAY AVENUE,)	
GRAND JUNCTION, COLORADO 81501)	
	)	PERMIT NO. M-12740
)	

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 11, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
JOHN O. SPENDRUP, 746 OURAY AVENUE,)
GRAND JUNCTION, COLORADO.)

PERMIT NO. B-6939

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

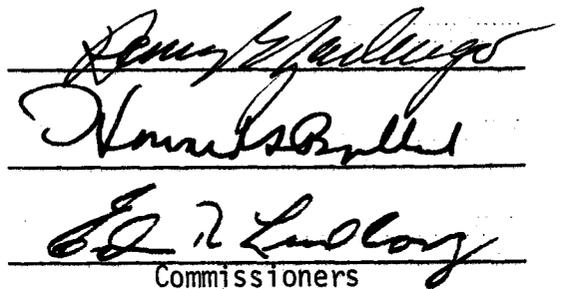
O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 11, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
DONALD L. OLSEN, JR.)
8148 RALEIGH PLACE)
WESTMINSTER, COLORADO 80030)

PERMIT NO. B-7001

November 7, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

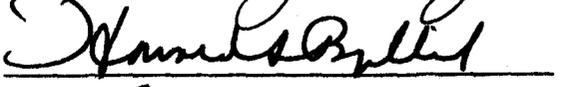
THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from November 2, 1967 to and including May 2, 1968.

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of November 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: MOTOR VEHICLE OPERATIONS OF)
LESTER E. HARDING, DOING BUSINESS AS)
"HARDING BROS. SAND & GRAVEL," 3105)
NORTH ARCADIA, COLORADO SPRINGS,)
COLORADO 80907)

PERMIT NO. B-5256

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner of the above-entitled authority requesting that the same be suspended.

The Commission states and finds that to grant the herein request for suspension will be in the public interest and should be granted as set forth in the Order following.

O R D E R

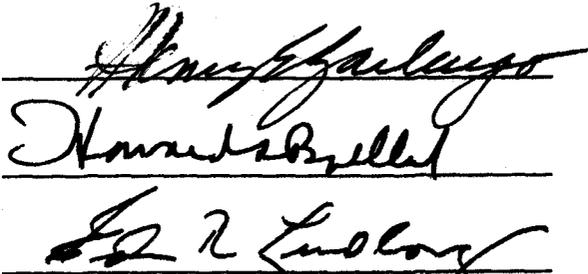
THE COMMISSION ORDERS:

That suspension of the motor vehicle operations under the above-entitled authority be, and the same hereby is, authorized by the Commission from October 16, 1967 to and including April 16, 1968

That unless prior to the expiration of said suspension period, a request in writing for reinstatement thereof be made with the Commission, insurance be filed, and compliance with all rules and regulations of the Commission applicable thereto be made, said authority, without further action by the Commission, shall be revoked without the right to reinstatement.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WAYNE H. BAER, DOING BUSINESS AS)
"BAER'S FLYING SERVICE," STEAMBOAT)
SPRINGS AIRPORT, STEAMBOAT SPRINGS,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY.)

APPLICATION NO. 22706

November 8, 1967

Appearances: James Ely, Esq., Box 637,
Steamboat Springs, Colorado,
for Applicant;
Raymond M. Wilson, Denver, Colorado,
of the Staff of the Commission.

PROCEDURE AND RECORD

On September 27, 1967, Wayne H. Baer, doing business as "Baer's Flying Service," Steamboat Springs Airport, Steamboat Springs, Colorado, filed the instant application (No. 22706) for a certificate of public convenience and necessity to operate as a common carrier by airplane for the transportation of passengers and property, not on schedule, but on call and demand, from, to and between all points in Colorado, with a base of operations at Steamboat Springs, Colorado.

On October 5, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commissioner, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 2 p.m. on October 27, 1967. On October 30, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Certificate of Public Convenience and Necessity to operate as a common carrier by airplane for the transportation of passengers and property, not on schedule, but on call and demand, from, to and between all points in Colorado, with a base of operations at Steamboat Springs, Colorado.
3. Applicant has a 1956 Cessna 182, 1965 Cessna 150, and a heated hangar, 1½ years of experience in commercial flying, and a net worth of \$29,050, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and the granting of the authority as applied for will be in the public interest.
6. There is presently no service available and the present or future public convenience and necessity requires or will require such service.
7. The authority should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Wayne H. Baer, doing business as "Baer's Flying Service," to operate as a common carrier by airplane, with authority to be designated as follows:

"Transportation of passengers and property, not on schedule, but on call and demand from, to and between all points in Colorado, with a base of operations at Steamboat Springs, Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Wayne H. Baer, doing business as "Baer's Flying Service," Steamboat Springs Airport, Steamboat Springs, Colorado, be, and hereby is,

authorized to operate as a common carrier by airplane for

"Transportation of passengers and property, not on schedule, but on call and demand from, to and between all points in Colorado, with a base of operations at Steamboat Springs, Colorado;"

and this ORDER shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

Applicant shall not establish an office or branch for the purpose of developing business at any town other than Steamboat Springs, Colorado, and airports located within ten miles of said town.

Applicant shall file tariffs, rate schedules, and rules and regulations with, and to be approved by, this Commission, within thirty (30) days from the date hereof, and such rates so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, and in competition therewith, shall be sufficiently in excess of the per-passenger effective rates of said fixed-route carriers by air so operating on schedule between said points to be non-competitive therewith.

Applicant shall carry suitable insurance protection, covering public liability, property damage, and passenger insurance, and shall continue to carry such insurance and any other insurance protection that may be required by the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 8th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH R. CULLODEN, DOING)
BUSINESS AS "KENNETH R. CULLODEN)
TRUCKING," COLORADO HIGHWAY 82,)
EAST OF ASPEN, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22810-PP

November 9, 1967

Appearances: Leonard M. Oates, Esq., Aspen,
Colorado, for Applicant.

PROCEDURE AND RECORD

On September 18, 1967, Kenneth R. Culloden, doing business as "Kenneth R. Culloden Trucking," Colorado Highway 82, East of Aspen, P. O. Box 1508, Aspen, Colorado, filed the instant application (No. 22810-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of sand, gravel and related commodities as set forth in the application.

On September 21, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the City Council Room, Municipal Building, Cooper & 8th, Glenwood Springs, Colorado, at 10 a.m. on October 31, 1967. On November 1, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant does not hold previously granted authority from this Commission, other than Permit M-14273.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of sand, gravel and related commodities as listed in this application.
3. Applicant has 2 small Dump Trucks and 1 Tandem Dump Truck, two years of experience in related fields, and a net worth of \$50,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Kenneth R. Culloden, doing business as "Kenneth R. Culloden Trucking," to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"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 75 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, to homes and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points; provided, however, that the transportation of road-surfacing materials shall be restricted against the use of tank vehicles."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Kenneth R. Culloden, doing business as "Kenneth R. Culloden Trucking," Colorado Highway 82, East of Aspen, P. O. Box 1508, Aspen, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"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 75 miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, to homes and small construction jobs within a radius of 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points; provided, however, that the transportation of road-surfacing materials shall be restricted against the use of tank vehicles;"

and this ORDER shall be deemed to be, and be, a PERMIT therefor.

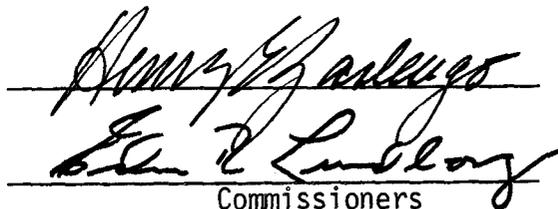
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 9th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L. L. SATTERFIELD, DOING BUSINESS)
AS "PAT'S CONSTRUCTION," BOX 16,)
EDWARDS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22770-PP

November 9, 1967

Appearances: L. L. Satterfield, Edwards,
Colorado, pro se.

PROCEDURE AND RECORD

On August 25, 1967, L. L. Satterfield, doing business as "Pat's Construction," Box 16, Edwards, Colorado, filed the instant application (No. 22770-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the City Council Room, Municipal Building, Cooper and 8th, Glenwood Springs, Colorado, at 10 a.m. on October 31, 1967. On November 1, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities as listed in this application.
3. Applicant has a Diamond T Bobtail, 15 years of experience in related fields, and a net worth of \$5,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing L. L. Satterfield, doing business as "Pat's Construction," to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 75 miles of said forests; rough lumber, from sawmills in said 75-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

ORDER

THE COMMISSION ORDERS:

That L. L. Satterfield, doing business as "Pat's Construction,"
Box 16, Edwards, Colorado, be, and hereby is, authorized to operate as a Class
"B" private carrier by motor vehicle for hire for

"Transportation of logs, poles and timber products, from
forests to sawmills, places of storage and loading points
within a radius of 75 miles of said forests; rough lumber,
from sawmills in said 75-mile radius to markets in the
State of Colorado; provided, however, that no town-to-town
service shall be rendered;"

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,
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 regula-
tions of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 9th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 757 & I)
)
BY: MR. RALPH LOYD)
SPRINGFIELD,)
COLORADO 81073)
)
Respondent.)

CASE NO. 118-T
SUPPLEMENTAL ORDER

November 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

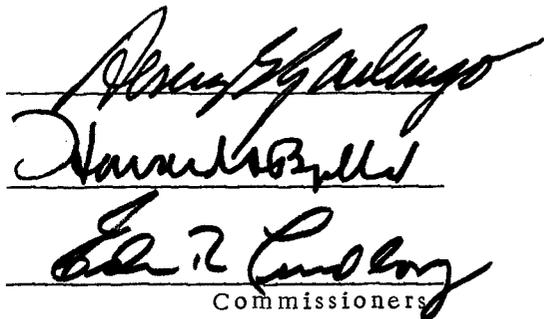
O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1440 & I)
BY: GEISER FEED & TRUCK)
LA VETA,)
COLORADO 81055)
Respondent.)

CASE NO. 119-T
SUPPLEMENTAL ORDER

November 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATES NOS. 818 & I AND)
819)
BY: V-Y TRUCK LINE)
P. O. BOX 43)
CROOK, COLORADO 80720)
Respondent.)

CASE NO. 120-T
SUPPLEMENTAL ORDER

November 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

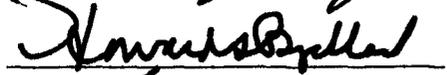
O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioner

Dated at Denver, Colorado,
this 17th day of November, 1967.

dh

(Decision No. 70382)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ATCHISON, TOPEKA AND SANTA FE)
RAILWAY COMPANY FOR PERMISSION TO)
RETIRE THE SIDING AND SIGN AT)
BEETHURST, COLORADO, AND THE WITH-)
DRAWAL OF BEETHURST, COLORADO, AS A)
PREPAY STATION.)

APPLICATION NO. 22830

November 10, 1967

S T A T E M E N T

BY THE COMMISSION:

Pursuant to Rule No. 6 of the Rules and Regulations of this Commission Pertaining to Railroads and Express Companies Operating in the State of Colorado, the Atchison, Topeka and Santa Fe Railway Company, by its Attorneys, did on September 29, 1967, file its application requesting authority to remove a platform and siding track; and to discontinue the station of Beethurst, all as entitled above; said discontinuance to be effective November 1, 1967.

In further accordance with said rules of the Commission, a public notice of the proposed station discontinuance and track removal was conspicuously posted for thirty (30) days on the Beethurst Station Signpost. In said Notice, it was indicated that any protests to the proposed action should be filed with this Commission at least ten (10) days prior to the effective date of November 1, 1967. No protests have been received by the Commission.

With reference to map, Exhibit "A", and explanatory data submitted in the instant application, it is noted that the station at Beethurst is in open ranch or farm country with no houses, buildings or community development at this location; the trackage facilities were put in to handle carload shipments of agricultural products from

the area. The only track-side facility now remaining is a broken-down concrete platform that was apparently part of a beet loading hopper which has been removed.

Since 1963 there have been no shipments of any kind handled at this location; no operating function is served by this trackage and any future shipping activity may be readily handled from the nearby open stations of McClave at 10.4 miles to the east, or at Ft. Lyon, located 7.2 miles to the west. In this manner, there is no further public justification for maintenance of the trackage facilities and request is made for the proposed removals as a logical operating procedure.

Upon investigation of this matter by the Commission, we note the following distribution of trackage and rail service in the nearby area: (Affected station is underlined.)

Main Line - Arkansas Valley Branch

<u>Mile Post</u>	<u>Direction</u>	<u>Station</u>	<u>Agent</u>	<u>Trackage</u>	<u>Car Capacity</u>	<u>Branch and Distance Away from Beethurst</u>
43.6	East	McClave	Yes	sidings	92	AV. 10.4 Miles
47.9	East	Lubers	No	siding	17	AV. 6.1 Miles
50.0	East	Hasty	No	sidings	102	AV. 4.0 Miles
54.0	--	<u>Beethurst</u>	<u>No</u>	<u>siding</u>	<u>13</u>	<u>AV. District</u>
57.8	West	<u>Kreybill</u>	<u>No</u>	<u>sidings</u>	<u>17</u>	<u>AV. 3.8 Miles</u>
61.2	West	Ft. Lyon	Yes	sidings	69	AV. 7.2 Miles

The above stations are located in the agricultural area of the lower Arkansas River Valley; use of the Beethurst siding has disappeared in favor of the other larger stations. Beethurst siding track is 965 feet long and adjacent to U.S. Highway No. 50, located along the south side of the rail line. Fort Lyon and McClave are also served by good asphalt-paved roads.

It appears then that in the instant matter there are ample highway and rail facilities to meet the public needs of the region. The apparent non-use of this trackage facility can therefore leave no justification for its continued operation or maintenance, particularly when other trackage and agency service are readily available. In fact, the removal

of little or non-used sidings and switches can be in the public interest because of resulting increased operating safety due to fewer items for maintenance or failure on the main tracks. In this instance, elimination of the old switch ties and proposed replacement with standard track ties will improve general track safety and allow more economical track maintenance.

At this time, since no protests have been submitted and none appears 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 and around the non-agency station of Beethurst, Bent County, Colorado, can, and is being adequately served by other existing stations, facilities, and track.

That safe and economical railroad operation does not require station designation or siding trackage at the above location.

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

O R D E R

THE COMMISSION ORDERS:

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

That The Atchison, Topeka and Santa Fe Railway Company, is hereby granted a certificate of public convenience and necessity, wherein it is authorized as follows:

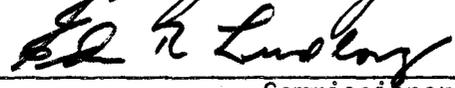
- (a) To discontinue the non-agency station of Beethurst, Colorado, and to remove said station from the Open and Prepay Station List.
- (b) To abandon, dismantle, remove a platform and take up siding trackage at Beethurst, Bent County, Colorado.

That reference shall be made to this Decision in the affected tariffs as required, to show the station changes and as authority for said action.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of November, 1967.
gh

(Decision No. 70383)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE ATCHISON, TOPEKA AND SANTA FE)
RAILWAY COMPANY FOR PERMISSION TO)
RETIRE THE STOCKYARDS, WELL, SIDE)
TRACK AND SIGN AT SUGAR, PROWERS)
COUNTY, COLORADO, AND THE WITHDRAWAL)
OF SUGAR, COLORADO, AS A PREPAY)
STATION.)

APPLICATION NO. 22831

November 10, 1967

S T A T E M E N T

BY THE COMMISSION:

Pursuant to Rule No. 6 of the Rules and Regulations of this Commission Pertaining to Railroads and Express Companies Operating in the State of Colorado, the Atchison, Topeka and Santa Fe Railway Company, by its Attorneys, did, on September 29, 1967, file its application requesting authority to remove the stockpens and siding track, and to discontinue the station of Sugar, all as entitled above; said discontinuance to be effective November 1, 1967.

In further accordance with said rules of the Commission, a public notice of the proposed station discontinuance and track removal was conspicuously posted for thirty (30) days at the Sugar Station. In said notice, it was indicated that any protests to the proposed action should be filed with this Commission at least ten (10) days prior to the effective date of November 1, 1967. No protests have been received by the Commission.

With reference to map Exhibit "A", and explanatory data submitted in the instant application, it is noted that the station of Sugar is in open ranch or farm country with no houses, buildings or community development at this location; the stockpens and trackage facilities were put in to handle movement of livestock from Sugar. Since 1962 there have been

no carload shipments of any kind to or from the station of Sugar; no operating function is served by this trackage and any future shipping activity may be readily handled from the nearby open stations of Lamar, Bristol or Wiley. In this manner, there is no further economic justification for maintenance of the trackage facilities and request is made for the proposed removals as a logical operating measure.

Upon investigation of this matter by the Commission, we note the following distribution of trackage and rail service in the nearby area: (Affected station is underlined.)

Main Line - Arkansas Valley Branch

<u>Mile Post</u>	<u>Direction</u>	<u>Station</u>	<u>Agent</u>	<u>Trackage</u>	<u>Car Capacity</u>	<u>Branch and distance Away from Sugar</u>
13.1	East	Bristol	Yes	sidings	93	AV. 20.5 Miles
26.8	East	Channing	No	siding	33	AV. 6.8 Miles
30.4	East	Wilson Jct	No	siding	38	AV. 3.2 Miles
33.6	--	<u>Sugar</u>	No	<u>siding</u>	17	AV. Distirct
36.3	West	<u>Wiley</u>	Yes	siding	72	AV. 2.7 Miles

Sugar is the station name for a three-pen stockyard and siding track 1159 feet long, situated 3 miles east of Wiley and 3 miles west from Kornman (Wilson Jct.)--all located on the Arkansas Valley Branch Line which serves the farming area on north side of Arkansas River between Holly and Swink.

Open stations with Agent service are located at Wiley on the west and at Bristol which is 20.5 miles to the east. At some 8 miles to the southeast on the south side of the Arkansas River, there is also Agent service at Lamar on the main line of the Santa Fe Railway.

The siding track and switch points are in "Poor" condition with the switch frogs heavily worn. Rail is 60 pound relay steel that was rolled in 1884 to 1909. Ties are non-treated soft wood, placed on cinders and dirt ballast. The stock-pens have many rotted and loose fence boards, repairs would be extensive and salvage will consist only of short fence posts, some metal stock gates and assorted hinges and other metal hardware.

It appears then that in the instant matter there are ample rail facilities to meet the public needs of the region. The apparent non-use of this trackage facility can therefore leave no justification for its continued operation or maintenance, particularly when other trackage and agency services are readily available. In fact, the removal of little or non-used sidings and switches can be in the public interest because of resulting increased operating safety protection due to fewer items for maintenance and failure on the main tracks.

At this time, since no protests have been submitted and none appears 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 and around the non-agency station of Sugar, Prowers County, Colorado, can, and is being adequately served by other existing stations, facilities, and track.

That safe and economical railroad operation does not require station designation or siding trackage at the above location.

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

O R D E R

THE COMMISSION ORDERS:

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

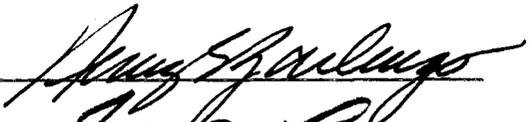
That The Atchison, Topeka and Santa Fe Railway Company, Denver, Colorado, is hereby granted a certificate of public convenience and necessity, wherein it is authorized as follows:

- (a) To discontinue the non-agency station of Sugar, Colorado, and to remove said station from the Open and Prepay Station List.
- (b) To discontinue and retire stockyards and well, remove station sign, and take up siding trackage at Sugar, Prowers County, Colorado.

That reference shall be made to this Decision in the affected tariffs as required, to show the station changes and as authority for said action.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of November, 1967.
gh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RULES AND REGULATIONS AND SPECIFIC)
COMMODITY RATES APPLICABLE TO DENVER-)
CLIMAX TRUCK LINE, INC., AND DESIGNATION)
OF THE COLORADO HIGHWAYS MAP IN DETERMIN-)
ING DISTANCES IN ASSESSING RATES ON)
LIVESTOCK)

CASE No. 1585

November 9, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On October 13 and 20, 1967, The Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed revised pages as indicated in appendixes "A" and "B" to its Local and Joint Freight Tariff No. 12-A, Colorado PUC No. 11* and Motor Freight Tariff No. 14, Colorado PUC No. 13*, respectively, with a scheduled effective date of November 20, 1967.

The proposed changes represent increases and reductions from the present rates, rules and regulations. In support of the proposed changes, justification has been submitted to the Commission as follows:

All of the items in Appendix "A" are for the account of Denver Climax Truck Line, Inc., and in support thereof a letter dated October 23, 1967, by Lois Mae Eshe, has been forwarded through the publishing agent and is quoted in part:

"We wish to publish commodity rates on iron and steel articles, lumber, contractors' materials and supplies, and mortar sand to both Portals. We need a rate of \$.22 per cwt., to the East Portal and \$.34 per cwt., to the West Portal on the above named commodities, based on a 40,000# minimum. The East Portal is 62 miles. This would produce revenue of \$88.00 per trip and we could then continue on to Climax for a back haul. The distance to the West Portal is 91 miles. This would produce revenue of \$136.00. We can again continue to Climax for a return move. Inasmuch as we can nearly always have a return move we feel this rate is reasonable. At the present

(*The Motor Truck Common Carriers' Association, Agent, Series)

time we frequently go to Climax empty to return with a load of pyrite or molybdenum. This move will give us an excellent head haul.

"We also feel it will be necessary for us to publish a rule for our account regarding loading and unloading delays: We are sometimes held up as much as 4 or 5 hours, waiting to load or unload. It is necessary for us to publish something of this sort because we run two and three schedules to Climax daily. It is important for this equipment to be running most of the time. We have to pay our drivers \$3.50 per hour for waiting and delay time, along with providing substitute equipment when these tractors and drivers do not meet a schedule. We feel the amount of free time allowed is adequate and generally speaking the shippers and the consignees make more effort to unload and load us if they find this delay time is costing them as well as us. We have made every effort to keep the rates reasonable and just, but we believe it is wrong to establish high rates for all shippers or consignees when a good deal of the cost comes from the unnecessary delays in loading and unloading."

The increased rates in Item No. 1201, applicable to sulphuric acid in bulk and the rules governing load and unload delays have been mutually agreed upon between the shipper and carrier by letter dated October 6, 1967, from E. B. Wood, Traffic Manager, American Metal Climax, Inc.

The change in Appendix "B" is for the purpose of eliminating the use of the Rand McNally's Road Map, and in lieu thereof, use the current year's Colorado Department of Highway Map. An informal conference was held between the Colorado Motor Carriers' Association Chief of Tariff Bureau, J. R. Smith, and members of the staff of the Commission, with interested motor carriers. Mr. Smith's letter of October 31, 1967, states that: --

"During the discussions it was pointed out that the map issued by the Colorado Department of Highways is much more detailed, and that mileages between more points can be determined by using it rather than the Rand McNally map in use presently.

"Our purpose in making this publication is not to increase or reduce rates and charges but to make the application of those rates and charges a little easier by providing for the use of a map which contains specific distances from and to a greater number of points."

Mr. J. R. Smith submitted a letter dated October 10, 1967, to all livestock carriers by motor vehicle, members of this Association, informing them of this change and stating that it would be published on or shortly

after October 20, 1967, unless an objection was received.

The Commission finds that since the proposed changes as set forth in Appendixes "A" and "B" attached hereto, appear to represent just, fair and reasonable rates and charges and governing provisions, an order should be entered prescribing the same, under the provisions of Rule 18, paragraph C (1) (a) of the Commission's Rules of Practice and Procedure.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings and Appendixes "A" and "B", be, and they are hereby, made a part hereof.

2. That the rates and charges as set forth in the Statement of this Order, subject to the rules and regulations as provided in the aforesaid tariff, shall be the prescribed rates, rules, regulations and provisions of the Commission.

3. That all motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published tariffs reflecting the changes prescribed herein.

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

5. That on and after November 20, 1967, 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 provisions provided in Appendix "B" shall not be subject to the penalty rule.

6. That on and after November 20, 1967, all private carriers by motor vehicle operating in competition with any motor vehicle common

carrier affected by this order shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent, except the provisions in Appendix "B" shall not be subject to the penalty rule.

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

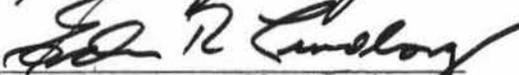
8. That the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

9. That this order shall become effective forthwith.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioner

Commissioner Howard S. Bjelland
necessarily absent and not
participating.

Dated at Denver, Colorado, this
9th day of November, 1967. av

APPENDIX "A"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
LOCAL AND JOINT FREIGHT TARIFF No. 12-A
COLORADO PUC No. 11*

(*THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, SERIES)

EFFECTIVE NOVEMBER 20, 1967

RULES AND REGULATIONS

ITEM No.	APPLICATION
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2ND REVISED PAGE No. 86

CHARGES FOR VEHICLES ORDERED BUT NOT USED:
(APPLIES VIA DENVER CLIMAX TRUCK LINE, INC., ONLY)

760 / WHEN EQUIPMENT IS ORDERED BY THE SHIPPER TO PERFORM TRANSPORTATION SERVICES AND SUCH EQUIPMENT IS NOT USED BY THE SHIPPER, A RATE OF 50¢ PER MILE WILL BE CHARGED FOR EACH VEHICLE NOT USED, SUBJECT TO A MINIMUM CHARGE OF \$50.00 FOR EACH VEHICLE.

(A) THE RATE PER MILE WILL BE BASED ON THE ROUND TRIP DISTANCE FROM CARRIER'S TERMINAL TO THE PLACE TO WHICH THE EQUIPMENT WAS ORDERED FOR LOADING AND RETURNED TO THE CARRIER'S TERMINAL FROM WHICH IT WAS ORIGINALLY DISPATCHED. DISTANCE TO BE COMPUTED IN ACCORDANCE WITH THE PROVISIONS OF SECTION 4 OF THIS TARIFF.

11TH REVISED PAGE No. 91

LOADING AND UNLOADING DELAYS:
/ (A) (WILL NOT APPLY VIA DENVER CLIMAX TRUCK LINE, INC.)

(A) EXCEPT AS OTHERWISE PROVIDED, RATES NAMED IN THIS TARIFF INCLUDE THE FOLLOWING TIME FOR LOADING, UNLOADING, AND/OR WAITING TO LOAD OR UNLOAD:

1 POUND TO 4,999 POUNDS	1 HOUR
5,000 POUNDS TO 10,000 POUNDS	1½ HOURS
10,001 POUNDS TO 15,000 POUNDS	2 HOURS
15,001 POUNDS TO 20,000 POUNDS	2½ HOURS
20,001 POUNDS OR OVER	3 HOURS

925 (B) DELAY IN LOADING, UNLOADING AND/OR WAITING TO LOAD OR UNLOAD BEYOND THE FREE TIME SPECIFIED IN PARAGRAPH (A), WHEN CAUSED BY SHIPPERS, CONSIGNEES OR THEIR REPRESENTATIVES, WILL BE CHARGED FOR AS FOLLOWS: TRUCK OR TRACTOR AND SEMI-TRAILER (WITH ONE MAN) \$8.65 PER HR. FRACTIONS OF AN HOUR WILL BE FIGURED AT THE NEXT ONE-FOURTH HOUR AND CHARGED FOR AT THE RATE OF \$2.16 FOR EACH ONE-FOURTH HOUR.

/ (A) LOADING AND UNLOADING DELAYS:
(APPLIES VIA DENVER CLIMAX TRUCK LINE, INC., ONLY)

EXCEPT AS OTHERWISE PROVIDED, TWO HOURS' FREE TIME WILL BE ALLOWED ON SHIPMENTS WEIGHING 39,999 POUNDS OR LESS AND THREE HOURS' FREE TIME WILL BE ALLOWED ON SHIPMENTS WEIGHING 40,000 POUNDS OR OVER FOR LOADING, UNLOADING AND/OR WAITING TO LOAD AFTER SHIPMENT HAS BEEN TENDERED FOR UNLOADING OR AFTER EQUIPMENT HAS BEEN TENDERED TO SHIPPER FOR LOADING. ALL TIME IN EXCESS OF THE FREE TIME ALLOWED SHALL BE CHARGED FOR AS FOLLOWS:

TRUCK OR TRUCK-TRACTOR AND SEMI-TRAILER (WITH ONE MAN), \$15.00 PER HOUR; FRACTIONS OF AN HOUR WILL BE FIGURED AT THE NEXT ONE-FOURTH HOUR AND CHARGED FOR AT THE RATE OF \$3.75 FOR EACH ONE-FOURTH HOUR.

SECTION No. 2
COMMODITY RATES

(FOR APPLICATION, SEE PAGE No. 190 OF TARIFF)

RATES ARE IN CENTS PER 100 POUNDS (UNLESS OTHERWISE STATED)

ITEM No.	COMMODITY	FROM	TO	RATES	ROUTE No.
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COMMODITIES IN THE SAME ITEM MAY BE SHIPPED IN STRAIGHT OR MIXED TRUCK LOADS.
(EXCEPT AS NOTED IN INDIVIDUAL ITEMS)

9TH REVISED PAGE No. 190-A

/	ARTICLES, IRON OR STEEL, AS DESCRIBED IN ITEMS 104000 THROUGH 107520 OF THE GOVERNING CLASSIFICATION REFERRED TO IN ITEM 10.	DENVER, COLO.	STRAIGHT CREEK TUNNEL PROJECT SITE; EAST PORTAL NEAR SILVER PLUME,	22	30
	1197 LUMBER, AS DESCRIBED UNDER THE HEADING "LUMBER GROUP" IN THE GOVERNING CLASSIFICATION REFERRED TO IN ITEM 10;		WEST PORTAL, NEAR DILLON,	34	
(R)	MACHINERY, MINING, ORE MILLING OR SMELTING, AS DESCRIBED IN ITEM 125680 OF THE GOVERNING CLASSIFICATION REFERRED TO IN ITEM 10; SAND, MORTAR. MINIMUM WEIGHT 40,000 POUNDS.				

5TH REVISED PAGE No. 190 B

	ACID, SULPHURIC, IN BULK.	DENVER, COLO.	CLIMAX, COLO.	(I) (A) \$3.75	
	TAILINGS, PYRITES ORE, IN BULK.	CLIMAX, COLO.	DENVER, COLO.	(I) (A) \$3.75	
(I)	RATE IN DOLLARS AND CENTS PER TON OF 2,000 POUNDS. THE RATE PROVIDED ABOVE WILL APPLY ONLY ON SHIPMENTS TRANSPORTED IN A SEMI-TRAILER DESIGNED AND CONSTRUCTED TO ACCOMMODATE SHIPMENTS OF ACID IN ONE DIRECTION AND SHIPMENTS OF ORE ON THE RETURN TRIP.				30

1201

(A) ONE AND ONE HALF HOURS' FREE TIME WILL BE ALLOWED FOR LOADING AND ONE AND ONE HALF HOURS' FREE TIME WILL BE ALLOWED FOR UNLOADING; TIME TO BE COMPUTED FROM THE TIME CARRIER'S EQUIPMENT IS PLACED AT SHIPPER'S FACILITY. IF LOADING OR UNLOADING CANNOT BE COMPLETED AND CARRIER'S EQUIPMENT IS NOT RELEASED WITHIN THE FREE TIME SPECIFIED, A DETENTION CHARGE OF \$15.00 PER HOUR WILL BE MADE FROM EXPIRATION OF FREE TIME UNTIL THE RELEASE OF EQUIPMENT BY THE SHIPPER OR CONSIGNEE. FRACTIONS OF AN HOUR WILL BE FIGURED AT THE NEXT ONE-FOURTH HOUR AND CHARGED FOR AT THE RATE OF \$3.75 FOR EACH ONE-FOURTH HOUR.

- / DENOTES ADDITION
- (A) DENOTES AN INCREASE
- (R) DENOTES A REDUCTION

ROUTE 30 - DENVER CLIMAX TRUCK LINE, INC., DIRECT.

APPENDIX "B"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
LOCAL AND JOINT FREIGHT TARIFF No. 14
COLORADO PUC No. 13*

(*THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, SERIES)

EFFECTIVE NOVEMBER 20, 1967

SECTION No. 4-A
LIVESTOCK

RULES AND REGULATIONS GOVERNING THE RATES ON MOVEMENTS OF LIVESTOCK,
LIVESTOCK VIZ.: CATTLE, CALVES, HOGS OR PIGS, GOATS, SHEEP OR LAMBS, HORSES,
RULE No. MULES OR ASSES.

1ST REVISED PAGE No. 87-C

METHOD OF DETERMINING DISTANCES TO USE IN ASSESSING DISTANCE RATES:

WHERE MILEAGES ARE SHOWN ON THE (C) CURRENT YEAR'S COLORADO DEPARTMENT OF HIGHWAYS MAP, VIA IMPROVED ROADS ONLY, SUCH MILEAGES SHALL BE USED TO DETERMINE THE DISTANCE OR PORTIONS OF SUCH DISTANCE VIA IMPROVED ROADS.

FOR DISTANCE FROM AND TO POINTS NOT COVERED BY THE MAP REFERRED TO ABOVE, THE ACTUAL MILEAGE VIA THE SHORTEST PRACTICABLE ROUTE SHALL BE USED, EXCEPT THAT THE MAP WILL BE USED FOR SUCH PORTION OF THE DISTANCE AS MAY BE PROVIDED THEREON OR ASCERTAINABLE THEREFROM.

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PAGE
87-C-1

ACTUAL DISTANCE SHALL BE MEASURED FROM THE UNITED STATES POST OFFICE, OR THE GENERALLY RECOGNIZED CENTER OF THE COMMUNITY IN THE ABSENCE OF A UNITED STATES POST OFFICE, EXCEPT THAT THE DISTANCE FROM AND TO DENVER, COLORADO, SHALL BE MEASURED TO AND FROM THE DENVER UNION STOCK YARDS WHICH, FOR RATE MAKING PURPOSES, WILL BE CONSIDERED AS BEING 4 MILES NORTH OF DENVER.

WHEN SHIPMENTS MOVE UNDER SPECIAL PERMITS REQUIRED BY AND OBTAINED FROM A MUNICIPAL OR STATE REGULATORY BODY OR COMMISSION, WHICH SPECIFIES THEREIN THE ROUTE TO BE TRAVELED BY THE MOTOR VEHICLE, THE MILEAGE TO BE USED IN DETERMINING THE RATE WILL BE THAT VIA ROUTE SPECIFIED IN SPECIAL PERMIT.

(C) DENOTES A CHANGE RESULTING IN NEITHER AN INCREASE NOR A REDUCTION.

(THE TERM IMPROVED ROADS, AS USED ABOVE, MEANS ANY STATE OR COUNTY HIGHWAY THAT IS DRAINED AND MAINTAINED.)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GARNETT C. BENNETTS, ROUTE 2,)
BOX 822, GOLDEN, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. B-6475.)

APPLICATION NO. 22797-PP-Extension

November 10, 1967

Appearances: John H. Lewis, Esq., Denver, Colo-
rado, for Applicant;
Joseph F. Nigro, Esq., Denver, Colo-
rado, for Weicker Transfer &
Storage Company, Protestant;
Julius I. Ginsberg, Esq., Denver,
Colorado, for Gilpin County Freight
Service, Inc., Protestant;
Leslie R. Kehl, Esq., Denver, Colo-
rado, for Fairplay Motor Company and
North Park Transportation Company,
Protestants;
John P. Thompson, Esq., Denver, Colo-
rado, for Denver Climax Truck Line, Inc.,
Protestant; and
Warren D. Braucher, Esq., Denver,
Colorado, for Rio Grande Motor
Way, Inc., Protestant.

PROCEDURE AND RECORD

On September 11, 1967, Garnett C. Bennetts, Route 2, Box 882,
Golden, Colorado, filed the instant application (No. 22797-PP-Extension) for
an extension of his present Class "B" Permit No. B-6475 to operate as a private
carrier by motor vehicle for hire in intrastate commerce for the transporta-
tion of commodities as set forth in the application. Protests to the instant
application were filed by Rio Grande Motor Way, Inc. and Larson Transporta-
tion Company on September 20, 1967; by Denver Climax Truck Line, Inc., on
September 27, 1967; by North Park Transportation Company on September 29,
1967; by Fairplay Motor Company on October 3, 1967; by Gilpin County Freight
Service, Inc. on October 9, 1967; and by Weicker Transfer and Storage Company
on October 16, 1967.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 2 p.m. on October 27, 1967. On November 6, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibit of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner to the Commission establishes that, prior to the hearing and confirmed by all protesting attorneys, either in writing or personally to said Examiner, all protestants withdrew upon acceptance of the following amendment to the application:

- "(a) Raw bones, bone ash and clay products (including brick) between points in Colorado, for Denver Fire Clay Company, or for its use only;
- (b) Machinery, equipment, materials and supplies used in or in connection with the development, production, manufacture, processing, storage and distribution of brick and tile between all points in Colorado for Denver Fire Clay Company or for its use only; and
- (c) Gypsum and gypsum products between points in the State of Colorado, restricted against originating said traffic at points located within a radius of 15 miles of the intersection of Broadway and Colfax Avenue in the City and County of Denver."

This amendment being restrictive in nature was granted and approved by the Hearing Examiner and, upon such approval, the Protestants withdrew their respective protests. The ruling of the Hearing Examiner granting and approving the said amendment is hereby specifically approved and confirmed by the Commission.

Upon Motion made by Applicant, Application No. 22798-PP-Transfer filed on September 11, 1967 by Garnett C. Bennetts to transfer Permit No. B-6475 as extended to Garnett C. Bennetts, Garnett E. Bennetts, and Ronald L. Bennetts, doing business as "Garnett C. Bennetts & Sons," was heard on a joint record with the instant application. Separate orders, however, will be issued by the Commission on both applications.

The Commission has now given careful consideration to the record and exhibit of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant presently holds authority under Permit B-6475, description of which is attached hereto.
2. This authority is presently in good standing before the Commission.
3. The extension applied for would not conflict with the present authority.
4. Applicant has duly and properly applied for an extension to his Permit No. B-6475 for transportation of:
 - (a) Raw bones, bone ash and clay products (including brick) between points in Colorado, for Denver Fire Clay Company, or for its use only;
 - (b) Machinery, equipment, materials and supplies used in or in connection with the development, production, manufacture, processing, storage and distribution of brick and tile between all points in Colorado for Denver Fire Clay Company or for its use only; and
 - (c) Gypsum and gypsum products between points in the State of Colorado, restricted against originating said traffic at points located within a radius of 15 miles of the intersection of Broadway and Colfax Avenue in the City and County of Denver.
5. Applicant has the following equipment:
 - 4 front end loaders
 - 2 diesel tractors
 - 2 Timppe trailers
 - 1 flat bed and 1 low boy trailer
 - 3 Ford twin screw dump trucks

He has had 8 years of experience in related fields and a net worth of \$82,000, all of which are ample and suitable for operation of the authority applied for herein.
6. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
7. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.

8. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
9. The granting of the authority as listed below under "Conclusions" will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Garnett C. Bennetts, to extend his authority under Permit No. B-6475, as set forth in "Findings of Fact - No. 4" herein, and that the entire authority shall henceforth be described as follows:

- "(1) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), and broken or crushed rock, or stone, from mines, pits and supply points within a radius of twenty-five (25) miles of Golden, Colorado, to points in Colorado east of the Continental Divide, for Denver Fire Clay Company, Robinson Brick & Tile Company, and Rocky Mountain Aggregate, Inc., only.
- (2) 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 (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 homes and small construction jobs within a radius of one hundred (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 one hundred (100) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred (100) miles of said pits and supply points; transportation of road-surfacing materials being restricted against the use of tank vehicles.
- (3) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), ore, broken and crushed rock or stone, from points within a radius of ten (10) miles of Buena Vista, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for the Denver Fire Clay Company, the Robinson Brick and Tile Company and Rocky Mountain Aggregate, Inc. only.
- (4) Transportation of aggregate (except idealite) and broken or crushed rock or stone, from points within a radius of ten (10) miles of Florence, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for Rocky Mountain Aggregate, Inc., only.

- (5) Transportation of raw bones, bone ash and clay products (including brick) between points in Colorado, for Denver Fire Clay Company, or for its use only.
- (6) Transportation of machinery, equipment, materials and supplies used in or in connection with the development, production, manufacture, processing, storage and distribution of brick and tile between all points in Colorado for Denver Fire Clay Company or for its use only.
- (7) Transportation of gypsum and gypsum products between points in the State of Colorado, restricted against originating said traffic at points located within a radius of 15 miles of the intersection of Broadway and Colfax Avenue in the City and County of Denver."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Garnett C. Bennetts, Route 2, Box 822, Golden, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-6475.

That henceforth the full and complete authority under Permit No. B-6475 shall be as follows, to-wit:

- "(1) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), and broken or crushed rock, or stone, from mines, pits and supply points within a radius of twenty-five (25) miles of Golden, Colorado, to points in Colorado east of the Continental Divide, for Denver Fire Clay Company, Robinson Brick & Tile Company, and Rocky Mountain Aggregate, Inc., only.
- (2) 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 (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 homes and small construction jobs within a radius of one hundred (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 one hundred (100) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred (100) miles of said pits and supply points; transportation of road-surfacing materials being restricted against the use of tank vehicles.

- (3) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), ore, broken and crushed rock or stone, from points within a radius of ten (10) miles of Buena Vista, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for the Denver Fire Clay Company, the Robinson Brick and Tile Company and Rocky Mountain Aggregate, Inc., only.
- (4) Transportation of aggregate (except idealite) and broken or crushed rock or stone, from points within a radius of ten (10) miles of Florence, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for Rocky Mountain Aggregate, Inc., only.
- (5) Transportation of raw bones, bone ash and clay products (including brick) between points in Colorado, for Denver Fire Clay Company, or for its use only.
- (6) Transportation of machinery, equipment, materials and supplies used in or in connection with the development, production, manufacture, processing, storage and distribution of brick and tile between all points in Colorado for Denver Fire Clay Company or for its use only.
- (7) Transportation of gypsum and gypsum products between points in the State of Colorado, restricted against originating said traffic at points located within a radius of 15 miles of the intersection of Broadway and Colfax Avenue in the City and County of Denver."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 10th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GARNETT C. BENNETTS, ROUTE 2, BOX)
822, GOLDEN, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
B-6475 (AS EXTENDED, IN THE EVENT)
AUTHORITY SOUGHT IN APPLICATION)
NO. 22797-PP-EXTENSION IS GRANTED),)
TO GARNETT C. BENNETTS, GARNETT E.)
BENNETTS, AND RONALD L. BENNETTS,)
DOING BUSINESS AS "GARNETT C.)
BENNETTS & SONS," ROUTE 2, BOX 822,)
GOLDEN, COLORADO.)

APPLICATION NO. 22798-PP-Transfer

November 10, 1967

- Appearances: John H. Lewis, Esq., Denver,
Colorado, for Transferor and
Transferees;
Joseph F. Nigro, Esq., Denver,
Colorado, for Weicker Transfer &
Storage Company, Protestant;
Julius I. Ginsberg, Esq., Denver,
Colorado, for Gilpin County Freight
Service, Inc., Protestant;
Leslie R. Kehl, Esq., Denver,
Colorado, for Fairplay Motor Company
and North Park Transportation Company,
Protestants;
John P. Thompson, Esq., Denver, Colo-
rado, for Denver Climax Truck Line,
Inc., Protestant; and
Warren D. Braucher, Esq., Denver,
Colorado, for Rio Grande Motor Way, Inc.,
Protestant.

PROCEDURE AND RECORD

On September 11, 1967, Garnett C. Bennetts, Route 2, Box 822,
Golden, Colorado, and Garnett C. Bennetts, Garnett E. Bennetts, and Ronald L.
Bennetts, doing business as "Garnett C. Bennetts & Sons," Route 2, Box 822,
Golden, Colorado, filed the instant joint application (No. 22798-PP-Transfer)
with this Commission seeking authority to transfer Permit No. B-6475 from
Garnett C. Bennetts to Garnett C. Bennetts, Garnett E. Bennetts, and Ronald L.
Bennetts, doing business as "Garnett C. Bennetts & Sons." Protests to the
instant application were filed by Denver Climax Truck Line, Inc. on September 27,

1967 and by North Park Transportation Company on September 29, 1967.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado at 2 p.m. on October 27, 1967. On November 6, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibit of the proceeding together with a written statement of his Findings of Fact and Conclusions.

The record transmitted by the Examiner to the Commission establishes that, prior to the hearing and confirmed by all protesting attorneys, either in writing or personally to said Examiner, all protestants withdrew upon acceptance of the following amendment to Application No. 22797-PP-Extension:

- "(a) Raw bones, bone ash and clay products (including brick) between points in Colorado, for Denver Fire Clay Company, or for its use only;
- (b) Machinery, equipment, materials and supplies used in or in connection with the development, production, manufacture, processing, storage and distribution of brick and tile between all points in Colorado for Denver Fire Clay Company or for its use only; and
- (c) Gypsum and gypsum products between points in the State of Colorado, restricted against originating said traffic at points located within a radius of 15 miles of the intersection of Broadway and Colfax Avenue in the City and County of Denver."

This amendment being restrictive in nature was granted and approved by the Hearing Examiner and, upon such approval, the Protestants withdrew their respective protests. The ruling of the Hearing Examiner granting and approving the said amendment is hereby specifically approved and confirmed by the Commission.

Upon Motion made by Applicant, Application No. 22797-PP-Extension filed on September 11, 1967 by Garnett C. Bennetts for an extension of his present Class "B" Permit No. B-6475, was heard on a joint record with the instant application. Separate orders, however, will be issued by the Commission on both applications.

The Commission has now given careful consideration to the record and exhibit of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Transferor, Garnett C. Bennetts, is the owner and operator of Permit No. B-6475, description of which is attached hereto, which Permit he has in the past continually operated and which presently is in good standing before the Commission.
 2. The Transferees herein, Garnett C. Bennetts, Garnett E. Bennetts and Ronald L. Bennetts, doing business as "Garnett C. Bennetts & Sons," do not hold previously granted authority from this Commission.
 3. Applicants have requested that, in the event authority sought in Application No. 22797-PP-Extension is granted, the extended authority be transferred in the instant application. The extension involved is described in Exhibit No. 1.
 4. Garnett C. Bennetts has entered into a partnership arrangement with his two sons and there is no consideration involved in the transfer. The Permit is free and clear of any debts, encumbrances or obligations.
 5. Applicants have duly and properly applied for the transfer.
 6. If this transfer is approved, the Transferees intend to and will engage in bona fide motor carrier operations under the operating rights set forth herein.
 7. Applicants have the following equipment:
 - 4 front end loaders
 - 2 diesel tractors
 - 2 Timppe trailers
 - 1 flat bed and 1 low boy trailer
 - 3 Ford twin screw dump trucks
- They have 8 years of experience in related fields, and a net worth of \$82,000, all of which is ample and suitable for operation of the authority applied for herein.
8. Transferees are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and has or will make adequate provision for insurance.

9. The transfer is compatible with the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing Garnett C. Bennetts to transfer all of his rights, title and interest in and to Permit No. B-6475 (as extended, in the event authority sought in Application No. 22797-PP-Extension is granted) to Garnett C. Bennetts, Garnett E. Bennetts, and Ronald L. Bennetts, doing business as "Garnett C. Bennett & Sons," and henceforth the entire authority shall be described as follows:

- "(1) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), and broken or crushed rock, or stone, from mines, pits and supply points within a radius of twenty-five (25) miles of Golden, Colorado, to points in Colorado east of the Continental Divide, for Denver Fire Clay Company, Robinson Brick & Tile Company, and Rocky Mountain Aggregate, Inc., only.
- (2) 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 (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 homes and small construction jobs within a radius of one hundred (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 one hundred (100) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred (100) miles of said pits and supply points; transportation of road-surfacing materials being restricted against the use of tank vehicles.
- (3) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), ore, broken and crushed rock or stone, from points within a radius of ten (10) miles of Buena Vista, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for the Denver Fire Clay Company, the Robinson Brick and Tile Company and Rocky Mountain Aggregate, Inc., only.
- (4) Transportation of aggregate (except idealite) and broken or crushed rock or stone, from points within a radius of ten (10) miles of Florence, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for Rocky Mountain Aggregate, Inc., only.
- (5) Transportation of raw bones, bone ash and clay products (including brick) between points in Colorado, for Denver Fire Clay Company, or for its use only.

- (6) Machinery, equipment, materials and supplies used in or in connection with the development, production, manufacture, processing, storage and distribution of brick and tile between all points in Colorado for Denver Fire Clay Company or for its use only.
- (7) Transportation of gypsum and gypsum products between points in the State of Colorado, restricted against originating said traffic at points located within a radius of 15 miles of the intersection of Broadway and Colfax Avenue in the City and County of Denver."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Garnett C. Bennetts, Route 2, Box 822, Golden, Colorado, be, and hereby is, authorized to transfer all rights, title, and interest in and to Permit No. B-6475 to Garnett C. Bennetts, Garnett E. Bennetts, and Ronald L. Bennetts, doing business as "Garnett C. Bennetts & Sons," Route 2, Box 822, Golden, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under Permit No. B-6475 shall be as follows, to-wit:

- "(1) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), and broken or crushed rock, or stone, from mines, pits and supply points within a radius of twenty-five (25) miles of Golden, Colorado, to points in Colorado east of the Continental Divide, for Denver Fire Clay Company, Robinson Brick & Tile Company, and Rocky Mountain Aggregate, Inc., only.
- (2) 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 (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 homes and small construction jobs within a radius of one hundred (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 one hundred (100) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred (100) miles of said pits and supply points; transportation of road-surfacing materials being restricted against the use of tank vehicles.

- (3) Transportation of sand, gravel, dirt, soil, clay, aggregate (except idealite), ore, broken and crushed rock or stone, from points within a radius of ten (10) miles of Buena Vista, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for the Denver Fire Clay Company, the Robinson Brick and Tile Company and Rocky Mountain Aggregate, Inc., only.
- (4) Transportation of aggregate (except idealite) and broken or crushed rock or stone, from points within a radius of ten (10) miles of Florence, Colorado, to points within a radius of five (5) miles of Golden, Colorado, for Rocky Mountain Aggregate, Inc., only.
- (5) Transportation of raw bones, bone ash and clay products (including brick) between points in Colorado, for Denver Fire Clay Company, or for its use only.
- (6) Machinery, equipment, materials and supplies used in or in connection with the development, production, manufacture, processing, storage and distribution of brick and tile between all points in Colorado for Denver Fire Clay Company or for its use only.
- (7) Transportation of gypsum and gypsum products between points in the State of Colorado, restricted against originating said traffic at points located within a radius of 15 miles of the intersection of Broadway and Colfax Avenue in the City and County of Denver."

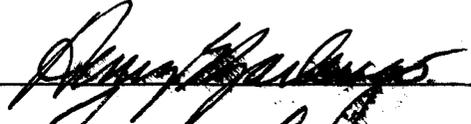
That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 10th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JACK WELLER, JR., NEW CASTLE, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 1477 TO LLOYD N. COLTON,)
c/o DELANEY & BALCOMB, DRAWER 790,)
GLENWOOD SPRINGS, COLORADO.)

APPLICATION NO. 22839-Transfer

November 10, 1967

Appearances: Edward Mulhall, Jr., Esq., Glenwood
Springs, Colorado, for Transferor
and Transferee.

PROCEDURE AND RECORD

On September 14, 1967, Jack Weller, Jr., New Castle, Colorado, and
Lloyd N. Colton, c/o Delaney & Balcomb, Drawer 790, Glenwood Springs, Colo-
rado, filed the instant joint application (No. 22839-Transfer), seeking
authority from the Commission to transfer Certificate of Public Convenience and
Necessity No. 1477 from Jack Weller, Jr., to Lloyd N. Colton.

On October 10, 1967, the Commission, pursuant to law, designated
Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the
instant application. After due and proper notice, the Application was heard
by said Examiner in the City Council Room, Municipal Building, Cooper & 8th,
Glenwood Springs, Colorado, at 10 a.m. on October 31, 1967. On November 7,
1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2),
transmitted to the Commission the record of the proceeding together with a
written statement of his Findings of Fact and Conclusions. The record trans-
mitted by the Hearing Examiner establishes that no one appeared to protest
the granting of the application.

The Commission has now given careful consideration to the record
of the proceeding as well as the Findings of Fact and Conclusions submitted
by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Jack Weller, Jr., is the present owner and operator of Certificate PUC No. 1477, which he has continually operated in the past and which is in good standing before the Commission.
2. Certificate of Authority PUC No. 1477 provides generally for transportation of freight within a described area around New Castle, Colorado, with certain exceptions. Description of the entire authority is attached hereto.
3. The Transferee herein, Lloyd N. Colton, resides outside the State of Colorado, did not appear at the hearing, has had no experience whatsoever in the transportation business, and there was no evidence whatsoever that he had any knowledge of the rules and regulations or that he intended to engage in a bona fide motor carrier operation under the operating rights of this authority.
4. The evidence presented by Lawrence Colton, who appeared for and in behalf of the Transferee, and who is a brother of the Transferee, was vague and uncertain as to the operation of the authority, as well as to what his own interests might be with respect thereto.
5. From the evidence presented, there was nothing to indicate that the transfer would be compatible with the public interest and, on the basis of all findings of fact, the transfer should be denied.

CONCLUSIONS

That the Commission make and enter its Order denying the transfer. Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

- That Application No. 22839-Transfer should be, and hereby is, denied.
- This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 10th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RONALD D. ERICKSON, 2525 WEST "C")
STREET, GREELEY, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22844-PP

November 10, 1967

Appearances: Ronald D. Erickson, Greeley,
Colorado, pro se.

PROCEDURE AND RECORD

On October 3, 1967, Ronald D. Erickson, 2525 West "C" Street, Greeley, Colorado, filed the instant application (No. 22844-PP) for a Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of farm products, livestock bedding, and related commodities as set forth in the application.

On October 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 a.m. on November 7, 1967. On November 7, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of farm products and livestock bedding, etc. as listed in this application.
3. Applicant has a 1955 Ford Truck with Flatbed Trailer, 11 years of experience in related fields, and a net worth of \$12,500, all of which are ample and suitable for operation of the authority applied for.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Ronald D. Erickson, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

1. "Transportation of farm products (excluding livestock, bulk milk and dairy products), from point to point in the State of Colorado, provided there shall be no town-to-town service;
2. Transportation of livestock bedding and processed livestock feed, from point to point in Weld, Larimer, Morgan and Logan Counties, Colorado, to and from points in the State of Colorado."

Pursuant to the provisions of 1963 CRS (115-6-9 (2)), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Ronald D. Erickson, 2525 West "C" Street, Greeley, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

- "(1) Transportation of farm products (excluding livestock, bulk milk and dairy products), from point to point in the State of Colorado, provided there shall be no town-to-town service;
- (2) Transportation of livestock bedding and processed livestock feed, from point to point in Weld, Larimer, Morgan and Logan Counties, Colorado, to and from points in the State of 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, the necessary tariffs, required insurance, and has secured authority sheets.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 10th day of November, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PEASE-HAMILTON HELICOPTERS, INC.,)
1517 DENVER CLUB BUILDING, DENVER,)
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING OPERATION AS A COMMON)
CARRIER BY HELICOPTER FOR THE)
TRANSPORTATION OF PERSONS AND)
PROPERTY, NOT ON SCHEDULE, BUT)
ON CALL AND DEMAND, FROM, TO)
AND BETWEEN ALL POINTS IN THE)
STATE OF COLORADO, WITH BASES OF)
OPERATIONS AT ASPEN, VAIL, AND)
EAGLE, COLORADO, AND AIRPORTS WITH-)
IN A TEN MILE RADIUS OF SAID CITIES.)

APPLICATION NO. 22834

IN THE MATTER OF THE APPLICATION OF)
BETTY J. CLARK AND PATRICIA J.)
SULLIVAN, CO-PARTNERS, DOING BUSI-)
NESS AS "MILE HI AVIATION CO.,")
RIFLE, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
AUTHORIZING EXTENSION OF OPERA-)
TIONS UNDER PUC NO. ACH-28, AUTHOR-)
IZING TRANSPORTATION, BY HELICOPTER,)
OF PERSONS AND PROPERTY, NOT ON)
SCHEDULE, BUT ON CALL AND DEMAND,)
FROM, TO, AND BETWEEN ALL POINTS)
IN THE STATE OF COLORADO, WITH)
BASES OF OPERATIONS AT ASPEN, VAIL,)
AND EAGLE, COLORADO, AND AIRPORTS)
WITHIN A TEN-MILE RADIUS OF SAID)
CITIES.)

APPLICATION NO. 22901-Extension

November 10, 1967

STATEMENT AND FINDINGS OF FACT

Betty J. Clark and Patricia J. Sullivan, co-partners, doing business as "Mile Hi Aviation Co.," by their Attorney, John P. Thompson, filed a "Petition for Joint Hearing or Alternatively for Joint Decisional Consideration," in the above entitled matters and caused copies of said Petition to be served by mail upon parties of record in these proceedings.

The Commission states and finds that said Petition should be authorized as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That "Petition for Joint Hearing or Alternatively for Joint Decisional Consideration," filed by Betty J. Clark and Patricia J. Sullivan, co-partners, doing business as "Mile Hi Aviation Co.," be, and the same hereby is, granted.

That Application No. 22901-Extension be, and the same hereby is, set for hearing at 10:00 o'clock A.M., on November 17, 1967, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

COMMISSIONER HOWARD S. BJELLAND NECESSARILY
ABSENT AND NOT PARTICIPATING

Dated at Denver, Colorado,
this 10th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN POWER & GAS COMPANY, INC.,)
A CORPORATION, FOR AUTHORITY TO)
ISSUE UP TO 148,006 SHARES OF ITS)
COMMON STOCK OF THE PAR VALUE OF)
\$2.50 PER SHARE.)

APPLICATION NO. 22873-Securities

SUPPLEMENTAL ORDER

November 10, 1967

Appearances: Harry S. Petersen, Esq.,
Pueblo, Colorado, and
Melvin A. Hardies, Esq., Chicago,
Illinois, for Applicant;
J. M. McNulty, Denver,
Colorado, and
E. R. Thompson, Denver,
Colorado, of the Staff of
the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On November 6, 1967, by Decision No. 70362, the Commission issued its Order in the above entitled matter. Two typographical errors occurred on page 2 in the Statement of the Order.

On the eighth line from the bottom of page 2, the correct figure at the beginning of the line should be "148,006" rather than "748,006"; and on the sixth line from the bottom of page 2, the correct date should be "November 13, 1967" rather than "November 3, 1967."

In view of the above and foregoing, the Commission states and finds that Decision No. 70362, dated November 6, 1967, should be amended nunc pro tunc to reflect the corrections as set forth above.

O R D E R

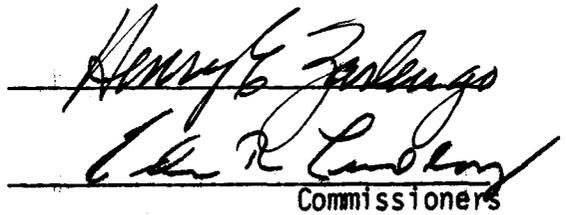
THE COMMISSION ORDERS:

That Decision No. 70362, dated November 6, 1967, shall be, and the same hereby is, amended, nunc pro tunc, as of said 6th day of

November, 1967, by deleting therefrom the figure of 748,006 from the eighth line from the bottom of page 2 of the Statement by the Commission, and inserting therein and substituting therefor, the figure 148,006; and by deleting the date November 3, 1967 from the sixth line from the bottom of page 2 of the Statement by the Commission, and inserting therein and substituting therefor, the date November 13, 1967.

That, except as herein amended, Decision No. 70362 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

COMMISSIONER HOWARD S. BJELLAND
NECESSARILY ABSENT AND NOT
PARTICIPATING.

Dated at Denver, Colorado,
this 10th, day of November, 1967.
1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
MERRITT V. GILMORE)
107 VISTA VIEW DRIVE)
MONTROSE, COLORADO 81401)

PERMIT NO. B-4031

November 15, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 6, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry J. Gailings
Howard B. Bell
Ed R. Lullong
Commissioners

Dated at Denver, Colorado,
this 15th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
)
)
MERRITT V. GILMORE)
107 VISTA VIEW DRIVE)
MONTROSE, COLORADO)
-----)

PERMIT NO. M-4

November 15, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 6, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry G. Carls
Howard B. Burt
Ed R. Lindsay
Commissioners

Dated at Denver, Colorado,
this 15th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
ROBERT L. MUCKLEROY)
P. O. BOX 314)
KIRBYVILLE, TEXAS)

PUC NO. 6805-I-

November 14, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 8, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]
Commissioners

Dated at Denver, Colorado,
this 14th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF	* * *)
CLARENCE E. BLOOMQUIST)
P O BOX 517)
GRAND LAKE, COLORADO 80447)

PERMIT NO. M-526

November 14, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 21, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin J. Barlow

Donald S. ...

Ed. R. ...

Commissioners

Dated at Denver, Colorado,
this 14th day of November 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF	* * *)	
CLARENCE E. BLOOMQUIST)	
P. O. BOX 517		)	<u>PERMIT NO. B-6697</u>
GRAND LAKE, COLORADO 80447)	

November 14, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 21, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Handwritten Signature]

[Handwritten Signature]

[Handwritten Signature]

Commissioners

Dated at Denver, Colorado,
this 14th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF	* * *)
		}
JOHN PRIGMORE		}
617 HOSPITAL ROAD		}
BRUSH, COLORADO 80723		}
)

PERMIT NO. M-598

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 7, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]

Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
LORENZ L. SPALLINGER)
ROUTE 1, BOX 151)
DELTA, COLORADO)

PERMIT NO. M-2264

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 8, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry Spallinger
Donald B. ...
Ed R. ...
Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
MILLS MACHINE WORKS)
TIMNATH, COLORADO)

PERMIT NO. M-14440

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 10, 1967

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]
[Signature]
[Signature]
Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF	* * *)
DAVE GUSTIN MFG.)
RTE #1, BOX 78)
CARBONDALE, COLORADO 81623)

PERMIT NO. M-15164

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 3, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]

Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
)
MIDWEST WALNUT COMPANY)
P O BOX 97)
COUNCIL BLUFFS, IOWA)

PERMIT NO. M-3824

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective October 31, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Nancy Spillings
Howard B. Burt
E. R. Crowley
Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE: MOTOR VEHICLE OPERATIONS OF)
GLENWOOD STEEL & SALVAGE CO.)
P. O. BOX 206)
GLENWOOD SPRINGS, COLO. 81601)

PERMIT NO. M-8093

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

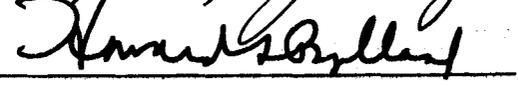
O R D E R

THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective December 2, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

	* * *	
RE: MOTOR VEHICLE OPERATIONS OF)	
R. L. JEFFERES)	
BYERS, COLORADO 80103	)	<u>PERMIT NO. M-3282</u>
)	

November 13, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission has received a written request from the owner and operator of the above-entitled authority requesting that the same be cancelled.

The Commission states and finds that to grant the herein request of cancellation will be in the public interest and should be granted as set forth in the Order following.

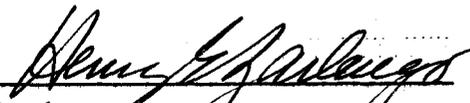
O R D E R

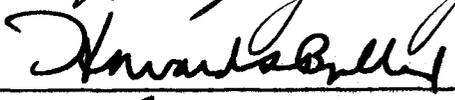
THE COMMISSION ORDERS:

That the above-entitled authority be, and the same hereby is, cancelled effective November 3, 1967.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 13th day of November 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 1554 & I)	
	CASE NO. 126-T
BY: CENTRAL COLORADO TRUCKING CO.)	
520 SOUTH 10TH)	NOTICE OF HEARING
CANON CITY, COLORADO 81212)	AND
	ORDER TO SHOW CAUSE
Respondent.)	

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

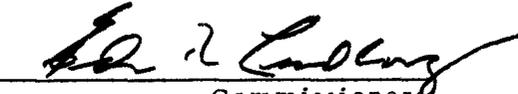
That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 1592 & I)
BY: PAT'S COW & SHEEP TAXI)
BOX 101)
DOLORES, COLORADO 81323)
Respondent.)

CASE NO. 127-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

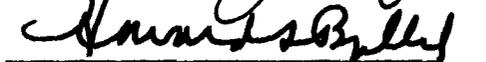
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

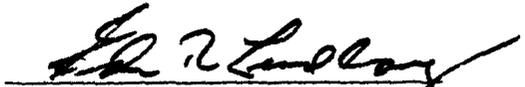
That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioner

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 1658)	
	CASE NO. 128-T
BY: MR. T. J. ISENBART)	
1506 CARSON)	NOTICE OF HEARING
LA JUNTA, COLORADO 80150)	AND
	ORDER TO SHOW CAUSE
Respondent.)	

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

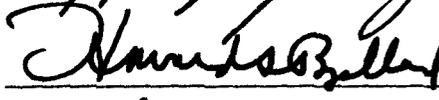
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 1814)	
	) <u>CASE NO. 129-T</u>
BY: EAGLE VAIL CAB COMPANY)	
1009 NEWPORT STREET)	<u>NOTICE OF HEARING</u>
DENVER, COLORADO 80220)	<u>AND</u>
	<u>ORDER TO SHOW CAUSE</u>
Respondent.)	

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 2132)	
	CASE NO. 130-T
BY: CREEDE BUS & FREIGHT LINE)	
DEL NORTE,)	NOTICE OF HEARING
COLORADO 81132)	AND
	ORDER TO SHOW CAUSE
Respondent.)	

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

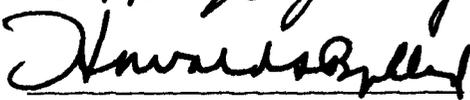
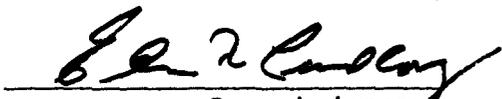
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

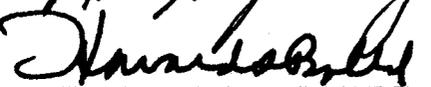
That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 4748)	
	)	<u>CASE NO. 132-T</u>
BY: BROOMFIELD TRANSPORTATION COMPANY)	)	<u>NOTICE OF HEARING</u>
P. O. BOX 73	)	<u>AND</u>
BOULDER, COLORADO 80020	)	<u>ORDER TO SHOW CAUSE</u>
)	
Respondent.)	

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

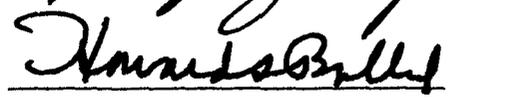
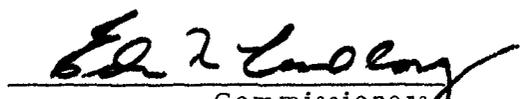
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 5713)	
)
)
BY: CRESTED BUTTE STAGE LINES)	CASE NO. 133-T
CRESTED BUTTE,)	
COLORADO 81224)	NOTICE OF HEARING
)
)
)
Respondent.)	AND
)
)
	ORDER TO SHOW CAUSE

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

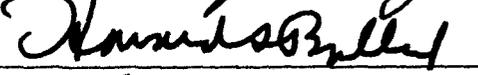
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 6027)	
	) <u>CASE NO. 134-T</u>
BY: MR. BARNEY J. BREWER)	
BOX 335 )	) <u>NOTICE OF HEARING</u>
BRECKENRIDGE, COLORADO 80424 )	) <u>AND</u>
	) <u>ORDER TO SHOW CAUSE</u>
Respondent.)	

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

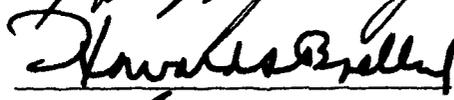
Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)	
CERTIFICATE NO. 6112)	
)
BY: CANON VEGETABLE GROWERS)	CASE NO. 135-T
P. O. BOX 191)	
FLORENCE, COLORADO 81226)	NOTICE OF HEARING
)
)
Respondent.)	AND
)
	ORDER TO SHOW CAUSE

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

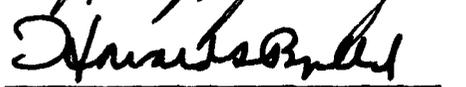
That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioner

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 6412)
BY: SOUTHWESTERN TRANSPORTATION & STORAGE CO.)
520 SOUTH 10TH)
CANON CITY, COLORADO 81212)
Respondent.)

CASE NO. 136-T
NOTICE OF HEARING
AND
ORDER TO SHOW CAUSE

November 16, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named respondent was issued the above captioned and numbered operating rights to engage in the business of a motor vehicle carrier. The files and records of the Commission disclose that said respondent has violated the law and the Rules and Regulations of the Commission by failing and neglecting to file Annual Report for calendar year of 1966 as required, and that said respondent is now conducting motor vehicle operations under said operating rights in violation of said law, Rules and Regulations.

The Commission states and finds that unless the above named respondent files with the Commission the above stated matter or shows cause why the above captioned and numbered operating rights should not be revoked for failing to comply therewith on or before the date set for the hearing of this case, the Commission will (1) enter an order without further notice revoking said respondent's operating rights for said violation and (2) determine what other appropriate orders and penalties should be entered.

O R D E R

THE COMMISSION ORDERS:

That this case be, and the same hereby is, set down for hearing in Room 529, State Services Building, 1525 Sherman Street, Denver,

Colorado, at 10:00 o'clock A. M., on December 8, 1967, at which time and place proper evidence may be presented.

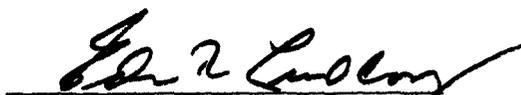
That, unless respondent shall have filed the matter as herein and above set forth or show cause why the above captioned and numbered operating rights should not be revoked for the herein described violation on or before the date and time for the hearing as specifically set forth above, the operating rights of the respondent shall be revoked; and

That other orders and penalties as may be appropriate be entered.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

dh

(Decision No. 70415)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM F. MALENK, 501 9TH STREET,)
GOLDEN, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 2078 TO GOLDEN)
ASH AND TRASH SERVICE CO., INC.,)
15835 WEST 13TH AVENUE, GOLDEN,)
COLORADO.)

APPLICATION NO. 22799-Transfer

November 15, 1967

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Transferor;
Robert A. Grove, Golden, Colorado,
President, Golden Ash and Trash
Service Co., Inc., pro se.

PROCEDURE AND RECORD

On September 11, 1967, William F. Malenk, 501 - 9th Street, Golden, Colorado, and Golden Ash and Trash Service Co., Inc., 15835 West 13th Avenue, Golden, Colorado, filed the instant joint application (No. 22799-Transfer), seeking authority from the Commission to transfer Certificate of Public Convenience and Necessity No. 2078 from William F. Malenk, to Golden Ash and Trash Service Co., Inc.

On September 14, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado, at 10:00 a.m. on October 20, 1967. On October 24, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record and exhibits of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record and exhibits transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Transferor herein, William F. Malenk, is the present owner and operator of PUC No. 2078, which he has in the past continually operated and which presently is in good standing before the Commission. Said Certificate is described in the attached Letter of Authority.
2. Transferee herein, Golden Ash and Trash Service Co., Inc., is a Colorado corporation, duly organized and existing under the laws of the State of Colorado.
3. Transferee corporation presently holds authority from this Commission, Certificate PUC No. 2605, which is described in the attached Letter of Authority.
4. The authority being transferred duplicates in part the authority presently held by Transferee and, therefore, PUC No. 2078 should be redescribed by deleting therefrom that portion of the authority which overlaps and otherwise duplicates Certificate of Authority PUC No. 2605.
5. The parties have entered into an Agreement for the transfer of PUC No. 2078, and the consideration to be paid for the transfer is \$6,500. The Certificate is free and clear of any debts, encumbrances or obligations.
6. Applicants have duly and properly applied for the transfer.
7. Transferee corporation has the following equipment:
 2. Leach Packers and supporting gearIt has a net worth of \$12,583.08, and 8 years of experience in related fields, all of which are ample and suitable for operation of the authority applied for herein.
8. Transferee corporation is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations, as well as safety requirements of the Commission and have or will make adequate provision for insurance.
9. The transfer is compatible with the public interest and, as described in "Conclusions", should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing William F. Malenk, Transferor, to transfer all of his rights, title and interest in and to Certificate PUC No. 2078 to Golden Ash and Trash Service Co., Transferee, and, further, that as a condition of said transfer, the authority under PUC No. 2078 shall henceforth be described in its entirety as follows:

"Transportation of sand, gravel, fertilizer, and top soil, in the City of Golden and points within a ten (10) mile radius thereof."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That William F. Malenk, 501 - 9th Street, Golden, Colorado, be, and hereby is, authorized to transfer all rights, title, and interest in and to PUC No. 2078 to Golden Ash and Trash Service Co., Inc., 15835 West 13th Avenue, Golden, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

That henceforth the full and complete authority under PUC No. 2078 shall be as follows, to-wit:

"Transportation of sand, gravel, fertilizer and top soil, in the City of Golden and points within a ten (10) mile radius thereof."

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 the Commission.

The right of transferee to operate under this Order shall depend upon the prior filing of the Annual Report by transferor herein, covering the 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 G. Paulings
Thomas B. Bell
E. J. Long
Commissioners

Dated at Denver, Colorado,
this 15th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
YAMPA VALLEY ELECTRIC ASSOCIATION,)
INC., A CORPORATION, STEAMBOAT)
SPRINGS, COLORADO, FOR AN ORDER)
AUTHORIZING THE ISSUANCE OF SECURI-)
TIES, AND THE APPLICATION OF THE)
PROCEEDS THEREFROM TO CERTAIN)
LAWFUL PURPOSES.)

APPLICATION NO. 22888-Securities

November 16, 1967

Appearances: Marvin L. Brown, Esq., Steamboat
Springs, Colorado, for
Applicant;
J. M. McNulty, Denver, Colorado, and
E. R. Thompson, Denver, Colorado, of
the Staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

By this application Yampa Valley Electric Association, Inc., (later herein referred to as the "Association") seeks authority to borrow from the Rural Electrification Administration \$526,000 to be evidenced by a mortgage note identified as "REA Project Designation: Colorado 36-P Routt", maturing over a period of thirty-five (35) years and bearing interest at two percent (2%) per annum; to authorize a certain supplemental mortgage securing payment of said note; and to approve an amendment dated as of August 17, 1967 to amending loan contract as of August 20, 1954, as amended, between the Yampa Valley Electric Association, Inc. and the United States of America; and to authorize the Association to use the proceeds therefrom for specified purposes.

This matter was set for hearing after due notice to all interested parties on Friday, November 10, 1967, at 2:00 o'clock P.M. in the hearing room of the Commission, 532 State Services Building, Denver, Colorado, and it was there heard and at the conclusion thereof taken under advisement.

No protests were filed with the Commission with regard to this application, and no one appeared at the hearing in opposition to the granting of the authority sought.

The Association is engaged in the business of purchasing, acquiring, transmitting, distributing, furnishing and selling electricity to its members and to non-member consumers in the counties of Routt, Moffat, Eagle, Grand and Rio Blanco in the State of Colorado, and in Carbon County in the State of Wyoming. The Association, applicant herein, is a corporation organized under the laws of the State of Colorado and its Articles of Incorporation and all amendments thereto properly certified are on file with the Commission in connection with Public Utilities Commission Application No. 9049, Decision No. 30008; Application No. 11541, Decision No. 37967; and Application No. 16219 Amended, Decision No. 50287, and by Transmittal of Amendment dated June 15, 1963 by letter dated August 22, 1963.

The Association's witness, Mr. James A. Golden, Manager, testified summarily as follows: The Association requires additional funds for the purpose of furnishing electrical energy to persons not receiving central station electric service and for the construction, completion, extension and improvement of the properties of the Association and for the improvement and maintenance of service, and for the reimbursement of monies actually expended for some of said purposes from income of the Applicant, and for other lawful purposes. In order to acquire such funds, the Association has entered into an amendment dated as of August 17, 1967 to the amending loan contract with the United States of America, acting through the Administrator of the Rural Electrification Administration, whereby the Government agreed to lend and Applicant agreed to borrow a sum not exceeding \$8,158,000, Exhibit A entered into evidence.

In compliance with this amended loan contract, the United States Government proposed to loan to the Association \$526,000 to be evidenced by a mortgage note in such principal amount, Exhibit B, secured by a supplemental mortgage, Exhibit C.

The said sum of \$526,000, as set forth in Exhibit H entered into evidence, is to be expended over the next two years for the following electric facilities:

Approximately 53.8 miles of distribution line to serve 248 consumers	\$167,500
New tie lines -- Hahn's Peak ABC 18-B16 and Hamilton Sub North ABC1-ABC2	14,000
Conversion and line changes near Steamboat, Fish Creek and Maybell	16,300
Substation site procurement at Seneca	500
Relocate Seneca substation	7,500
143 Transformers and 248 meters to serve new consumers	61,950
117 Transformers and 370 meters and 190 sets of service wires to increase capacity of existing consumer services	89,850
130 yard lights	17,000
Sectionalizing equipment and regulators	37,800
Right-of-way easements	<u>2,500</u>
Total Distribution	\$414,900
11 miles of 69 Kv new Transmission Line McGreggor to Steamboat	\$132,000
3 miles of 69 Kv new Transmission Line Mt. Harris - Seneca	36,000
Right of way procurement	1,500
Engineering Fees	<u>12,000</u>
Total Transmission	\$181,500
Grand Total	\$596,400
Less - Available Funds and materials	<u>70,165</u>
TOTAL	\$526,235

The estimate of construction costs set forth above were prepared by Mr. Golden and the Association's engineer. These figures are the summary figures taken from their two-year estimate of consumers and electric requirements translated into additional required plant facilities and equipment.

Exhibit H accompanied the Association's Application to the Rural Electrification Administration for this loan of \$526,000. This Exhibit so submitted was signed by the Association's engineer, its manager and its president on March 17, 1967, and by the Chief Engineer of the REA Area Engineering Branch, May 12, 1967.

The financial statements of the Association were introduced into evidence as Exhibits D, E, F, and G respectively; the Balance Sheet as of December 31, 1966, Sales and Revenue Data; Balance Sheet and Consumer Sales and Revenue Data September 30, 1967; Statement of Operations for the 12 months ended December 31, 1966; and, Statement of Operations for the 9 months ended September 30, 1967.

The Balance Sheet, September 30, 1967 shows that the Association had long-term debt of \$4,952,208 and total margins and equities of \$701,566 making a total of capitalization \$5,653,774, of which margins and equity represent 12.4%. General Cash Funds as of this date amounted to \$127,520 and restricted funds amounted to \$390,000 totaling \$517,520. Mr. Golden stated that these funds were available in case of emergency and also a certain amount of the advance payments on debt to the extent of the current quarter debt repayment. The patronage capital and margins for the nine months ended September 30, 1967 were \$42,139 and compares with \$27,892 for the twelve months ended December 31, 1966. This indicated improvement in earnings is the result of natural growth and improved control of expenses.

Mr. Golden stated that the Association was current in its debt repayment and its interest payments. It was his opinion that the additional debt service resulting from the additional borrowing of \$526,000 would not unduly burden the Association.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the Yampa Valley Electric Association, Inc. as to its properties, facilities and operations located in the State of Colorado.

That the Commission is fully advised in the premises.

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

That the issuance by Yampa Valley Electric Association, Inc. of the mortgage note in the principal amount of \$526,000, Exhibit B, should be authorized and approved.

That the issuance by Yampa Valley Electric Association, Inc. of a supplemental mortgage, Exhibit C, should be authorized and approved.

That the issuance by Yampa Valley Electric Association, Inc. of the amendment dated as of August 17, 1967 to amending loan contract dated as of August 20, 1954, as amended, Exhibit A, should be authorized and approved.

That the authorization and approval of the above described commitments by Yampa Valley Electric Association, Inc. should pertain only to the expenditure of borrowed funds within the State of Colorado.

That the use of borrowed funds by Yampa Valley Electric Association, Inc. for the purposes set forth in the foregoing Statement, is not inconsistent with the public interest or with the provision of the law covering such transactions and should be approved.

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

O R D E R

THE COMMISSION ORDERS:

That the issuance by Yampa Valley Electric Association, Inc. of the mortgage note in the principal amount of \$526,000, Exhibit B, be, and the same is hereby, authorized and approved.

That the issuance by Yampa Valley Electric Association, Inc. of the supplemental mortgage note, Exhibit C, be, and the same is hereby, authorized and approved.

That the issuance by Yampa Valley Electric Association, Inc. of the amendment dated as of August 17, 1967 to amending loan contract dated as of August 20, 1954, as amended, Exhibit A, be, and the same is hereby, authorized and approved.

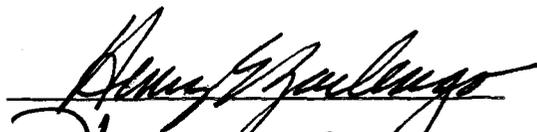
That authorization and approval above given relate only to that portion of the borrowed funds to be expended by the Association within the State of Colorado.

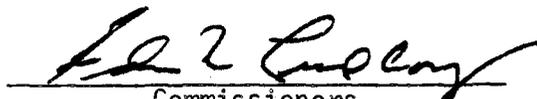
That within one hundred twenty (120) days of the final execution of the instruments authorized herein, applicant shall file with this Commission one conformed executed copy of each of said instruments.

That the Commission retain jurisdiction to the end that it may make such further Order or Orders in the premises as it may deem to be proper or desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 16th day of November, 1967.

et

(Decision No. 70417)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE)
DEPARTMENT OF HIGHWAYS OF THE STATE OF)
COLORADO FOR AUTHORITY TO CONSTRUCT A)
HIGHWAY BRIDGE OVERPASSING THE DENVER)
AND RIO GRANDE WESTERN RAILROAD COMPANY'S)
MAINLINE TRACK AND RIGHT OF WAY AT)
ICC STATION 6676 PLUS 23.5 FEET, STATE)
HIGHWAY NO. 131, IN THE VICINITY OF)
STATE BRIDGE, EAGLE COUNTY, COLORADO.)

APPLICATION NO. 21568

November 16, 1967

S T A T E M E N T

BY THE COMMISSION:

On October 14, 1965, the Department of Highways of the State of Colorado (Department), filed its application in accordance with the rules of this Commission, seeking approval for construction of a highway bridge to overpass the rail road line as noted above, and to therewith close and abandon the present railroad grade crossing on State Highway No. 131.

Other explanatory material as submitted with the instant application includes:

- Exhibit A - Combination Plan sheet showing:
General Location Map, Plan/Profile
Layout of Bridge crossing and
Property ownership designations.
- Exhibit B - General Plan and Elevation sheet to
show Bridge Layout and clearances at
rail line.
- Exhibit C - Comparative study of Cost estimates to
provide overpass structure and establish
railroad participation in accordance
with Bureau of Public Roads Procedure
Memorandum.

Also received by the Commission on October 26, 1965, is a copy of the fully executed Agreement, dated September 23, 1965, between the Department of Highways and The Denver & Rio Grande Western Railroad

Company pertaining to proposed bridge construction.

With reference to the instant application and other investigation data, it appears that State Highway No. 131 is a north-south roadway some 70 miles long; connecting with U. S. No. 40 (S.H.#2) about 5 miles south of Steamboat Springs and extends southward through Oak Creek, Phippsburg, Yampa, Toponas, McCoy, Bond and State Bridge to a junction with Interstate Route No. 70 (U.S. 6-24) at Wolcott. For a number of years past, the Department has had a program to gradually improve the alinement, grades, structures and surfacing along the whole route, with some 8 miles now remaining to be improved.

The instant work consists of grading, structures and surfacing on 2.8 miles of Colorado No. 131 and extending southeasterly from Bond through State Bridge. Also included is a five span bridge, 419 feet long over the Colorado River and the single mainline track of the Rio Grande Railroad at State Bridge. In this manner the present grade crossing will be eliminated.

State Bridge is in a mountainous region immediately adjacent to the Colorado River. Colorado Highway No. 131 is built in a curving fashion along the mountain slopes where pioneer construction methods followed the line of minimum construction demands. Present grades are irregular, and in addition to the hillside alinement, result in limited visibility at the present grade crossing. Protection at the single track crossing consists of standard automatic flashing light signals. South side approach to the rail line is made from an old through-truss timber bridge which is now posted for an "8 Ton Load Limit." North side approach is on a down grade for some 66 feet from the junction of Colorado No. 131 with a local Eagle County Road at the north side of the rail line. The State Bridge Post Office and some tourist cabins are also located near the junction of these roadways. The County Road extends eastward from State Bridge along the rail line for some 3 miles to the Yarmony crossing and thence along a shelf road through Gore Canon to Kremmling.

Proposed construction of the new highway bridge over the Colorado River at a location about 500 feet west from the present river bridge will also overpass the main line track of Rio Grande Railroad. In this manner there will be a separation of the rail movements and the vehicular traffic now using the old bridge and connecting grade crossing. Continued access to the new Colorado No. 131 will be maintained by construction of suitable approach ramps.

Rail traffic in this area consists of both passenger and freight movements involving six passenger trains and average of fourteen freights or total of twenty trains daily at variable intervals during both night and day. Traffic on Colorado Highway No. 131 has shown some gain and now averages 160 vehicles per day.

Proposed clearances for the new highway bridge are as follows:

Vertical: 23' 6" (Allows 6" for Future Ballast) - PUC 22' 6"
Horizontal: 18' 0" - South side (Pier No. 5)
Horizontal: 14' to 25' - North side (Wall and Riprap) - PUC 8' 6"

Bridge design provides for reinforced concrete deck on steel girders supported on reinforced concrete piers and abutments with collision wall inserts at the supporting columns nearest the rail line. The bridge will provide a double-lane roadway 24 feet wide; walkways two feet wide with handrails are to be constructed on each side of the roadway for pedestrian use. All through traffic crossing the rail line will move above the tracks on the new overpass bridge. With the new access ramps built at each end of the bridge, it appears there should be no public inconvenience for local or County road traffic to use the overpass route.

In a series of negotiations with the Highway Department, property owners adjacent to the crossing at the old Highway-County Road junction completed their access and right of way settlement regarding the new construction in an Agreement dated August 9, 1966. Copy of said Agreement was submitted for Commission file with letter of transmittal by Applicant on August 15, 1966 and received as follows:

Exhibit D - (Late Filed - Received August 16, 1966)
Memorandum of Agreement, dated August 9, 1966
between Department of Highways and Claude and
Flory Iacovetto.

Involved also in the above negotiations was filing of a Protest with the Commission in the instant matter in behalf of Claude and Flory Iacovetto as adjacent property owners. Withdrawal of protest was submitted by counsel for the protestants and received by the Commission as follows:

Exhibit E - (Late Filed - Received November 9, 1967)
Letter dated November 8, 1967 to effect
"Re: Iacovetto
.... the matter pending with the PUC re the
above can now be withdrawn and dismissed."
Stanton D. Rosenbaum, Attorney
Denver U.S. National Center

As noted in the Application and the instant Agreement, estimated cost of the proposed bridge construction was dependent upon need to maintain prescribed overhead clearance for the structure above the rail line. In this regard, the added cost amounts to \$73,943 for a longer bridge structure and related embankment work. In applying a benefit ratio of 10% to the railroad; the result is \$7,394 as Rio Grande expense portion, with settlement to be determined from the final or "as constructed" costs. Other railroad Force Account expenses for Guard rail installation and Communication line changes as estimated at \$6,120 will be reimbursed by the Department. Estimated cost of the separation project is \$238,588.

Meanwhile, the Commission forwarded a copy of the instant application, together with a Notice, to interested parties, to the Board of Eagle County Commissioners, and to owners of adjacent property. 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. Adverse reply as noted above was received by the Commission in behalf of property owners Claude and Flory Iacovetta relative to right of way arrangements for the new roadway use. Thereafter, settlement details have been completed in accordance with the Late Filed Exhibits "D" and "E" as noted above.

After consideration of the instant proposal, it is the belief of the Commission that by constructing the new and longer river bridge it is possible to also eliminate vehicular traffic over the rail line grade crossing. In view of the through movements of both passenger and freight trains, and combined with constantly increasing traffic volumes, and the heavier loads and weights of modern trucks, there is now justification for closing of the grade crossing and construction of the modern separation structure to maintain more complete public safety. Noting continuance of local access movements for adjacent owners, including also "on" and "off" connections to the roadway and overpass bridge, it appears ample alternate public facilities are being provided to permit closing of the grade crossing.

It is therefore the belief of the Commission that the proposed bridge construction is compatible with the public interest; no objections remain, 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 the construction and maintenance of a new highway overpass bridge, together with the closing and abandonment of the present grade crossing as proposed herein, over trackage of The Denver & Rio Grande Western Railroad Company; all, being a part of the relocation of Colorado Highway No. 131 at State Bridge, Eagle County, Colorado.

That horizontal and vertical clearances for the proposed structure exceed the clearance requirements established by the Commission, and are therefore acceptable.

O R D E R

THE COMMISSION ORDERS:

That Applicant, the Department of Highways, State of Colorado be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the following:

1. Installation, construction and maintenance of a highway over-pass structure on Colorado State Highway No. 131, crossing above The Denver & Rio Grande Western Railroad Company-Moffat Tunnel Route mainline at ICC Station 6676 plus 23.5 feet.

2. Closing and abandonment of the former grade crossing of State Highway No. 131 over the track and right of way of the Rio Grande railroad noted above;

all being located near State Bridge, Eagle County, Colorado.

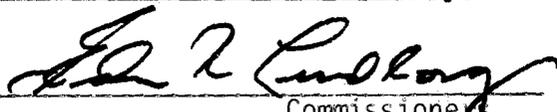
That the new work to be done, costs, installation, maintenance, other improvements and crossing closing, shall be as indicated in the preceding Statement, Agreement and Exhibits A, B, C, D, and E, all of which, by reference, are made a part hereof.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioner

Dated at Denver, Colorado,
this 16th day of November, 1967.

1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATIONS OF)
LEONARD L. HANEY, LAWRENCE HANCOCK,)
JR., AND GORDON P. WEICHEL TO)
TRANSFER ALL OUTSTANDING CAPITAL)
STOCK IN AND TO COLO. FREIGHT DIS-)
TRIBUTION, INC., 1420 38TH STREET,)
DENVER, COLORADO, (HOLDER OF ALL)
OUTSTANDING STOCK IN AND TO)
GOLDSTEIN TRANSPORTATION AND)
STORAGE, INC., RECORD OWNER OF PUC)
NO. 416, PUC NO. 416-I, PUC NO.)
1901-I, PUC NO. 3171, PUC NO. 3537,)
PUC NO. 3538, PUC NO. 3539, PERMIT)
NO. B-503, AND PERMIT NO. A-787) TO)
TRANSPORT SERVICE, INC., 5231)
MONROE STREET, DENVER, COLORADO.)

APPLICATION NO. 22620-Stock Transfer
APPLICATION NO. 22621-Stock Transfer
APPLICATION NO. 22622-Stock Transfer
APPLICATION NO. 22623-Stock Transfer
APPLICATION NO. 22624-Stock Transfer
APPLICATION NO. 22625-Stock Transfer
APPLICATION NO. 22626-PP-Stock Transfer
APPLICATION NO. 22627-PP-Stock Transfer

SUPPLEMENTAL ORDER

November 17, 1967

Appearances: Leslie R. Kehl, Esq., Denver, Colorado,
for Leonard L. Haney, Lawrence Hancock,
Jr., Gordon P. Weichel, and Transport
Service, Inc.;
John P. Thompson, Esq., Denver, Colorado,
for Denver-Climax Truck Line, Denver-
Laramie-Walden Truck Line, Inc.,
Denver-Loveland Transportation Company,
Edson Express, and Overland Motor Express;
Julius I. Ginsberg, Esq., Denver, Colorado,
for Bennie Goldstein and Nathan
Goldstein.

STATEMENT AND FINDINGS OF FACT

On October 13, 1967, the Commission entered Decision No. 70221, authorizing the stock transfers as above captioned, subject, however, to the filing of a written acceptance within thirty days of the effective date of said Decision by the parties thereto advising the Commission that said capital stock has been formally transferred; and further that they have accepted the conditions and requirements as set forth in the Order part of said Decision No. 70221.

The Applicants above named, by their Attorney Leslie R. Kehl, have filed with the Commission a Petition requesting an extension of time in which to comply with the Commission's transfer order and to allow consummation and

filing of Notice of Acceptance of the authorized transaction at any time within ninety days following the entrance of a final order by the Interstate Commerce Commission in Docket No. MC-F-9760, and further that Applicants herein be instructed to inform the Commission of the date of any such final order entered by the Interstate Commerce Commission.

The Commission states and finds that said request is in the public interest and should be granted as set forth in the Order following.

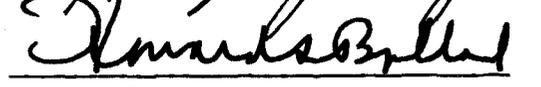
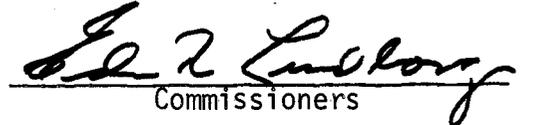
O R D E R

THE COMMISSION ORDERS:

That the above-named Applicants be, and hereby are, granted an extension of an additional period of time to file the written acceptance of transfer as ordered and set forth in Decision No. 70221 until any time within a period of time of ninety days following the entry of the final order to be entered by the Interstate Commerce Commission in Docket No. MC-F-9760.

That Applicants herein be, and hereby are, instructed to inform the Commission in writing, within five days, of the date of the entry of any such final order by the Interstate Commerce Commission in said Docket No. MC-F-9760.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DETWILER LOGGING COMPANY, A)
CORPORATION, MAUPIN, OREGON, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CAERIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22840-PP

November 17, 1967

PROCEDURE AND RECORD

On October 3, 1967, Detwiler Logging Company, a corporation, Maupin, Oregon, filed the instant application (No. 22840-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce. After due and proper notice, the application was called for hearing by Robert L. Pyle, Examiner for the Commission, at 9 a.m. on Thursday, November 9, 1967, in the Columbine Room, Court House, Durango, Colorado. The Applicant did not appear at the time and place.

The Examiner has now filed a report with the Commission recommending that the application be re-set for hearing at a future date.

O R D E R

THE COMMISSION ORDERS:

That Application No. 22840-PP be re-set by the Secretary of the Commission for hearing at a later date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

George J. Zullinger
Harold Bentley

E. R. Ludlow
Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967

et

(Decision No. 70420)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GOLDSTEIN TRANSPORTATION AND)
STORAGE, INC., 1420 - 38TH STREET,)
DENVER, COLORADO, TO TRANSFER)
PERMIT NO. A-787 TO COLO. FREIGHT)
DISTRIBUTION, INC., 1420 - 38TH)
STREET, DENVER, COLORADO.)

APPLICATION NO. 22635-PP-Transfer
SUPPLEMENTAL ORDER

November 17, 1967

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Goldstein Trans-
portation and Storage, Inc. and
Colo. Freight Distribution, Inc.;
John P. Thompson, Esq., Denver,
Colorado, for Denver-Climax Truck
Line, Denver-Laramie-Walden Truck
Line, Inc., Denver-Loveland
Transportation Company, Edson
Express, and Overland Motor
Express;
Julius I. Ginsberg, Esq., Denver,
Colorado, for Bennie Goldstein
and Nathan Goldstein.

STATEMENT AND FINDINGS OF FACT

On October 13, 1967, the Commission entered Decision No. 70236, authorizing the transfer as above captioned, subject, however, to the filing of a written acceptance within thirty days of the effective date of said Decision by the parties thereto advising the Commission that said permit has been formally transferred; and further that they have accepted the conditions and requirements as set forth in the Order part of said Decision No. 70236.

The Applicants above named, by their Attorney Leslie R. Kehl, have filed with the Commission a Petition requesting an extension of time in which to comply with the Commission's transfer order and to allow consummation and filing of Notice of Acceptance of the authorized transaction at any time within ninety days following the entrance of a final order by the Interstate Commerce Commission in Docket No. MC-F-9760, and further that Applicant herein

be instructed to inform the Commission of the date of any such final order by the Interstate Commerce Commission.

The Commission states and finds that said request is in the public interest and should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-named Applicants be, and hereby are, granted an extension of an additional period of time to file the written acceptance of transfer as ordered and set forth in Decision No. 70236 until any time within a period of time ninety days following the entry of the final order to be entered by the Interstate Commerce Commission in Docket No. MC-F-9760.

That Applicants herein be, and hereby are, instructed to inform the Commission in writing, within five days, of the date of the entry of any such final order by the Interstate Commerce Commission in said Docket No. MC-F-9760.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GOLDSTEIN TRANSPORTATION AND)
STORAGE, INC., 1420 - 38TH STREET,)
DENVER, COLORADO, TO TRANSFER)
PERMIT NO. B-503 TO COLO. FREIGHT)
DISTRIBUTION, INC., 1420 - 38TH)
STREET, DENVER, COLORADO.)

APPLICATION NO. 22634-PP-Transfer
SUPPLEMENTAL ORDER

November 17, 1967

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Goldstein Trans-
portation and Storage, Inc. and
Colo. Freight Distribution, Inc.;
John P. Thompson, Esq., Denver,
Colorado, for Denver-Climax Truck
Line, Denver-Laramie-Walden Truck
Line, Inc., Denver-Loveland
Transportation Company, Edson
Express, and Overland Motor
Express;
Julius I. Ginsberg, Esq., Denver,
Colorado, for Bennie Goldstein
and Nathan Goldstein.

STATEMENT AND FINDINGS OF FACT

On October 13, 1967, the Commission entered Decision No. 70235, authorizing the transfer as above captioned, subject, however, to the filing of a written acceptance within thirty days of the effective date of said Decision by the parties thereto advising the Commission that said permit has been formally transferred; and further that they have accepted the conditions and requirements as set forth in the Order part of said Decision No. 70235.

The Applicants above named, by their Attorney Leslie R. Kehl, have filed with the Commission a Petition requesting an extension of time in which to comply with the Commission's transfer order and to allow consummation and filing of written Notice of Acceptance of the authorized transaction at any time within ninety days following the entrance of a final order by the Interstate Commerce Commission in Docket No. MC-F-9760, and further that Applicant herein be instructed to inform the Commission of the date of any such

final order by the Interstate Commerce Commission.

The Commission states and finds that said request is in the public interest and should be granted as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above-named Applicants be, and hereby are, granted an extension of an additional period of time to file the written acceptance of transfer as ordered and set forth in Decision No. 70235 until any time within a period of time ninety days following the entry of the final order to be entered by the Interstate Commerce Commission in Docket No. MC-F-9760.

That Applicants herein be, and hereby are, instructed to inform the Commission in writing, within five days, of the date of the entry of any such final order by the Interstate Commerce Commission in said Docket No. MC-F-9760.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967

et

(Decision No. 70422)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GOLDSTEIN TRANSPORTATION AND)
STORAGE, INC., 1420 - 38TH STREET,)
DENVER, COLORADO, TO TRANSFER)
PUC NO. 3171 TO COLO. FREIGHT)
DISTRIBUTION, INC., 1420 - 38TH)
STREET, DENVER, COLORADO.)

APPLICATION NO. 22630-Transfer
SUPPLEMENTAL ORDER

November 17, 1967

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Goldstein Trans-
portation and Storage, Inc. and
Colo. Freight Distribution, Inc.;
John P. Thompson, Esq., Denver,
Colorado, for Denver-Climax Truck
Line, Denver-Laramie-Walden Truck
Line, Inc., Denver-Loveland
Transportation Company, Edson
Express, and Overland Motor
Express;
Julius I. Ginsberg, Esq., Denver,
Colorado, for Bennie Goldstein
and Nathan Goldstein.

STATEMENT AND FINDINGS OF FACT

On October 13, 1967, the Commission entered Decision No. 70228, authorizing the transfer as above captioned, subject, however, to the filing of a written acceptance within thirty days of the effective date of said Decision by the parties thereto advising the Commission that said certificate has been formally transferred; and further that they have accepted the conditions and requirements as set forth in the Order part of said Decision No. 70228.

The Applicants above named, by their Attorney Leslie R. Kehl, have filed with the Commission a Petition requesting an extension of time in which to comply with the Commission's transfer order and to allow consummation and filing of Notice of Acceptance of the authorized transaction at any time within ninety days following the entrance of a final order by the Interstate

Commerce Commission in Docket No. MC-F-9760, and further that Applicant herein be instructed to inform the Commission of the date of any such final order by the Interstate Commerce Commission.

The Commission states and finds that said request is in the public interest and should be granted as set forth in the Order following.

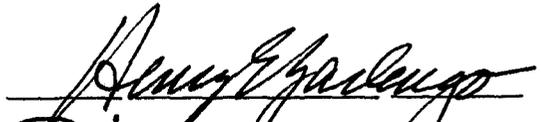
O R D E R

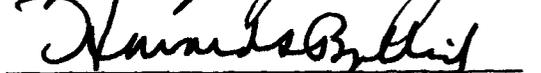
THE COMMISSION ORDERS:

That the above-named Applicants be, and hereby are, granted an extension of an additional period of time to file the written acceptance of transfer as ordered and set forth in Decision No. 70228 until any time within a period of time ninety days following the entry of the final order to be entered by the Interstate Commerce Commission in Docket No. MC-F-9760.

That Applicants herein be, and hereby are, instructed to inform the Commission in writing, within five days, of the date of the entry of any such final order by the Interstate Commerce Commission in said Docket No. MC-F-9760.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GOLDSTEIN TRANSPORTATION AND)
STORAGE, INC., 1420 - 38TH STREET,)
DENVER, COLORADO, TO TRANSFER PUC)
NO. 1901-I TO COLO. FREIGHT)
DISTRIBUTION, INC., 1420-38TH)
STREET, DENVER, COLORADO.)

APPLICATION NO. 22629-Transfer
SUPPLEMENTAL ORDER

November 17, 1967

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Goldstein Trans-
portation and Storage, Inc. and
Colo. Freight Distribution, Inc.;
John P. Thompson, Esq., Denver,
Colorado, for Denver-Climax Truck
Line, Denver-Laramie-Walden Truck
Line, Inc., Denver-Loveland
Transportation Company, Edson
Express, and Overland Motor
Express;
Julius I. Ginsberg, Esq., Denver,
Colorado, for Bennie Goldstein
and Nathan Goldstein.

STATEMENT AND FINDINGS OF FACT

On October 13, 1967, the Commission entered Decision No. 70227, authorizing the transfer as above captioned, subject, however, to the filing of a written acceptance within thirty days of the effective date of said Decision by the parties thereto advising the Commission that said certificate has been formally transferred; and further that they have accepted the conditions and requirements as set forth in the Order part of said Decision No. 70227.

The Applicants above named, by their Attorney Leslie R. Kehl, have filed with the Commission a Petition requesting an extension of time in which to comply with the Commission's transfer order and to allow consummation and filing of Notice of Acceptance of the authorized transaction at any time within ninety days following the entrance of a final order by the Interstate Commerce Commission in Docket No. MC-F-9760, and further that Applicant

herein be instructed to inform the Commission of the date of any such final order by the Interstate Commerce Commission.

The Commission states and finds that said request is in the public interest and should be granted as set forth in the Order following.

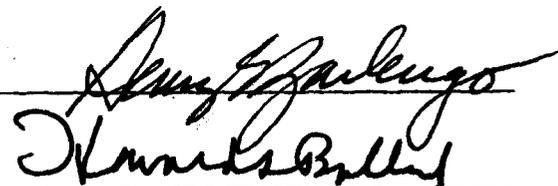
O R D E R

THE COMMISSION ORDERS:

That the above-named Applicants be, and hereby are, granted an extension of an additional period of time to file the written acceptance of transfer as ordered and set forth in Decision No. 70227 until any time within a period of time ninety days following the entry of the final order to be entered by the Interstate Commerce Commission in Docket No. MC-F-9760.

That Applicants herein be, and hereby are, instructed to inform the Commission in writing, within five days, of the date of the entry of any such final order by the Interstate Commerce Commission in said Docket No. MC-F-9760.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EARL F. BUCKINGHAM, 950 SOUTH)
HARRISON STREET, DENVER, COLORADO,)
TO TRANSFER ALL OF THE OUTSTANDING)
CAPITAL STOCK OF THE BURCH WARE-)
HOUSE AND TRANSFER COMPANY, 200)
SOUTH SANTA FE AVENUE, PUEBLO,)
COLORADO, RECORD OWNER OF PUC NO.)
3382, TO JOHN R. FLETCHALL, EDWIN)
KRENZER AND ROBERT E. McCURDY, 930)
LAWRENCE STREET, DENVER, COLORADO.)

APPLICATION NO. 22611-Stock Transfer
SUPPLEMENTAL ORDER

November 17, 1967

Appearances: Earl F. Buckingham, Denver,
Colorado, the Transferor;
Leslie R. Kehl, Esq., Denver,
Colorado, for the Transferees.

STATEMENT AND FINDINGS OF FACT

On October 27, 1967, the Commission entered Decision No. 70333 in the above entitled matter.

On November 9, 1967, Petition for Rehearing was filed with the Commission by Applicants above named, by their Attorney Leslie R. Kehl.

The Commission has carefully considered Petition for Rehearing filed herein, and each and every allegation thereof, and is of the opinion, and finds that said Petition should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed with the Commission by the Applicants herein be, and the same hereby is granted.

That said matter be, and hereby is, set for rehearing before the Commission at 10:00 o'clock A.M., on November 20, 1967, at 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Samuel J. Zullo
Howard R. Byler

Ed R. Lusk
Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
PERMIT NO. A-755)
BY: F S F TRUCK LINE)
BOX 132)
FOUNTAIN, COLORADO 80817)
Respondent.)

CASE NO. 114-T

SUPPLEMENTAL ORDER

October 27, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 27th day of October, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
PERMIT NO. B-6151)
BY: M & M WATER SERVICE)
350 ROSE STREET)
P. O. BOX 818)
CRAIG, COLORADO 81626)
Respondent.)

CASE NO. 122-T

SUPPLEMENTAL ORDER

November 17, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry H. Halliday
Howard B. Bullard
E. R. Lindberg
Commissioners

Dated at Denver, Colorado,
this 17th day of November, 1967.

dh

(Decision No. 70427)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R AND K TRUCKING, INC., P. O. BOX)
682, LIMON, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22827-PP

November 20, 1967

Appearances: Ralph Kinkade, Limon, Colorado,
President of R and K Trucking,
Inc., pro se.

PROCEDURE AND RECORD

On September 26, 1967, R and K Trucking, Inc., P. O. Box 682, Limon, Colorado, filed the instant application (No. 22827-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intra-state commerce for the transportation of commodities as set forth in the application. On November 10, 1967, the Staff of the Commission issued temporary authority to so operate to R and K Trucking, Inc.

On October 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado at 10 a.m. on November 10, 1967. On November 13, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. Applicant presently holds Certificate No. 435 & I, copy of which is attached hereto, which does not overlap or duplicate the authority requested herein.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of Farm produce, etc., as listed in this application.
3. Applicant has 4 tractors and 6 trailers, 25 years of experience in related fields, and a net worth of \$75,000, all of which are ample and suitable for operation of the authority requested herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, R and K Trucking Inc., to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of farm products (excepting bulk milk and livestock) and processed livestock feed, between points in the Counties of Elbert, Lincoln and El Paso, and to and from said Counties from and to points in the State of Colorado."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That R and K Trucking, Inc., P. O. Box 682, Limon, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of farm products (excepting bulk milk and livestock) and processed livestock feed, between points in the Counties of Elbert, Lincoln and El Paso, and to and from said Counties from and to points in the State of 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, the necessary tariffs, required insurance, and has obtained authority sheets.

That 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 20th day of November, 1967.
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SAMUEL J. SHAW AND VERA B. SHAW,)
GENERAL DELIVERY, SOUTH FORK, COLO-)
RADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT B-5648-I.)

APPLICATION NO. 22823-PP-Extension

November 20, 1967

Appearances: Vera B. Shaw, South Fork, Colo-
rado, for Applicants.

PROCEDURE AND RECORD

On September 25, 1967, Samuel J. Shaw and Vera B. Shaw, General Delivery, South Fork, Colorado, filed the instant application (No. 22823-PP-Extension) for an extension of his present Permit No. B-5648-I to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of commodities as set forth in the application.

On October 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Columbine Room, Court House, Durango, Colorado, at 9 a.m. on November 9, 1967. On November 14, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. The Applicants herein presently hold authority under Permit No. B-5648-I, which is an Interstate authority only for transportation of logs and described as follows:

"Between all points in Colorado and the Colorado State boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

This authority is presently in good standing with the Commission.
2. The extension applied for would not conflict with the above described authority.
3. Applicants have duly and properly applied for an extension to their Permit for transportation of logs, poles and related commodities, as listed in the application, in intrastate commerce.
4. Applicants have a 1950 GMC with Fruehauf Trailer, 1952 GMC with Pierce Trailer, 1953 GMC with Wentworth and Irving Trailer, 25 years of experience in related fields, and a net worth of \$70,000, all of which are ample and suitable for operation of the authority sought herein.
5. Applicants are familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicants have or will make adequate provision for insurance.
6. There is a present and special need for the service and, if this application is granted, Applicants will enter into special carriage contracts with customers to perform services thereunder.
7. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
8. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicants, Samuel J. Shaw and Vera B. Shaw, to extend their authority so that the Intra-state Authority be issued under Permit No. B-5648, and that the entire authority under Permit No. B-5648 and No. B-5648-I shall be described as follows:

- "1. 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; provided, however, that no town-to-town service shall be rendered.
2. INTERSTATE AUTHORITY: Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

ORDER

THE COMMISSION ORDERS:

That Samuel J. Shaw and Vera B. Shaw, General Delivery, South Fork, Colorado, be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"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; provided, however, that no town-to-town service shall be rendered;"

and this ORDER shall be deemed to be, and be a PERMIT therefor and shall be known as Permit No. B-5648.

That Samuel J. Shaw and Vera B. Shaw, the Applicants herein be, and hereby are, authorized to extend their authority so that henceforth the full and complete authority under Permit No. B-5648 and Permit No. B-5648-I shall be as follows, to-wit:

- "1. 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; provided, however, that no town-to-town service shall be rendered.
2. INTERSTATE AUTHORITY: Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended."

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

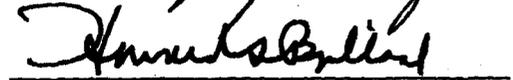
That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and secured authority sheets.

That 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 20th day of November, 1967
et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ARTHUR CAMPBELL, DOING BUSINESS AS)
"ART'S TRUCK SERVICE," BOX 1604,)
FARMINGTON, NEW MEXICO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22858-PP

November 20, 1967

Appearances: Arthur Campbell, Farmington,
New Mexico, pro se.

PROCEDURE AND RECORD

On October 11, 1967, Arthur Campbell, doing business as "Art's Truck Service," Box 1604, Farmington, New Mexico, filed the instant application (No. 22858-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application.

On October 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Columbine Room, Court House, Durango, Colorado, at 9 a.m. on November 9, 1967. On November 14, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant holds no previously granted authority from this Commission, other than Permit M-12328.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities, as listed in this application.
3. Applicant has a 1955 Mack Truck and others as may be needed, 5 years of experience in related fields, and a net worth of \$80,000, all of which are ample and suitable for operation of the authority sought herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Arthur Campbell, doing business as "Art's Truck Service," to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Arthur Campbell, doing business as "Art's Truck Service," Box 1604, Farmington, New Mexico, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered;"

and this ORDER shall be deemed to be, and be a PERMIT therefor.

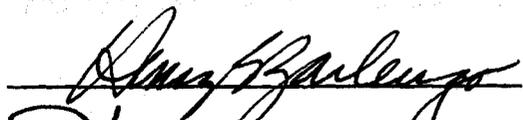
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until Applicant has filed a statement of his customers, the necessary tariffs, required insurance, and has secured authority sheets.

That 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 20th day of November, 1967

et

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE: MOTOR VEHICLE OPERATIONS UNDER)
CERTIFICATE NO. 2205)
BY: VALLEY BUS LINES)
BOX 553)
ALAMOSA, COLORADO 81101)
Respondent.)

CASE NO. 131-T

SUPPLEMENTAL ORDER

December 8, 1967

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

It appearing that the respondent herein has complied as required by law and the Rules and Regulations of the Commission and has shown good cause why the above captioned and numbered operating rights should not be revoked, the Commission states and finds that the herein entitled case should be dismissed as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That the above entitled case be, and the same hereby is, dismissed forthwith.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry G. ...
Howard ...
Ed. R. ...
Commissioner

Dated at Denver, Colorado,
this 8th day of December, 1967.

dh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF ROBERT G. WARNER, LAZY RIVER)
TRAILER COURT, SPACE 23, DURANGO,)
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22843-PP

November 20, 1967

Appearances: Robert G. Warner, Durango,
Colorado, pro se.

PROCEDURE AND RECORD

On October 3, 1967, Robert G. Warner, Lazy River Trailer Court, Space 23, Durango, Colorado, filed the instant application (No. 22843-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application. On October 5, 1967, the Staff of the Commission issued temporary authority to so operate to Robert G. Warner.

On October 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Columbine Room, Court House, Durango, Colorado, at 9 a.m. on November 9, 1967. On November 14, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted

by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities, as listed in this application.
3. Applicant has a 1955 Peterbilt with 1948 Walker Trailer, 9 years of experience in related fields and a net worth of \$5,500, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Robert G. Warner, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Robert G. Warner, Lazy River Trailer Court, Space 23, Durango, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered;"

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, 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 20th day of November, 1967.

15

(Decision No. 70432)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF GLENN L. WARNER, 2609 COLUMBINE)
AVENUE, DURANGO, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 22842-PP

November 20, 1967

Appearances: Glenn L. Warner, Durango,
Colorado, pro se.

PROCEDURE AND RECORD

On October 3, 1967, Glenn L. Warner, 2609 Columbine Avenue, Durango, Colorado, filed the instant application (No. 22842-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of logs, poles and related commodities as set forth in the application. On October 18, 1967, the Staff of the Commission issued temporary authority to so operate to Glenn L. Warner.

On October 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the Application was heard by said Examiner in the Columbine Room, Court House, Durango, Colorado, at 9 a.m. on November 9, 1967. On November 13, 1967, the said Examiner, pursuant to the provisions of 1963 CRS 115-6-9 (2), transmitted to the Commission the record of the proceeding together with a written statement of his Findings of Fact and Conclusions. The record transmitted by the Hearing Examiner establishes that no one appeared to protest the granting of the application.

The Commission has now given careful consideration to the record of the proceeding as well as the Findings of Fact and Conclusions submitted

by the Examiner. These Findings of Fact and Conclusions read as follows:

FINDINGS OF FACT

From the testimony, records and file herein, your Examiner finds as fact, that:

1. This Applicant does not hold previously granted authority from this Commission.
2. Applicant has duly and properly applied for a Class "B" Permit for transportation of logs, poles and related commodities, as listed in this application.
3. Applicant has a 1955 Auto Car with a 1948 Model Page Trailer, 10 years of experience in related fields, and a net worth of \$5,000, all of which are ample and suitable for operation of the authority applied for herein.
4. Applicant is familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, will abide by said rules and regulations as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provision for insurance.
5. There is a present and special need for the service and, if this application is granted, Applicant will enter into special carriage contracts with customers to perform services thereunder.
6. The proposed operation will not impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes.
7. The granting of the authority as applied for will be in the public interest and should be granted.

CONCLUSIONS

That the Commission make and enter its Order authorizing the Applicant, Glenn L. Warner, to operate as a Class "B" private carrier by motor vehicle for hire with authority to transport the following designated commodities within the territory or area described:

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered."

Pursuant to the provisions of 1963 CRS 115-6-9 (2), the Commission now specifically adopts the Findings of Fact and Conclusions of such Examiner as hereinabove set forth, and pursuant thereto,

O R D E R

THE COMMISSION ORDERS:

That Glenn L. Warner, 2609 Columbine Avenue, Durango, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for

"Transportation of logs, poles and timber products, from forests to sawmills, places of storage and loading points within a radius of 50 miles of said forests; rough lumber, from sawmills in said 50-mile radius to markets in the State of Colorado; provided, however, that no town-to-town service shall be rendered;"

and this ORDER shall be deemed to be, and be a PERMIT therefor.

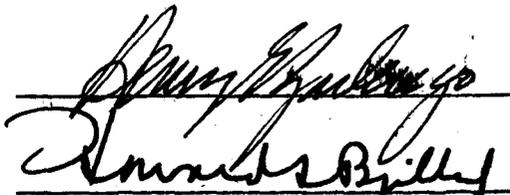
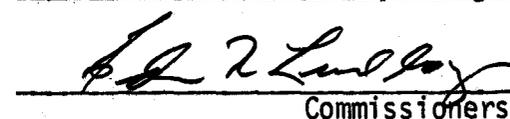
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, 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 20th day of November, 1967.

1s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GERALD E. HANSEN, R. R. 1, BOX 100,)
DOLORS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 22732-PP

November 20, 1967

PROCEDURE AND RECORD

On July 17, 1967, Gerald E. Hansen, R. R. 1, Box 100, Dolores, Colorado, filed the instant application (No. 22732-PP) for a Class "B" permit to operate as a private carrier by motor vehicle for hire in intrastate commerce. After due and proper notice, the application was called for hearing by Robert L. Pyle, Examiner for the Commission, at 9 a.m. on Thursday, November 9, 1967, in the Columbine Room, Court House, Durango, Colorado. The Applicant did not appear at the time and place.

The Examiner has now filed a report with the Commission establishing the fact that Applicant failed to appear at a hearing scheduled on September 6, 1967 at Pagosa Springs, Colorado, and recommending that due to the fact Applicant did not appear at the hearing hereinabove scheduled, that the application be dismissed.

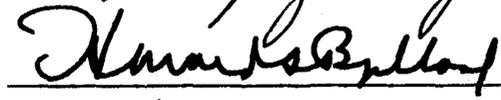
ORDER

THE COMMISSION ORDERS:

- That Application No. 22732-PP should be, and hereby is, dismissed.
- 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 20th day of November, 1967

(Decision No. 70434)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE BENNETT, WILLIAM A. WHITE,)
AND RAYMOND CARR, DOING BUSINESS AS)
"BENNETT & WHITE TRUCKING," 617 21ST)
STREET, GREELEY, COLORADO, FOR AUTH-)
ORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-6222.)

APPLICATION NO. 22829-PP-Extension

November 20, 1967

PROCEDURE AND RECORD

On September 25, 1967, George Bennett, William A. White and Raymond Carr, doing business as "Bennett & White Trucking," 617 21st Street, Greeley, Colorado, filed the instant application (No. 22829-PP-Extension) for an extension of his present Class "B" Permit to operate as a private carrier by motor vehicle for hire in intrastate commerce for the transportation of grain from point to point within Weld County, Colorado.

On October 18, 1967, the Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearing on the instant application. After due and proper notice, the application was called for hearing by said Examiner in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado at 10 a.m., on November 10, 1967. The Applicant did not appear at the time and place.

The Examiner has now filed a report with the Commission recommending that the application be re-set for hearing at a future date.

O R D E R

THE COMMISSION ORDERS:

That Application No. 22829-PP-Extension be re-set by the Secretary

of the Commission for hearing at a later date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Alvin G. Gabel
Howard S. Bell
Ed R. Lindsey
Commissioners

Dated at Denver, Colorado
this 20th day of November, 1967.
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