

(Decision No. 80420)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: THE ISSUANCE OF TEMPORARY	)	
CERTIFICATES OF PUBLIC CONVENIENCE	)	
AND NECESSITY UNDER CHAPTER 115-9-4	)	APPLICATION NO. 25797
(2), CRS 1963, FOR THE TEMPORARY OR	)	
SEASONAL MOVEMENT OF CORN, MILLET,	)	EMERGENCY DISTRICT 5-72
SORGHUMS, SMALL GRAINS, ENSILAGE	)	
AND HAY.	)	

- - - - -  
June 7, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Report has been received by the Commission from Lloyd C. Espinosa, Chief of Transportation, Transportation Section of this Commission, indicating that an emergency exists because of the shortage of motor vehicles for the transportation of corn, millet, sorghums, small grains, ensilage, and hay in the counties of Adams, Arapahoe, Baca, Bent, Boulder, Chaffee, Cheyenne, Crowley, Delta, Douglas, Elbert, El Paso, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Mesa, Moffat, Montrose, Morgan, Otero, Ouray, Phillips, Prowers, Pueblo, Sedgwick, Washington, Weld, and Yuma, Colorado.

Request, pursuant to above, has been made for an order of the Commission to issue temporary certificates so as to authorize the temporary or seasonal operation of motor vehicles for the purpose of transporting corn, millet, sorghums, small grains, ensilage, and hay in the counties as set forth above.

The Commission states and so finds that an emergency exists because of the shortage of motor vehicles for the transportation of corn, millet, sorghums, small grains, ensilage, and hay in the counties of Adams, Arapahoe, Baca, Bent, Boulder, Chaffee, Cheyenne, Crowley, Delta, Douglas, Elbert, El Paso, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Mesa, Moffat, Montrose, Morgan, Otero, Ouray, Phillips, Prowers,

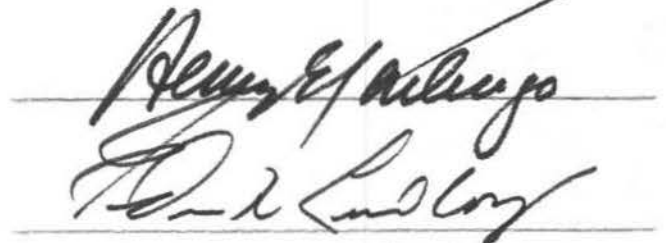
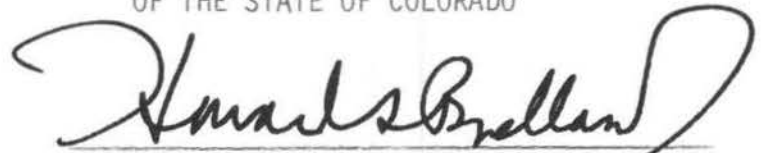
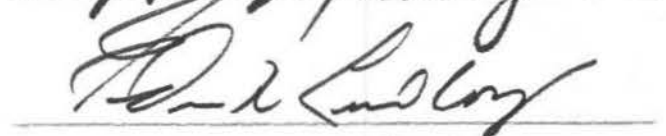
Pueblo, Sedgwick, Washington, Weld, and Yuma, Colorado, and that the present or future public convenience and necessity requires or will require the issuance of temporary certificates for the temporary or seasonal operation of motor vehicles for the purpose of transporting said commodities, as provided in Chapter 115, Article 9, Section 4 (2), CRS 1963, and as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates be, and hereby are, authorized for the temporary or seasonal operation of motor vehicles for the purpose of transporting corn, millet, sorghums, small grains, ensilage, and hay in the counties of Adams, Arapahoe, Baca, Bent, Boulder, Chaffee, Cheyenne, Crowley, Delta, Douglas, Elbert, El Paso, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Mesa, Moffat, Montrose, Morgan, Otero, Ouray, Phillips, Prowers, Pueblo, Sedgwick, Washington, Weld, and Yuma, State of Colorado; provided, however, that said certificates shall be effective for only a period of NINETY (90) DAYS commencing June 11, 1972.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,  
this 7th day of June, 1972.  
hbp



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: COLORADO ARMORED SERVICE )  
COMPANY, LOCAL COMMODITY TARIFF )  
NO. 10, COLORADO PUC NO. 11, )  
SCHEDULED TO BECOME EFFECTIVE )  
JUNE 18, 1972. )  
----- )

Investigation and Suspension  
Docket No. 737

-----  
June 6, 1972  
-----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 19, 1972, James A. Fletcher, Vice President, Colorado Cartage Company, Inc., authorized to conduct operations under the assumed name, or trade name, of Colorado Cartage Company, Inc., doing business as "Colorado Cartage Company, Inc., and Colorado Armored Service Company" filed the above denoted tariff. The tariff relates to the transportation of money, coins, currency, gold, silver, bullion, jewelry, checks, bank drafts, negotiable instruments, and other valuable commodities as set forth in the Appendix "A" attached hereto.

The Commission is of the opinion that the proposed schedule may be in violation of the Public Utilities Law of Colorado and the Price Commission's Regulations governing public utilities as published in Part 300 of Title 6 of the Code of Federal Regulations, as amended. Therefore, under the provisions of Rule 19-A of the Commission's Rules of Practice and Procedure, and 115-6-11 of the statutes governing the suspension of new rates, the schedule set forth in Appendix "A" shall be suspended for a period of 120 days.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings and Appendix "A" attached hereto, be, and the same are hereby, made a part hereof.
2. That it shall enter upon a hearing concerning the lawfulness of the rates and charges set forth in the schedules enumerated in

P. 21. C

the statement of this Order.

3. That the operation of said schedule be, and it is hereby, suspended and the use thereof deferred to and including October 16, 1972, 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 schedules hereby suspended nor those sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension or any extension thereof has expired, unless otherwise ordered by the Commission.

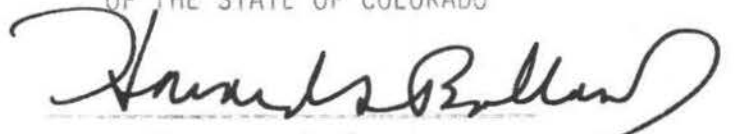
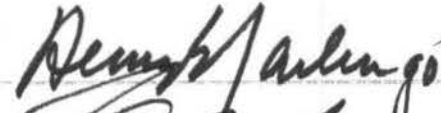

6. That a copy of this Order shall be filed with the schedules in the office of the Commission, and that a copy hereof be served upon James A. Fletcher, Vice President, Colorado Armored Service Company, P.O. Box 7176 Park Hill Station, Denver, Colorado 80217. The necessary suspension supplements shall be issued, filed and posted to the respective tariffs referred to in the Statement and Findings hereof.

7. That twenty-one (21) days prior to the hearing date herein, Respondents shall provide the Secretary of the Commission with copies of any and all exhibits which they intend to introduce in evidence in support of their case.

8. That this Investigation and Suspension Docket No. 737, be, and the same is hereby, set for hearing before the Commission on the 31st day of July, 1972, at 10: a.m., in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203.

9. That this Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
6th day of June, 1972.                      av

Appendix "A"

Colorado PUC No. 11  
(Colorado Cartage Company, Inc. Series)

COLORADO ARMORED SERVICE COMPANY

PUC NO. 692 & I and 2693 & I  
and  
PERMIT NO. B-4470

LOCAL COMMODITY TARIFF NO. 10

NAMING

RATES AND CHARGES

AND

RULES AND REGULATIONS

FOR THE TRANSPORTATION

OF

MONEY, COINS, CURRENCY, GOLD,  
SILVER, BULLION, JEWELRY, CHECKS,  
BANK DRAFTS, NEGOTIABLE INSTRUMENTS,  
AND OTHER VALUABLE COMMODITIES

BETWEEN

POINTS IN COLORADO  
(As Specified Herein)

RECEIVED  
MAY 10 1972  
THE PUBLIC UTILITIES COMMISSION  
THE STATE OF COLORADO

Issued: May 19, 1972

Effective: June 18, 1972

ISSUED BY:

James A. Fletcher, Vice President  
P. O. Box 7176, Park Hill Station  
Denver, Colorado 80207

-Title Page-

Appendix "A"

RULES AND REGULATIONS	
Item	Explanation
10	<p style="text-align: center;">SCOPE OF OPERATIONS</p> <p>(a) Transportation, as a common carrier, over irregular routes, of: money, coins, currency, gold, silver, bullion, jewelry, checks, bank drafts, negotiable instruments, and other valuable commodities,</p> <p style="padding-left: 40px;">Between all points located within the City and County of Denver and a five-mile radius thereof.</p>
	<p>(b) Transportation, as a contract carrier, over irregular routes, of: money, coins, currency, gold, silver, bullion, jewelry, checks, bank drafts, negotiable instruments, and other valuable commodities,</p> <p style="padding-left: 40px;">Between all points located within the City and County of Denver and a ten-mile radius thereof (except points within the City of Golden), restricted to the transportation of packages and parcels not to exceed 100 pounds in weight and to the use of trucks not to exceed one and one-half ton rated capacity.</p>
20	<p style="text-align: center;">APPLICATION OF RATES AND CHARGES</p> <p>The rates and charges set forth herein apply to basic transportation service only, include the services of only one armored vehicle and one driver-guard, and are subject to the maximum liability limitation set forth in Item 40. Any additional liability coverage which may be desired and all additional security arrangements which may be necessary must be arranged for in advance by written agreement and will require the payment of additional charges in accordance with the provisions of Item 40 and Item 50 respectively.</p>
30	<p style="text-align: center;">DEFINITION OF TERMS</p> <p>The term "regular business hours" as used herein means between the hours of 7:30 A.M. and 5:00 P.M., Monday through Saturday of each week, except New Year's Day, the Fourth of July, Labor Day, Thanksgiving, and Christmas Day.</p> <p>The term "service call" means one pick up and/or one delivery each scheduled day on a regular scheduled route.</p> <p>The term "on route special" means a service call requested by a customer, in addition to regular scheduled service, which can be performed by carrier on a previously established regular scheduled route during business hours.</p> <p style="text-align: right;">(Concluded on following page)</p>

Appendix "A"

	RULES AND REGULATIONS
Item	Explanation
30	<p style="text-align: center;">DEFINITION OF TERMS - Concluded</p> <p>The term "off route special" means a service call requested by a customer, in addition to regular scheduled service, which can be performed by carrier in connection with a previously established regular scheduled route during business hours, but which requires a deviation by carrier of more than one mile off the previously established regular scheduled route.</p>
40	<p style="text-align: center;">LIABILITY LIMITATION AND ADDITIONAL COVERAGE</p> <p>The rates and charges for basic transportation service set forth herein are applicable only to a shipment which has been declared in writing by the shipper to have a value of not exceeding \$500, and unless a greater limit of liability is mutually agreed upon in writing the liability of carrier for the loss or damage of any shipment shall not exceed the sum of \$500 or the actual value of the shipment, whichever is less. Carrier will assume additional liability desired by a customer, but the maximum extent of such additional liability must be agreed upon in advance, in writing, and extra charges therefor will be assessed as provided in such agreement depending upon the limit of liability which is established, the special security risks which may be involved, and the other circumstances which are peculiar to each situation.</p> <p>In no event shall carrier be liable for any loss or damage caused by or resulting from:</p> <ul style="list-style-type: none"> <li>(a) (1) Hostile or war-like action in time of peace or war, including action in hindering, combating, or defending against an actual, impending or expected attack, (a) by any Government or sovereign power (de jure or de facto), or by any authority maintaining or using military, naval or air force; or (b) by military, naval or air forces; or (c) by any agent of any such Government, power, authority or forces.</li> <li>(2) Any weapon of war employing an atomic fission or radioactive force whether in time of peace or war.</li> <li>(3) Insurrection, rebellion, revolution, riot, civil disturbance, civil war, usurped power, or action taken by Governmental authority in hindering, combating or defending against such an occurrence, seizure or destruction under quarantine or customs regulations, or confiscation by order of any Government or public authority; or risks of contraband or illegal transportation or trade.</li> </ul> <p style="text-align: right;">(Concluded on following page)</p>

Appendix "A"

	RULES AND REGULATIONS
Item	Explanation
40	<p style="text-align: center;">LIABILITY LIMITATION AND ADDITIONAL COVERAGE - Concluded</p> <p>(a) (4) Nuclear reaction or nuclear radiation or radioactive contamination; all whether controlled or uncontrolled, or whether such loss be direct or indirect, proximate or remote, or be in whole or in part caused by, contributed to, or aggravated by the peril(s) for which liability is assumed by the Company; however, subject to the foregoing and to all other provisions of this contract, the Company shall be liable for direct loss by fire resulting from nuclear reaction or nuclear radiation or radioactive contamination. In the event of any occurrence described in this subparagraph, the Company's sole liability for loss subsequent to said occurrences shall be limited to such amounts and at such times as its insurance carrier can and does make payment.</p> <p>(b) Breakage of statuary, marbles, glassware, bric-a-brac, porcelains and similar fragile articles, unless caused by fire, lightning, aircraft, theft and/or attempted theft, cyclone, tornado, windstorm, earthquake, flood, explosion, malicious damage or collision, derailment or overturn of conveyance.</p> <p>(c) Delay in delivery or shortages claimed in the contents of the sealed shipments.</p> <p>(d) Cash letters shipped by bank customers.</p>
50	<p style="text-align: center;">SPECIAL SECURITY ARRANGEMENTS</p> <p>Carrier will provide such security for shipments as may in its judgment be required, including armed guards or armored equipment, steel locked depositories, and other control devices, insurance, and such other personnel and specialized material, equipment and supplies as may be appropriate under the circumstances. Such security must be arranged for in advance by written agreement, and extra charges therefor will be assessed as provided in such agreement depending upon the value of the commodities involved and the extent of the carrier's liability therefor, the special security risks which may be involved, and the other circumstances which are peculiar to each situation. Such security arrangements and the charges therefor will necessarily vary from time to time and may differ from customer to customer depending upon the circumstances.</p>



Appendix "A"

	RULES AND REGULATIONS
Item	Explanation
	COLLECT-ON-DELIVERY SHIPMENTS
60	Collect-on-delivery shipments will not be accepted for transportation.
	IMPRACTICABLE OPERATION
70	Carrier will not accept shipments for destinations to which, on account of condition of roads, it is impracticable to operate armored trucks.
	CORRECT ADDRESS
80	The owner or consignor of the property to be delivered by the carrier shall, at the time of the pick up, furnish the carrier with the correct delivery address.
	PACKAGING OF SHIPMENTS
90	Shipment containers shall conform to the size of regular bank deposit bags and in the case of bulk coin and currency shipments, bags shall conform to standard size Federal Reserve Bank bags.

Appendix "A"

	RATES AND CHARGES																					
Item	Explanation																					
100	<p style="text-align: center;"><b>RATES FOR SCHEDULED SHIPMENTS TO DEPOSITORIES</b></p> <p>The rates and charges for basic transportation service in connection with shipments transported during regular business hours, on a regular scheduled route, from customer's location or locations to a designated bank, subject to stated minimum monthly charges, shall be as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th><u>Service Calls Per Week</u></th><th><u>Charge Per Service Call</u></th><th><u>Minimum Monthly Charge</u> ①</th></tr> </thead> <tbody> <tr><td>1</td><td>\$4.00</td><td>\$ 17.20</td></tr> <tr><td>2</td><td>2.25</td><td>20.25</td></tr> <tr><td>3</td><td>2.00</td><td>26.00</td></tr> <tr><td>4</td><td>1.70</td><td>30.60</td></tr> <tr><td>5</td><td>1.60</td><td>35.20</td></tr> <tr><td>6</td><td>1.50</td><td>39.00</td></tr> </tbody> </table> <p>For each service call on Sunday, there will be an extra charge of \$5.00 per service call, and for each service call made on New Year's Day, the Fourth of July, Labor Day, Thanksgiving, or Christmas Day, there will be an extra charge of \$7.50 per service call.</p> <p>① Minimum charge per customer, per month, based on transporting deposits to one designated bank for each customer. For service to additional banks, there will be an extra charge of \$5.00 per month for each additional bank to which deposits are transported.</p>	<u>Service Calls Per Week</u>	<u>Charge Per Service Call</u>	<u>Minimum Monthly Charge</u> ①	1	\$4.00	\$ 17.20	2	2.25	20.25	3	2.00	26.00	4	1.70	30.60	5	1.60	35.20	6	1.50	39.00
<u>Service Calls Per Week</u>	<u>Charge Per Service Call</u>	<u>Minimum Monthly Charge</u> ①																				
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3	2.00	26.00																				
4	1.70	30.60																				
5	1.60	35.20																				
6	1.50	39.00																				
110	<p style="text-align: center;"><b>RATES FOR SCHEDULED DELIVERIES FROM DEPOSITORIES</b></p> <p>The rates and charges for basic transportation service in connection with shipments transported during regular business hours, on a regular scheduled route, from a designated bank, for delivery to customer's location or locations at the time of picking up shipments for transportation under the provisions of Item 100, shall be as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th><u>Frequency Of Service</u></th><th><u>Minimum Monthly Charge</u> ①</th></tr> </thead> <tbody> <tr><td>6 Days Per Week</td><td>\$6.00</td></tr> <tr><td>5 Days Per Week</td><td>\$5.00</td></tr> <tr><td>4 Days Per Week</td><td>\$4.00</td></tr> <tr><td>3 Days Per Week</td><td>\$4.00</td></tr> <tr><td>2 Days Per Week</td><td>\$4.00</td></tr> <tr><td>1 Day Per Week</td><td>\$4.00</td></tr> </tbody> </table> <p style="text-align: right;">(Concluded on following page)</p>	<u>Frequency Of Service</u>	<u>Minimum Monthly Charge</u> ①	6 Days Per Week	\$6.00	5 Days Per Week	\$5.00	4 Days Per Week	\$4.00	3 Days Per Week	\$4.00	2 Days Per Week	\$4.00	1 Day Per Week	\$4.00							
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1 Day Per Week	\$4.00																					

Appendix "A"

	RATES AND CHARGES
Item	Explanation
110	<p>RATES FOR SCHEDULE DELIVERIES FROM DEPOSITORIES - Concluded</p> <p>For each shipment delivered on Sunday, there will be an extra charge of \$3.50 per delivery, and for each delivery made on New Year's Day, the Fourth of July, Labor Day, Thanksgiving, or Christmas Day, there will be an extra charge of \$5.00 per delivery.</p> <p>① Minimum charge per customer, per month, based on transporting deposits from one designated bank for each customer.</p>
120	<p>RATE FOR ON ROUTE SPECIALS</p> <p>The basic transportation rate for each "on route special" service call, as defined in Item 30, shall be \$3.00 per service call, plus such extra charge, if any, as may be mutually agreed upon in advance for any additional security which may in carrier's judgment be required.</p>
130	<p>RATE FOR OFF ROUTE SPECIALS</p> <p>The basic transportation rate for each "off route special" service call, as defined in Item 30, shall be \$5.00 per service call, plus such extra charge, if any, as may be mutually agreed upon in advance for any additional security which may in carrier's judgment be required.</p>
140	<p>FREE TIME AND DETENTION CHARGE</p> <p>Five minutes free time will be allowed for each service call under the provisions of Item 100, Item 110, Item 120 or Item 130. Delay in excess of the free time allowed, when not caused by the carrier or its representative, will be charged for at the rate of \$3.00 for each additional five-minute period or fraction thereof.</p>
150	<p>RATE FOR INTERBANK TRANSFERS</p> <p>The basic transportation rate for shipments transferred between banks or banking institutions, with shipments of more than one bank being co-mingled in the vehicle, will be 8.00 per hour, with fractions of an hour charged for at the nearest one-fourth hour, subject to a minimum charge of \$8.00.</p>

Appendix "A"

	RATES AND CHARGES
Item	Explanation
	EXCLUSIVE USE OF VEHICLE
160	Carrier will, upon request, provide an armored vehicle for exclusive use of shipper at the basic transportation rate of \$25.00 per hour, with fractions of an hour to be charged for at the nearest one-fourth hour, subject to a minimum charge of \$25.00. Driving time to and from carrier's terminal will be included in computing charges under this Item.

(Decision No. 80422)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
NORTHGLENN SUBURBAN COMPANY, 2822 WEST )  
28TH AVENUE, APARTMENT 308, DENVER, )  
COLORADO, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY AUTHORIZING )  
EXTENSION OF OPERATIONS UNDER PUC NO. )  
6591. )

APPLICATION NO. 25297-Extension

- - - - -  
June 8, 1972  
- - - - -

Appearances: John P. Thompson, Esq., Denver,  
Colorado, for Applicant;  
Joseph F. Nigro, Esq., Denver,  
Colorado, for Acme Delivery  
Service, Inc.; Colorado Cartage  
Company, Inc.; Murph's Express,  
Inc.; and United States Transfer  
& Storage Co.; Protestants.  
David Butler, Esq., Denver, Colorado,  
for Denver-Boulder Bus Company and  
Colorado Motorway, Inc., Protestants.  
John R. Barry, Esq., Denver, Colorado,  
for Denver-Colorado Springs-Pueblo  
Motorway; Continental Bus Systems,  
Inc.; Continental Bus Systems, Inc.  
(Rocky Mountain Division); Continental  
Central Lines; Continental American  
Lines; and Denver-Salt Lake-Pacific  
Stages, Inc.; Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 8, 1972, Hearing Examiner Christian O. Igenbergs, pursuant to the provisions of 1963 CRS 115-6-9 (2), as amended, transmitted to the Commission the record and exhibits of this proceeding, together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

On May 25, 1972, Continental Trailways Bus Companies, by their attorney John R. Barry, filed Exceptions to the said Recommended Decision No. 79720 and on May 26, 1972, Denver-Boulder Bus Company and Colorado Motorway, Inc., by their attorney David Butler, also filed Exceptions to Examiner Igenbergs' Recommended Decision No. 79720.

The Commission has now reconsidered the matter and has determined that the Exceptions filed herein by Continental Trailways Bus Companies, Denver-Boulder Bus Company and Colorado Motorway, Inc., should be overruled and denied; that the Examiner's findings of fact and conclusions in the Recommended Decision No. 79720 should be adopted as its own; and concludes that the following order should be entered.

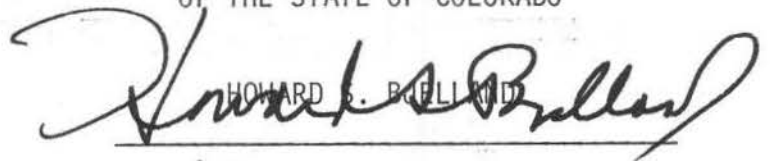
O R D E R

THE COMMISSION ORDERS THAT:

1. The Exceptions filed herein by Petitioners be, and the same hereby are, overruled and denied.
2. The findings of fact and conclusions of Hearing Examiner Christian O. Igenbergs in Recommended Decision No. 79720 be, and hereby are, adopted by the Commission.
3. The Examiner's Recommended Order in said Decision No. 79720 be, and hereby is, entered as the Order of the Commission herein without any change or modification; that the said Recommended Order be, and hereby is, incorporated herein by reference the same as if it had been set forth in full as the Order of the Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
HOWARD S. BUELL

  
HENRY E. ZARLEN  
Commissioners

COMMISSIONER EDWIN R. LUNDBORG  
DISSENTING.

COMMISSIONER EDWIN R. LUNDBORG DISSENTING

Insofar as Part 2 of the instant application (Charter Authority) is concerned, I must respectfully dissent.

It is crystal clear from the evidence of record that the only showing -- of any substance -- made by the Applicant for additional charter service was limited strictly to weekends during the ski season. Charter bus business, especially during the ski season, has tremendous peaks and valleys -- with the peak demand falling on Saturdays and Sundays. The existing charter bus companies normally station as many additional units in Colorado to meet this peak demand as are economically feasible. Of prime concern to these companies -- and rightly so -- is the amount of charter business which may be available to them during non-peak periods. In my opinion, the granting of unrestricted state-wide charter authority to the Applicant may well have the negative effect of reducing available charter equipment by causing the existing charter bus companies to station less equipment in Colorado for future ski seasons.

The record also discloses that the Applicant's equipment is quite old. The newest buses owned are 12 years old and some are 18 years old. It is obvious that such equipment will have to be replaced in the very near future. The Examiner, in his Recommended Decision, found the Applicant to be financially fit. The record, however, discloses that -- on December 31, 1971 -- the Applicant had current assets totaling \$16,938 and current liabilities of \$47,000 resulting in a working capital ratio of 1 to 2.8. Such an unfavorable ratio, in my opinion, precludes a finding of financial fitness.

In certificate proceedings such as the instant one before this Commission, an applicant -- in order to obtain a grant of operating authority -- has the burden of establishing by substantial and competent evidence the following basic elements: (1) a public need for the proposed service (2) the inadequacy of existing carrier service to provide such service and (3) that the granting of the proposed service will not impair or endanger



the operations of existing carriers contrary to the public interest. Additionally, it is elementary that an applicant also has the burden to establish his financial fitness or ability to render his proposed service.

It is my opinion that the herein Applicant completely failed to meet the requisite burden of proof in establishing the above criteria or elements. At best, the evidence of record in this proceeding merely established a need for, or the inadequacy of, weekend charter service during the ski season only. This being the situation, I must conclude that -- logically and legally -- any grant of authority to the Applicant should have been restricted or limited to service of that extent.

With regard to the element of impairment of the operations of existing carriers, i.e., the protestants herein, it is my opinion that the dilution of non-peak business -- which will be caused by the instant grant of authority will -- contrary to the public interest -- impair or endanger the ability of the herein protesting carriers to continue to provide the type and quality of service that they are now adequately providing to the public.

Further, with regard to Applicant's financial fitness, the evidence clearly and undisputably established a financial need instead of financial fitness, e.g., a poor ratio of current assets to current liabilities; a retained earnings deficit; a large loan requiring substantial monthly principal and interest payments; and a fleet of old equipment indicating a need for replacement in the very near future.

I would -- in view of the above and foregoing -- grant the exceptions as herein filed and would accordingly deny the instant application insofar as the requested charter authority is concerned.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioner

Dated at Denver, Colorado  
this 8th day of June, 1972.

hjj

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

APPLICATION NO. 25586

INVESTIGATION AND SUSPENSION

DOCKET NO. 734

June 8, 1972

## STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 30, 1972, Johns-Manville Products Corporation, through its attorney George Mabry, filed with the Commission a complaint in the above-captioned matters. Also, on May 30, 1972, the Town of Burlington, Colorado, by its attorney John C. Penny, filed a protest in the above proceedings.

The Commission finds that Johns-Manville Products Corporation and the Town of Burlington, Colorado, may be interested in or affected by any order that may be entered in the above-captioned proceedings and should be allowed to participate as parties therein as set forth in the Order following.

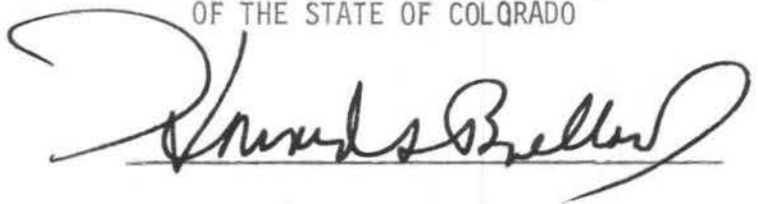
O R D E R

THE COMMISSION ORDERS THAT:

Johns-Manville Products Corporation and the Town of Burlington, Colorado, be, and hereby are, granted leave to appear as parties in the above-captioned proceedings.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

Dated at Denver, Colorado,  
this 8th day of June, 1972.  
hbp

(Decision No. 80424)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLARENCE H. FREI, MARTIN L. FREI AND )  
LOUISE FREI MOORE (ALSO KNOWN AS )  
LOUISE FREI), DOING BUSINESS AS )  
"THE WAY RUBBISH REMOVAL", 1304 TENTH ) APPLICATION NO. 25326-Transfer  
AVENUE, GREELEY, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PUC NO. 4522 TO )  
CLARENCE H. FREI AND MARTIN L. FREI, )  
DOING BUSINESS AS "THE WAY RUBBISH )  
REMOVAL", 1304 TENTH AVENUE, )  
GREELEY, COLORADO. )

IN THE MATTER OF THE APPLICATION OF )  
CLARENCE H. FREI, MARTIN L. FREI AND )  
LOUISE FREI MOORE (ALSO KNOWN AS )  
LOUISE FREI), DOING BUSINESS AS )  
"THE WAY RUBBISH REMOVAL", 1304 TENTH ) APPLICATION NO. 25327-Transfer  
AVENUE, GREELEY, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PUC NO. 4856 TO )  
CLARENCE H. FREI AND MARTIN L. FREI, )  
DOING BUSINESS AS "THE WAY RUBBISH )  
REMOVAL", 1304 TENTH AVENUE, )  
GREELEY, COLORADO. )  
COMMISSION ORDER DENYING EXCEPTIONS  
TO RECOMMENDED DECISION NO. 80147  
OF CHRISTIAN O. IGENBERGS, EXAMINER

-----  
June 8, 1972  
-----

Appearances: Arthur R. Hauver, Esq.,  
Denver, Colorado, for  
Transferor and Transferee;  
Melvin Dinner, Esq.,  
Greeley, Colorado, for  
Londell A. Bunting;  
Bestway Disposal Co.; and  
Eugene R. Brantner and  
Donald L. Brantner, doing  
business as "Brantner Trash  
Service", Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 1, 1972, Hearing Examiner Christian O. Igenbergs, pursuant to the provisions of 1963 CRS 115-6-9 (2), as amended, transmitted to the Commission the records and exhibits of the proceedings in Application No. 25326-Transfer and Application No. 25327-Transfer together with his

Recommended Decision No. 80147 containing his findings of fact and conclusions thereon together with the Recommended Order or requirement.

On May 22, 1972, Applicants Clarence H. Frei, Martin L. Frei and Louise Frei Moore (also known as Louise Frei), doing business as "The Way Rubbish Removal", by their attorney Robert G. Shepherd, filed Exceptions to the said Recommended Decision No. 80147. Such Exceptions attacked certain of the findings of fact made by the Hearing Examiner. The Applicants did not file a transcript. CRS 115-6-13 (4), 1963, reads as follows:

"(4) It shall not be necessary for a party to cause a transcript to be filed as herein provided in any case where the party does not seek to amend, modify, annul, or reverse basic findings of fact which shall be set forth in the recommended decision of a commissioner or examiner, or in the decision of the commission. If such transcript is not filed pursuant to the provisions hereof for consideration with the party's first pleading, it shall be conclusively presumed that the basic findings of fact, as distinguished from the conclusions and reasons therefor and the order or requirements thereon, are complete and accurate."

Applying such statutory provision, it must be presumed that the basic findings of fact of the Hearing Examiner are complete and accurate.

The Commission has now reconsidered the matter and finds that the term "refuse" is synonymous with the term "waste materials" for the purposes of authorities issued by this Commission; and has determined that the Exceptions filed herein by Applicants should be overruled and denied; that the Examiner's findings of fact and conclusions in the Recommended Decision No. 80147 should be adopted as its own, and concludes that the following Order should be entered.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

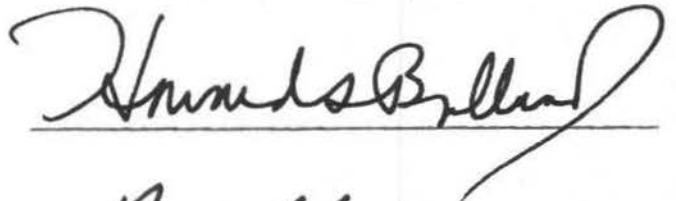
1. The Exceptions filed herein by Applicants be, and the same hereby are, overruled and denied.

2. The findings of fact and conclusions of Hearing Examiner Christian O. Igenbergs in Recommended Decision No. 80147 be, and hereby are, adopted by the Commission.

3. The Examiner's Recommended Order in said Decision No. 80147 be, and hereby is, entered as the Order of the Commission herein without any change or modification; that the said Recommended Order be, and hereby is, incorporated herein by reference the same as if it had been set forth in full as the Order of the Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,  
this 8th day of June, 1972.  
hbp

(Decision No. 80425)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE PETITION FOR AN )  
ORDER OF THE COMMISSION EXEMPTING )  
THOMAS C. HEDLUND, DOING BUSINESS AS )  
"TELLURIDE TRANSFER", FROM PART 391.6 )  
OF THE COMMISSION'S RULES AND REGULA- )  
TIONS GOVERNING COMMON CARRIERS BY )  
MOTOR VEHICLE AND ADOPTED IN DECISION )  
NO. 76080 WITH RESPECT TO ROBERT C. )  
HEDLUND ONLY. )

APPLICATION NO. 25792-Waiver

- - - - -  
June 8, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 17, 1972, Thomas C. Hedlund filed with the Public Utilities Commission the above-entitled application.

Upon consideration of the matter, the Commission on its own motion states and finds that good cause exists and the public interest and necessity require that less than thirty (30) days' notice be given of the filing of said Application No. 25792-Waiver, as provided for in the Order herein.

The Commission further finds that the rule sought to be waived by this application is Part 391.6 rather than 391.11 (b) (1), as stated in the application. The Commission also finds that the above application should be set for hearing as hereinafter set forth.

O R D E R

THE COMMISSION ORDERS THAT:

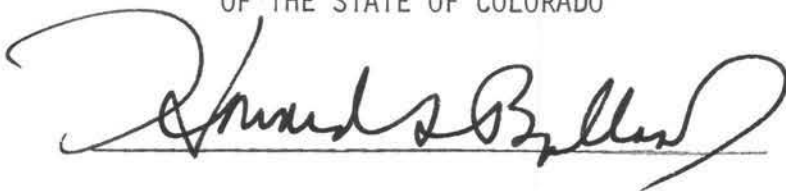
1. The above-entitled application be, and hereby is, set for hearing before the Commission at 10 a.m., June 21, 1972, in the District Court, Court House, Montrose, Colorado.
2. Any person desiring to file objection, intervene in or participate as a party herein shall file appropriate pleadings therefor prior to the hearing hereinabove set.



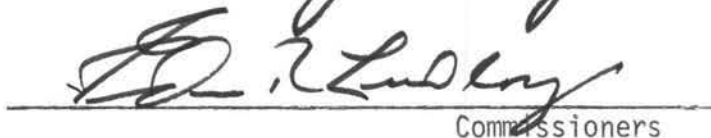
3. Notice be, and hereby is, given of the filing of the above-entitled application.

4. This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,  
this 8th day of June, 1972.  
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: APPLICATION NO. 3, NORTH PARK  
TRANSPORTATION CO., TO PUBLISH  
RATES UNDER THE PROVISIONS OF  
RULE 19-C, RULES OF PRACTICE AND  
PROCEDURE (INDUSTRIAL MOLASSES,  
IN TANK VEHICLES)

APPLICATION NO. 25805

June 7, 1972

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 25, 1972, Peter B. Kooi, President, North Park Transportation Co., filed its application requesting that they be permitted to publish rates on industrial molasses, in tank vehicles, with rates to become effective on less than statutory notice.

The Petitioner states that his Company is authorized under its Common Carrier certificates to transport the requested commodity, but that it has no effective rates to assess for the transportation of this product; that they have been requested by one of their accounts to begin shipments on or about June 5, 1972; that another carrier presently has effective distance rates applicable to the same commodity, for application in Plains and Mountain Territories; that they are desirous of using the same scales as set forth in Appendix "A" attached hereto; that the rates proposed will produce revenue sufficient to pay the cost of operation and produce a fair profit; that identical rules governing the operation will be published with minimum shipment being the calibrated capacity of tank used but not less than 40,000 pounds. They also state that their current Tariff No. 2-E, Colorado PUC No. 8, will be reissued incorporating and bringing forward matter contained therein to a new issue designated as Colorado PUC No. 4, for publishing the rates, rules and regulations applicable to industrial molasses.

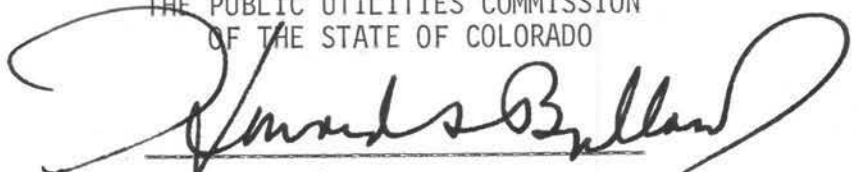
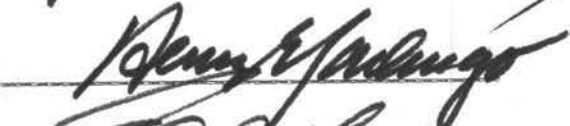

Pursuant to Rule 19-C of the Commission's Rules of Practice and Procedure, the Commission finds that the request should be granted permitting the Applicant to publish the reduced commodity rates for this transportation service on one day's notice.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact, and Appendix "A" be, and the same are hereby, made a part hereof.
2. That North Park Transportation Co., may publish its Motor Freight Tariff, Colorado PUC No. 4, to become effective upon one day's notice to the Commission and the general public.
3. That reference to this decision shall be indicated on the new tariff publication.
4. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
7th day of June, 1972. av

Appendix "A"

COMMODITY RATES IN CENTS PER 100 POUNDS

LOCAL DISTANCE COMMODITY RATES

Between points located in Plains Territory as described in Item No. 60.

Distance commodity rates shown below may be used only when no commodity rates (other than mileage commodity rates) have been published to apply from and to the same points over the same route.

For determination of applicable distances, see governing mileage guide referred to in Item 40 herein.

DISTANCE (numbers inclusive)	RATE	DISTANCE (numbers inclusive)	RATE
0 - 10	10.6	156 - 160	29.1
11 - 15	10.8	161 - 165	29.7
16 - 20	11.1	166 - 170	30.8
21 - 25	11.6	171 - 175	31.9
26 - 30	11.9	176 - 180	32.3
31 - 35	12.2	181 - 185	32.9
36 - 40	12.8	186 - 190	34.0
41 - 45	13.8	191 - 195	35.0
46 - 50	14.3	196 - 200	35.5
51 - 55	14.8	201 - 205	36.1
56 - 60	15.3	206 - 210	36.6
61 - 65	16.0	211 - 215	37.1
66 - 70	16.5	216 - 220	37.7
71 - 75	17.0	221 - 225	38.1
76 - 80	17.5	226 - 230	39.2
81 - 85	18.0	231 - 235	40.3
86 - 90	18.5	236 - 240	41.3
91 - 95	19.1	241 - 245	41.8
96 - 100	20.1	246 - 250	42.4
101 - 105	20.6	251 - 255	43.5
106 - 110	21.2	256 - 260	44.5
111 - 115	22.2	261 - 265	45.5
116 - 120	23.4	266 - 270	46.7
121 - 125	24.4	271 - 275	47.2
126 - 130	25.4	276 - 280	47.7
131 - 135	26.5	281 - 285	48.7
136 - 140	27.1	286 - 290	49.9
141 - 145	27.6	291 - 295	50.4
146 - 150	28.1	296 - 300	50.9
151 - 155	28.6		

Appendix "A"

COMMODITY RATES IN CENTS PER 100 POUNDS

LOCAL DISTANCE COMMODITY RATES

Between points in Mountain Territory as described in Item No. 60, and between points located in "Mountain Territory", on the one hand and points located in "Plains Territory" on the other hand.

Distance commodity rates shown below may be used only when no commodity rates (other than mileage commodity rates) have been published to apply from and to the same points over the same route.

For determination of applicable distances, see governing mileage guide referred to in Item 40 herein.

DISTANCE (numbers inclusive)	RATE	DISTANCE (numbers inclusive)	RATE
0 - 10	11.1	251 - 260	62.5
11 - 20	13.7	261 - 270	64.7
21 - 30	15.9	271 - 280	67.9
31 - 40	18.0	281 - 290	69.9
41 - 50	20.1	291 - 300	72.1
51 - 60	22.2	301 - 310	74.3
61 - 70	24.3	311 - 320	76.3
71 - 80	26.5	321 - 330	79.5
81 - 90	28.6	331 - 340	81.7
91 - 100	30.7	341 - 350	84.9
101 - 110	33.9	351 - 360	86.9
111 - 120	36.1	361 - 370	89.1
121 - 130	38.1	371 - 380	91.2
131 - 140	40.3	381 - 390	93.3
141 - 150	42.4	391 - 400	96.5
151 - 160	43.5	401 - 410	98.6
161 - 170	44.5	411 - 420	101.8
171 - 180	45.5	421 - 430	103.9
181 - 190	46.7	431 - 440	106.1
191 - 200	47.7	441 - 450	108.2
201 - 210	49.9	451 - 460	110.3
211 - 220	53.0	461 - 470	113.5
221 - 230	56.1	471 - 480	115.6
231 - 240	58.3	481 - 490	117.7
241 - 250	60.5	491 - 500	119.8

(Decision No. 80427)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DANIEL LOOS, 4395 DOVER STREET, )	
DENVER, COLORADO, ROBERT A. JOHNSON, )	APPLICATIONS
P. O. BOX 674, ROUTE 4, EVERGREEN, )	No. 25528-Stock Transfer
COLORADO; DON L. HENTSCHEL, 6875 E. )	No. 25529-Stock Transfer
ILIFF, DENVER, COLORADO; DAN A. )	No. 25530-Stock Transfer
LOOS, 3200 MOORE STREET, DENVER, )	No. 25531-PP-Stock Transfer
COLORADO; FOR AUTHORIZATION TO )	No. 25532-PP-Stock Transfer
TRANSFER ALL THEIR OUTSTANDING )	No. 25533-PP-Stock Transfer
STOCK OF DENVER CLEANUP SERVICE, )	
INC. TO BROWNING-FERRIS INDUSTRIES, )	
INC., 1405 FANNING BANK BUILDING, )	
HOUSTON, TEXAS 77025. )	

RECOMMENDED DECISION OF  
ROBERT L. PYLE, EXAMINER,  
GRANTING APPLICATIONS

- - - - -  
June 8, 1972  
- - - - -

Appearances: Jeffrey C. Pond, Esq., and  
Herbert M. Boyle, Esq.,  
Denver, Colorado, for  
Applicants.  
William A. Wilson, Esq.,  
Denver, Colorado, for  
A Ace Ash & Trash Hauling, Inc.;  
A Ash & Trash; A-Aurora Removal  
Service; A & F Trash Disposal;  
Arvada Rubbish Removal; Aurora  
& East Denver Trash Disposal;  
Aurora Ash & Trash, Inc.; Aurora  
F & S Sanitary Carriers; B & W  
Disposal Service; Bestway Disposal;  
Brandt Rubbish Removal; Brite'n  
Best Rubbish Removal; J. W. Burbach,  
Jr.; Capitol City Disposal Co.;  
Clear Rubbish Removal; Commerce  
Refuse Disposal, Inc.; Dalberg  
Disposal; Rafael G. Davila; Decker  
Disposal, Inc.; Don's Hauling; D's  
Disposal; Englewood-Littleton-  
Arapahoe Rubbish Removal, Inc.;  
Freddie's Rubbish Removal; Freddie's  
Trash Box; Gerlach & Sons Disposal;  
Gerlach Rubbish Removal; Jake  
Ginther; Victor Ginther; Golden Waste  
Disposal; Joe Gonzales; Adam Green;

Hager Rubbish Removal; Ellsworth R. Hall Rubbish Removal; Hart's Disposal; Hizer Rubbish Removal; Industrial Disposal; Jacoby Rubbish Removal; J-R Dispose-All; Kembel Rubbish Removal; Laing Disposal Service; Lakewood Disposal Service; Monarch Disposal; Mountain View Rubbish Removal; Neiwert Disposal; Northland Disposal; Clarence Praznik; Charles Prien; Robinson & Son; Rod's Rubbish Removal; John C. Rowe; George Schimpf, Jr.; Star Disposal; Alfred Strassheim; C. E. Strassheim; U.S. Cargo Corporation; Vanish Rubbish Removal; Ed Walters; and Wheatridge Disposal Service, Protestants.  
Dalton O. Ford, Denver, Colorado, of the Staff of the Commission.

#### PROCEDURE AND RECORD

Under date of February 17, 1972, Applicants filed the above-entitled applications for authority to transfer all of the outstanding stock of Denver Cleanup Service, Inc. to Browning-Ferris Industries, Inc., as specifically set forth in said application.

The Commission, pursuant to law, designated Robert L. Pyle as an Examiner for the purpose of conducting the hearings on these applications and, after due and proper notice to all interested persons, firms or corporations, set the aforesaid applications for hearings to be held in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado, on April 19, 1972, beginning at 10 a.m.

The Commission, assigned Docket Nos. 25528-Stock Transfer, 25529-Stock Transfer, 25530-Stock Transfer, 25531-PP-Stock Transfer, 25532-PP-Stock Transfer, and 25533-PP-Stock Transfer to the applications and gave due notice on March, 1972.



On March 21, 1972, a timely joint notice of protest with respect to the applications was filed by fifty-eight Protestants holding various authorities from this Commission for the transportation of ashes and other refuse.

Hearing was held at the aforesaid time and place.

Don L. Hentschel, President of Denver Cleanup Service, Inc., and Norman L. Myers, Vice President of Browning-Ferris Industries, testified in support of the aforesaid applications. The Protestants appeared at the hearing through their attorney William A. Wilson, but presented no witnesses or evidence. No other written protests or petitions for intervention were received.

Applicants' Exhibits numbered 1 through 18, inclusive, 25 and 26, were received and admitted into evidence. The Examiner granted applicants' leave to file Exhibit No. 19, an annexation map of the City of Lafayette, Colorado; Exhibit No. 20, a list of annexation enabling ordinances passed by the City of Lafayette; Exhibit No. 21, an annexation map of the City of Louisville, Colorado; Exhibit No. 22, a list of annexation enabling ordinances passed by the City of Louisville; Exhibit No. 23, an annexation map of the City of Boulder, Colorado; and Exhibit No. 24, a list of annexation enabling ordinances passed by the City of Boulder as late filed exhibits. Said exhibits were duly filed with the Commission and are hereby admitted into evidence.

Application Nos. 25528-Stock Transfer, 25529-Stock Transfer, 25530-Stock Transfer, 25531-PP-Stock Transfer, 25532-PP-Stock Transfer and 25533-PP-Stock Transfer were consolidated for hearing and heard on a joint record.

At the conclusion of the hearing, the subject matter was taken under advisement.

The Agreement submitted by the parties as Exhibit No. 11 did not have an "Annex C" attached thereto which was referred to in the Agreement as the "Employment Agreement" and was a part of the Consideration. At the request of the Examiner, a form of said "Annex C" was submitted by counsel for Applicant but said form left out certain items with respect to compensation. Upon an additional request by the Examiner, counsel for Applicant submitted an Affidavit from one Dan A. Loos, which sets forth the fact that Transferors Don L. Hentschel, Dan A. Loos, and Robert A. Johnson would each receive \$24,000 annual salary as an employee of Transferee and Transferor, Dan A. Loos, as a consultant, would receive an annual salary of \$20,000. However, this affidavit made no reference to the payments of "incentive pay" which is referred to in the Agreement; so, again, the Agreement was incomplete. Counsel for Applicants was therefore granted leave to file a detailed and fully executed agreement setting forth all matters of compensation under the Employment Agreement, which Exhibit was filed on the 7th day of June, 1972, and is made a part hereof by reference as an attachment to Exhibit No. 11.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyie now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### PRELIMINARY MATTERS

Duplication involved in certain of the authorities held by Denver Cleanup Service, Inc. was brought to the attention of the Examiner as a preliminary matter. Pursuant to a stipulation by the Applicants, the Examiner ordered the consolidation set forth in the Order below.

Applicants further stipulated jointly with the Protestants that the language designating the boundaries of the authorities contained in Certificates No. 3343, No. 3430 and No. 5623 must be interpreted and read as of the date such authorities were granted. This stipulation was introduced and admitted as Exhibit No. 25. Protestants subsequently withdrew their joint protests but remained as parties to the proceedings.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. By these applications, which were consolidated for hearing, Transferors and Transferee seek authority to transfer all of the outstanding stock of Denver Cleanup Service, Inc. from Daniel Loos, Robert A. Johnson, Don L. Hentschel and Dan A. Loos to Browning-Ferris Industries, Inc.

2. Transferors, Daniel Loos, Robert A. Johnson, Don L. Hentschel and Dan A. Loos, are the owners of all of the outstanding capital stock of Denver Cleanup Service, Inc., a Colorado corporation, and have operated that company continuously in the past.

3. Transferee, Browning-Ferris Industries, Inc., a Delaware corporation, presently holds no authority from this Commission nor does it own stock in any corporation which has authority from this Commission.

4. The purpose of this transfer is to provide Denver Cleanup Service, Inc. with sufficient capital resources to ensure maintenance of a superior quality of service to the public.

5. Denver Cleanup Service, Inc. owns all of the issued and outstanding stock of Denver Disposal Co., Denver Cleanup Service, Inc., also does business in part under the trade names of "Waste Disposal, Inc.," "Denver Waste Disposal Company," and "Environmental Products Co."

6. Denver Cleanup Service, Inc. is the owner of the following  
Certificates and Permits:

- (a) Colorado Public Utilities Authority Certificate No. 3343 held in the name of Denver Cleanup Service, Inc.
- (b) Colorado Public Utilities Authority Certificate No. 3430 held in the name of Waste Disposal, Inc.
- (c) Colorado Public Utilities Authority Certificate No. 5623 held in the name of Waste Disposal, Inc.
- (d) Colorado Public Utilities Authority Certificate No. 3286 held in the name of Denver Disposal Co.
- (e) Colorado Public Utilities Permit No. B-7265 held in the name of Waste Disposal, Inc.
- (f) Colorado Public Utilities Permit No. B-5698 held in the name of Waste Disposal, Inc.
- (g) Colorado Public Utilities Commission Permit No. B-4980 held in the name of Denver Disposal.
- (h) Colorado Public Utilities Commission Permit No. B-7518 held in the name of Waste Disposal.

7. The operating authority under Certificate No. 3286 is contained within the authority granted under Certificate No. 3343.

8. The operating authority under paragraph (1) of Permit No. B-4980 is contained within the authority granted under Certificate No. 3343.

9. The aforementioned overlapping and duplication of authorities has been resolved by the stipulation of the Applicants, to-wit:

That henceforth, the full and complete authority under Certificate No. 3343 shall appear as follows, to-wit:

"Transportation of

- (1) Ashes, trash and other refuse

From all points within the City and County of Denver, Colorado, to such locations where the same may be lawfully delivered or disposed of.

- (2) Fresh hides; animal by-products and animal remains (excluding carcasses), not fit for human consumption,

Between all points within the City and County of Denver, State of Colorado, and a fifteen mile radius thereof."

That the authority contained in Certificate No. 3286 and Permit No. B-4980 is included in Certificate No. 3343.

That in view of the above, Certificate No. 3286 and Permit No. B-4980, can be cancelled.

10. Neither Denver Cleanup Service, Inc. nor Browning-Ferris Industries, Inc. holds any other operating authority issued by this Commission, nor any interest in any other such operating authority.

11. The Certificates of Public Convenience and Necessity and Permits affected by this proceeding are in good standing at the Commission and the parties agree to keep them in good standing pending final disposition of the present applications.

12. The parties have entered into an Agreement for the transfer of all of the outstanding and issued stock of Denver Cleanup Service, Inc., as more fully described in Exhibit No. 11. The transaction does not involve a purchase and sale of assets, but rather an exchange of the capital stock of two corporations. The transaction does, however, indirectly result in a purchase of assets, liabilities, and net worth. As of November 30, 1971, Denver Cleanup Service, Inc. had a net worth of \$289,764. The total value of the shares of capital stock of Browning-Ferris Industries, Inc. constituting the purchase price amounts to \$400,000. It is found as a matter of fact that the consideration is fair and reasonable.

13. Reasonable provision is made for the payment of creditors of Denver Cleanup Service, Inc. Browning-Ferris Industries, Inc. is a financially sound, national solid waste management concern. Its common stock has been traded on the New York, Midwest and Pacific Coast Stock Exchange since December 15, 1971, and was traded over-the-counter previous to that date. As of September 30, 1971, Browning-Ferris had a net income of \$3,778,000 and a net worth of \$29,593,000.

14. Transferee is well experienced in the subject transportation service and is fit, willing and able properly to control the operations called for and required by the above-described Certificates and Permits.

Browning-Ferris Industries, Inc. is the nation's largest company engaged primarily in providing solid waste management services. Transferee's waste system division provides collection service to approximately 53,000 commercial establishments, industrial plants and governmental units, and 575,000 family units in approximately 35 metropolitan areas. Transferee operates solid waste reclaiming and processing facilities in four metropolitan areas, and sanitary landfills and other solid waste disposal facilities in approximately 20 metropolitan areas, including Denver. The commercial and industrial solid waste management services provided by Transferee include an analysis of the customer's needs, furnishing of containers on the customer's premises at points of refuse accumulation, collection and compaction of refuse, operation of transfer stations and transportation and deposit of refuse at disposal sites.

If the transfer is granted, the present officers of Denver Cleanup Service, Inc. will continue to manage the operations of that company with the support of Transferee's personnel.

15. The result of the transaction will be to provide Denver Cleanup Service, Inc. with the substantial capital resources and experience of a sound, well-financed, well qualified concern. The availability of these resources will benefit the public by providing a financially stronger, more efficient carrier.

16. The agreement underlying this transaction, Exhibit No. 11, has been fully approved and executed by the Transferors and the Transferee; and as supplemented by later filings as mentioned in the PROCEDURE AND RECORD is made a part hereof by reference.

17. 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, and will make adequate provision for insurance.

18. If these transfers are approved, Transferee intends to and will engage in bona fide operations under the operating rights set forth herein.

19. The Certificates and Permits to be transferred are free and clear of any debts, encumbrances or obligations. No mortgage of the operating rights is to be undertaken in connection with the present transaction.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The Commission make and enter its Order authorizing Transferees to transfer all of the outstanding capital stock of Denver Cleanup Service, Inc., to Browning-Ferris Industries, Inc.

2. The operating rights involved in this stock transfer proceeding are being actively operated, the purchase price or consideration being paid for the stock is fair and reasonable, the Transferee is fit, willing, and able financially and otherwise to operate the authorities involved in this transaction, and the proposed transfers are compatible with the public interest.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

1. Daniel Loos, Robert A. Johnson, Don L. Hentschel, and Dan A. Loos be, and hereby are, authorized to transfer all of the outstanding capital stock in and to Denver Cleanup Service, Inc., a Colorado corpo-



ration, record owner of Certificates of Public Convenience and Necessity PUC Nos. 3286, 3343, 3430, and 5623, and Permit Nos. B-4980, B-5698, B-7265, and B-7518, to Browning-Ferris Industries, Inc., a Delaware corporation.

2. Henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 3343 shall read and be as follows, to-wit:

Transportation of

1. Ashes, trash and other refuse

From all points within the City and County of Denver, Colorado, to such locations where the same may be lawfully delivered or disposed of.

2. Fresh hides; animal by-products and animal remains (excluded carcasses), not fit for human consumption,

Between all points within the City and County of Denver, State of Colorado, and a fifteen mile radius thereof.

The language designating the boundaries of the authority contained in Certificate of Public Convenience and Necessity PUC No. 3343 must be interpreted and read as of the date such authority was granted; in this instance, within the City and County of Denver, Colorado, as its legal boundaries are defined in the records of the Clerk and Recorder of the City and County of Denver, State of Colorado, as of 12:00 noon on March 23, 1956.

3. Henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 3430 shall read and be as follows, to-wit:

Transportation of

Ash, trash, and other refuse

From all points within the City of Boulder, Colorado, and a five (5) mile radius thereof to such locations where the same may be lawfully delivered or disposed of.

The language designating the boundaries of the authority contained in Certificate of Public Convenience and Necessity PUC No. 3430 must be interpreted and read as of the

date such authority was granted; in this instance, within the City of Boulder, Colorado, as its legal boundaries are defined in the records of the Clerk and Recorder of the City of Boulder, State of Colorado, as of 12:00 noon on June 1, 1956.

4. Henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 5623 shall read and be as follows, to-wit:

Transportation of

Ashes, trash, and other waste materials

Within the city limits of Lafayette, Colorado, and Louisville, Colorado, and

Within the area adjacent to said cities described as follows:

Commencing at the intersection of Colorado Highway No. 42 and Boulder County Road No. 60 (South Boulder Road); thence north on Colorado Highway No. 7; thence east on Colorado Highway No. 7 to Colorado Highway No. 1 (U.S. 287); thence north on Colorado Highway No. 1 (U.S. 287) to Boulder County Road No. 42 (Erie-Canfield Road); thence west on Boulder County Road No. 42 extended to the five-mile radius of the City of Boulder, thence south on the City of Boulder five-mile radius to Boulder County Road No. 60 (South Boulder Road); thence east on Boulder County Road No. 60 (South Boulder Road) to Colorado Highway No. 42 and the point of beginning, to such locations where the same may be lawfully delivered or disposed of.

The language designating the boundaries of the authority contained in Certificate of Public Convenience and Necessity PUC No. 5623 must be interpreted and read as of the date such authority was granted; in this instance, within the Cities of Lafayette, Colorado, and Louisville, Colorado, as their boundaries are defined in the records of the Clerks and Recorders of the Cities of Lafayette, Colorado, and Louisville, Colorado, as of noon on February 17, 1963.

5. Henceforth the full and complete authority under Contract Carrier Permit No. B-5698 shall read and be as follows, to-wit:

Transportation of

(1) Ashes, trash, and other refuse

To such locations where the same may be lawfully delivered or disposed of.

RESTRICTION:

- (a) This Permit restricted to serving one customer only, viz: Union Supply Company, 5460 Colorado Boulevard, Denver, Colorado.

6. Henceforth the full and complete authority under Contract Carrier Permit No. B-7265 shall read and be as follows, to-wit:

Transportation of

- (1) Ashes, trash, and other refuse

From the IBM Plant at Niwot, Colorado, to such locations where the same may be lawfully delivered or disposed of.

- (2) Ashes, trash, and other refuse

From the Beech Aircraft Plant, Boulder, Colorado, to such locations where the same may be lawfully delivered or disposed of.

7. Henceforth the full and complete authority under Contract Carrier Permit No. B-7518 shall read and be as follows, to-wit:

Transportation of

Ashes, trash, and other refuse

From the plant sites of The Gates Rubber Company located within the County of Arapahoe, State of Colorado, to such locations where the same may be lawfully delivered or disposed of.

RESTRICTION:

This Permit is restricted to rendering transportation service for one customer only, viz: The Gates Rubber Company.

8. Certificate of Public Convenience and Necessity PUC No. 3286 and Contract Carrier Permit No. B-4980 be, and hereby are, canceled inasmuch as they are completely duplicated by other authority in this transfer proceeding.

9. Said transfer of stock shall become effective only if and when, but not before, said Transferors 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 said written acceptances of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfers, without further order on the part of this Commission, unless such time shall be extended by this Commission, upon proper application.

10. The common carrier 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.

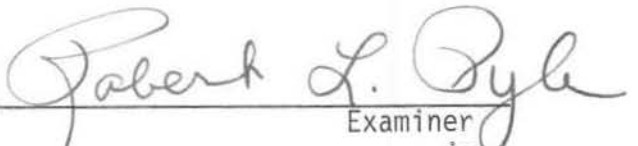
11. The right of Transferee to operate under this Order shall be dependent upon compliance with all present and future laws and rules and regulations of the Commission.

12. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

13. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time

by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
js

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: INCREASED HOURLY RATES APPLICABLE  
TO STORAGE-IN-TRANSIT; LABOR CHARGES;  
AND SHIPMENTS TRANSPORTED 30 MILES OR  
LESS; WHEN CARRIER IS BASED IN BOULDER,  
COLORADO SPRINGS, DENVER, FORT COLLINS,  
LONGMONT AND PUEBLO, EXCEPT THE DENVER  
RATE WILL APPLY WHEN METROPOLITAN DENVER  
IS THE ORIGIN OR DESTINATION, FOR THE  
TRANSPORTATION OF USED HOUSEHOLD GOODS  
AND OFFICE FURNITURE; FURNITURE, NEW  
UNCRATED; OR ADDING, COMPUTING OR DATA  
PROCESSING MACHINES, UNCRATED.

Investigation and Suspension  
Docket No. 723

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June 6, 1972  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 28, 1972, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers Association, Agent, for and on behalf of carriers parties to its Local Household Goods Tariff No. 2, Colorado PUC No. 17, filed revised pages as set forth in Appendix "A" attached to Decision No. 79723, dated March 6, 1972. The matter was suspended pursuant to Decision No. 79723, to and including July 25, 1972, unless otherwise ordered by the Commission, and set for hearing on May 9, 1972.

On May 9, 1972, the above captioned matter was called for hearing by Christian O. Igenbergs, the duly appointed Examiner. Counsel for Respondents moved for a continuance of the herein matter on the grounds additional time was needed to prepare presentation of evidence. The continuance of hearing was granted and matter set for further hearing on June 6, 1972.

On May 19, 1972, Joseph F. Nigro, Attorney for Respondents, filed a letter of petition to vacate hearing and reset two weeks after June 6th, when their exhibits and preparation of evidence will be complete.

THE COMMISSION FINDS:

1. That petition should be granted.

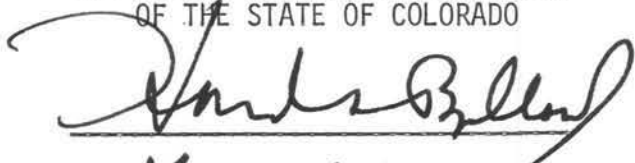

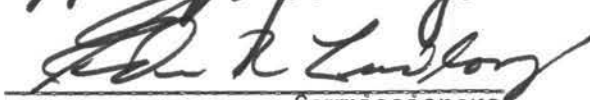
2. That suspension period should be extended an additional 90 days beyond July 25, 1972.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact be, and the same are hereby, made a part hereof.
2. That the matter be set for hearing on the 11th day of July, 1972, at 10 a.m., in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203.
3. That the suspension period be extended 90 days beyond July 25, 1972, to and including October 23, 1972.
4. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
6th day of June, 1972.          av



(Decision No. 80429)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PUBLIC SERVICE COMPANY OF COLORADO )  
FOR AN ORDER DEFINING AND DELINEATING )  
ITS ELECTRIC SERVICE AREAS IN THE )  
COUNTIES OF ADAMS, GILPIN, BOULDER, )  
LARIMER AND WELD, COLORADO AND FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO EXCLUSIVELY RENDER ELEC- )  
TRIC SERVICE IN SUCH AREAS. )

APPLICATION NO. 25591

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RECOMMENDED DECISION  
BY  
COMMISSIONER EDWIN R. LUNDBORG  
GRANTING APPLICATION

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- - - - -  
June 9, 1972  
- - - - -

Appearances: Donald D. Cawelti, Esq., of  
Lee, Bryans, Kelly & Stansfield,  
Denver, Colorado for Public  
Service Company of Colorado;

Warren E. Price, Esq., of Loveland,  
Colorado and  
John P. Thompson, Esq., of Denver,  
Colorado for Poudre Valley Rural  
Electric Association, Inc.;

Walter H. Hopp, Esq., of Schey and  
Schey, Longmont, Colorado for the  
City of Longmont;

John H. Deines, Esq., of Loveland,  
Colorado, for the City of Loveland;

J. M. McNulty of Denver, Colorado,  
of the Staff of the Commission.

S T A T E M E N T

The above-entitled application of the Public Service Company of Colorado (hereinafter referred to as Applicant) was filed with this Commission on March 15, 1972, pursuant to Section 115-5-1, Colorado Revised Statutes 1963. By its application, Applicant seeks an order from this

Commission granting a certificate of public convenience and necessity to render exclusive electric service in certain described portions of Adams, Gilpin, Boulder, Larimer and Weld Counties, Colorado.

The Commission assigned Docket No. 25591 to the instant application and accordingly gave due and proper notice to all public utilities and to all individual consumers who might be affected by the said application -- all being in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

Pursuant to law, the Commission assigned the instant application to Commissioner Edwin R. Lundborg for the purpose of conducting a hearing on the application and, after due and proper notice to all interested persons, firms, or corporations, set the matter for hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Tuesday, April 25, 1972. The hearing proceeded according to said notice and was concluded on April 25, 1972.

During the course of the hearing, Exhibits A, B, C, D and E, inclusive, were admitted into evidence.

Pursuant to the provisions of 115-6-9 (2), Colorado Revised Statutes 1963, as amended, I, Commissioner Edwin R. Lundborg, transmit herewith to the Commission the records and exhibits of the herein instant proceedings, together with a Recommended Decision which contains my Findings of Fact and Conclusions thereon, together with my Recommended Order.

#### F I N D I N G S   O F   F A C T

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado and is a public utility operating company subject to the jurisdiction of this Commission, engaged -- among other things -- in the generation, transmission, distribution and sale of electric energy in various areas in the State of Colorado, including service in the following counties pertinent to this application: Adams, Gilpin, Boulder, Larimer and Weld.

Applicant is presently rendering, or is capable of rendering, complete and adequate electric service in response to all present demands for electric service in those portions of the counties of Adams, Gilpin, Boulder, Larimer and Weld described in Exhibit A attached to this Recommended Decision and by this reference incorporated herein. The service area of Applicant described in Exhibit A is divided into 17 separately described areas. Areas numbered 1 through 11 involve those portions of Applicant's service territory contiguous to or nearby the service areas of Poudre Valley Rural Electric Association, Inc. (Poudre Valley) and which over the years have been involved in proceedings before this Commission and the Courts of the State of Colorado.

Poudre Valley received notice of the pendency of this proceeding. It appeared through its attorneys at the hearing and did not object to the authority sought by Applicant. Testimony was received at the hearing that both the Applicant and Poudre Valley are now in agreement as to the service areas of these two utilities insofar as the areas wherein both utilities have facilities are concerned. By its Application No. 25599, Poudre Valley has sought to have certificated to it certain service areas nearby and contiguous to the service areas of Applicant. Applicant has similarly not objected to the authority sought by Poudre Valley in its Application No. 25599.

The granting of the authority sought by Applicant herein and the authority sought by Poudre Valley in its Application No. 25599 will (1) terminate the territorial conflict between these two utilities (2) end the years of litigation which have ensued from such conflict and (3) will cause the dismissal of present litigation now pending. Subject to the exceptions hereinafter set forth, Applicant should be certificated to be the exclusive supplier of electricity within the areas described in Exhibit A and should be authorized to acquire the customers and electric distribution facilities of Poudre Valley which may be located within the areas described in Exhibit A. Approximately 350 customers of Poudre Valley would be acquired by Applicant Public Service Company at an estimated cost

to Public Service Company of \$241,000. As to the customers presently served by Applicant outside of the areas described in Exhibit A and within the areas sought by Poudre Valley to be certificated to it in its Application No. 25599, Applicant should be authorized to transfer such customers, estimated to be approximately 570, to Poudre Valley. Such customer transfers between Applicant and Poudre Valley will be made without the requirement of any extension costs to be paid by the customers affected.

All of the customers affected by both this Applicant and Poudre Valley in its Application No. 25599 were given written notice of the subject applications and of the hearings before this Commission to be held on said applications. A number of the customers affected appeared in protest to Application No. 25599 of Poudre Valley. Some of the customers protested being transferred from Poudre Valley to Public Service Company and vice versa from Public Service Company to Poudre Valley. The customer protests were based principally upon initial rate changes which would be experienced together with concern expressed about anticipated changes in the quality of service. The number of customers protesting was not significantly large in view of the total customers affected by the proposed transfers.

The public convenience and necessity requires that the Applicant be granted a certificate of public convenience and necessity to render electric public utility service within the areas described in Exhibit A and be the exclusive electric supplier within such areas subject only to the following:

(a) Included within the areas described in Exhibit A is the City of Fort Collins which renders electric service from its municipally-owned system. Accordingly, there should be excluded from the area to be certificated to Applicant any territory lying within the corporate limits of the City of Fort Collins. Fort Collins should also be permitted to continue to serve any customers served by it lying without the corporate boundaries in the City but which may lie within the area otherwise certificated to Applicant.

(b) Similarly, the Cities of Loveland and Longmont which have municipally-owned electric systems should be permitted to continue to serve any customers located outside of their corporate boundaries which may be located within areas otherwise certificated to Applicant.

(c) By this Commission Decision No. 63322, dated July 20, 1964, Union Rural Electric Association has the right to retain certain facilities and customers in Areas 9, 11, 12, 13, 15, 16 and 17 described in Exhibit A. Union should be permitted to retain its rights, facilities and customers within those areas pursuant to the aforesaid decision of this Commission notwithstanding the certification of those areas to the Applicant in this proceeding.

Applicant presently renders electric utility service in portions of the areas described in Exhibit A, pursuant to authority heretofore granted by this Commission, to wit: Decision No. 42215, dated March 11, 1954; the aforesaid Decision No. 63322, dated July 20, 1964; Decision No. 10417, dated July 29, 1937; and Decision No. 62653 of April 22, 1964. The latter cited decision involving Poudre Valley has been the subject matter of appeals, rehearings and litigation in the ensuing years. All of these certificates should be superseded by order of this Commission in this proceeding.

That it is in the public interest and the public convenience and necessity requires that the authority sought by the Applicant in this proceeding (coupled with the authority sought by Poudre Valley in its Application No. 25599) be granted; that the territorial division and certification be ordered; and that the customer exchange as herein contemplated be authorized.

#### C O N C L U S I O N S   O N   F I N D I N G S   O F   F A C T

Based upon the foregoing Findings of Fact, I conclude:

1. That Applicant, subject to the limitations hereinabove set forth, be certificated to be the exclusive supplier of electricity within the areas described in Exhibit A.

2. That the Applicant be authorized to sell and transfer to Poudre Valley those customers and electric distribution facilities which are located outside of the areas described in Exhibit A and within the areas served by Poudre Valley as described by it in its Application No. 25599.

3. That the Applicant be authorized to acquire from Poudre Valley those customers and electric facilities of Poudre Valley located within the boundaries of the areas described in Exhibit A.

4. That the instant application should be granted; and that a certificate of public convenience and necessity be issued to the Applicant -- all as set forth in the following Recommended Order.

#### R E C O M M E N D E D   O R D E R

1. That a certificate of public convenience and necessity be, and hereby is, granted to the Applicant to render exclusive electric service within those portions of Adams, Gilpin, Boulder, Larimer and Weld Counties, Colorado described in Exhibit A appended to this Recommended Decision, which by reference is incorporated hereinto and made a part hereof, subject to those limitations and exceptions as above set forth on pages four (4) and five (5) in subparagraphs (a), (b), and (c) of the above Findings, and to acquire in the manner set forth in those Findings the electric distribution facilities and customers of Poudre Valley Rural Electric Association, Inc. located within said areas certificated to Applicant; and this Order shall constitute the CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.

2. That the Applicant is hereby authorized to sell to Poudre Valley Rural Electric Association, Inc., its electric distribution facilities and customers located outside of the areas described in Exhibit A and within areas certificated to Poudre Valley Rural Electric Association, Inc.

3. That Applicant shall record on its books the electric distribution lines and related facilities which it will acquire and purchase from Poudre Valley at the cost of such electric distribution lines and related facilities to Applicant, in accordance with Rule 27 of this Commission's



Rules of Practice and Procedure, and shall submit for this Commission's prior approval the proposed entries to be made on its books to reflect such acquisition of facilities as soon as the cost of such facilities to Applicant is accurately known.

That this Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioner

hej



Area 1

Beginning at the NW corner of Section 28, T 9 N, R 68 W, 6th P.M.;

thence east along the section line to the N 1/4 corner of the NW 1/4 of said Section 28;

thence south to the center of the NW 1/4 of said Section 28;

thence east to the W 1/4 corner of the NE 1/4 of said Section 28;

thence south along the north-south center line to the center of said Section 28;

thence east along the east-west center line to the intersection with the center line of the Colorado and Southern Railroad;

thence southerly along said center line to the north section line of Section 33, T 9 N, R 68 W;

thence east along the section line to the NE corner of said Section 33;

thence south along the section line to the W 1/4 corner of the NW 1/4 NW 1/4 of Section 34, T 9 N, R 68 W;

thence east to the center of the NW 1/4 NE 1/4 of said Section 34;

thence south to the S 1/4 corner of the NW 1/4 NE 1/4 of Section 3, T 8 N, R 68 W;

thence east to the E 1/4 corner of the NW 1/4 of Section 1, T 8 N, R 68 W;

thence north along the north-south center line to the N 1/4 corner of said Section 1;

thence west along the section and township line to the S 1/4 corner of Section 36, T 9 N, R 68 W;

thence north along the north-south center line to the W 1/4 corner of the SE 1/4 of said Section 36;

thence east to the E 1/4 corner of the SW 1/4 of Section 31, T 9 N, R 67 W;

thence south along the north-south center line to the S 1/4 corner of said Section 31;

thence east along the section and township line to the NE corner of Section 6, T 8 N, R 67 W;

thence south along the section lines to the SE corner of Section 7, T 8 N, R 67 W;

thence west along the section line to the NE corner of Section 13, T 8 N, R 68 W;

thence south to the E 1/4 corner of Section 25, T 8 N, R 68 W;

thence west along the east-west center line to the N 1/4 corner of the NE 1/4 SE 1/4 of said Section 25;

thence south to the N 1/4 corner of the NE 1/4 SE 1/4 of Section 36, T 8 N, R 68 W;

thence west along the east-west center lines to the E 1/4 corner of Section 34, T 8 N, R 68 W;

Area 1 - Cont'd

thence south along the section line to the E 1/4 corner of the SE 1/4 of said Section 34;

thence west to the center of the SE 1/4 of said Section 34;

thence south to the center of the NE 1/4 of Section 3, T 7 N, R 68 W;

thence east to the center of the NW 1/4 of Section 2, T 7 N, R 68 W;

thence south to the S 1/4 corner of the NW 1/4 of Section 11, T 7 N, R 68 W;

thence west along the east-west center lines to the center of Section 9, T 7 N, R 68 W;

thence north along the north-south center lines to the W 1/4 corner of the SE 1/4 of Section 4, T 7 N, R 68 W;

thence east to the S 1/4 corner of the NW 1/4 SE 1/4 of said Section 4;

thence north to the N 1/4 corner of the NW 1/4 SE 1/4 of said Section 4;

thence west along the east-west center line to the center of said Section 4;

thence north to the W 1/4 corner of the SW 1/4 NE 1/4 of said Section 4;

thence east to the E 1/4 corner of the SE 1/4 NE 1/4 of Section 5, T 7 N, R 68 W;

thence south to the E 1/4 corner of said Section 5;

thence west along the east-west center lines to the W 1/4 corner of Section 6, T 7 N, R 68 W;

thence north along the section line to the E 1/4 corner of the NE 1/4 NE 1/4 of Section 1, T 7 N, R 69 W;

thence west to the W 1/4 corner of the NE 1/4 NE 1/4 of said Section 1;

thence north to the center of the SE 1/4 of Section 36, T 8 N, R 69 W;

thence west to the W 1/4 corner of the SE 1/4 of said Section 36;

thence north along the north-south center line to the S 1/4 corner of Section 25, T 8 N, R 69 W;

thence east along the section line to the SW corner of Section 30, T 8 N, R 68 W;

thence north to the W 1/4 corner of said Section 30;

thence east along the east-west center line to the center of said Section 30;

thence north along the north-south center line to the W 1/4 corner of the NE 1/4 of said Section 30;

thence east to the center of the NE 1/4 of said Section 30;

thence north to the center of the NE 1/4 of Section 19, T 8 N, R 68 W;

thence east to the S 1/4 corner of the NE 1/4 NW 1/4 of Section 20, T 8 N, R 68 W;

thence north to the center of the NE 1/4 NW 1/4 of said Section 20;

Area 1 - Cont'd

thence east to the E 1/4 corner of the NE 1/4 NW 1/4 of said Section 20;

thence north along the north-south center lines to the W 1/4 corner of the SW 1/4 SE 1/4 of Section 17, T 8 N, R 68 W;

thence east to the W 1/4 corner of the SW 1/4 SE 1/4 of Section 16, T 8 N, R 68 W;

thence north along the north-south center line to the W 1/4 corner of the NE 1/4 of said Section 16;

thence east to the center of the NE 1/4 of said Section 16;

thence north to the center of the SE 1/4 of Section 9, T 8 N, R 68 W;

thence west to the W 1/4 corner of the SE 1/4 of said Section 9;

thence north along the north-south center line to the S 1/4 corner of Section 4, T 8 N, R 68 W;

thence west to the S 1/4 corner of the SE 1/4 SW 1/4 of said Section 4;

thence north to the S 1/4 corner of the NE 1/4 NW 1/4 of said Section 4;

thence west to the S 1/4 corner of the NW 1/4 NW 1/4 of said Section 4;

thence north to the center of the NW 1/4 NW 1/4 of Section 33, T 9 N, R 68 W;

thence west to the W 1/4 corner of the NW 1/4 NW 1/4 of said Section 33;

thence north along the section lines to the E 1/4 corner of Section 29; T 9 N, R 68 W;

thence west to the S 1/4 corner of the NE 1/4 of said Section 29;

thence north to the N 1/4 corner of the NE 1/4 of said Section 29;

thence east along the section lines to the NW corner of Section 28, T 9 N, R 68 W, the point of beginning.

Area 2

Beginning at the N 1/4 corner of Section 11, T 8 N, R 70 W, 6th P.M.;

thence east along the section lines to the NE corner of Section 12, T 8 N, R 70 W;

thence south along the section and township line to the SE corner of said Section 12;

thence west to the N 1/4 corner of Section 13, T 8 N, R 70 W;

thence south along the north-south center line of said Section 13 to a point two hundred (200) feet northeasterly from and perpendicular to the center line of Colorado State Highway No. 287;

thence in a general southeasterly direction on a line two hundred (200) feet northeasterly of and parallel to the said center line of said Colorado State Highway No. 287 to its intersection with the south line of the N 1/2 N 1/2 of Section 24, T 8 N, R 70 W;

thence east to the E 1/4 corner of the NW 1/4 of Section 19, T 8 N, R 69 W;

thence south along the north-south center line of said Section 19 to the intersection with the center line of Moccasin Circle located in Rolling Hills Estates Second Filing;

thence southeasterly along the center line of said Moccasin Circle to the intersection with the center line of Buckskin Trail;

thence easterly along the center line of said Buckskin Trail to its intersection with the easterly line of Lot 10 of said Rolling Hills Estates Second Filing extended southerly;

thence northerly along the westerly line of the Larimer County Canal to the east-west center line of said Section 19;

thence east along the east-west center lines to the center of Section 20, T 8 N, R 69 W;

thence north along the north-south center line to the N 1/4 corner of said Section 20;

thence west along the section line to the S 1/4 corner of the SW 1/4 of Section 17, T 8 N, R 69 W;

thence north to the N 1/4 corner of the NW 1/4 of said Section 17;

thence east along the section line to the NE corner of said Section 17;

thence south along the section line to the W 1/4 corner of Section 16, T 8 N, R 69 W;

thence east along the east-west center line to the center of said Section 16;

thence south along the north-south center lines to the E 1/4 corner of the SE 1/4 SW 1/4 of Section 28, T 8 N, R 69 W;

thence west to the center of the SE 1/4 SW 1/4 of said Section 28;

thence south to the S 1/4 corner of the SE 1/4 SW 1/4 of said Section 28;

thence west along the section line to the N 1/4 corner of the NW 1/4 of Section 33, T 8 N, R 69 W;

Area 2 - Cont'd

thence south to the W 1/4 corner of the SE 1/4 NW 1/4 of Section 4,  
T 7 N, R 69 W;

thence east to the W 1/4 corner of the SW 1/4 NE 1/4 of said Section 4;

thence south along the north-south center line to the center of said  
Section 4;

thence east along the east-west center lines to the S 1/4 corner of the  
NW 1/4 of Section 3, T 7 N, R 69 W;

thence south to the center of the SW 1/4 of said Section 3;

thence east to the S 1/4 corner of the NW 1/4 SE 1/4 of said Section 3;

thence north to the intersection with the center line of the natural channel  
of the Poudre River;

thence in a northwesterly direction along the center line of the natural  
channel of the Poudre River to its intersection with the south line of  
the N 1/2 N 1/2 N 1/2 of said Section 3;

thence east to the E 1/4 corner of the NW 1/4 NW 1/4 of Section 2, T 7 N,  
R 69 W;

thence south to the center of the NW 1/4 of said Section 2;

thence east to the intersection with the city boundary of the City of  
Fort Collins;

thence northerly along said city boundary through said Section 2, T 7 N,  
R 69 W, Sections 35 and 36, T 8 N, R 69 W and through Section 1, T 7 N, R 69 W  
to the intersection with the north line of the S 1/2 S 1/2 of said Section 1;

thence east to the W 1/4 corner of the SW 1/4 of Section 6, T 7 N, R 68 W;

thence south along the section line to the SW corner of said Section 6;

thence east along the section line to the S 1/4 corner of the SW 1/4 of  
said Section 6;

thence south to the center of the NW 1/4 of Section 7, T 7 N, R 68 W;

thence east to the east edge of Lake Canal in the NW 1/4 of Section 8,  
T 7 N, R 68 W;

thence in a southeasterly direction along the east edge of Lake Canal to the  
common corner of lots 109 and 110 in the Collins-Aire mobile home park;

thence in a northeasterly direction along the property line between lots 109  
and 110 to the center of Tana Drive;

thence east along the center of Tana Drive to the center of the intersection  
of Tana Drive and Steven Drive;

thence north along the center of Steven Drive to the center of Steven Drive  
and Collins-Aire Lane;

thence east along the center of Collins-Aire Lane to its intersection with  
the center line of County Road 9E;

thence south along the center line of County Road 9E to the W 1/4 corner of  
the NE 1/4 of Section 8, T 7 N, R 68 W;

Area 2 - Cont'd

thence east to the center of the NE 1/4 of Section 8, T 7 N, R 68 W;

thence south to the center of the SE 1/4 of said Section 8;

thence west to the N 1/4 corner of the SW 1/4 SE 1/4 of said Section 8;

thence south to the intersection of the north-south center line of the NW 1/4 NE 1/4 of Section 17, T 7 N, R 68 W with the south line of Colorado State Highway No. 14;

thence westerly along the said south line of Colorado State Highway No. 14 to the northwest corner of the Max Hoffman Mobile Home Park located in the NE 1/4 NW 1/4 of said Section 17, said northwest corner located at a point which bears S 81° 03' 19" E, 2227.46 feet from the northwest corner of said Section 17;

thence S 00° 24' 30" W, 451.16 feet;

thence S 85° 51' W, 200.00 feet;

thence S 00° 24' 30" W, 613.55 feet;

thence S 89° 09' 30" E to the intersection with the north-south center line of said Section 17;

thence south along the said north-south center line to the center line of the natural channel of the Poudre River;

thence southeasterly along the center line of the natural channel of the Poudre River to its intersection with the south section line of said Section 17;

thence east along the section lines to the S 1/4 corner of Section 16, T 7 N, R 68 W;

thence north along the north-south center line to the N 1/4 corner of said Section 16;

thence east along the section line to the NW corner of Section 15, T 7 N, R 68 W;

thence south along the section line to the W 1/4 corner of the NW 1/4 SW 1/4 of said Section 15;

thence east to the center of the NE 1/4 SE 1/4 of said Section 15;

thence north to the N 1/4 corner of the NE 1/4 SE 1/4 of said Section 15;

thence east along the east-west center line to the S 1/4 corner of the SE 1/4 NE 1/4 of Section 14, T 7 N, R 68 W;

thence south to the S 1/4 corner of the NE 1/4 SE 1/4 of said Section 14;

thence east to the E 1/4 corner of the SW 1/4 of Section 13, T 7 N, R 68 W;

thence north along the north-south center line to the center of said Section 13;

thence east along the east-west center line to the center of Section 18, T 7 N, R 67 W;

thence south along the north-south center line to the W 1/4 corner of the NE 1/4 of Section 19, T 7 N, R 67 W;



Area 2 - Cont'd

thence east to the center of the NW 1/4 of Section 20, T 7 N, R 67 W;  
thence south to the S 1/4 corner of the NW 1/4 of said Section 20;  
thence east along the east-west center line to the N 1/4 corner of the SE 1/4 of said Section 20;  
thence south to the center of the NE 1/4 of Section 29, T 7 N, R 67 W;  
thence west to the center of the NW 1/4 of said Section 29;  
thence south to the center of the SW 1/4 of said Section 29;  
thence east to the N 1/4 corner of the SE 1/4 SW 1/4 of said Section 29;  
thence south to the center of the SE 1/4 NW 1/4 of Section 32, T 7 N, R 67 W;  
thence west to the W 1/4 corner of the SE 1/4 NW 1/4 of said Section 32;  
thence south to the center of the SW 1/4 of said Section 32;  
thence west to the N 1/4 corner of the SW 1/4 SE 1/4 of Section 36, T 7 N, R 68 W;  
thence south to the center of the SW 1/4 SE 1/4 of said Section 36;  
thence west to the W 1/4 corner of the SW 1/4 SW 1/4 of said Section 36;  
thence north along the section line to the E 1/4 corner of the SE 1/4 of Section 35, T 7 N, R 68 W;  
thence west to the W 1/4 corner of the SE 1/4 of said Section 35;  
thence south along the north-south center line to the S 1/4 corner of said Section 35;  
thence west along the section lines to the center line of the natural channel of the Poudre River in Section 34, T 7 N, R 68 W;  
thence in a northwesterly direction along the center line of the natural channel of the Poudre River to its intersection with the north line of Section 34, T 7 N, R 68 W;  
thence west along the section lines to the N 1/4 corner of Section 33, T 7 N, R 68 W;  
thence south along the north-south center line to the W 1/4 corner of the NE 1/4 of said Section 33;  
thence west to the center of the NW 1/4 of said Section 33;  
thence south to the center of the SW 1/4 of said Section 33;  
thence east to the E 1/4 corner of the SW 1/4 of said Section 33;  
thence south along the north-south center line to the S 1/4 corner of Section 4, T 6 N, R 68 W;  
thence west along the section line to the S 1/4 corner of the SW 1/4 of said Section 4;  
thence south to the center of the SW 1/4 of Section 9, T 6 N, R 68 W;  
thence west to the center of the SE 1/4 of Section 8, T 6 N, R 68 W;



Area 2 - Cont'd

thence north to the N 1/4 corner of the NE 1/4 of said Section 8;

thence west along the section line to the S 1/4 corner of Section 5,  
T 6 N, R 68 W;

thence north along the north-south center line to the center of said  
Section 5;

thence west along the east-west center line to the S 1/4 corner of the  
SW 1/4 NW 1/4 of said Section 5;

thence north to the N 1/4 corner of the SW 1/4 NW 1/4 of said Section 5;

thence west to the N 1/4 corner of the SE 1/4 NE 1/4 of Section 6, T 6 N, R 68 W;

thence south to the S 1/4 corner of the SE 1/4 NE 1/4 of said Section 6;

thence west along the east-west center lines to the W 1/4 corner of  
Section 1, T 6 N, R 69 W;

thence north along the section line to the NW corner of said Section 1;

thence west along the section line to the S 1/4 corner of the SE 1/4 SW 1/4  
of Section 35, T 7 N, R 69 W;

thence north to the S 1/4 corner of the SE 1/4 NW 1/4 of said Section 35;

thence west along the east-west center lines to the S 1/4 corner of the  
NE 1/4 of Section 34, T 7 N, R 69 W;

thence north to the N 1/4 corner of the SE 1/4 of Section 27, T 7 N, R 69 W;

thence west to the S 1/4 corner of the SW 1/4 NW 1/4 of said Section 27;

thence south to the center of the SW 1/4 SW 1/4 of said Section 27;

thence west to the W 1/4 corner of the SW 1/4 SW 1/4 of said Section 27;

thence south along the section line to the SE corner of Section 28, T 7 N,  
R 69 W;

thence west along the section line to the S 1/4 corner of said Section 28;

thence north along the north-south center line to the W 1/4 corner of  
the SW 1/4 NE 1/4 of said Section 28;

thence west to the W 1/4 corner of the SW 1/4 NW 1/4 of said Section 28;

thence south along the section line to the SE corner of Section 29, T 7 N,  
R 69 W;

thence west along the section line to the S 1/4 corner of the SE 1/4 of  
said Section 29;

thence south to the S 1/4 corner of the NE 1/4 of Section 32, T 7 N, R 69 W;

thence west along the east-west center line to the intersection with the  
center line of Horsetooth Reservoir;

thence in a northwesterly direction along the center line of Horsetooth  
Reservoir to the intersection with the north section line of Section 7,  
T 7 N, R 69 W;

Area 2 - Cont'd

thence west along the section lines to the S  $1/4$  corner of Section 1,  
T 7 N, R 70 W;

thence north along the north-south center lines to the W  $1/4$  corner of  
the NE  $1/4$  of Section 36, T 8 N, R 70 W;

thence west to the center of the NW  $1/4$  of said Section 36;

thence north to the E  $1/4$  corner of the SW  $1/4$  SW  $1/4$  of Section 25, T 8 N,  
R 70 W;

thence west to the W  $1/4$  corner of the SW  $1/4$  SW  $1/4$  of said Section 25;

thence north along the section line to the E  $1/4$  corner of the SE  $1/4$   
NE  $1/4$  of Section 26, T 8 N, R 70 W;

thence west to the W  $1/4$  corner of the SW  $1/4$  NW  $1/4$  of said Section 26;

thence north along the section lines to the W  $1/4$  corner of Section 23,  
T 8 N, R 70 W;

thence east along the east-west center lines to the center of said  
Section 23;

thence north along the north-south center lines to the E  $1/4$  corner of the  
SE  $1/4$  NW  $1/4$  of Section 14, T 8 N, R 70 W;

thence west to the W  $1/4$  corner of the SW  $1/4$  NW  $1/4$  of said Section 14;

thence north along the section lines to the W  $1/4$  corner of Section 11,  
T 8 N, R 70 W;

thence east along the east-west center line to the center of said Section 11;

thence north along the north-south center line to the N  $1/4$  corner of said  
Section 11, the point of beginning.

Area 3

Beginning at the W 1/4 corner of the SW 1/4 NW 1/4 of Section 36, T 7 N, R 67 W, 6th P.M.;

thence east to the center of the SW 1/4 NW 1/4 of said Section 36;

thence north to the S 1/4 corner of the NW 1/4 NW 1/4 of said Section 36;

thence east to the center of the NE 1/4 of said Section 36;

thence south to the center of the SE 1/4 of said Section 36;

thence east to the N 1/4 corner of the SE 1/4 SE 1/4 of said Section 36;

thence south to the S 1/4 corner of the NE 1/4 NE 1/4 of Section 12, T 6 N, R 67 W;

thence east to the E 1/4 corner of the NE 1/4 of said Section 12;

thence south along the section and township line to the E 1/4 corner of the SE 1/4 of said Section 12;

thence west to the N 1/4 corner of the SE 1/4 SE 1/4 of said Section 12;

thence south to the N 1/4 corner of the NE 1/4 NE 1/4 of Section 13, T 6 N, R 67 W;

thence west along the section line to the N 1/4 corner of said Section 13;

thence south along the north-south center lines to the S 1/4 corner of said Section 13;

thence west along the section line to the N 1/4 corner of the NE 1/4 NE 1/4 NW 1/4 of Section 24, T 6 N, R 67 W;

thence south to the S 1/4 corner of the SE 1/4 NE 1/4 NW 1/4 of said Section 24;

thence west to the center of the NW 1/4 of said Section 24;

thence south to the S 1/4 corner of the SW 1/4 of said Section 24;

thence west along the section line to the SE corner of Section 23, T 6 N, R 67 W;

thence south along the section line to the E 1/4 corner of the NE 1/4 NE 1/4 of Section 26, T 6 N, R 67 W;

thence west to the center of the NE 1/4 NE 1/4 of said Section 26;

thence south to the N 1/4 corner of the SE 1/4 NE 1/4 of said Section 26;

thence west to the N 1/4 corner of the SW 1/4 NW 1/4 of Section 27, T 6 N, R 67 W;

thence north to the N 1/4 corner of the NW 1/4 NW 1/4 of said Section 27;

thence west along section lines to the N 1/4 corner of the NE 1/4 of Section 28, T 6 N, R 67 W;

thence south to the S 1/4 corner of the NE 1/4 of said Section 28;

thence west along the east-west center line to the W 1/4 corner of said Section 28;

Area 3 - Cont'd

thence south to the southwest corner of said Section 28;

thence west along the section lines to the S 1/4 corner of the SW 1/4 of Section 30, T 6 N, R 67 W;

thence north to the N 1/4 corner of the NW 1/4 of Section 19, T 6 N, R 67 W;

thence west along the section line to the N 1/4 corner of the NW 1/4 NW 1/4 of said Section 19;

thence north to the N 1/4 corner of the SW 1/4 SW 1/4 of Section 18, T 6 N, R 67 W;

thence west to the center of the SE 1/4 of Section 13, T 6 N, R 68 W;

thence north to the center of the SE 1/4 of Section 12, T 6 N, R 68 W;

thence west to the W 1/4 corner of the SE 1/4 of said Section 12;

thence north along the north-south center line to the W 1/4 corner of the NE 1/4 of said Section 12;

thence west to the center of the NW 1/4 of said Section 12;

thence north to the E 1/4 corner of the NW 1/4 NW 1/4 of said Section 12;

thence west to the intersection with the center line of the natural channel of the Poudre River in Section 11, T 6 N, R 68 W;

thence northerly along the center line of the Poudre River to its intersection with the east-west center line of Section 2, T 6 N, R 68 W;

thence east along the east-west center lines to the S 1/4 corner of the NE 1/4 of Section 1, T 6 N, R 68 W;

thence north to the W 1/4 corner of the NE 1/4 NE 1/4 of said Section 1;

thence east to the E 1/4 corner of the NE 1/4 NE 1/4 of said Section 1;

thence south along the section and township line to the W 1/4 corner of the NW 1/4 of Section 6, T 6 N, R 67 W;

thence east to the E 1/4 corner of the NW 1/4 of Section 5, T 6 N, R 67 W;

thence south along the north-south center lines to the center of Section 8, T 6 N, R 67 W.

thence east along the east-west center line to the W 1/4 corner of Section 9, T 6 N, R 67 W;

thence south along the section line to the W 1/4 corner of the SW 1/4 of said Section 9;

thence east to the W 1/4 corner of the SE 1/4 of said Section 9;

thence south along the north-south center line to the S 1/4 corner of said Section 9;

thence east along the section lines to the S 1/4 corner of the SW 1/4 SW 1/4 of Section 10, T 6 N, R 67 W;

thence north to the center of the SW 1/4 SW 1/4 of said Section 10;

Area 3 - Cont'd

thence east to the center of the SE 1/4 SW 1/4 of said Section 10;

thence south to the intersection with the center line of the natural channel of the No. 2 canal in Section 15, T 6 N, R 67 W;

thence in a southeasterly direction along the center line of the natural channel of canal No. 2 to its intersection with the north-south center line of said Section 15;

thence south along the north-south center lines to the E 1/4 corner of the NE 1/4 NW 1/4 of Section 22, T 6 N, R 67 W;

thence east to the E 1/4 corner of the NW 1/4 NW 1/4 of Section 23, T 6 N, R 67 W;

thence north to the W 1/4 corner of the NE 1/4 SW 1/4 of Section 14, T 6 N, R 67 W;

thence west to the W 1/4 corner of the NW 1/4 SW 1/4 of said Section 14;

thence north along the section line to its intersection with the center line of the Great Western Railroad, said intersection being near the W 1/4 corner of said Section 14;

thence in a northerly direction along the center line of said railroad to its intersection with the north line of the S 1/2 S 1/2 S 1/2 of Section 2, T 6 N, R 67 W;

thence west to the W 1/4 corner of the SW 1/4 SE 1/4 of said Section 2;

thence north along the north-south center line to the W 1/4 corner of the NW 1/4 NE 1/4 of said Section 2;

thence west to the center of the NW 1/4 NW 1/4 of said Section 2;

thence north to the center of the SW 1/4 SW 1/4 of Section 35, T 7 N, R 67 W;

thence east to the E 1/4 corner of the SW 1/4 SW 1/4 of said Section 35;

thence north to the N 1/4 corner of the NW 1/4 of said Section 35;

thence east along the section line to the N 1/4 corner of the NE 1/4 of said Section 35;

thence south to the center of the NE 1/4 of said Section 35;

thence east to the N 1/4 corner of the SE 1/4 NE 1/4 of said Section 35;

thence south to the center of the SE 1/4 NE 1/4 of said Section 35;

thence east to the W 1/4 corner of the SW 1/4 NW 1/4 of Section 36, T 7 N, R 67 W, the point of beginning.

Area 4

Beginning at the W 1/4 corner of the NW 1/4 of Section 29, T 6 N, R 68 W, 6th P.M.;

thence south along the section line to the W 1/4 corner of said Section 29;

thence east to the N 1/4 corner of the NW 1/4 SW 1/4 of said Section 29;

thence south to the S 1/4 corner of the SW 1/4 SW 1/4 of said Section 29;

thence east along the section line to the N 1/4 corner of Section 32, T 6 N, R 68 W;

thence south along the north-south center line to the center of said Section 32;

thence east along the east-west center lines to the center of Section 34, T 6 N, R 68 W;

thence south along the north-south center lines to the E 1/4 corner of the NW 1/4 of Section 3, T 5 N, R 68 W;

thence east to the center of the NW 1/4 of Section 2, T 5 N, R 68 W;

thence south to the intersection with the U.S.B.R. 115 KV transmission line in Section 11, T 5 N, R 68 W;

thence in a southwesterly direction along the said transmission line to its intersection with the center line of the Union Pacific Railroad in said Section 11;

thence in a southeasterly direction along the center line of said railroad to its intersection with the center line of the natural channel of the Greeley-Loveland Ditch in said Section 11;

thence in an easterly direction along the center line of the natural channel of said ditch to its intersection with the west line of the E 1/2 E 1/2 E 1/2 of Section 12, T 5 N, R 68 W;

thence south along the west line of the E 1/2 E 1/2 E 1/2 of said Section 12 to the intersection of the center line of the Great Western Railroad, said intersection being near the center of the NE 1/4 NE 1/4 of Section 13, T 5 N, R 68 W;

thence along the center line of said railroad in a southwesterly direction to a point near the center of said Section 13;

thence continuing along the center line of said railroad in a westerly direction to the west section line of Section 14, T 5 N, R 68 W;

thence south along the section line to the SE corner of Section 15, T 5 N, R 68 W;

thence west along the section line to the S 1/4 corner of the SW 1/4 SE 1/4 of said Section 15;

thence north to the center of SW 1/4 SE 1/4 of said Section 15;

thence west to the E 1/4 corner of the SE 1/4 SW 1/4 of said Section 15;

thence south along the north-south center line to the S 1/4 corner of said Section 15;

thence west along the section lines to the intersection with the U.S.B.R. 115 KV transmission line;



Area 4 - Cont'd

thence in a southwesterly direction along said transmission line to its intersection with the north-south center line of Section 20, T 5 N, R 68 W;

thence north along the north-south center lines to the center of Section 17, T 5 N, R 68 W;

thence west along the east-west center lines to the center of Section 18, T 5 N, R 68 W;

thence north along the north-south center lines to the N 1/4 corner of Section 6, T 5 N, R 68 W;

thence west along section lines to the S 1/4 corner of Section 36, T 6 N, R 69 W;

thence north along the north-south center line to the intersection with the natural shoreline of Horseshoe Lake;

thence in a general northerly direction along said shoreline to its intersection with the east-west center line of said Section 36;

thence west along the east-west center lines to the N 1/4 corner of the SE 1/4 of Section 35, T 6 N, R 69 W;

thence south to the S 1/4 corner of the SE 1/4 of said Section 35;

thence west along the section line to the S 1/4 corner of the SW 1/4 of said Section 35;

thence north to the N 1/4 corner of the NW 1/4 of said Section 35;

thence east along the section line to the S 1/4 corner of Section 26, T 6 N, R 69 W;

thence continuing east along the south line of said Section 26 556.4 feet;

thence north to the north line of S 1/2 S 1/2 S 1/2 of said Section 26;

thence east to the center of the SW 1/4 SE 1/4 of said Section 26;

thence north to the center of the NW 1/4 SE 1/4 of said Section 26;

thence east to the E 1/4 corner of the NE 1/4 SW 1/4 of Section 25, T 6 N, R 69 W;

thence north along the north-south center line to the W 1/4 corner of the NE 1/4 of said Section 25;

thence east to the S 1/4 corner of the NE 1/4 NE 1/4 of said Section 25;

thence north to the center of the NE 1/4 NE 1/4 of said Section 25;

thence east to the center of the NW 1/4 NW 1/4 of Section 30, T 6 N, R 68 W;

thence southeasterly in a straight line to the center of the NW 1/4 of said Section 30;

thence east to the W 1/4 corner of the NW 1/4 of Section 29, T 6 N, R 68 W, the point of beginning.



Area 5

Beginning at the NW Corner of Section 8, T 5 N, R 69 W, 6th P.M.;

thence east along the section line to the N 1/4 corner of the NE 1/4 NE 1/4 of said Section 8;

thence north to the center of the SE 1/4 SE 1/4 of Section 5, T 5 N, R 69 W;

thence east to the E 1/4 corner of the SE 1/4 SW 1/4 of Section 4, T 5 N, R 69 W;

thence south along the north-south center line to the S 1/4 corner of said Section 4;

thence east along the section line to the SE corner of said Section 4;

thence south along the section line to the intersection with the city boundary of the City of Loveland, said intersection being near the E 1/4 corner of Section 9, T 5 N, R 69 W;

thence westerly and southerly along said city boundary to the intersection of said city boundary with the east section line of said Section 9, said intersection being near the E 1/4 corner NE 1/4 SE 1/4 of said Section 9;

thence south along section lines to the E 1/4 corner of SE 1/4 SE 1/4 of Section 16, T 5 N, R 69 W;

thence west to the W 1/4 corner of SW 1/4 SE 1/4 of said Section 16;

thence north along the north-south center line to its intersection with the center line of the natural channel of the Big Thompson River, said intersection being near the E 1/4 corner of the SE 1/4 NW 1/4 of said Section 16;

thence in a general westerly direction along said center line of the Big Thompson River to its intersection with the west section line of said Section 16;

thence south along the section line to the W 1/4 corner of said Section 16;

thence west along the east-west center line to the center of Section 17, T 5 N, R 69 W;

thence north along the north-south center line to the E 1/4 corner of the SE 1/4 NW 1/4 of said Section 17;

thence west to the W 1/4 corner of the SW 1/4 NW 1/4 of said Section 17;

thence north along section lines to the NW corner of Section 8, T 5 N, R 69 W, the point of beginning.

Area 6

Beginning at the W 1/4 corner of Section 19, T 5 N, R 68 W, 6th P.M.;

thence east along the east-west center line to the intersection of the center line of the natural channel of the Big Thompson River in said Section 19;

thence southwesterly along the center line of the natural channel of the Big Thompson River to the intersection of the north-south center line of the SW 1/4 of said Section 19;

thence south to the S 1/4 corner of the SW 1/4 of said Section 19;

thence west along the section line to the SW corner of said Section 19;

thence north along the section line to the W 1/4 corner of Section 19, T 5 N, R 68 W, the point of beginning.

Area 7

Beginning at the point of intersection of the Colorado and Southern Railroad with the north section line of Section 26, T 5 N, R 69 W, 6th P.M.;

thence east along section lines to the N 1/4 corner of Section 25, T 5 N, R 69 W;

thence south along the north-south center line to the E 1/4 corner of the SW 1/4 of said Section 25;

thence west along the north line of the S 1/2 S 1/2 of said Section 25 to the intersection with the center line of U. S. Highway No. 287 by-pass;

thence south along the center line of said highway to the intersection with the north line of the S 1/2 S 1/2 S 1/2 of said Section 25;

thence west to the center of the SW 1/4 SW 1/4 of said Section 25;

thence south to the S 1/4 corner of the SW 1/4 NW 1/4 of Section 36, T 5 N, R 69 W;

thence east along the east-west center line to its intersection with the center line of U. S. Highway No. 287 by-pass;

thence southerly along the center line of said highway to its intersection with the north line of the S 1/2 S 1/2 of said Section 36;

thence east to the center of the SW 1/4 of said Section 36;

thence south to the S 1/4 corner of the SW 1/4 of Section 36, T 5 N, R 69 W;

thence west along the south line of said Section 36 to the NW corner of Section 1, T 4 N, R 69 W;

thence south along the section line to the E 1/4 corner of the SE 1/4 of Section 2, T 4 N, R 69 W;

thence west to the N 1/4 corner of the SE 1/4 SE 1/4 of said Section 2;

thence south to the S 1/4 corner of the SE 1/4 NE 1/4 of Section 11, T 4 N, R 69 W;

thence west along the east-west center line to the center of said Section 11;

thence north along the north-south center line to the S 1/4 corner of Section 2, T 4 N, R 69 W;

thence west along the section line to the SW corner of said Section 2;

thence north along the section line to the W 1/4 corner of the NW 1/4 of said Section 2;

thence west to the S 1/4 corner of the NE 1/4 NE 1/4 of Section 3, T 4 N, R 69 W;

thence north to the N 1/4 corner of the NE 1/4 NE 1/4 of said Section 3;

thence east to the S 1/4 corner of the SW 1/4 SW 1/4 of Section 35, T 5 N, R 69 W;

thence north to the center of the SW 1/4 SW 1/4 of said Section 35;

Area 7 - Cont'd

thence east to the E 1/4 corner of the SW 1/4 SW 1/4 of said Section 35;

thence north to the center of the SW 1/4 of said Section 35;

thence east to the center of the SE 1/4 of said Section 35;

thence north to the N 1/4 corner of the NE 1/4 of said Section 35;

thence east along the north line of said Section 35 to its intersection with the center line of the Colorado and Southern Railroad;

thence northerly along the center line of said railroad to its intersection with the north line of Section 26, T 5 N, R 69 W, the point of beginning.

Area 8

Beginning at the NW corner of Section 13, T 4 N, R 69 W, 6th P.M.;

thence south along the section line to the W 1/4 corner of the NW 1/4 NW 1/4 of said Section 13;

thence east to the E 1/4 corner of NW 1/4 NW 1/4 of said Section 13;

thence south to the center of the NW 1/4 of said Section 13;

thence east to the E 1/4 corner of the NW 1/4 of said Section 13;

thence south along the north-south center line to the W 1/4 corner of the SE 1/4 of said Section 13;

thence east to the N 1/4 corner of the SE 1/4 SE 1/4 of said Section 13;

thence south to the center of the NE 1/4 NE 1/4 of Section 24, T 4 N, R 69 W;

thence west to the W 1/4 corner of the NE 1/4 NE 1/4 of said Section 24;

thence south to the S 1/4 corner of the NE 1/4 of said Section 24;

thence west along the east-west center line to the center of said Section 24;

thence south along the north-south center lines to the center of Section 25, T 4 N, R 69 W;

thence west along the east-west center line to the N 1/4 corner of the SW 1/4 of said Section 25;

thence south to the center of the SW 1/4 of Section 36, T 4 N, R 69 W;

thence west to the W 1/4 corner of the SW 1/4 of said Section 36;

thence south along the section line to the SW corner of said Section 36;

thence west along the section line to the S 1/4 corner of the SE 1/4 of Section 35, T 4 N, R 69 W;

thence north to the S 1/4 corner of the SE 1/4 of Section 23, T 4 N, R 69 W;

thence west along the section line to the S 1/4 corner of said Section 23;

thence north along the north-south center line to the W 1/4 corner of the NE 1/4 of said Section 23;

thence west to the W 1/4 corner of the NW 1/4 of said Section 23;

thence north on the section line to the W 1/4 corner of Section 14, T 4 N, R 69 W;

thence east on the east-west center line to the S 1/4 corner of the SW 1/4 NW 1/4 of said Section 14;

thence north to the N 1/4 corner of the NW 1/4 NW 1/4 of said Section 14;

thence east on the section line to the NW corner of Section 13, T 4 N, R 69 W, the point of beginning.

Area 9

Beginning at the point of intersection of the west section line of Section 33, T 5 N, R 67 W, 6th P.M. with the center line of the natural channel of the Big Thompson River;

thence in a southeasterly direction along the center line of the natural channel of said river to its intersection with the east section line of Section 1, T 4 N, R 67 W;

thence south along the section line to the SE corner of said Section 1;

thence west along the section lines to the SW corner of Section 4, T 4 N, R 67 W;

thence south along section lines to the E 1/4 corner of the NE 1/4 of Section 20, T 4 N, R 67 W;

thence west to the W 1/4 corner of the NE 1/4 of said Section 20;

thence south along the north-south center lines to the S 1/4 corner of Section 29, T 4 N, R 67 W;

thence west along section lines to the intersection of the center line of Interstate Highway 25 located near the SW corner of Section 26, T 4 N, R 68 W;

thence north along the said center line of Interstate Highway 25 to a location near the W 1/4 corner of the SW 1/4 NW 1/4 of Section 2, T 4 N, R 68 W;

thence east to the center of the SW 1/4 NW 1/4 of said Section 2;

thence south to the S 1/4 corner of the SW 1/4 NW 1/4 of said Section 2;

thence east along the east-west center lines to the S 1/4 corner of the NE 1/4 of Section 1, T 4 N, R 68 W;

thence north to the center of the NE 1/4 of said Section 1;

thence east to the E 1/4 corner of the NW 1/4 of Section 6, T 4 N, R 67 W;

thence south along the north-south center line to the W 1/4 corner of the NW 1/4 SE 1/4 of said Section 6;

thence east to the E 1/4 corner of the NW 1/4 SW 1/4 of Section 5, T 4 N, R 67 W;

thence north to the N 1/4 corner of the NW 1/4 of said Section 5;

thence west along the section and township line to the S 1/4 corner of the SW 1/4 of Section 32, T 5 N, R 67 W;

thence north to the center of the SW 1/4 of said Section 32;

thence east to the E 1/4 corner of the SE 1/4 of said Section 32;

thence north along the section line to its intersection with the center line of the natural channel of the Big Thompson River, the point of beginning.

Area 10

Beginning at the W 1/4 corner of Section 11, T 3 N, R 69 W, 6th P.M.;

thence east along the east-west center line to the center of said Section 11;

thence south along the north-south center line to the E 1/4 corner of the SE 1/4 SW 1/4 of said Section 11;

thence west to the center of the SE 1/4 SW 1/4 of said Section 11;

thence south to the S 1/4 corner of the SE 1/4 SW 1/4 of said Section 11;

thence west along the section line to the S 1/4 corner of the SW 1/4 of said Section 11;

thence south to the E 1/4 corner of the SW 1/4 SW 1/4 of Section 14, T 3 N, R 69 W;

thence east to the E 1/4 corner of the SE 1/4 SW 1/4 of said Section 14;

thence south along the north-south center lines to the E 1/4 corner of the NW 1/4 of Section 23, T 3 N, R 69 W;

thence east to the N 1/4 corner of the SW 1/4 NE 1/4 of said Section 23;

thence south to the center of the SW 1/4 SE 1/4 of said Section 23;

thence west to the W 1/4 corner of the SW 1/4 SE 1/4 of said Section 23;

thence south along the north-south center lines to the S 1/4 corner of Section 26, T 3 N, R 69 W;

thence west along the section line to its intersection with the east right-of-way of the C & S Railroad, said intersection being near the SW corner of said Section 26;

thence north along said right-of-way to its intersection with the north section line of said Section 26, such intersection being common to a point on the city boundary of the City of Longmont;

thence in a general westerly direction along said city boundary to its intersection with the west section line of Section 27, T 3 N, R 69 W;

thence north along the section line to the SE corner of Section 21, T 3 N, R 69 W;

thence west along the section line to the S 1/4 corner of said Section 21;

thence north along the north-south center line to the center of said Section 21;

thence east along the east-west center line to the W 1/4 corner of Section 22, T 3 N, R 69 W;

thence north along the section line to the W 1/4 corner of the SW 1/4 NW 1/4 of said Section 22;

thence east to the center of the SE 1/4 NW 1/4 of said Section 22;

thence south to the S 1/4 corner of SE 1/4 NW 1/4 of said Section 22;

thence east along the east-west center line to the S 1/4 corner of the NE 1/4 of said Section 22;



Area 10 - Cont'd

thence north to the center of the NE 1/4 of said Section 22;

thence west to the N 1/4 corner of the SW 1/4 NE 1/4 of said Section 22;

thence north to the S 1/4 corner of the NW 1/4 NE 1/4 of Section 15,  
T 3 N, R 69 W;

thence east to the center of the NE 1/4 of said Section 15;

thence north to the center of the SE 1/4 of Section 10, T 3 N, R 69 W;

thence east to the E 1/4 corner of the SE 1/4 of said Section 10;

thence north on the section line to the W 1/4 corner of Section 11,  
T 3 N, R 69 W, the point of beginning.

Area 11

Beginning at the SW corner of Section 30, T 3 N, R 71 W, 6th P.M.;

thence east along the section lines to the SW corner of Section 28, T 3 N, R 71 W;

thence north along the section line to the W 1/4 corner of said Section 28;

thence east along the east-west center lines to the N 1/4 corner of the SW 1/4 of Section 29, T 3 N, R 70 W;

thence south along the east line of the W 1/2 W 1/2 of said Section 29 and Section 32 to the intersection of said east line with the center line of State Highway No. 7;

thence in a general southwesterly direction along the center line of State Highway No. 7 to the intersection of said center line with the west section line of Section 7, T 2 N, R 70 W;

thence north along the section line to the W 1/4 corner of said Section 7;

thence west along the east-west center line to the W 1/4 corner of Section 11, T 2 N, R 71 W;

thence south along the section lines to the W 1/4 corner of Section 23, T 2 N, R 71 W;

thence east to the center of said Section 23;

thence south to the E 1/4 corner of the NW 1/4 of Section 26, T 2 N, R 71 W;

thence east to the center of the NW 1/4 of Section 25, T 2 N, R 71 W;

thence south to the center of the SW 1/4 of said Section 25;

thence east to the E 1/4 corner of the SW 1/4 of Section 29, T 2 N, R 70 W;

thence south to the E 1/4 corner of the NW 1/4 of Section 32, T 2 N, R 70 W;

thence east to the center of the NE 1/4 of Section 33, T 2 N, R 70 W;

thence south to the S 1/4 corner of the SE 1/4 of Section 33;

thence east along the section lines to the SE corner of Section 34, T 2 N, R 70 W;

thence north along the section line to the E 1/4 corner of said Section 34;

thence east along the east-west center line to the S 1/4 corner of the SE 1/4 NE 1/4 of Section 35, T 2 N, R 70 W;

thence north along the west line of the E 1/2 E 1/2 E 1/2 of said Section 35 to the intersection with the center line of Dodd Reservoir;

thence in a northeasterly direction along the center line of Dodd Reservoir to the intersection of said center line with the north line of the S 1/2 S 1/2 S 1/2 of Section 25, T 2 N, R 70 W;

thence east to the center of the SE 1/4 SW 1/4 of said Section 25;

thence north to the N 1/4 corner of the NE 1/4 SW 1/4 of said Section 25;

thence east to the S 1/4 corner of the NE 1/4 of said Section 25;

Area 11 - Cont'd

thence north to the center of the NE 1/4 of said Section 25;

thence east to the E 1/4 corner of the NE 1/4 of said Section 25;

thence north to the E 1/4 corner of the NE 1/4 NE 1/4 of said Section 25;

thence east to the center of the NW 1/4 NW 1/4 of Section 30, T 2 N, R 69 W;

thence north to the N 1/4 corner of the SW 1/4 SW 1/4 of Section 19, T 2 N, R 69 W;

thence east to the center of the SW 1/4 of said Section 19;

thence north to the E 1/4 corner of the SW 1/4 NW 1/4 of said Section 19;

thence east to the center of the SE 1/4 NW 1/4 of said Section 19;

thence north to the N 1/4 corner of the NE 1/4 NW 1/4 of said Section 19;

thence west to the N 1/4 corner of the NW 1/4 of said Section 19;

thence north to the N 1/4 corner of the NW 1/4 of Section 18, T 2 N, R 69 W;

thence east along the section line to its intersection with the center line of County Road No. 25, said intersection being near the S 1/4 corner of the SW 1/4 of Section 8, T 2 N, R 69 W;

thence north along the center line of said County Road No. 25 to its intersection with a line parallel to and 1,000 feet south of the east-west center line of said Section 8;

thence east along said parallel line to the intersection with the city boundary of the City of Longmont;

thence in a counter clockwise direction along said city boundary to its intersection with a line parallel to and 1,640 feet south of the north section line of Section 10, T 2 N, R 69 W;

thence east along said parallel line to its intersection with a line parallel to and 1,000 feet west of the east section line of said Section 10;

thence north along said last-described parallel line to its intersection with the north section line of said Section 10;

thence east along section lines 2,780 feet;

thence south along a line parallel to the east section line of said Section 10, a distance of 1,300 feet;

thence east along a line parallel to the south section line of Section 11, T 2 N, R 69 W, to the intersection with a line parallel to and 500 feet east of the west section line of Section 12, T 2 N, R 69 W;

thence north along said last-described parallel line to the intersection with the city boundary of the City of Longmont;

thence in a general northerly direction along said city boundary to its intersection with the south line of the N 1/2 N 1/2 of Section 35, T 3 N, R 69 W, said intersection being near the W 1/4 corner of the NE 1/4 of said Section 35;

thence east along the south line of the N 1/2 N 1/2 of said Section 35 to the center of the NE 1/4 of Section 36, T 3 N, R 69 W;

Area 11 - Cont'd

thence north to the W 1/4 corner of the NE 1/4 NE 1/4 of Section 25,  
T 3 N, R 69 W;

thence east to the E 1/4 corner of the NE 1/4 NE 1/4 of said Section 25;

thence south along the section line to the W 1/4 corner of Section 30,  
T 3 N, R 68 W;

thence east along the east-west center line of said Section 30 to its  
intersection with the center line of a drainage ditch, such center line  
being the common property line of property owned by Ben F. and Edna Nesser  
and that property owned by Roger V. and Gwendolyn Reischick, such property  
ownership as recorded in the real estate records of Weld County as of  
January 25, 1968;

thence in a general southeasterly direction along the center line of said  
drainage ditch to a point of intersection with the natural shoreline of  
Calkins Lake (Union Reservoir), said point being located near the center  
of the SW 1/4 of Section 30, T 3 N, R 68 W;

thence in a general southerly direction along the natural shoreline of  
said lake to its intersection with the north-south center line of Section  
31, T 3 N, R 68 W, or of any necessary extension thereof into Section 6,  
T 2 N, R 68 W;

thence south along the north-south center lines to the W 1/4 corner of  
the NE 1/4 of Section 18, T 2 N, R 68 W;

thence east to the center of the NE 1/4 of said Section 18;

thence south to the N 1/4 corner of the NE 1/4 of Section 30, T 2 N,  
R 68 W;

thence west along the section line to the N 1/4 corner of the NW 1/4 of  
said Section 30;

thence south to the S 1/4 corner of the SW 1/4 of said Section 30;

thence west along section lines to the NW corner of Section 35, T 2 N, R 69 W;

thence south along the section lines to the E 1/4 corner of the NE 1/4 of  
Section 3, T 1 N, R 69 W;

thence west to the W 1/4 corner of the NW 1/4 of said Section 3;

thence south along the section line to the W 1/4 corner of said  
Section 3;

thence west along the east-west center lines to the center of Section 5,  
T 1 N, R 69 W;

thence south along the north-south center lines to the center of Section 8,  
T 1 N, R 69 W;

thence east along the east-west center lines to the W 1/4 corner of  
Section 10, T 1 N, R 69 W;

thence south along the section line to the SW corner of said Section 10;

thence east along the section line to the SE corner of said Section 10;

thence north along the section line to the E 1/4 corner of said Section 10;

thence east along the east-west center lines to the E 1/4 corner of  
Section 12, T 1 N, R 69 W;

thence south along the section line to the NW corner of Section 18,  
T 1 N, R 68 W;

Area 11 - Cont'd

thence east along the section line to the NE corner of said Section 18;

thence south along the section line to the SE corner of said Section 18;

thence west along the section line to its intersection with the town boundary of the Town of Erie;

thence in a general southerly and westerly direction along said town boundary to its intersection with the south section line of Section 18, T 1 N, R 68 W;

thence west along the section line to the SW corner of said Section 18;

thence south along the section lines to the SE corner of Section 36, T 1 N, R 69 W;

thence west along the section lines to the SW corner of Section 31, T 1 N, R 71 W;

thence north to the SW corner of Section 30, T 3 N, R 71 W, the point of beginning;

Area 12

The area bounded by a line beginning at the S 1/4 corner of Section 36, T3S, R64W;

thence northerly along 1/2 section lines to the N 1/4 corner of Section 25, T3S, R64W;

thence westerly along the section lines to the NW corner of Section 27, T3S, R64W;

thence southerly along the section line to the SW corner of said Section 27;

thence westerly along section lines to the S 1/4 corner of Section 25, T3S, R65W;

thence northerly along 1/2 section lines to the E 1/4 corner SW 1/4 of said Section 25;

thence westerly in a straight line to the W 1/4 corner SW 1/4 of said Section 25;

thence northerly along section lines to the NW corner of said Section 25;

thence westerly along section lines to the SW corner of Section 23, T3S, R65W;

thence northerly along section lines to the SW corner of Section 11, T3S, R65W;

thence westerly along section lines to the SW corner of Section 9, T3S, R66W;

thence northerly along section lines to the NW corner of said Section 9;

thence westerly along section lines to a point 30 feet west of the NW corner of said Section 9;

thence northerly along a line parallel to and 30 feet west of the west section lines of Section 4, T3S, R66W, and Sections 33, 28 and 21, T2S, R66W to a point 1/4 mile south of the north line of Section 20, T2S, R66W;

thence northwesterly in a straight line to a point on a line 30 feet south of the north section line of, and 1/4 mile west of the east section line of said Section 20;

thence westerly along a line 30 feet south of and parallel to the north line of Sections 20 and 19, T2S, R66W, and Sections 24 and 23, T2S, R67W to the west line of said Section 23;

thence northerly along section lines to the NW corner of said Section 23;

thence westerly along section lines to the SW corner of Section 15, T2S, R67W;

thence northerly along the west section line of said Section 15 to its intersection with the east right-of-way line of U. S. Highway 85;

thence northeasterly along the said east right-of-way line of U. S. Highway 85 to its intersection with the E-W centerline of Section 2, T2S, R67W;

thence easterly along 1/2 section lines to the S 1/4 corner NW 1/4 of Section 1, T2S, R67W;

thence northerly along the N-S centerline of the NW 1/4 of said Section 1 and of the W 1/2 of Section 36, T1S, R67W to the N 1/4 corner NW 1/4 of said Section 36;

thence easterly along section lines to the S 1/4 corner SW 1/4 of Section 30, T1S, R66W;



Area 12 - Cont'd

thence northerly along the N-S centerline of the W 1/2 of Sections 30 and 19, T1S, R66W to the center SW 1/4 of said Section 19;

thence easterly along the E-W centerline of the S 1/2 of Sections 19 and 20, T1S, R66W to the center SE 1/4 of said Section 20;

thence northerly along the N-S centerline of the E 1/2 of Sections 20 and 17, T1S, R66W to the N 1/4 corner SE 1/4 of said Section 17;

thence easterly along 1/2 section lines to the N 1/4 corner SE 1/4 of Section 16, T1S, R66W;

thence northerly along the N-S centerline of the E 1/2 of Sections 16 and 9, T1S, R66W to the N 1/4 corner NE 1/4 of said Section 9;

thence westerly along section lines to the NW corner of said Section 9;

thence northerly along section lines to the NE corner of Section 5, T1S, R66W;

thence westerly along section lines to an intersection with the centerline of the natural channel of the South Platte River, said intersection being near the NE corner of Section 1, T1S, R67W;

thence in a generally southerly direction along the centerline of the natural channel of the South Platte River to a point where south section line of Section 8, T2S, R67W and the centerline of the natural channel of the South Platte River intersect;

thence westerly along section lines to the S 1/4 corner of Section 7, T2S, R67W;

thence northerly along 1/2 section lines to the center of Section 31, T1S, R67W;

thence easterly along 1/2 section lines to the center of Section 32, T1S, R67W;

thence northerly along 1/2 section lines to the N 1/4 corner of Section 20, T1S, R67W;

thence westerly along section lines to the S 1/4 corner SE 1/4 of Section 18, T1S, R67W;

thence northerly along the N-S center line of said SE 1/4 of said Section 18 to the center of the said SE 1/4;

thence westerly along the E-W centerline of the S 1/2 of said Section 18 and the E-W centerline of the S 1/2 of Sections 13, 14, 15 and 16, T1S, R68W to the E 1/4 corner SE 1/4 of Section 17, T1S, R68W;

thence northerly along section lines to the E 1/4 corner of said Section 17;

thence westerly along 1/2 section lines to the W 1/4 corner of said Section 17;

thence southerly along section lines to the E 1/4 corner SE 1/4 of Section 30, T1S, R68W;

thence westerly along the E-W centerline of the S 1/2 of said Section 30 to the W 1/4 corner SW 1/4 of said Section 30;

thence southerly along the section lines to the point where the City and County of Denver, Jefferson and Adams County lines intersect on the west section line of Section 18, T3S, R68W;



Area 12 - Cont'd

thence in a general easterly and southerly direction along the corporate boundary of the City and County of Denver to the point where the City and County of Denver, Arapahoe, and Adams County lines intersect at the SW corner of Section 34, T3S, R67W;

thence easterly along the Arapahoe-Adams County line to the point of beginning.

Area 13

The area bounded by a line beginning at the point where the Boulder, Jefferson, and Adams County lines intersect at the SE corner of Section 36, T1S, R69W;

thence northerly along the Boulder-Adams County line to the NE corner of Section 1, T1S, R69W;

thence westerly along the section lines to the SW corner of Section 31, T1N, R71W;

thence northerly along the section lines to the NE corner of Section 1, T2N, R72W;

thence westerly along the section lines to the NW corner of Section 6, T2N, R72W;

thence southerly along the section line to the SW corner of said Section 6;

thence westerly along section lines to the SW corner of Section 6, T2N, R73W;

thence southerly along section lines to the SW corner of Section 18, T2N, R73W;

thence westerly along the section lines to the intersection of the Grand-Boulder County line with the south section line of Section 13, T2N, R74W;

thence in a general southerly direction along the Grand-Boulder County line to a point where the Grand, Gilpin and Boulder County lines intersect on the Continental Divide in Section 28, T1S, R74W;

thence easterly along the Boulder-Gilpin County line to its intersection with the west line of Section 25, T1S, R73W;

thence northerly along section lines to the NW corner of said Section 25;

thence easterly along section lines to the NE corner of said Section 25;

thence northerly along section lines to the W 1/4 corner of Section 19, T1S, R72W;

thence easterly along 1/2 section lines to the E 1/4 corner of Section 23, T1S, R72W;

thence in a northeasterly direction in a straight line to the E 1/4 corner SE 1/4 of Section 18, T1S, R71W;

thence easterly in a straight line to the W 1/4 corner of the SW 1/4 of Section 16, T1S, R71W;

thence continuing easterly in a straight line to the center of the SE 1/4 of said Section 16;

thence northerly along the N-S centerline of the E 1/2 of said Section 16 to the north section line of said Section 16;

thence easterly along section lines to the NE corner of Section 15, T1S, R71W;

thence southerly along section lines to the SW corner of Section 23, T1S, R71W;

thence due south to a point on the Boulder-Jefferson County line;

thence easterly along said Boulder-Jefferson County line to the point of beginning.

AREA 14

The area bounded by a line beginning at a point where the Clear Creek, Gilpin and Jefferson County lines intersect, said point being located on the N-S centerline of Section 36, T3S, R72W;

thence northwesterly along Clear Creek-Gilpin County line to the intersection with the south line of Section 36, T2S, R74W;

thence easterly along the section lines to the NE corner of Section 3, T3S, R73W;

thence southerly along the section line to the E 1/4 corner SE 1/4 of said Section 3;

thence easterly to the E 1/4 corner SE 1/4 of Section 1, T3S, R73W;

thence northerly to the E 1/4 corner of said Section 1;

thence easterly to the E 1/4 corner of Section 5, T3S, R72W;

thence southerly to the E 1/4 corner of Section 8, T3S, R72W;

thence southeasterly in a straight line to the intersection of the Gilpin-Jefferson County line and a straight line from the E 1/4 corner of Section 8, T3S, R72W to the E 1/4 corner of Section 25, T3S, R72W;

thence southerly along the Gilpin-Jefferson County line to the point of beginning.

Area 15

The area bounded by a line beginning at the S 1/4 corner SE 1/4 of Section 32, T1N, R66W;

thence northerly along the N-S centerline of the E 1/2 of Sections 32 and 29, T1N, R66W to the center NE 1/4 of said Section 29;

thence easterly in a straight line to the E 1/4 corner NE 1/4 of said Section 29;

thence northerly along section lines to the W 1/4 corner of Section 9, T1N, R66W;

thence easterly along 1/2 section lines to the E 1/4 corner of Section 10, T1N, R66W;

thence southerly along section lines to the SE corner of said Section 10;

thence easterly along section lines to the N 1/4 corner NW 1/4 of Section 18, T1N, R65W;

thence southerly in a straight line to the S 1/4 corner NW 1/4 of said Section 18;

thence easterly along 1/2 section lines to the E 1/4 corner of said Section 18;

thence southerly along section lines to the SE corner of said Section 18;

thence easterly along section lines to the S 1/4 corner of Section 17, T1N, R65W;

thence northerly along 1/2 section lines to the N 1/4 corner of said Section 17;

thence easterly along section lines to the NE corner of said Section 17;

thence northerly along section lines to the W 1/4 corner of Section 9, T1N, R65W;

thence easterly along 1/2 section lines to the S 1/4 corner NW 1/4 of said Section 9;

thence northerly in a straight line to the center NW 1/4 of said Section 9;

thence easterly along the E-W centerline of the N 1/2 of Sections 9 and 10, T1N, R65W to the E 1/4 corner NW 1/4 of said Section 10, and the Town of Hudson corporate boundary;

thence southerly along said corporate boundary and continuing along the N-S 1/2 section line of Sections 10, 15 and 22, T1N, R65W to the center of said Section 22;

thence easterly along 1/2 section lines to the N 1/4 corner SW 1/4 of Section 23, T1N, R65W;

thence southerly along the N-S centerline of the W 1/2 of Sections 23 and 26, T1N, R65W to the center SW 1/4 of said Section 26;

thence easterly along the E-W centerline of the S 1/2 of Sections 26 and 25, T1N, R65W and of Section 30, T1N, R64W to the center SE 1/4 of said Section 30;

thence northerly in a straight line to the center NE 1/4 of said Section 30;

thence easterly in a straight line to the E 1/4 corner NE 1/4 of said Section 30;

Area 15 - Cont'd

thence northerly along section lines to the W 1/4 corner of Section 20, T1N, R64W;

thence easterly along 1/2 section lines to the center of Section 23, T1N, R64W;

thence northerly along the 1/2 section lines to the W 1/4 corner SE 1/4 of Section 14, T1N, R64W;

thence easterly along the E-W centerline of the S 1/2 of Sections 14 and 13, T1N, R64W to the W 1/4 corner of SE 1/4 of said Section 13;

thence northerly along the N-S centerline to the W 1/4 corner of the NE 1/4 of said Section 13;

thence easterly to the center of the NE 1/4 of said Section 13;

thence northerly along the N-S centerline of the E 1/2 of Section 13 and 12, T1N, R64W, to the center of the SE 1/4 of said Section 12;

thence easterly along the E-W centerline of the S 1/2 of said Sections 12 and 7, T1N, R63W, to the W 1/4 corner of the SE 1/4 of said Section 7;

thence northerly along N-S centerlines to the N 1/4 corner of Section 30, T2N, R63W;

thence easterly along section lines to the S 1/4 corner of Section 21, T2N, R63W;

thence northerly along N-S centerlines to the N 1/4 corner of Section 4, T2N, R63W;

thence westerly along section lines to the SE corner of Section 31, T3N, R64W;

thence northerly along section lines to the E 1/4 corner of Section 30, T3N, R64W;

thence westerly along the E-W centerline to the S 1/4 corner of the NE 1/4 of said Section 30;

thence northerly to the center of the NE 1/4 of said Section 30;

thence westerly to the center of the NW 1/4 of said Section 30;

thence northerly along the N-S centerline of the W 1/2 of Section 30 and 19, T3N, R64W, to the center of SW 1/4 of said Section 19;

thence easterly to the center of the SE 1/4 of said Section 19;

thence northerly along the N-S centerline of the E 1/2 of Sections 19 and 18, T3N, R64W, to the center of the NE 1/4 of said Section 18;

thence westerly to the S 1/4 corner of the NW 1/4 NE 1/4 of said Section 18;

thence northerly along the N-S centerline of the W 1/2 E 1/2 of Sections 18 and 7, T3N, R64W, to the W 1/4 corner of the SW 1/4 SE 1/4 of said Section 7;

thence easterly to the center of the SE 1/4 of said Section 7;

thence northerly along the N-S centerline of the E 1/2 of Sections 7 and 6, T3N, R64W, to the N 1/4 corner of the NE 1/4 of said Section 6;

thence westerly along section lines to the NW corner of Section 2, T3N, R65W;

Area 15 - Cont'd

thence southerly along the section line to the W 1/4 corner of said Section 2;  
thence westerly along the E-W centerline to the center of Section 3, T3N, R65W;  
thence southerly along 1/2 section lines to the center of Section 22, T3N, R65W;  
thence westerly along 1/2 section lines to the center of Section 20, T3N, R65W;  
thence southerly along 1/2 section lines to the E 1/4 corner NW 1/4 of Section 29, T3N, R65W;

thence westerly on the E-W centerline of the N 1/2 of Sections 29 and 30, T3N, R65W and of Sections 25, 26, 27 and 28, T3N, R66W to the center NE 1/4 of said Section 28;

thence southerly along the N-S centerline of the E 1/2 of Sections 28 and 33, T3N, R66W and of Section 4, T2N, R66W to the S 1/4 corner NE 1/4 of said Section 4;

thence easterly along 1/2 section lines to the S 1/4 corner NE 1/4 of Section 3, T2N, R66W;

thence southerly along the N-S centerline of the E 1/2 of Sections 3, 10 and 15, T2N, R66W to the S 1/4 corner SE 1/4 of said Section 15;

thence westerly along section lines to the N 1/4 corner NE 1/4 of Section 21, T2N, R66W;

thence southerly along the N-S centerline of the E 1/2 of said Section 21 to the center SE 1/4 of said Section 21;

thence westerly along the E-W centerline of the S 1/2 of Sections 21 and 20, T2N, R66W to the W 1/4 corner SE 1/4 of said Section 20;

thence northerly along 1/2 section lines to the N 1/4 corner of said Section 20;

thence westerly along section lines to an intersection with the centerline of the natural channel of the South Platte River on the north section line of Section 19, T2N, R66W;

thence in a generally southerly direction along the centerline of the natural channel of the South Platte River to a point of intersection of said natural channel with the Weld-Adams County line, said intersection being near the NE corner of Section 1, T1S, R67W;

thence easterly along said Weld-Adams County line to the point of beginning.

Area 16

The area bounded by a line beginning at the E 1/4 corner of Section 1, T3N, R 66 W;

thence westerly along 1/2 section lines to the center of Section 2, T3N, R66W;

thence northerly along 1/2 section lines to the center of Section 35, T4N, R66W;

thence westerly along 1/2 section lines to the N 1/4 corner of SE 1/4 of Section 34, T4N, R66W;

thence southerly to the center of the SE 1/4 of said Section 34;

thence westerly to the W 1/4 corner of the SE 1/4 of said Section 34;

thence southerly along the 1/2 section line to the W 1/4 corner of the SE 1/4 SE 1/4 of said Section 34;

thence westerly along the north line of the S 1/2 S 1/2 S 1/2 of Sections 34, 33 and 32, T4N, R66W, to the intersection with the centerline of U. S. Highway 85 in said Section 32;

thence in a general southwesterly direction along said centerline to the intersection with the south section line of said Section 32;

thence westerly along the section lines to the SE corner of Section 36, T4N, R67W;

thence northerly along the section lines to the E 1/4 corner of the NE 1/4 of Section 25, T4N, R67W;

thence westerly to the center of the NE 1/4 of said Section 25;

thence northerly to the center of the SE 1/4 of Section 24, T4N, R67W;

thence easterly to the E 1/4 corner of the SE 1/4 of said Section 24;

thence northerly along the section lines to the E 1/4 corner of the NE 1/4 of Section 13, T4N, R67W;

thence westerly to the S 1/4 corner of the NW 1/4 NE 1/4 of said Section 13;

thence northerly to the N 1/4 corner of the NW 1/4 NE 1/4 of said Section 13;

thence easterly along the section line to the S 1/4 corner of the SE 1/4 of Section 12, T4N, R67W;

thence northerly to the N 1/4 corner of the SE 1/4 of said section 12;

thence easterly along the 1/2 section lines to the E 1/4 corner of said Section 12;

thence northerly to the NE corner of said Section 12;

thence westerly along the section lines to the NW corner of Section 9, T4N, R67W;

thence southerly along the section lines to the E 1/4 corner of the NE 1/4 of Section 20, T4N, R67W;

thence easterly along the E-W centerline of the N 1/2 of Sections 20 and 21, T4N, R67W to the E 1/4 corner NW 1/4 of said Section 21;



Area 16 - Cont'd

thence southerly along 1/2 section lines to the center of Section 33, T4N, R67W;

thence easterly along 1/2 section lines to an intersection with the center of the natural channel of the South Platte River and the E-W centerline of Section 34, T4N, R67W;

thence in a general southerly direction along the centerline of the natural channel of the South Platte River to its intersection with the south section line of Section 25, T3N, R67W;

thence easterly along section lines to the intersection with the centerline of the Union Pacific Railroad on the south section line of Section 30, T3N, R66W;

thence northerly along the centerline of said railroad to its intersection with the corporate boundary of the Town of Platteville;

thence easterly and northerly along said corporate boundaries to the intersection with the north line of the S 1/2 S 1/2 of Section 19, T3N, R66W;

thence easterly along the E-W centerline of the S 1/2 of Sections 19 and 20, T3N, R66W to the E 1/4 corner SW 1/4 of said Section 20;

thence northerly along 1/2 section lines to the E 1/4 corner SW 1/4 of Section 17, T3N, R66W;

thence easterly along the E-W centerline of the S 1/2 of Sections 17, 16 and 15, T3N, R66W to the center SE 1/4 of said Section 15;

thence northerly along the N-S centerline of the E 1/2 of Section 15 to the center NE 1/4 of said Section 15;

thence easterly along the E-W centerline of the N 1/2 of Sections 15 and 14, T3N, R66W to the center NW 1/4 of said Section 14;

thence northerly along the N-S centerline of the W 1/2 of Section 14 to the N 1/4 corner NW 1/4 of said Section 14;

thence easterly along section lines to the SW corner of Section 7, T3N, R65W;

thence northerly along the section lines to the point of beginning.

Area 17

The area bounded by a line beginning at the N 1/4 corner of Section 22, T4N, R67W;

thence westerly along the section lines to the N 1/4 corner of Section 36, T4N, R68W;

thence southerly along 1/2 section lines to the S 1/4 corner of said Section 36;

thence easterly along section lines to the S 1/4 corner of Section 32, T4N, R67W;

thence northerly along 1/2 section lines to the point of beginning.

(Decision No. 80430)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: INCREASED PASSENGER FARES  
(TAXI) VIA SKI COUNTRY STAGES,  
INC.  
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)  
)  
)  
)  
Investigation and Suspension  
Docket No. 725

-----  
June 8, 1972  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 24, 1972, Ski Country Stages, Inc., operating under Certificate of Public Convenience and Necessity No. 1290, by R. G. Hodges, filed its increased schedule designated Colorado PUC No. 3, and published to become effective March 24, 1972, cancelling Colorado PUC No. 2.

On March 23, 1972, by Decision No. 79845, the Commission suspended said schedule to permit time to implement the necessary procedures to be in compliance with the new and amended regulations of the Price Commission on March 17, 1972, as published in Part 300 of Title 6 of the Code of Federal Regulations. The suspension extended 120 days or to July 22, 1972.

On May 5, 1972, by Decision No. 80200, the Colorado Train Lease, Inc., doing business as "Steamboat Stage Company" filed a petition to intervene and motion for hearing in the above-entitled matter. The said petition was denied.

The Commission now finds that:

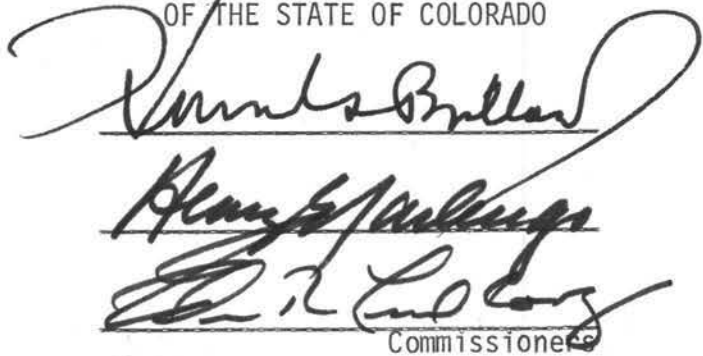
1. The suspension period should be extended for an additional 90 days, to and including October 20, 1972.
2. Said matter should be set for hearing.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings be, and the same are hereby, made a part hereof.
  2. That Investigation and Suspension Docket No. 725 be, and the same is hereby, set for hearing on the 7th day of September, 1972, at 10 a.m., in the Hearing Room of the Commission, 1845 Sherman Street, Denver, Colorado 80203.
  3. That Respondent shall publish and file the necessary supplement to its Colorado PUC No. 3\* extending the suspension period to and including October 20, 1972.
- \*(The Colorado PUC Number (Tariff) was ordered to be corrected to Colorado PUC No. 4 per Decision No. 79845.)
4. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado, this  
8th day of June, 1972. av

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: AN "EXCEPTION" ADDED AND  
PERTAINING TO SUNDAY OPERATIONS  
UNDER SECTION 4 - YEARLY PLAN  
VOLUME INCENTIVE RATES ON  
PETROLEUM PRODUCTS

CASE NO. 1585

June 8, 1972

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 10, 1972, J. R. Smith, Chief of Tariff Bureau, filed 3rd Revised Page No. 21 to Colorado Motor Carriers' Association, Agent, Tariff No. 22, Colorado PUC No. 21, naming Incentive or Volume Tender Rates and Charges for the transportation of Petroleum Products in Bulk in tank vehicles, between points within the State of Colorado, scheduled to become effective June 10, 1972.

The rates and charges per vehicle unit published on 3rd Revised Page 21 under Section 4 - yearly plan - provide an "Exception" to the current provisions as set forth in Appendix "A" attached hereto.

Loren G. Markley, Petco Inc. of Colorado, supports this addition with a letter dated April 20, 1972, forwarded to the Commission by J. R. Smith, Chief of the Tariff Bureau. It is stated therein that:

We, as a Company, have been asked for some relief in our incentive annual plan to compensate in some degree for the peaks and valleys of our type of business. In our studies on the problem we felt that the annual plan was not complete. To have a more complete plan, we should have a method where a shipper could have a free day during these low volume periods. As these days are not like vacations which are established years in advance, we will have some labor management expenses. So, we don't feel the shipper should be allowed the same rebate as allowed on vacation. Also, the most likely day to have off would be Sunday."

THE COMMISSION FINDS THAT:

1. Pursuant to Rule 19-B, Rules of Practice and Procedure, after investigation, Order is required to be entered in Case 1585, amending said

rates, rules and regulations as set forth in Appendix "A" attached hereto.

2. It will be in the public interest.

3. No protests to this "Exception" have been filed with the Commission.

#### O R D E R

##### THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact and Appendix "A" attached hereto, be, and the same are hereby, made a part hereof.

2. That the rates, rules and provisions as amended and set forth in the Statement of this Order, shall be the prescribed rates, rules and regulations 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 herein.

4. That all contract 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 June 10, 1972, except as otherwise provided, 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.

6. That on and after June 10, 1972, except as otherwise provided, all contract carriers by motor vehicle operating in competition with any motor vehicle common carriers affected by this Order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. That this order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such contract carrier by motor vehicle

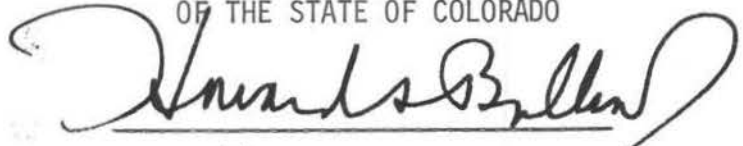
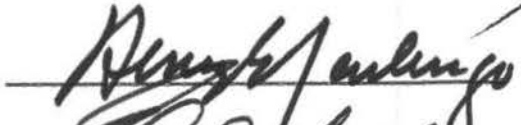

to the laws and liabilities applicable to a motor vehicle common carrier.

8. That 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. 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

  
  
  
Commissioners

Dated at Denver, Colorado, this  
8th day of June, 1972. av



# APPENDIX "A"

Colo. PUC 21

Tariff 22

3rd Revised Page 21

Colorado Motor Carriers' Association, Agent

## SECTION 4 - YEARLY PLAN

### RATES AND CHARGES PER VEHICLE UNIT

The freight charge per vehicle unit per calendar month for vehicle units performing transportation service pursuant to this section shall be based upon the sum of the three individual rate factors set forth below:

(1) Except as otherwise specifically provided, a basic charge per vehicle unit per calendar month of \$1,133.00, plus additional charges for recording meter and/or pumping equipment, as set forth below:

Recording meter . . . . .	\$51.50 per meter
Pumping Equipment . . . . .	51.50

(2) Plus a charge of fifteen cents (15¢) per running mile or fraction thereof traversed in Plains Territory as defined in Item 5 of Section 1, except within Denver Metropolitan area where a charge of 29¢ per running mile will be added, and a charge of seventeen cents (17¢) per running mile or fraction thereof traversed in Mountain Territory as defined in Item 5 of Section 1.

(3) Plus either a charge of four dollars and eighty cents (\$4.80) per hour or fraction thereof, or a charge of eighteen cents (18¢) per running mile or fraction thereof traversed, whichever is greater.

When, at the request of a shipper, a driver is called to work and, through no fault of the carrier's personnel or equipment, works less than eight hours, a minimum charge of thirty-eight dollars and forty-six cents (\$38.46) will apply to this rate factor.

(4) The minimum freight charge per vehicle unit per calendar month shall be three thousand eight hundred sixty-two dollars and fifty cents (\$3,862.50) for each vehicle unit performing service pursuant to the terms and conditions of this section.

✱ EXCEPTION: Charge will be reduced by \$25.00 for each Sunday on which equipment is not used, PROVIDED carrier is notified not less than five days prior to any Sunday on which equipment will not be used.

Case No. 1585

Decision No. 80431

(Decision No. 80432)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
E. J. MARINELLI, DOING BUSINESS AS  
"MARINELLI TRUCKING CO.," 817 GAR-  
FIELD AVENUE, LOUISVILLE, COLORADO,  
FOR EMERGENCY TEMPORARY AUTHORITY  
TO OPERATE AS A CLASS "B" CONTRACT  
CARRIER BY MOTOR VEHICLE.

} APPLICATION NO. 25809-PP-ETA  
}  
} ORDER GRANTING  
}  
} EMERGENCY TEMPORARY AUTHORITY  
}

- - - - -  
June 8, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent  
need for the transportation service herein sought.

It further appearing, That failure to immediately grant  
emergency temporary authority may result in undue delay in availability  
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute  
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That E. J. Marinelli, doing business as  
"Marinelli Trucking Co.," 817 Garfield Avenue, Louisville, Colorado, be,  
and is hereby, granted emergency temporary authority for a period of  
fifteen (15) days commencing June 8, 1972, as a class "B" contract  
carrier by motor vehicle, for the

"Transportation of

- (1) 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;

(2) 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;

(3) 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;

(4) 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;

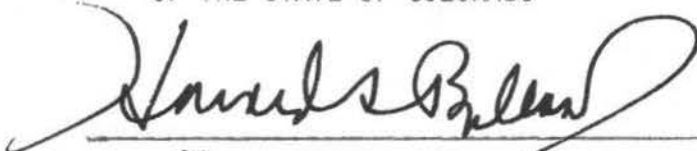
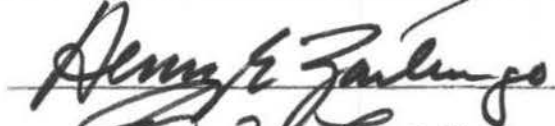
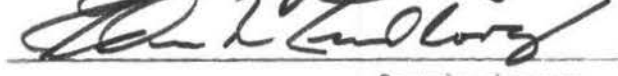
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,  
this 8th day of June, 1972.  
hbp

(Decision No. 80433)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25808-PP-ETA
PAUL J. GILBERT, DOING BUSINESS AS )	
"P.J.G.," 7271 E. EUCLID AVENUE, )	ORDER GRANTING
ENGLEWOOD, COLORADO, FOR EMERGENCY )	
TEMPORARY AUTHORITY TO OPERATE AS A )	EMERGENCY TEMPORARY AUTHORITY
CLASS "B" CONTRACT CARRIER BY MOTOR )	
VEHICLE. )	

- - - - -  
June 9, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent  
need for the transportation service herein sought.

It further appearing, That failure to immediately grant  
emergency temporary authority may result in undue delay in availability  
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute  
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Paul J. Gilbert, doing business as "P.J.G.",  
7271 E. Euclid Avenue, Englewood, Colorado, be, and is hereby, granted  
emergency temporary authority for a period of fifteen (15) days commen-  
cing June 9, 1972, as a class "B" contract carrier by motor vehicle, for  
the

"Transportation of

- (1) 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;

(2) 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;

(3) 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;

(4) 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;

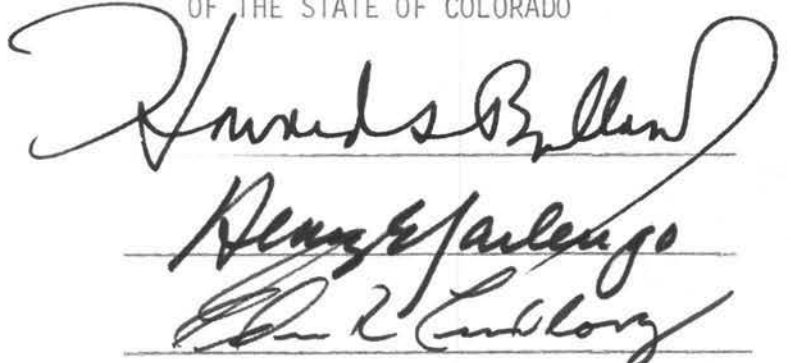
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 9th day of June, 1972.  
hbp

(Decision No. 80434)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BERT W. THOMAS, 9381 ELLEN COURT, )  
THORNTON, COLORADO, FOR EMERGENCY )  
TEMPORARY AUTHORITY TO OPERATE AS )  
A CLASS "B" CONTRACT CARRIER BY )  
MOTOR VEHICLE. )

APPLICATION NO. 25807-PP-ETA  
ORDER GRANTING  
EMERGENCY TEMPORARY AUTHORITY

-----  
June 9, 1972  
-----

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent  
need for the transportation service herein sought.

It further appearing, That failure to immediately grant  
emergency temporary authority may result in undue delay in availability  
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute  
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Bert W. Thomas, 9381 Ellen Court, Thornton,  
Colorado, be, and is hereby, granted emergency temporary authority for  
a period of fifteen (15) days commencing June 9, 1972, as a class "B"  
contract carrier by motor vehicle, for the

"Transportation of

- (1) 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;

(2) 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;

(3) 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;

(4) 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;

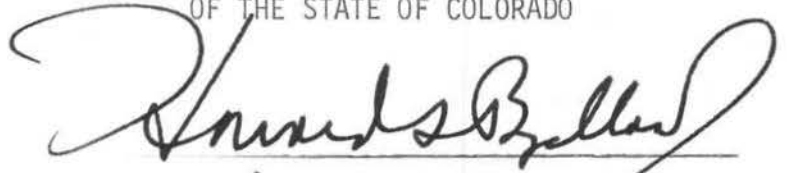
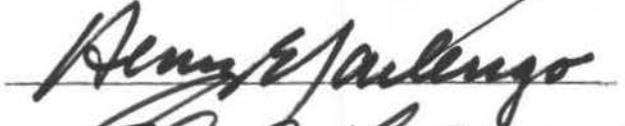
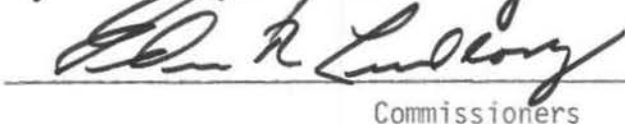
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of June, 1972.  
hbp



(Decision No. 80435)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25806-PP-ETA
G. A. PETERSON, 7790 W. 61ST AVENUE, )	
UNIT #1, ARVADA, COLORADO, FOR )	ORDER GRANTING
EMERGENCY TEMPORARY AUTHORITY TO )	
OPERATE AS A CLASS "B" CONTRACT )	EMERGENCY TEMPORARY AUTHORITY
CARRIER BY MOTOR VEHICLE. )	

- - - - -  
June 9, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent  
need for the transportation service herein sought.

It further appearing, That failure to immediately grant  
emergency temporary authority may result in undue delay in availability  
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute  
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That G. A. Peterson, 7790 W. 61st Avenue,  
Unit #1, Arvada, Colorado, be, and is hereby, granted emergency tempo-  
rary authority for a period of fifteen (15) days commencing June 9, 1972,  
as a class "B" contract carrier by motor vehicle, for the

"Transportation of

- (1) 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;

(2) 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;

(3) 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;

(4) 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;

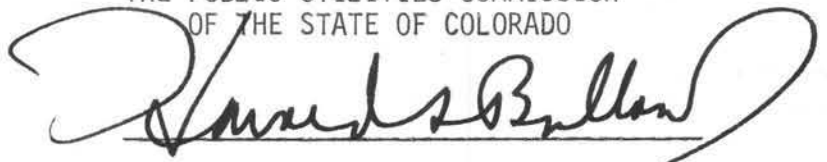
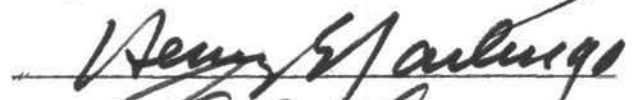
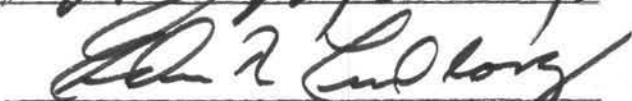
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of June, 1972.  
hbp

(Decision No. 80436 )

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 COMMERCIAL )  
CARRIERS BY MOTOR VEHICLE (NOT FOR HIRE) )  
OVER THE PUBLIC HIGHWAYS OF THE STATE OF )  
COLORADO. )

- - - - -  
June 8, 1972  
- - - - -

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 commercial carriers by motor vehicle (not for hire) over the public highways of the State of Colorado, but have either (1) failed to file an application or (2) have failed, after filing an application for such authority, to file either the required certificate of insurance or a designation of agent for service of notices, orders or process -- 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 commercial carriers by motor vehicle (not for hire) over the public highways of the State of Colorado, be, and the same hereby are, dismissed:

APPLICATIONS DISMISSED FOR FAILURE TO COMPLETE REQUIREMENTS WITH THE COMMISSION

<u>NAME</u>	<u>ADDRESS</u>	<u>REASON-FAILURE TO FILE</u>
Milton & Arlene Hayes dba A & M Auto Sales	5360 Morrison Road Denver, Colo. 80226	Certificate of Insurance
Airco Industrial Gases Div. Airco Inc.	2720 U.S. Highway 22 Union, New Jersey 07083	Certificate of Insurance
Donald Ray Anglin	Route 1, Box 7 Cedaredge, Colo. 81413	Certificate of Insurance
Aslett Construction Co.	Box 1298 Twin Falls, Idaho 83301	Certificate of Insurance & Designation of Agent
Ben Boehning	Box 82, Fowler, Colo.	Certificate of Insurance
D. E. Brindle	Box 544, Lyons, Colo. 80540	Certificate of Insurance
Broadmoor Hotel, Inc. dba The Broadmoor	Colorado Springs, Colorado 80540	Certificate of Insurance
Clifford C. Burhenn dba C and B Auto Parts Co.	Box 515 Castle Rock, Colo. 80104	Certificate of Insurance
C.C.T. Co. Inc.	P. O. Box 19087 Houston, Texas 77024	Certificate of Insurance
Eugene T. Busch dba Canon Cycle Shop	431 So. 9th Canon City, Colo. 81212	Certificate of Insurance
Claude Ray Carnal	722 So. Fifth St. Montrose, Colo. 81401	Certificate of Insurance
Cary's Boring & Cylinder Head Repairing Inc.	711 West 31st Ave. Denver, Colo. 80216	Certificate of Insurance
Albert Claunch dba Albert Claunch & Sons	La Jara, Colo. 81140	Certificate of Insurance
Conservation Chemical Co.	8900 Front Street Kansas City, Missouri 64126	Designation of Agent
Albert C. Conway	6541 East 77th Ave. Commerce City, Colo. 80022	Certificate of Insurance
Gerald L. Culverwell	Box 505, Craig, Colo. 81625	Certificate of Insurance
Virgil D. Alston dba Custom Wood Products	Route 1, Box 301-A Durango, Colo. 81301	Certificate of Insurance
DeRose Motor Sales Inc.	1010 Washington Blvd. Detroit, Michigan 48226	Certificate of Insurance & Designation of Agent
William D. Dismuke	Route 3, Box 489 Los Lunas, New Mexico 81031	Certificate of Insurance & Designation of Agent

NAME	ADDRESS	REASON-FAILURE TO FILE
Arthur Reed Dixon dba Art Dixon Builder	Route 1, Box 3-B Gunnison, Colo. 81230	Certificate of Insurance
Richard E. Edson	1611 - B Gothenburg, Nebraska 69138	Application, Certificate of Insurance & Designa- tion of Agent
Electrolex	8891 Washington Thornton, Colo. 80229	Application & Certifi- cate of Insurance
Leonard D. Ellard	Box 35 Brule, Nebraska 69127	Designation of Agent
Jerry L. Elliott	Route 1, Box 109A Dolores, Colo. 81323	Certificate of Insurance
Don Kloppenborg dba Emmet Hay Co.	Emmet, Nebraska 68734	Certificate of Insurance & Designation of Agent
Glen, Ronnie & Dennis Ertle dba Glen Ertle & Sons	Route 2 Sterling, Colo. 80751	Certificate of Insurance
Larry Ellis dba Executive Enterprises	P. O. Box 11582, Station E Albuquerque, New Mexico 87112	Designation of Agent
Delbert Coulson dba Explo- sive Engineering Co. of Grand Junction	P. O. Box 239 Grand Junction, Colo. 81501	Certificate of Insurance
Flex-N-Gate Sales Co. Inc.	Box C, Urbana, Illinois 61801	Designation of Agent
Foremost Foods Co., Div. of Foremost-Mckesson, Inc.	935 East John St. Appleton, Wisconsin 54911	Certificate of Insurance
Form - Eze Systems Inc.	4800 Pan American Highway Albuquerque, New Mexico 87102	Certificate of Insurance
James R. Roster dba Foster Construction	Route 3, Box 105 Montrose, Colo. 81401	Certificate of Insurance
Four Seasons Texaco Inc.	P. O. Box 400 Estes Park, Colo. 80517	Requested Dismissal
Elwyn Fox	Box 328, Brighton, Colo. 80601	Certificate of Insurance
Lawrence K. Frakes	Route 1, Box 254 Fort Lupton, Colo. 80621	Certificate of Insurance
Omar E. Gleason	Route 1, Box 139 Olathe, Colo. 81425	Certificate of Insurance
Rafael M. Gonzalez	29 Circle Drive Fort Lupton, Colo. 80621	Certificate of Insurance
Ross Gosney & Don Lee Gosney dba Gosney Brothers	Bayfield, Colo. 81122	Certificate of Insurance
Charles D. Morrison dba Green Acres Horse Ranch	18238 - 196th St. Renton, Washington 98055	Certificate of Insurance & Designation of Agent
Thomas E. Griggs	319 Lake Ave. Pueblo, Colo. 81004	Certificate of Insurance

<u>NAME</u>	<u>ADDRESS</u>	<u>REASON-FAILURE TO FILE</u>
James M. Helton	South 817 Helena St. Spokane, Washington 99202	Certificate of Insurance & Designation of Agent
J. H. Lionelle & Lloyd Naccarato dba Hiway Auto Sales	P. O. Box 98 Salida, Colo. 81201	Certificate of Insurance
Henry Hoffman dba Hoffman Pipe and Steel	Highway 81 North Chickasha, Okla. 73018	Certificate of Insurance & Designation of Agent
Holmes Tire of Colo. Inc.	190 So. Main Longmont, Colo. 80501	Certificate of Insurance
Superior Products Company dba The House of Lisa Mornay & Sue Pree'	13525 Denton Drive Dallas, Texas 75235	Designation of Agent
Hudson Foods Incorporated	165 So. Rock Island Wichita, Kansas 67202	Certificate of Insurance & Designation of Agent
Jess Hunter Motor Company	11th & Santa Fe Pueblo, Colo. 81002	Certificate of Insurance
Kansas Food Products Inc.	P. O. Box 387 Hill City, Kansas 67642	Certificate of Insurance & Designation of Agent
Robert L. Kite dba Kite Implement	3345 East Hiway 50 Canon City, Colo. 81212	Certificate of Insurance
Mid America Housing, Inc. dba Le Velle Homes	Highway 116 East Levelland, Texas 79336	Certificate of Insurance & Designation of Agent
Howard Duane Lilly	508 Earle Lane Montrose, Colo. 81401	Certificate of Insurance
Liquid Carbonic Corp.	P. O. Box 1457 Dodge City, Kansas 67801	Certificate of Insurance
Percy J. Martinez	Route 1, Box 111 Olney Springs, Colo. 81062	Application & Certificate of Insurance
Otis C. Johnson dba McCook Feed and Supply	212 East "A" Street McCook, Nebraska 69001	Certificate of Insurance & Designation of Agent
Melvin Gregg dba Mills Hide and Metal	Box 215 Mills, Wyoming 82644	Designation of Agent
McBride Minter	125 Miriam St. Grand Junction, Colo. 81501	Certificate of Insurance
Richard Dean Lieber dba Mountain States Fertilizer	7498 Arapahoe Ave. Boulder, Colo. 80303	Certificate of Insurance
National Floor Products Co. Inc.	P. O. Box 354 Florence, Alabama 35630	Certificate of Insurance
Donald F. Mortensen dba Navajo Lamp Co.	305 So. 2nd St. Gallup, New Mexico 87301	Certificate of Insurance & Designation of Agent
Vincent Joseph Newman dba Newman Novelty	216 Cornell S. E. Albuquerque, New Mexico 87106	Certificate of Insurance & Designation of Agent



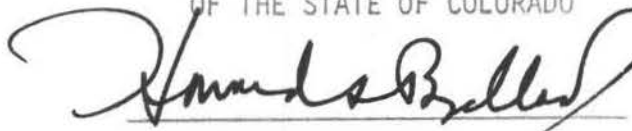


NAME	ADDRESS	REASON-FAILURE TO FILE
Palen Livestock Inc.	1100 Occidental Ave. Burley, Idaho 83318	Certificate of Insurance
Pfizer Inc.	East Highway 30 Sidney, Nebraska 69162	Certificate of Insurance & Designation of Agent
Don Pierce	Route 1, Box 27 Bayfield, Colo. 81122	Certificate of Insurance
Bob Riddle & Charles Clendenning Jr. dba R & R Wheel	15982 Commonwealth Pl. Westminster, Calif. 92683	Certificate of Insurance & Designation of Agent
Johnnie Rust & Meryl Warner dba R & W Contracting Co.	Liberal, Kansas 67901	Certificate of Insurance & Designation of Agent
William E. Ritter	Parmenter Park # 5 Lamar, Colo. 81052	Certificate of Insurance
C. E. Mills & Louis J. Tornatore dba Riverside Ready Mix	Pagosa Springs, Colo. 81147	Certificate of Insurance
Max Sandavol	Box 27, Thoreau, New Mexico 87323	Certificate of Insurance & Designation of Agent
Sandberg Furniture Manufacturing Company Inc.	5705 Alcoa Ave. Los Angeles, Calif. 90058	Certificate of Insurance
Shawnee Construction Inc.	6319 Kansas Ave. Kansas City, Kansas 66111	Certificate of Insurance
Henry Silva	1109 West 66th Gallup, New Mexico 87301	Certificate of Insurance & Designation of Agent
Bernard E. Smith dba Smitty's Body Shop	P. O. Box 235 Stratton, Colo. 80836	Certificate of Insurance
Robert L. Rodgers dba Snap On Tools Dealer	2002 Shere'll Ft. Collins, Colo. 80521	Certificate of Insurance
Howmet Corporation, Southern Extrusions Division	P. O. Box 40 Magnolia, Arkansas 71753	Designation of Agent
Robert E. Sprouse dba Sprouse's Signs	P. O. Box 364 Alamosa, Colo. 81101	Certificate of Insurance
Charles D. Sutherland Jr. dba Stein's Bldg. Center	6053 So. Seneca Wichita, Kansas 67217	Designation of Agent
Kenneth R. Stout	Route 5, Guthrie, Oklahoma 73044	Certificate of Insurance
Stromberg Equipment Co. Inc.	603 Urban Drive Hutchinson, Kansas 67501	Certificate of Insurance & Designation of Agent
W. C. Strong	Mitchell, Nebraska 69357	Application, Certificate of Insurance & Designation of Agent



<u>NAME</u>	<u>ADDRESS</u>	<u>REASON-FAILURE TO FILE</u>
Jesse D. & Violet J. Stump	Star Rt. 2, Box 119 Sedalia, Colo. 80135	Certificate of Insurance
Sure-Built, Inc.	P. O. Box 711 Walsenburg, Colo. 81089	Certificate of Insurance
Thompson & Swaim Plywood, Inc.	Box 2468 Tuscaloosa, Alabama 35401	Certificate of Insurance, Designation of Agent
Scott Torrance	9877 Morrison Road Lakewood, Colo. 80225	Certificate of Insurance
U. S. Pipe & Foundry Co. Inc.	1000 West 19th Street Chattanooga, Tenn. 37408	Certificate of Insurance, Designation of Agent
Willard Wells	409 Antelope Scott City, Kansas 67871	Designation of Agent
Wetmore, Inc.	208 So. Main Tonkawa, Oklahoma 74653	Designation of Agent
John F. Wheeler	1954 - K - Road Fruita, Colo. 81521	Certificate of Insurance
J. P. Wiederkehr	Box 524 Del Norte, Colo. 81132	Certificate of Insurance
Floyd E. Willden dba Willden Trucking	Route 2 Mancos, Colo. 81328	Certificate of Insurance
Bobby Wishon	P. O. Box 180 Syracuse, Kansas 67878	Designation of Agent

This Order shall become effective ten (10) days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 8th day of June, 1972.  
sp

(Decision No. 80437)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
POUDRE VALLEY RURAL ELECTRIC ASSOCIA- )  
TION, INC., FORT COLLINS, COLORADO, )  
FOR CLARIFICATION, EXTENSION, CONSOL- )  
IDATION, AND REISSUANCE OF ALL OF ITS )  
CERTIFICATES OF PUBLIC CONVENIENCE )  
AND NECESSITY EXCLUSIVELY TO SERVE )  
NORTHERN COLORADO TERRITORIES, AND )  
FOR THE CANCELLATION OF ANY CONFLICT- )  
ING CERTIFICATES OF PUBLIC CONVENIENCE )  
AND NECESSITY HELD BY OTHER UTILITIES. )

APPLICATION NO. 25599

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RECOMMENDED DECISION  
BY  
COMMISSIONER EDWIN R. LUNDBORG  
GRANTING APPLICATION

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- - - - -  
June 9, 1972  
- - - - -

Appearances: Warren H. Price, Esq., Loveland, Colorado,  
and  
John P. Thompson, Esq., Denver, Colorado,  
for Applicant;  
Donald D. Cawelti, Esq., Denver, Colorado,  
for Public Service Company of Colorado;  
Walter Hopp, Esq., Longmont, Colorado, for  
the City of Longmont;  
John H. Deines, Esq., Loveland, Colorado,  
for the City of Loveland;  
Robert L. Dekker, Esq., Estes Park, Colorado,  
for the Town of Estes Park;  
Mary H. Wells, Boulder, Colorado, pro se;  
Karen W. Zentgraf, Boulder, Colorado, pro se;  
Martha R. Weiser, Boulder, Colorado, pro se;  
Edward A. Kaufmann, Boulder, Colorado, pro se;  
Henry Betz, Berthoud, Colorado, pro se;  
John Todd, Boulder, Colorado, pro se;  
Robert C. Graves, Fort Collins, Colorado,  
pro se;  
J. M. McNulty, Denver, Colorado, of the Staff  
of the Commission.

S T A T E M E N T

Applicant Poudre Valley Rural Electric Association, Inc. (herein-  
after referred to as Applicant or Poudre Valley) on March 17, 1972 filed  
the instant application for the clarification, extension, consolidation

and reissuance of all of its Certificates of Public Convenience and Necessity, and for the cancellation of any conflicting Certificates of Public Convenience and Necessity held by other utilities so as to obtain a single Certificate of Public Convenience and Necessity in the territory which it would have the exclusive right to serve; i.e., the counties of Larimer, Weld, and Boulder, State of Colorado. The entire territory in which Poudre Valley seeks a certificate is set forth in the Appendix appended to this Recommended Decision.

The Commission assigned Docket No. 25599 to the instant application and accordingly gave due and proper notice to all public utilities and to all individual consumers who might be affected by the said application -- all being in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

Pursuant to law, the Commission assigned the instant application to Commissioner Edwin R. Lundborg, for the purpose of conducting a hearing on the application, and, after due and proper notice to all interested persons, firms, or corporations, set the matter for hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Tuesday, April 25, 1972. The hearing proceeded according to said notice and was concluded on April 25, 1972.

During the course of the hearing, Exhibits No. 1 through 7, inclusive, were admitted into evidence.

No public utility expressed any opposition to the objective of Poudre Valley to obtain a certificate in portions of their certificated territory and to have their existing certificates to the extent of that portion canceled.

Pursuant to the provisions of Section 115-6-9 (2), CRS 1963, as amended, I, Commissioner Edwin R. Lundborg, herewith transmit to the Commission the record and exhibits of the instant proceedings, together with my written recommended decision which contains my findings of fact and conclusions thereon, and my recommended order or requirement.

### FINDINGS OF FACT

The manager, the chief engineer, and a member of the Board of Directors of Poudre Valley appeared and testified in support of the application. These witnesses established the background and reasons for the filing of the instant application, the fitness of Applicant to perform the service, the effect upon consumers and neighboring utilities, and the basis and justification for the granting of the instant application. Also at the hearing, six present consumers of Poudre Valley established complete satisfaction with the service that they are presently receiving from Poudre Valley and their desire not to be transferred from the lines and facilities of Poudre Valley to those of Public Service Company of Colorado. Additionally, a seventh witness, presently served by Public Service Company of Colorado, established complete satisfaction with the service that she is presently receiving from Public Service Company of Colorado and the desire not to be transferred from the lines and facilities of Public Service Company of Colorado to those of Poudre Valley.

Poudre Valley is a cooperative Colorado corporation which renders electric service in portions of Larimer, Weld, and Boulder Counties, Colorado, and is subject to the jurisdiction, control and regulation of this Commission pursuant to Chapter 115, 1963 Colorado Revised Statutes, as amended. It presently holds a number of certificates of public convenience and necessity issued by this Commission authorizing it to exclusively render electric service in particularly described portions of the aforesaid counties. Its headquarters is located at Fort Collins, Colorado. It maintains adequate and suitable personnel to perform its public utility obligations and presently has over 9,400 services in place in those counties. It numbers among its consumers very large industrial complexes -- such as the Kodak plant -- and those requiring extremely high reliability of service -- such as the international time service of the National Bureau of Standards' radio station WWV. It is financially sound and is approximately two years in advance on its debt payments to the Rural Electrification

Administration. There is no dispute as to the quality of service that Poudre Valley performs; indeed, a number of its consumers who will be transferred to other public utilities' services, if this application is granted, established their desire to retain the service of Poudre Valley.

Electric service in the territory involved in this application has been considered by this Commission on a number of occasions since 1962. At least two decisions of this Commission affecting service in that territory have been appealed to the Supreme Court of the State of Colorado, and at least three other decisions are presently under review in the courts. There is no doubt that considerable duplication of facilities exists in the involved territory. This Commission has been attempting for a number of years to eliminate this wasteful duplication. Poudre Valley and others have spent many thousands of dollars in litigation concerning their service rights in this territory. Presently pending litigation involves not only substantial additional expenditures, but also (until the termination of that litigation) the inability of any public utility, including Poudre Valley, to properly plan its facilities and investments so as to render the most effective and efficient service at the lowest feasible cost to the public.

Poudre Valley has for a number of years been studying its territory seeking objectives or ways to achieve a more compact service territory in a manner consistent with both its legal rights and those of its neighboring public utilities. Such an objective, if obtained by Poudre Valley, would result (1) in a higher density of customers per mile of line in a more centralized distribution system (2) in the saving of many thousands of dollars in litigation costs (3) in its ability to devote the full time and energies of its employees to render better service to the public instead of having employee efforts divided between rendering service and preparing materials for litigation (4) would permit it to stabilize, strengthen, and improve its physical service facilities in the territories where uncertainty as to its legal right to serve still exists and (5) in its ability to plan for future investments so as to maximize efficiency and economy of service to

the public. All of these factors benefit the public -- in some cases immediately and directly -- and, in other instances, indirectly.

As a result of studies and discussions with its neighboring utilities over many years, Poudre Valley devised a territorial plan which it felt met all of the aforesaid objectives to the extent that the legal rights of the various public utilities in the territory would permit. These utilities can not, however, lawfully carry out the plan either unilaterally or by agreement. Instead, the plan must be established to this Commission's satisfaction that it will serve the public convenience and necessity before it can be authorized by this Commission and ultimately put into effect. Poudre Valley's present application is intended to accomplish that plan.

The end result of a grant of the present application in terms of consumers served would be that Poudre Valley would acquire approximately 550 new consumers and would surrender to a neighboring public utility (Public Service Company of Colorado) approximately 370 of its present consumers. In addition, there would also be an exchange of a small number of consumers between the Applicant and the City of Loveland.

The utilities serving the involved territory have arrived at an understanding concerning the purchase of existing physical facilities from each other at a fair and reasonable price; provided, however, that such facilities are useful in the continued service of the respective public utility which would, of course, materially reduce duplication of facilities. Arrangements have been made whereby the utilities will cooperate so as to keep to an absolute minimum any outage which may occur in the transfer of a consumer from the lines and facilities of one company to the lines and facilities of another. No extension or connection charge is to be made in connection with the transfer of any consumer's service. Poudre Valley consumers will remain entitled to receive patronage dividends for the entire period that they received service from Poudre Valley. Transferred consumers will be served under existing tariffs of the receiving utility. Depending upon their level of usage, consumers being transferred to Poudre Valley



facilities may have some increase or decrease in their existing rates, and those being transferred from Poudre Valley may have similar experience. Of the approximately 370 consumers being transferred from Poudre Valley, six appeared and testified at the hearing. These consumers appear to be the ones whose cost for electricity will increase the most -- i.e., several dollars per month. Though it would, of course, be desired that no increase to any consumer of any kind would result because of the transfer, a decision must nevertheless be rendered whether to approve the transaction for the greatest good of several hundred consumers of the public, or to deny the transaction for the mere benefit of a few half a dozen. In this connection, it will be noted that no consumer contends that the quality of its service will be affected in any way by the granting of the application. All things considered, the decision to be rendered must inure for the benefit of the overwhelming majority of the consumers of the public affected by the instant application. Indirectly, even the six consumers who appeared and testified will benefit from the economies that Public Service Company of Colorado will be able to achieve by the elimination of litigation and duplication of facilities, and -- in addition -- from the greater consumer density which will result.

No assignment of the territories sought by Poudre Valley in this proceeding is possible unless or until this Commission determines that such an assignment will best serve not the private interest of any party, but the public convenience and necessity. In the present instance, it is apparent that the assignment of territory as sought by Poudre Valley will result in a more effective, efficient, and economical service to the public; and that the public interest and the public convenience and necessity require that the assignment of territory as set forth in the Appendix appended to this Recommended Decision should be granted and approved.

#### C O N C L U S I O N S   O N   F I N D I N G S   O F   F A C T

Based upon the above findings of fact, I conclude:



1. That the assignment of the territory -- set forth in the Appendix appended to this Recommended Decision -- to Poudre Valley for the exclusive rendering of electric service is in the public interest.

2. That the public convenience and necessity requires and will require that Poudre Valley be authorized to render exclusive electric service in the territory described in the Appendix appended to this Recommended Decision; and that all Certificates of Public Convenience and Necessity held by other public utilities in any portion of that territory be canceled.

3. That the instant application should be granted and that a certificate of public convenience and necessity be issued to Poudre Valley -- all as set forth in the following Recommended Order.

#### R E C O M M E N D E D   O R D E R

1. That a certificate of public convenience and necessity be, and hereby is, granted to Poudre Valley Rural Electric Association, Inc., a Colorado corporation, to render exclusive electric service within the territory described in the Appendix appended to this Recommended Decision, which Appendix is by reference incorporated hereinto and made a part hereof, and this Order shall be deemed to be, and shall be, a Certificate of Public Convenience and Necessity therefor.

2. That Poudre Valley is ordered to proceed forthwith to accomplish the transfer of consumers to neighboring utilities in the territories it presently serves, which are not included in the territory set forth in the appendix appended to this Recommended Decision, and to accomplish the transfer to its own facilities of consumers which it is acquiring from other utilities. Poudre Valley is further ordered and directed to coordinate its activities with those of other utilities so as to keep to an absolute minimum any outage which may result during the process of such transfers. Poudre Valley is further ordered to take all necessary steps and make all necessary provisions as may be required to assure orderly transfer of physical facilities and consumers to and from neighboring utilities and to accomplish

such transfers in a manner totally consistent with the public safety.

3. That no consumer being transferred from or to the system of Poudre Valley shall be required to pay any extension charge or connection charge in connection with said transfer. Poudre Valley is ordered to refund or cause to be refunded to its consumers being transferred to other utilities all consumers' refundable deposits of every nature made by such consumers. All of such consumers shall remain entitled to receive patronage dividend distributions for the period they received service from Poudre Valley at the same times and on the same basis as other consumers served by Poudre Valley during that period.

4. That Poudre Valley is ordered to convey, transfer and assign to the public utility receiving lines or facilities from it, all easements, rights of way or other occupancy rights with respect to public or private lands on which its lines and facilities to be transferred are situated; provided that where a distribution circuit is attached to the poles carrying a transmission circuit, the easements, rights of way or other occupancy rights shall remain with the utility owning the transmission circuit. Each party shall separately convey, transfer or assign any instruments evidencing such easement or rights.

5. That nothing in this Recommended Decision shall be construed to prevent any public utility from building or maintaining transmission facilities and substations necessary for its overall system in the territory of any other public utility, but no electric power shall be distributed from such facilities by any public utility within territory certificated to another public utility.

6. That nothing in this Recommended Order shall be construed to grant a certificate of public convenience and necessity in any area within the existing corporate boundaries of any city or town operating a municipal system, nor to affect existing territory included in any municipal franchise right heretofore obtained by any public utility.

7. That Poudre Valley shall operate its electrical system in accordance with the orders of the Commission, except when prevented by an Act of God, the public enemy or extreme conditions.

8. That this Recommended Order is subject to compliance by Poudre Valley with all present and future laws, rules and regulations of the Commission referring to the rendering of public utility electric service.

9. That to the extent any territory which is assigned to Poudre Valley in the Appendix appended to this Recommended Decision is territory presently certificated to Public Service Company of Colorado, the Town of Estes Park, or the City of Loveland, the certificates of Public Service Company of Colorado, the Town of Estes Park, and the City of Loveland are hereby canceled and henceforth shall be of no force and effect, being superseded by the present assignment of that territory to Poudre Valley.

10. That all certificates of public convenience and necessity heretofore issued to Poudre Valley are hereby canceled, effective on the day this Recommended Decision becomes legally binding and final.

11. That this Commission has heretofore by Decision No. 74564 assigned service territories and specified service conditions, as between Poudre Valley and Home Light and Power Company. This Recommended Order shall not be construed to change those service territories or service conditions, except as only to the SW $\frac{1}{4}$  of Section 36, Township 5 North, Range 67 West, which territory said Decision No. 74564 assigned to Home Light and which this present Recommended Order assigns to Poudre Valley. Except as to said Decision No. 74564 as so specifically affected, in all cases of conflict with any previous decision of this Commission relating to Poudre Valley or any other public utility, this Recommended Decision and Order shall prevail.

12. That Poudre Valley Electric Association, Inc. shall record on its books the electric distribution lines and related facilities which they will acquire and purchase from Public Service Company of Colorado at the cost of such electric distribution lines and related facilities to it,

in accordance with Rule 27 of this Commission's Rules of Practice and Procedure, and shall submit for this Commission's prior approval the proposed entries to be made on its books to reflect such acquisition of facilities as soon as the cost of such facilities to Poudre Valley is accurately known.

13. That this Recommended Decision shall become effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

14. That, as provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless said Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioner  
hej

EXHIBIT NO. 7

Description of Entire Territory Involved in Attached Application

In Township 1 North, Range 69 West:

None for Poudre Valley

In Township 1 North, Range 70 West:

None for Poudre Valley

In Township 2 North, Range 69 West:

W 1/2 of W 1/2 of Section 18; W 1/2 of NW 1/4 and NW 1/4 of SW 1/4 and W 1/2 of NE 1/4 of NW 1/4 and NW 1/4 of SE 1/4 of NW 1/4 and W 1/2 of SW 1/4 of SW 1/4 of Section 19; NW 1/4 of NW 1/4 of NW 1/4 of Section 30.

In Township 2 North, Range 70 West:

Sections 2, 3 and 4; those portions of Sections 5, 6 and 7 lying south and east of Colorado Highway 7; Sections 8 through 11 inclusive; W 1/2 of W 1/2 and SE 1/4 of SW 1/4 and S 1/2 of SE 1/4 of Section 12; Sections 13 through 24 inclusive; NW 1/4 and W 1/2 of NE 1/4 and NE 1/4 of NE 1/4 and W 1/2 of SW 1/4 lying north of the center line of Dodd Reservoir and NW 1/4 of SE 1/4 of SW 1/4 and W 1/2 of NE 1/4 of SW 1/4 of Section 25; Sections 26 through 28 inclusive; E 1/2 and NW 1/4 and N 1/2 of SW 1/4 of Section 29; N 1/2 and N 1/2 of S 1/2 of Section 30; N 1/2 of NE 1/4 of Section 32; N 1/2 of N 1/2 and SE 1/4 of NE 1/4 and E 1/2 of SE 1/4 of Section 33; Section 34; NW 1/4 and W 1/2 of NE 1/4 and W 1/2 of E 1/2 of NE 1/4 and that portion of the NE 1/4 of NE 1/4 of NE 1/4 lying north and west of the center line of Dodd Reservoir in Section 35.

In Township 2 North, Range 71 West:

S 1/2 of Section 11; S 1/2 of Section 12; Sections 13 and 14; N 1/2 and SE 1/4 of Section 23; Section 24; N 1/2 of NW 1/4 and SE 1/4 of NW 1/4 and NE 1/4 and NE 1/4 of SW 1/4 and N 1/2 of SE 1/4 of Section 25; N 1/2 of NE 1/4 of Section 26.

In Township 3 North, Range 68 West:

W 1/2 of Section 6; W 1/2 of Section 7; W 1/2 of Section 18; N 1/2 of NW 1/4 and N 1/2 of S 1/2 of NW 1/4 of Section 19.

In Township 3 North, Range 69 West:

Sections 1 through 9 inclusive; N 1/2 and SW 1/4 and W 1/2 of SE 1/4 and NE 1/4 of SE 1/4 of Section 10; N 1/2 and SE 1/4 and SE 1/4 of SE 1/4 of SW 1/4 of Section 11; Sections 12 and 13; E 1/2 and E 1/2 of NW 1/4 and NE 1/4 of SW 1/4 and N 1/2 of SE 1/4 of SW 1/4 of Section 14; W 1/2 and NW 1/4 of NE 1/4 and W 1/2 of SW 1/4 of NE 1/4 and W 1/2 of W 1/2 of

In Township 3 North, Range 69 West (Cont'd)

SE 1/4 of Section 15; Sections 16, 17 and 18; NE 1/4 of Section 21; N 1/2 of NW 1/4 and N 1/2 of S 1/2 of NW 1/4 and SE 1/4 of SE 1/4 of NW 1/4 and NW 1/4 of NW 1/4 of NE 1/4 and S 1/2 of NW 1/4 of NE 1/4 and SW 1/4 of NE 1/4 of Section 22; W 1/2 of NW 1/4 of NE 1/4 and E 1/2 of E 1/2 and E 1/2 of W 1/2 of E 1/2 and SW 1/4 of SW 1/4 of SE 1/4 of Section 23; Section 24; W 1/2 and W 1/2 of E 1/2 and N 1/2 of NE 1/4 of NE 1/4 of Section 25; E 1/2 of Section 26; N 1/2 of NE 1/4 of Section 35; N 1/2 of NW 1/4 and NW 1/4 of NE 1/4 of Section 36.

In Township 3 North, Range 70 West:

Sections 1 through 6 inclusive; N 1/2 of Section 7; N 1/2 of Section 8; Sections 9 through 15 inclusive; N 1/2 of Section 16; all outside the City Limits of Lyons in Section 19; NW 1/4 and S 1/2 of Section 20; S 1/2 of SW 1/4 and SW 1/4 of SE 1/4 of Section 21; E 1/2 of NW 1/4 and NE 1/4 of SW 1/4 and NE 1/4 and N 1/2 of SE 1/4 of Section 24; Section 28; N 1/2 and SE 1/4 and E 1/2 of SW 1/4 of Section 29; N 1/2 of Section 30; E 1/2 and E 1/2 of W 1/2 and south of Highway 7 in W 1/2 of W 1/2 of Section 32; Section 33; W 1/2 and SE 1/4 and S 1/2 of NE 1/4 of Section 34; S 1/2 and S 1/2 of NW 1/4 of Section 35; W 1/2 of SW 1/4 of Section 36.

In Township 3 North, Range 71 West:

Sections 1 through 11 inclusive; Sections 14 through 24 inclusive; N 1/2 of Section 25, N 1/2 of Section 26; Sections 29 and 30.

In Township 3 North, Range 72 West:

Sections 1 and 2; E 1/2 of Section 3; Sections 12 and 13.

In Township 4 North, Range 63 West:

Sections 2, 3, 4 and 5; E 1/2 of Section 6; NE 1/4 of Section 7; NW 1/4 of Section 8; E 1/2 of Section 10; Section 11.

In Township 4 North, Range 64 West:

SW 1/4 of SW 1/4 and N 1/2 of SW 1/4, the west 1600 feet more or less of the N 1/2 of SE 1/4, the west 1900 feet more or less of NW 1/4, the south 870 feet more or less of the east 700 feet more or less of NW 1/4, the south 870 feet more or less of the west 1600 feet more or less of NE 1/4 of Section 2; Sections 3 through 9 inclusive; N 1/2 and N 1/2 of S 1/2 and SW 1/4 of SW 1/4 of Section 10; W 1/2 of NW 1/4 and NW 1/4 of SW 1/4 of Section 11; W 1/2 of W 1/2 of Section 15; Sections 16 through 20 inclusive; N 1/2, SW 1/4 and N 1/2 of SE 1/4 of Section 21; W 1/2 of NW 1/4 and NW 1/4 of SW 1/4 of Section 22; NW 1/4 and W 1/2 of SW 1/4 of Section 28; Sections 29 through 32 inclusive; W 1/2 of W 1/2 of Section 33.

In Township 4 North, Range 65 West:

Sections 1 and 2; SE 1/4 and E 1/2 of SW 1/4 of Section 10; Sections 11, 12 and 13; N 1/2 of N 1/2 and the east 850 feet more or less of the SE 1/4 and the east 850 feet more or less of the SE 1/4 of NE 1/4 of Section 14; the north 3550 feet more or less of the E 1/2 and the north 3550 feet more or less



In Township 4 North, Range 65 West (Cont'd)

of the E 1/2 of W 1/2 of Section 15; E 1/2 of E 1/2 of SE 1/4 of Section 22; S 1/2 and NE 1/4 of Section 23; Sections 24, 25 and 26; E 1/2 of E 1/2 of E 1/2 of Section 27; E 1/2 of E 1/2 of E 1/2 of Section 34; Sections 35 and 36.

In Township 4 North, Range 66 West:

The west 350 feet more or less of Section 3 lying north of the south channel of the South Platte River; that portion of Section 4 lying north of the south channel of the South Platte River and the center line of the right-of-way of the Union Pacific Railroad but south of the Big Thompson River.

In Township 4 North, Range 67 West:

W 1/2 of Section 1 lying north of the Big Thompson River; the portion of Sections 2, 3 and 4 lying north of the Big Thompson River; W 1/2 of NW 1/4 and N 1/2 of NW 1/4 of SW 1/4 of Section 5; NE 1/4 and N 1/2 of N 1/2 of SE 1/4 and N 1/2 of NW 1/4 of Section 6.

In Township 4 North, Range 68 West:

NE 1/4 of NE 1/4 and W 1/2 of NE 1/4 and NW 1/4 of Section 1; NE 1/4 and E 1/2 of NW 1/4 and E 1/2 of W 1/2 of NW 1/4 and W 1/2 of NW 1/4 of NW 1/4 and NW 1/4 of SW 1/4 of NW 1/4 of Section 2; Sections 3 through 10 inclusive; Sections 15 through 22 inclusive; Sections 27 through 31 inclusive; N 1/2 of Section 32; N 1/2 of Section 33.

In Township 4 North, Range 69 West:

Section 1; E 1/2 of SE 1/4 of SE 1/4 of Section 2; W 1/2 and W 1/2 of E 1/2 and E 1/2 of SE 1/4 and SE 1/4 of NE 1/4 and W 1/2 of NE 1/4 of NE 1/4 of Section 3; Sections 4 through 10 inclusive; W 1/2 and SE 1/4 and E 1/2 of E 1/2 of NE 1/4 of Section 11; Section 12; NE 1/4 and N 1/2 of SE 1/4 and E 1/2 of SE 1/4 of SE 1/4 and NE 1/4 of NW 1/4 and N 1/2 of NW 1/4 of NW 1/4 of Section 13; W 1/2 of W 1/2 of NW 1/4 of Section 14; Sections 15 through 22 inclusive; S 1/2 of NW 1/4 and SW 1/4 of Section 23; SE 1/4 and SE 1/4 of NE 1/4 and S 1/2 of NE 1/4 of NE 1/4 and NE 1/4 of NE 1/4 of NE 1/4 of Section 24; E 1/2 and E 1/2 of SW 1/4 of Section 25; W 1/2 and W 1/2 of E 1/2 of Section 26; Sections 27 through 34; W 1/2 and W 1/2 of E 1/2 of Section 35; E 1/2 and E 1/2 of W 1/2 and SW 1/4 of SW 1/4 of Section 36.

In Township 4 North, Range 70 West:

Sections 1 through 36 inclusive.

In Township 4 North, Range 71 West:

Sections 1 through 36 inclusive.

In Township 4 North, Range 72 West:

E 1/2 of Section 34; Sections 35 and 36.



## In Township 5 North, Range 63 West:

Section 17; E 1/2 and E 1/2 of W 1/2 of Section 18; E 1/2 and E 1/2 of W 1/2 of Section 19; Sections 20 through 23 inclusive; Sections 26 through 29 inclusive; E 1/2 and E 1/2 of W 1/2 of Section 30; E 1/2 and E 1/2 of NW 1/4 of Section 31; Sections 32 through 35 inclusive.

## In Township 5 North, Range 64 West:

S 1/2 of SW 1/4 and SW 1/4 of SE 1/4 of Section 4; S 1/2 of S 1/2 of Section 5; E 1/2 of SE 1/4 of SE 1/4 of Section 6; E 1/2 of E 1/2 of E 1/2 of Section 7; Sections 8 and 9; W 1/2 of W 1/2 and the south 1620 feet more or less of the SE 1/4 and the south 1620 feet more or less of the E 1/2 of SW 1/4 of Section 10; the south 1620 feet more or less in the west 4300 feet more or less of Section 11; the NW 1/4 north of the South Platte River and the west 1640 feet more or less of the N 1/2 of NE 1/4 of Section 14; that portion north of the South Platte River and that portion south of the river in Section 15 lying more than 2100 feet more or less north of the south section line and within 1550 feet more or less of the west section line; N 1/2, NW 1/4 of SW 1/4, N 1/2 of NE 1/4 of SW 1/4 and N 1/2 of N 1/2 of SE 1/4 of Section 16; N 1/2 and N 1/2 of S 1/2 of Section 17; N 1/2 of N 1/2 of S 1/2, S 1/2 of N 1/2 and E 1/2 of NE 1/4 of NE 1/4 of Section 18; south of the center line of the right-of-way of the Union Pacific Railroad in Section 19; the west 1550 feet more or less lying south of the center line of the Union Pacific Railroad right-of-way, and the south 1200 feet more or less of the E 1/2 of SE 1/4 of Section 20; the south 3550 feet more or less of the east 1400 feet more or less and the south 1200 feet more or less of Section 21; that part of Section 22 south of a line beginning on the east section line 900 feet more or less north of the southeast corner, thence diagonally northwesterly about 750 feet more or less to a point 700 feet more or less west of the east section line and 1050 feet more or less south of the center line of the Union Pacific Railroad right-of-way, thence north to the center line of the Union Pacific Railroad right-of-way, thence westerly down the said railroad 4100 feet more or less, thence north 2000 feet more or less to a point 560 feet more or less south of the north section line, thence west 600 feet more or less to the west section line of said Section 22; that part of Section 23 lying south of a diagonal line 1450 feet more or less long beginning at a point on the south section line 1280 feet more or less east of the southwest corner and ending on the west line of said Section 900 feet more or less north of the Southwest corner of said Section 23; the west 3600 feet more or less of the south 3850 feet more or less of Section 25; NW 1/4 of NW 1/4 and S 1/2 of N 1/2 and S 1/2 of Section 26; Sections 27 and 28; the west 1550 feet more or less and the east 1300 feet more or less and the south 2400 feet more or less of the remainder of Section 29; Sections 30 through 34 inclusive; the west 1750 feet more or less of the S 1/2 of SW 1/4 and NW 1/4 of SW 1/4 and SW 1/4 of NW 1/4 and the west 4550 feet more or less of the N 1/2 of N 1/2 of Section 35.

## In Township 5 North, Range 65 West:

That portion of the south 2040 feet more or less of Section 11 lying more than 550 feet more or less east of the west section line; that portion of the E 1/2 of W 1/2 and W 1/2 of E 1/2 south of the South Platte River and the south 2040 feet more or less of the W 1/2 of W 1/2 of Section 12; NW 1/4, W 1/2 of NE 1/4, SE 1/4 of NE 1/4 and the north 690 feet more or less of the S 1/2 of Section 13; all north of the South Platte River in Section 14, also the west 1050 feet more or less south of the river and that part of the NE 1/4 of SE 1/4 south of the South Platte River in said Section 14; E 1/2 of E 1/2 and that part of W 1/2 of E 1/2

## In Township 5 North, Range 65 West (Cont'd)

more than 2150 feet more or less south of the north section line and south of the South Platte River in SE 1/4 of SW 1/4 all in Section 15; that portion of the NE 1/4 and N 1/2 of SE 1/4 lying east of the South Platte River in Section 21; N 1/2 of S 1/2, N 1/2 of SE 1/4 of SE 1/4, NE 1/4 and that portion of the NW 1/4 south of the South Platte River in Section 22; that portion of the west 1050 feet more or less more than 660 feet more or less north of the south line of Section 23; south of the center line of the Union Pacific Railroad right-of-way in Section 25; the east 650 feet more or less south of the Center line of the Union Pacific Railroad right-of-way in Section 26; the south 1000 feet more or less of Section 28 within 3230 feet more or less of the west section line; that portion of the S 1/2 of Section 29 south of the South Platte River and more than 2300 feet more or less east of the west section line; that portion of Section 32 lying north and east of a line beginning on the north section line 2300 feet more or less east of the NW corner of said Section 32, thence south 1600 feet more or less, thence east 720 feet more or less, thence south 350 feet more or less, thence east 2000 feet more or less to the east section line of said Section 32; N 1/2 of Section 33; SE 1/4 and that portion of the N 1/2 south of a line beginning 800 feet more or less south of the northeast corner, thence west 3600 feet more or less, thence north 800 feet more or less to the north line of said Section 34; the east 650 feet more or less of the NE 1/4 and the S 1/2 of Section 35; Section 36.

## In Township 5 North, Range 66 West:

SW 1/4 of SW 1/4 and the south 300 feet more or less of NW 1/4 of SW 1/4 of Section 5; S 1/2 of S 1/2 and the south 300 feet more or less of the N 1/2 of S 1/2 of Section 6; Section 7; W 1/2 of W 1/2, SE 1/4 of SW 1/4 and S 1/2 of SE 1/4 of Section 8; S 1/2 of SW 1/4 and SW 1/4 of SE 1/4 of Section 9; that portion of the SW 1/4 lying south of the Loveland-Greeley Ditch and the west 650 feet more or less north of the ditch in the said SW 1/4 of Section 15; W 1/2, SE 1/4 and W 1/2 of NE 1/4 of Section 16; Sections 17 through 21 inclusive; NW 1/4 and W 1/2 of SW 1/4 of Section 22; W 1/2 of NW 1/4 of Section 28; N 1/2 and the north 800 feet more or less of the SW 1/4 of Section 29; the north 1140 feet more or less of the east 1300 feet more or less of Section 30.

## In Township 5 North, Range 67 West:

W 1/2 of NW 1/4 and SW 1/4 and S 1/2 of SE 1/4 and NW 1/4 of SE 1/4 and W 1/2 of NE 1/4 of SE 1/4 of Section 1; Sections 2 through 24 inclusive; Sections 26 through 31 inclusive; N 1/2 and N 1/2 of S 1/2 and SW 1/4 of SW 1/4 of Section 32; all lying north of the Big Thompson River in Sections 33 and 34; Section 35; W 1/2 and the west 950 feet of the north 1640 feet of the W 1/2 of NE 1/4 of Section 36.

## In Township 5 North, Range 68 West:

Section 1; E 1/2 and E 1/2 of W 1/2 and NW 1/4 of NW 1/4 of Section 2; N 1/2 of NE 1/4 of Section 3; NE 1/4 of NW 1/4 and N 1/2 of NE 1/4 and that part of the remainder of Section 11 lying east of the USBR 115 KV Weld-Flatiron transmission line and north of the Greeley-Loveland Ditch east of its intersection with the Union Pacific Railroad and north of the railroad west of its intersection with the canal; SE 1/4 of SE 1/4 of SE 1/4 and all lying north of the Greeley-Loveland Ditch in Section 12; S 1/2 and E 1/2 of NE 1/4 of NE 1/4 lying north of the center line of the Great Western Railroad right-of-way, and

## In Township 5 North, Range 68 West (Cont'd)

that portion lying south of the center line of the Great Western Railroad right-of-way in the NE 1/4 of Section 13; S 1/2 of Section 14; SW 1/4 of SW 1/4 of SE 1/4 of Section 15; S 1/2 of SE 1/4 and NE 1/4 of SE 1/4 and that portion of NW 1/4 of SE 1/4 south of the Big Thompson River, and that portion of E 1/2 of SW 1/4 of Section 19 south of the Big Thompson River; E 1/2 and SW 1/4 and S 1/2 of NW 1/4 and south of the USBR 115 KV Weld-Flatiron transmission line in the NE 1/4 of NW 1/4 of Section 20; Sections 21 through 36 inclusive.

## In Township 5 North, Range 69 West:

N 1/2 and SE 1/4 and N 1/2 of SW 1/4 and N 1/2 of S 1/2 of SW 1/4 of Section 4; N 1/2 and SW 1/4 and N 1/2 of SE 1/4 and SW 1/4 of SE 1/4 and W 1/2 of SE 1/4 of SE 1/4 and NE 1/4 of SE 1/4 of SE 1/4 of Section 5; Section 6; that part north of the center line of Loudon Ditch and that portion of Section 7 south of the line described as beginning on the east line of Section 12, T 5 N, R 70 W, thence southeasterly along the center line of the Big Thompson River to the intersection of said center line and the east-west center line of Section 7, T 5 N, R 69 W, thence west along the east-west center line of Section 7 to the intersection of said center line and the center line of the George Rist Ditch, thence southeasterly along the center line of the George Rist Ditch to the intersection of said center line and the east-west center line of the SE 1/4 of SW 1/4 of Section 7, thence east along the east-west center line of the SE 1/4 of SW 1/4 of Section 7 to the southeast corner of the NE 1/4 of SE 1/4 of SW 1/4 of Section 7, thence north along the north-south center line of the SE 1/4 of SW 1/4 of Section 7 to the intersection of said center line and the center line of U. S. Highway 34, thence east along the center line of Highway 34 to the intersection of said center line and the center line of the natural river channel of the Big Thompson River, thence southeasterly along the center line of the natural channel of the Big Thompson River to the intersection of said center line and the north section line of Section 18; that portion of the S 1/2 of Section 15 lying south of the Big Thompson River; S 1/2 of S 1/2 of SE 1/4 and SW 1/4 and that part of the NW 1/4 lying south of the Big Thompson River in Section 16; S 1/2 and S 1/2 of S 1/2 of NW 1/4 of Section 17; Section 18 except that portion north of the center line of the natural channel of the Big Thompson River; Sections 19 through 21 inclusive; that part of Section 22 outside the present city limits of the City of Loveland; S 1/2 of NE 1/4 and SE 1/4 and SE 1/4 of SW 1/4 and SE 1/4 of SW 1/4 of SW 1/4 of Section 25; that part of the S 1/2 of Section 26 west of the center line of Colorado and Southern Railroad right-of-way; that part of the W 1/2 and SE 1/4 of Section 27 outside the present city limits of the City of Loveland; Sections 28 through 34 inclusive; NW 1/4 and W 1/2 of NE 1/4 and NW 1/4 of SE 1/4 and N 1/2 of SW 1/4 and N 1/2 of SW 1/4 of SW 1/4 and SW 1/4 of SW 1/4 of SW 1/4 of Section 35; E 1/2 and E 1/2 of NW 1/4 and E 1/2 of W 1/2 of NW 1/4 and east of U.S. 287 bypass in N 1/2 of SW 1/4 and SE 1/4 of SW 1/4 of Section 36.

## In Township 5 North, Range 70 West:

Section 1; E 1/2 of Section 2; the S 1/2 of S 1/2 east of the Home Supply Ditch in Section 11; that portion of Section 12 south of the line described as beginning at the W 1/4 corner of Section 12, thence east along the east-west center line of Section 12 to the intersection of said center line and the center line of the South Side Ditch, thence southeasterly, then northeasterly along the center line of the South Side Ditch to the intersection of said ditch and the north-south center line of the NE 1/4 of Section 12, thence north along said center line to the intersection of said center line and the center line of the George Rist Ditch, thence northeasterly along the center line of the George Rist Ditch to the



In Township 5 North, Range 70 West

intersection of said center line and the center line of U. S. Highway 34, thence southeasterly along the center line of Highway 34 to the intersection of said center line and the north-south center line of the SW 1/4 of NE 1/4 of NE 1/4 of Section 12, thence north along the north-south center line of the SW 1/4 of NE 1/4 of NE 1/4 of Section 12 to the intersection of said center line and the center line of the natural river channel of the Big Thompson River, thence northeasterly then east along the center line of the natural river channel of the Big Thompson River to the intersection of said center line and the east line of Section 12, and the North 1000 feet more or less of the NW 1/4 of Section 12 west of County Road No. 27 (Buckhorn Road); Section 13; Section 14; Section 15; Sections 16 through 36 inclusive.

In Township 5 North, Range 71 West:

Sections 13 through 15 inclusive; S 1/2 of S 1/2 of Section 16; Sections 17 through 36 inclusive.

In Township 6 North, Range 63 West:

N 1/2 of Section 4; N 1/2 of Section 5; N 1/2 of Section 6.

In Township 6 North, Range 64 West:

N 1/2 of Section 1; N 1/2, N 1/2 of SW 1/4, NW 1/4 of SE 1/4, and SW 1/4 of SW 1/4 of Section 2; Section 3; the south 400 feet more or less of the NW 1/4 of NW 1/4, SW 1/4 of NW 1/4 and E 1/2 of NW 1/4, NE 1/4 and S 1/2 of Section 4; the south 400 feet more or less of NE 1/4 of NE 1/4, SE 1/4 of NE 1/4 and E 1/2 of SE 1/4 of Section 5; E 1/2 of NE 1/4 of Section 8; NW 1/4 and the north 740 feet more or less of NE 1/4 of Section 9; the north 740 feet more or less of NW 1/4 and E 1/2 of Section 10; W 1/2 of W 1/2 of Section 11; W 1/2 of NW 1/4 of Section 14; NE 1/4 of Section 15; the E 1/2 of E 1/2 excepting for the north 1500 feet more or less in Section 22; the south 3700 feet more or less of the W 1/2 and the south 3700 feet more or less of all excepting the east 300 feet more or less of the W 1/2 of E 1/2 of Section 23; W 1/2 and all excepting the east 300 feet more or less of the W 1/2 of E 1/2 of Section 26; E 1/2 of E 1/2 of Section 27; NE 1/4 of NE 1/4 of Section 34; W 1/2 and all excepting the east 300 feet more or less of the W 1/2 of E 1/2 of Section 35.

In Township 6 North, Range 66 West:

N 1/2 of N 1/2 excepting the east 600 feet more or less, S 1/2 of NW 1/4 and SW 1/4 of Section 6; NW 1/4 of Section 7; W 1/2 of NW 1/4, SW 1/4, NW 1/4 of SE 1/4 and S 1/2 of SE 1/4 of Section 18; NW 1/4 of NW 1/4, E 1/2 of NW 1/4 and NE 1/4 of Section 19.

In Township 6 North, Range 67 West:

E 1/2 of E 1/2 of E 1/2 of Section 1; NW 1/4 of NW 1/4 of NW 1/4 and S 1/2 of N 1/2 of NW 1/4 and S 1/2 of NW 1/4 and SW 1/4 and west of the center line of the Great Western Railroad right-of-way in the S 1/2 of SW 1/4 of SE 1/4 of Section 2; Sections 3 and 4; E 1/2 and N 1/2 of NW 1/4 of Section 5; N 1/2 of N 1/2 of Section 6; NE 1/4 of Section 8; N 1/2 and N 1/2 of SW 1/4 and SE 1/4 of Section 9; N 1/2 and N 1/2 of SW 1/4 and N 1/2 of S 1/2 of SW 1/4 and SW 1/4 of SW 1/4 of SW 1/4 and SE 1/4 of SE 1/4 of SW 1/4 and SE 1/4 of Section 10; all west of the center line of the Great Western

## In Township 6 North, Range 67 West (Cont'd)

Railroad right-of-way in Section 11; E 1/2 of NE 1/4 of NE 1/4 and E 1/2 of SE 1/4 of SE 1/4 of Section 12; E 1/2 of Section 13; SW 1/4 of SW 1/4 and S 1/2 of NW 1/4 of SW 1/4 and all west of the center line of the Great Western Railroad right-of-way in Section 14; E 1/2 and that portion of the E 1/2 of E 1/2 of W 1/2 north of the Windsor-Greeley Number 2 canal in Section 15; W 1/2 of SW 1/4 of SW 1/4 of Section 18; W 1/2 of W 1/2 of Section 19; N 1/2 of N 1/2 of NE 1/4 of Section 22; N 1/2 of NW 1/4 of NW 1/4 of Section 23; N 1/2 of NE 1/4 and E 1/2 of E 1/2 of NE 1/4 of NW 1/4 of Section 24; W 1/2 of W 1/2 of Section 25; S 1/2 and S 1/2 of N 1/2 and SE 1/4 of NE 1/4 of NE 1/4 of Section 26; S 1/2 and S 1/2 of N 1/2 and W 1/2 of NW 1/4 of NW 1/4 of Section 27; S 1/2 and E 1/2 of NE 1/4 of Section 28; W 1/2 of W 1/2 of Section 30; Sections 31 through 35 inclusive; W 1/2 of W 1/2 of Section 36.

## In Township 6 North, Range 68 West:

NW 1/4 and W 1/2 of NE 1/4 and N 1/2 of NE 1/4 of NE 1/4 of Section 1; N 1/2 and that part of the SW 1/4 west of the Cache La Poudre River in Section 2; Section 3; E 1/2 of Section 4; SW 1/4 and W 1/2 of SW 1/4 of NW 1/4 of Section 5; E 1/2 of SE 1/4 of NE 1/4 and S 1/2 of Section 6; Section 7; W 1/2 and W 1/2 of E 1/2 and SE 1/4 of SE 1/4 of Section 8; E 1/2 and E 1/2 of W 1/2 and SW 1/4 of SW 1/4 of Section 9; Section 10; S 1/2 and S 1/2 of N 1/2 and S 1/2 of N 1/2 of N 1/2 and N 1/2 of N 1/2 of NW 1/4 west of the Cache La Poudre River in Section 11; S 1/2 of NW 1/4 of NW 1/4 and S 1/2 of NW 1/4 and SW 1/4 and SW 1/4 of SE 1/4 of Section 12; W 1/2 and W 1/2 of E 1/2 and SE 1/4 of SE 1/4 of Section 13; Sections 14 through 28 inclusive; N 1/2 and SE 1/4 and E 1/2 of SW 1/4 and E 1/2 of W 1/2 of SW 1/4 of Section 29; N 1/2 of NE 1/4 and NE 1/4 of NW 1/4 and N 1/2 of NW 1/4 of NW 1/4 and that portion of the S 1/2 of NW 1/4 of NW 1/4 north of the center line of Donath Lake in Section 30; NE 1/4 of Section 32; N 1/2 of Section 33; N 1/2 and SE 1/4 of Section 34; Sections 35 and 36.

## In Township 6 North, Range 69 West:

S 1/2 of Section 1; Sections 2 through 24 inclusive; NE 1/4 of NE 1/4 of NE 1/4 and W 1/2 of NE 1/4 of NE 1/4 and NW 1/4 of NE 1/4 and NW 1/4 and N 1/2 of N 1/2 of SW 1/4 of Section 25; W 1/2 and NE 1/4 and N 1/2 of N 1/2 of SE 1/4 and SW 1/4 of NW 1/4 of SE 1/4 and NW 1/4 of SW 1/4 of SE 1/4 and the west 556.4 feet of the SW 1/4 of SW 1/4 of SE 1/4 of Section 26; Sections 27 through 34 inclusive; W 1/2 of W 1/2 of Section 35.

## In Township 6 North, Range 70 West:

Sections 1 through 36 inclusive.

## In Township 6 North, Range 71 West:

Sections 1 through 32 inclusive; N 1/2 and SW 1/4 and N 1/2 of SE 1/4 of Section 33; Sections 34 through 36 inclusive.

## In Township 7 North, Range 63 West:

Sections 2 through 11 inclusive; W 1/2 of Section 12; W 1/2 of Section 13; Sections 14 through 22; W 1/2 and NE 1/4 of Section 23; NW 1/4 of Section 24; Sections 28 through 33 inclusive.

In Township 7 North, Range 64 West:

Sections 1 through 6 inclusive; N 1/2 and SE 1/4 of Section 7; Sections 8 through 17 inclusive; E 1/2 of Section 18; E 1/2 of Section 19; Sections 20 through 29 inclusive; E 1/2 of NE 1/4 and the east 800 feet more or less of the SE 1/4 of Section 30; the north 2200 feet more or less of the east 300 feet more or less of Section 31; the north 2200 feet more or less of Section 32; the north 2200 feet more or less of the W 1/2 of W 1/2, E 1/2 of W 1/2 and E 1/2 of Section 33; Sections 34 through 36 inclusive.

In Township 7 North, Range 65 West:

N 1/2 of NW 1/4 and E 1/2 of Section 1; NE 1/4 of Section 12.

In Township 7 North, Range 66 West:

W 1/2 of W 1/2 and SE 1/4 of SW 1/4 of Section 3; Sections 4, 5 and 6; N 1/2 and N 1/2 of SE 1/4 of Section 7; N 1/2 and N 1/2 of SW 1/4 of Section 8; NW 1/4 and N 1/2 of NE 1/4 of Section 9; N 1/2 of NW 1/4 of Section 10; SW 1/4 of NW 1/4 and W 1/2 of SW 1/4 of Section 15; S 1/2 of NE 1/4 and S 1/2 of Section 16; S 1/2 of Section 17; S 1/2 of Section 18; Sections 19 and 20; the west 600 feet more or less of the SW 1/4, NW 1/4 and W 1/2 of NE 1/4 of Section 21; the west 600 feet more or less of the north 1000 feet more or less of Section 28; the north 1000 feet more or less and the west 600 feet more or less of the south 2100 feet more or less of Section 29; the north 1000 feet more or less, the south 2100 feet more or less and all excepting the east 1000 feet more or less of that part of Section 30 remaining; Section 31; W 1/2 of NW 1/4 of Section 32.

In Township 7 North, Range 67 West:

Sections 1 through 11 inclusive; N 1/2 and SW 1/4 and W 1/2 of SE 1/4 of Section 12; S 1/2 and NW 1/4 and W 1/2 of NE 1/4 of Section 13; Sections 14 through 17 inclusive; E 1/2 and NW 1/4 of Section 18; N 1/2 of NE 1/4 of Section 19; NW 1/4 of NW 1/4 and E 1/2 of NW 1/4 and NE 1/4 and E 1/2 of SE 1/4 of Section 20; Sections 21 through 28 inclusive; NE 1/4 of NE 1/4 and S 1/2 of NE 1/4 and SE 1/4 and SE 1/4 of NW 1/4 and NE 1/4 of SW 1/4 and E 1/2 of SE 1/4 of SW 1/4 of Section 29; S 1/2 of S 1/2 of Section 31; SW 1/4 of SW 1/4 and E 1/2 of SW 1/4 and E 1/2 of E 1/2 of NW 1/4 and E 1/2 and SW 1/4 of SE 1/4 of NW 1/4 of Section 32; Sections 33 and 34; SW 1/4 of SW 1/4 of SW 1/4 and N 1/2 of SW 1/4 of SW 1/4 and NW 1/4 of SW 1/4 and W 1/2 of NW 1/4 and NE 1/4 of NE 1/4 and NE 1/4 of SE 1/4 of NE 1/4 of Section 35; NW 1/4 of SW 1/4 of NW 1/4 and N 1/2 of N 1/2 and SE 1/4 of NE 1/4 and NE 1/4 of SE 1/4 and E 1/2 of SE 1/4 of SE 1/4 of Section 36.

In Township 7 North, Range 68 West:

Section 1; E 1/2 and E 1/2 of W 1/2 and NW 1/4 of NW 1/4 of Section 2; NE 1/4 of NE 1/4 of Section 3; S 1/2 of S 1/2 of NW 1/4 and SW 1/4 and W 1/2 of NW 1/4 of SE 1/4 of Section 4; S 1/2 of Section 5; S 1/2 of Section 6; NE 1/4 of NW 1/4 and N 1/2 of NE 1/4 of Section 7; E 1/2 of E 1/2 and E 1/2 of SW 1/4 of SE 1/4 and NW 1/4 of NE 1/4 and all west of Steven Drive, and north of Collins - Aire Lane in NE 1/4 of NW 1/4 and NW 1/4 of NW 1/4 and all west of Steven Drive and north of Tana Drive in the SE 1/4 of NW 1/4 and Lot 110 and north of Tana Drive in SW 1/4 of NW 1/4 in Collins - Aire Park of Section 8; W 1/2 and SE 1/4 of Section 9; S 1/2 of Section 10; E 1/2 of NW 1/4 and SW 1/4 and E 1/2 of Section 11; Section 12; N 1/2 and N 1/2 of SW 1/4 of Section 13; E 1/2 of NE 1/4 of SE 1/4 and N 1/2 of Section 14; N 1/2 and NW 1/4 of NE 1/4 of SE 1/4 and N 1/2 of NW 1/4 of SE 1/4 and N 1/2 of N 1/2 of SW 1/4

## In Township 7 North, Range 68 West (Cont'd)

of Section 15; W 1/2 of Section 16; East of Cache La Poudre River in E 1/2 of Section 17 and in the NW 1/4 of said Section 17 an area bounded by the north-south center line of Section 17 on the east and Colorado Highway 14 on the north, the other boundary begins at a point bearing S 81° 03' 19" E a distance of 2227.46 feet from the northwest corner of said section 17, thence S 00° 24' 30" W 451.16 feet, thence S 85° 51' W 200.00 feet, thence S 00° 24' 30" W 613.55 feet, thence S 89° 09' 30" E to the intersection with the north-south center line of said Section 17; E 1/2 and SE 1/4 of NW 1/4 and NE 1/4 of SW 1/4 of Section 33; that portion of Section 34 south of the Cache La Poudre River; S 1/2 of SE 1/4 of Section 35; S 1/2 of S 1/2 of SW 1/4 and SW 1/4 of SW 1/4 of SE 1/4 and E 1/2 of SW 1/4 of SE 1/4 and SE 1/4 of SE 1/4 of Section 36.

## In Township 7 North, Range 69 West:

NW 1/4 and W 1/2 of NE 1/4 and S 1/2 of NE 1/4 of NE 1/4 and SE 1/4 of NE 1/4 and N 1/2 of S 1/2 of Section 1 outside the city limits of Fort Collins; N 1/2 of NW 1/4 of NW 1/4 and NE 1/4 of NW 1/4 and NW 1/4 of NE 1/4 of Section 2; N 1/2 of N 1/2 of NE 1/4 and NW 1/4 and NE 1/4 of SW 1/4 and W 1/2 of NW 1/4 of SE 1/4 and west of the Cache La Poudre River in W 1/2 of SW 1/4 of NE 1/4 in Section 3; NE 1/4 and NE 1/4 of NW 1/4 and N 1/2 of SE 1/4 of NW 1/4 of Section 4; Sections 7, 18, and 19 west of the center line of Horsetooth Reservoir; W 1/2 of SE 1/4 and E 1/2 of SW 1/4 and E 1/2 of W 1/2 of SW 1/4 and SW 1/4 of SW 1/4 of SW 1/4 of Section 27; S 1/2 of S 1/2 of NW 1/4 and SW 1/4 of Section 28; Sections 29 and 30 west of the center line of Horsetooth Reservoir; Section 31; S 1/2 and E 1/2 of NE 1/4 and west of the center line of Horsetooth Reservoir in the NW 1/4 of Section 32; Section 33; W 1/2 and W 1/2 of NE 1/4 and SE 1/4 of Section 34; W 1/2 of SW 1/4 and W 1/2 of E 1/2 of SW 1/4 of Section 35.

## In Township 7 North, Range 70 West:

W 1/2 of Section 1; Sections 2 through 36 inclusive.

## In Township 7 North, Range 71 West:

Sections 1 through 36 inclusive.

## In Township 7 North, Range 72 West:

Sections 1 and 2; Sections 6 and 7; Sections 11 and 12.

## In Township 7 North, Range 73 West:

Sections 1 through 24 inclusive.

## In Township 8 North, Range 64 West:

S 1/2 of Section 28; S 1/2 of Section 29; S 1/2 of Section 30; Sections 31 through 33 inclusive.

## In Township 8 North, Range 65 West:

S 1/2 of Section 25; S 1/2 of NE 1/4, SE 1/4 of NW 1/4, E 1/2 of SW 1/4 and SE 1/4 of Section 26; E 1/2 of NW 1/4, NE 1/4 and E 1/2 of SE 1/4 of Section 35; Section 36.



In Township 8 North, Range 66 West:

Sections 7 and 8; SW 1/4 of Section 9; W 1/2 of Section 16; Sections 17 through 20 inclusive; W 1/2 and S 1/2 of SE 1/4 of Sections 21; the west 1100 feet more or less of the south 4420 feet more or less of Section 27; Sections 28 through 33 inclusive; the west 1100 feet more or less of Section 34.

In Township 8 North, Range 67 West:

Sections 2 through 5; Sections 8 through 36 inclusive.

In Township 8 North, Range 68 West:

N 1/2 of NW 1/4 of Section 1; N 1/2 of N 1/2 of Section 2; E 1/2 of NW 1/4 of NE 1/4 and NE 1/4 of NE 1/4 of Section 3; W 1/2 of NW 1/4 of NW 1/4 and SW 1/4 of NW 1/4 and W 1/2 of SE 1/4 of NW 1/4 and W 1/2 of SW 1/4 and W 1/2 of E 1/2 of SW 1/4 of Section 4; Sections 5 through 8 inclusive; W 1/2 and SW 1/4 of SE 1/4 of Section 9; NW 1/4 of NE 1/4 and NW 1/4 and N 1/2 of SW 1/4 and N 1/2 of S 1/2 of SW 1/4 of Section 16; N 1/2 and SW 1/4 and N 1/2 of SE 1/4 and N 1/2 of S 1/2 of SE 1/4 of Section 17; Section 18; W 1/2 and W 1/2 of E 1/2 and NE 1/4 of NE 1/4 of Section 19; NW 1/4 of NW 1/4 and W 1/2 of NE 1/4 of NW 1/4 and NE 1/4 of NE 1/4 of NW 1/4 of Section 20; E 1/2 of E 1/2 of SE 1/4 of Section 25; NW 1/4 and NW 1/4 of NE 1/4 of Section 30; SE 1/4 of SE 1/4 of Section 34; S 1/2 of Section 35; S 1/2 and E 1/2 of E 1/2 of NE 1/4 of Section 36.

In Township 8 North, Range 69 West:

Sections 1 through 15; N 1/2 and SE 1/4 of Section 16; W 1/2 of W 1/2 of Section 17; Section 18; N 1/2 of NW 1/4 and that part of the NE 1/4 of Section 19 lying north of Moccasin Circle Road and that part of the SE 1/4 of said Section 19 lying north of Moccasin Circle Road and Buckskin Trail and west of the Larimer County Canal in Rolling Hills Estates Second Filing; NW 1/4 of Section 20; E 1/2 of Section 21; Sections 22 through 27 inclusive; E 1/2 and SE 1/4 of SE 1/4 of SW 1/4 of Section 28; E 1/2 and E 1/2 of W 1/2 of Section 33; Section 34; that part of Section 35 and W 1/2 and SW 1/4 of SE 1/4 of Section 36 outside the City limits of Fort Collins.

In Township 8 North, Range 70 West:

Sections 1 through 10 inclusive; NW 1/4 of Section 11; all east of Highway 287 in E 1/2 of Section 13; SW 1/4 and S 1/2 of S 1/2 of NW 1/4 of Section 14; Sections 15 through 22 inclusive; NW 1/4 of Section 23; that part of the N 1/2 of NE 1/4 of Section 24 lying north and east of a line parallel to but 200 feet northeast of and on a perpendicular to the center line of U.S. Highway 287; S 1/2 of SW 1/4 of SW 1/4 of Section 25; S 1/2 and S 1/2 of S 1/2 of N 1/2 of Section 26; Sections 27 through 35; NW 1/4 of NW 1/4 and S 1/2 of NW 1/4 and SW 1/4 of Section 36.

In Township 8 North, Range 71 West:

Sections 1 through 36 inclusive.

In Township 8 North, Range 72 West:

Sections 1 through 36 inclusive.

In Township 8 North, Range 73 West:

Sections 1 through 36 inclusive.

In Township 8 North, Range 74 West:

Sections 1 through 18 inclusive.

In Township 8 North, Range 75 West:

Sections 1 through 4 inclusive; Sections 9 through 16 inclusive.

In Township 9 North, Range 66 West:

Sections 1 through 19 inclusive; W 1/2 and NE 1/4 of Section 20; NW 1/4 of Section 29; N 1/2 of Section 30.

In Township 9 North, Range 67 West:

Sections 1 through 30 inclusive; N 1/2 and N 1/2 of SW 1/4 and SE 1/4 of Section 31; Sections 32 through 35 inclusive.

In Township 9 North, Range 68 West:

Sections 1 through 27 inclusive; NE 1/4 of NW 1/4 and NE 1/4 and east of the center line of the Colorado and Southern Railroad right-of-way in SE 1/4 of Section 28; W 1/2 and W 1/2 of NE 1/4 and SE 1/4 of Section 29; Sections 30 through 32 inclusive; SW 1/4 of NW 1/4 of NW 1/4 and W 1/2 of SW 1/4 of NW 1/4 and W 1/2 of W 1/2 of SW 1/4 of Section 33; N 1/2 of N 1/2 of NW 1/4 and NW 1/4 of NW 1/4 of NE 1/4 and E 1/2 of W 1/2 of E 1/2 and E 1/2 of E 1/2 of Section 34; Section 35; N 1/2 and N 1/2 of S 1/2 and S 1/2 of SW 1/4 of Section 36.

In Township 9 North, Range 69 West:

Sections 1 through 36 inclusive.

In Township 9 North, Range 70 West:

Sections 1 through 36 inclusive.

In Township 9 North, Range 71 West:

Sections 1 through 36 inclusive.

In Township 9 North, Range 72 West:

Sections 1 through 36 inclusive.

In Township 9 North, Range 73 West:

Sections 1 through 36 inclusive.

In Township 9 North, Range 74 West:

Section 1; Section 12; Section 13, Sections 24 through 36 inclusive.

In Township 9 North, Range 75 West:

Section 25; Section 26; Sections 35 and 36.

In Township 10 North, Range 65 West:

Sections 4 through 9 inclusive; Sections 16 through 21 inclusive.

In Township 10 North, Range 66 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 67 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 68 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 69 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 70 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 71 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 72 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 73 West:

Sections 1 through 36 inclusive.

In Township 10 North, Range 74 West:

Sections 1, 2 and 3; Sections 10 through 15 inclusive; Sections 22 through 27 inclusive; Sections 34, 35 and 36.

In Township 11 North, Range 65 West:

Sections 7, 8 and 9; Sections 16 through 21 inclusive; Sections 28 through 33 inclusive.

In Township 11 North, Range 66 West:

Sections 3 through 36 inclusive.

In Township 11 North, Range 67 West:

Sections 1 through 36 inclusive.

In Township 11 North, Range 68 West:

Sections 1, 2 and 3; Sections 10 through 15 inclusive; Sections 22 through 36 inclusive.

In Township 11 North, Range 69 West:

Sections 25 through 36 inclusive.

In Township 11 North, Range 70 West:

Sections 2 through 11 inclusive; Sections 14 through 23 inclusive; Sections 25 through 36 inclusive.

In Township 11 North, Range 71 West:

Sections 1 through 36 inclusive.

In Township 11 North, Range 72 West:

Sections 1 through 5 inclusive; E 1/2 of Section 8; Sections 9 through 15 inclusive; E 1/2 of Section 16; Sections 23 through 26 inclusive; Sections 35 and 36.

In Township 12 North, Range 66 West:

That part of Section 19 in Colorado; Sections 30 through 34 inclusive.

In Township 12 North, Range 67 West:

That part of Sections 19 through 24 in Colorado; Sections 25 through 36 inclusive.

In Township 12 North, Range 68 West:

That part of Sections 20 through 24 inclusive in Colorado; Sections 25 through 29 inclusive; Sections 33 through 36 inclusive.

In Township 12 North, Range 70 West:

That part of Sections 19 through 23 inclusive in Colorado; Sections 26 through 35 inclusive.

In Township 12 North, Range 71 West:

Sections 30 through 36 inclusive.

In Township 12 North, Range 72 West:

Sections 32 through 36 inclusive.

Following are descriptions of the areas where no certification is requested but where service rights to existing consumers are to continue:

In Longmont's area:

In Township 3 North, Range 69 West:

SW 1/4 of Section 19.

In Township 3 North, Range 70 West:

E 1/2 of NW 1/4 of Section 25.

In Home Light & Power's area:

Township 4 North, Range 64 West;

Township 4 North, Range 65 West;

Township 5 North, Range 63 West;

Township 5 North, Range 64 West;

Township 5 North, Range 65 West;

Township 5 North, Range 66 West;

Township 6 North, Range 64 West;

Township 6 North, Range 66 West;

Township 7 North, Range 66 West;

Township 8 North, Range 66 West;

In Loveland's area:

In Township 5 North, Range 69 West:

NW 1/4 and W 1/2 of NE 1/4 of Section 26; NE 1/4 of Section 27.

(Decision No. 80438)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25494-PP-Extension
JAMES ROGER CRISPIN, 4815 NORTH )	
26TH STREET, BOULDER, COLORADO, )	RECOMMENDED DECISION OF
FOR AUTHORITY TO EXTEND OPERATIONS )	CHRISTIAN O. IGENBERGS,
UNDER PERMIT NO. B-7603. )	EXAMINER

DENYING APPLICATION

- - - - -  
June 9, 1972  
- - - - -

Appearances: Theodore M. Smith, Esq.,  
Denver, Colorado, for  
Applicant.  
Robert G. Shepherd, Jr., Esq.,  
Denver, Colorado, for  
Raymond L. Pherson, doing  
business as "Pherson Trucking  
Company," Protestant.

PROCEDURE AND RECORD

Under date of February 8, 1972, Applicant filed the above-entitled application with this Commission for authority to extend operations as a contract carrier by motor vehicle for hire as specifically set forth in said application.

The Commission assigned Docket No. 25494-PP-Extension to the application and gave due notice in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

On February 25, 1972, Raymond L. Pherson, doing business as "Pherson Trucking Company," filed his protest to the granting of the herein matter.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or



corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Thursday, April 20, 1972, at 10 a.m. The hearing was held at the aforesaid time and place.

Exhibits 1 through 15, inclusive, were tendered and admitted into evidence.

At the close of the hearing, the Examiner directed counsel for Applicant and Protestant to file Simultaneous Statements of Position on or before May 1, 1972. The Statements of Position were duly filed by both Applicant and Protestant.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is an individual, one James Roger Crispin, a resident of Boulder, Colorado.
2. Applicant presently holds authority from this Commission under Permit No. B-7603, which reads as follows:

"Transportation of

- (1) Sand, gravel and other road-surfacing materials used in the construction of roads and highways

From pits and supply points in the State of Colorado to road jobs, mixer and processing plants within a radius of seventy-five (75) miles of said pits and supply points;

- (2) 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 seventy-five (75) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone and refuse

From and to building construction jobs, to and from points within a radius of seventy-five (75) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of seventy-five (75) miles of said pits and supply points;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

3. By this application, Applicant requests the Commission to extend his authority under Permit No. B-7603 so as to enable him to haul lightweight aggregate from the Idealite Company Rocky Flats Plant located in the County of Boulder, State of Colorado, to points in an area comprised of the Counties of Denver, Adams, Jefferson, Weld, Larimer, and Boulder, State of Colorado.

4. The authority to which extension is hereby sought, Permit No. B-7603, has been continually operated in the past and is presently in good standing with the Commission.

5. Protestant, Raymond L. Pherson, doing business as "Pherson Trucking Company," a resident of Boulder, Colorado, is a common carrier by motor vehicle for hire and he holds authority under Certificate of Public

Convenience and Necessity PUC No. 2510, which said authority was originally granted in Decision No. 8121 and then extended by Decision Nos. 18587, 18853, 18730, and 48933. The extension under Decision No. 18853 provides for the transportation of general commodities with certain exceptions which are not material here between points within a 50-mile radius of Boulder, Colorado. The portion of the authority granted under Decision No. 18853 is essentially in conflict with the extended authority requested by the Applicant herein.

6. The Commission has jurisdiction over said Applicant, Protester, and the subject matter of this proceeding.

7. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.

8. Applicant, at the present, owns one Kenworth tractor suitable to haul trailers filled with lightweight aggregate; but, since he has been hauling the trailers of his one present customer; namely, Prestressed Concrete Company of Colorado, he owns no other equipment suitable for the operation of the authority requested to be extended herein.

9. Applicant has been in the transportation business as an employee and later as an independent operator for approximately 14 years, and, for this reason, it is found that he has sufficient experience suitable for the operation of the authority applied for herein.

10. Applicant has assets of approximately \$22,875 and liabilities of approximately \$4,130 with a net worth of approximately \$18,745. The aforesaid monies are found to be ample and suitable for the operation of the authority applied for herein.

11. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to 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.

12. Applicant presently has a contract with one customer only; namely, Prestressed Concrete Company of Colorado located in the County of Adams, State of Colorado.

13. The evidence of record establishes that Applicant will conduct his operations within the area applied for by soliciting all prospective customers and that he will advertise in the newspapers offering his services. By his own admission, he will provide the same services as Protestant Raymond L. Pherson, doing business as "Pherson Trucking Company." The Examiner takes official notice of 115-9-1 (4)(b), CRS 1963, as amended, which reads as follows:

"The fact that any such person carries on his operations either in whole or in part between substantially fixed points or over established routes, or under contracts with more than one person, or by making repeated or periodical trips, shall be prima facie evidence that such person is a motor vehicle carrier and subject to the provisions of this article."

The statute quoted above pertains to common carriers by motor vehicle for hire.

Applicant has, by his own testimony, established a prima facie case that he, in fact, intends to serve as a common carrier and not as a contract carrier. Such essential characteristics of common carriage as solicitation of customers in general and advertising in the communications media are typical attributes or characteristics of common carriage. The intent of the Applicant, by his own admission, is clear in this case that

he intends to serve any and all new customers he may solicit for and find in the area applied for herein. The Supreme Court of the State of Colorado has ruled on this point in the case of McKay v. PUC [104 Colo. 402, 91 P.2d 965 (1939)], and we quote from the aforesaid case where the Court states at page 416:

"Petitioner's theory seems to be that if a shipper agrees to be his customer and petitioner agrees to haul for the customer, regardless of volume or number of shippers, that constitutes being a private carrier. This is wholly fallacious. One of the express legislative intents in regulating private carriers was to prevent that kind of manipulation."

It is duly noted by the Examiner that the term "private" carrier as used by the Court is now more properly denoted as "contract" carrier.

It is further found that if and when a carrier, by his own testimony and/or the testimony of supporting shipper witnesses, establishes a prima facie case for common carriage, the burden of proof then rests with the same carrier to overcome such evidence by establishing that the proposed services shall be technically and, in fact, true contract carriage. Applicant in the herein proceeding has not so done and has failed to sustain the burden of proof needed to permit the granting of the subject application to extend the contract carrier authority of Applicant.

14. Protestant, Raymond L. Pherson, is a common carrier by motor vehicle for hire who owns the necessary equipment needed to transport the lightweight aggregage, which is the commodity under consideration here. He owns eight tractors, four dump trailers, one dump truck, and one hopper trailer, which said equipment is suitable for the transportation of the commodity under consideration here. The record further discloses that Protestant has not received any complaints from his customers with regard to his services.

15. In the calendar year 1971, Protestant has received total revenues of approximately \$140,000, \$23,000 of which was revenue from the hauling of aggregate. If the authority applied for by the contract carrier were to be granted, it is not known what portion of the revenues derived from hauling aggregate would be subject to diversion; but, since Applicant intends to solicit just anybody for hauling aggregate, it is found as a fact that such revenues of the Protestant from his present customers can be subject to diversion.

16. Protestant has assets of approximately \$176,000 and liabilities of approximately \$30,000 with a partnership capital of approximately \$146,000. The aforesaid monies show that Protestant has sufficient capital available to serve the area under his authority.

17. The "field of service" theory advanced by Applicant in his counsel's Brief has been applied heretofore by this Commission, but it is found that no ruling in the herein proceeding is needed with regard to the "field of service" doctrine because it is found as a fact that while cinder block manufacturers who used sand and gravel in addition to cement in the manufacturing of cinder blocks heretofore are still using the aforesaid commodities but with the addition or as a replacement in some instances of lightweight aggregate for the gravel which is needed in order to manufacture cinder blocks. Lightweight aggregate is therefore found to be a distinct commodity although used contemporaneously with the sand and gravel in the manufacture of cinder blocks and similar products.

18. The granting of authority to extend operations as sought in the subject application will not be in the public interest.



CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

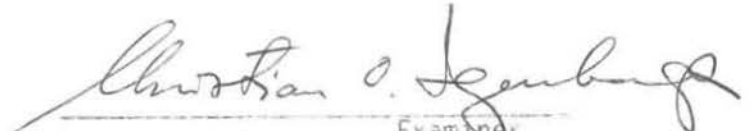
1. Application No. 25494-PP-Extension should be denied.
2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

O R D E R

THE COMMISSION ORDERS THAT:

1. Application No. 25494-PP-Extension, being an application of James Roger Crispin, 4815 North 26th Street, Boulder, Colorado, for a Class "B" Permit to operate as a contract carrier by motor vehicle for hire, be, and hereby is, denied.
2. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.
3. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
js

(Decision No. 80439)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25471-Extension
BESTWAY DISPOSAL CO., A COLORADO )	
CORPORATION, 5690 VALMONT ROAD, )	RECOMMENDED DECISION OF
BOULDER, COLORADO, FOR A CERTIFICATE )	CHRISTIAN O. IGENBERGS,
OF PUBLIC CONVENIENCE AND NECESSITY )	EXAMINER
AUTHORIZING EXTENSION OF OPERATIONS )	
UNDER PUC NO. 3235. )	GRANTING APPLICATION

-----  
June 9, 1972  
-----

Appearances: David W. Griffith, Esq., Boulder,  
Colorado, for Applicant;  
William A. Wilson, Esq., Denver,  
Colorado, for Broomfield Rubbish  
Removal, Protestant;  
Herbert M. Boyle, Esq., Denver,  
Colorado, for Denver Clean-Up,  
doing business as "Waste Disposal,"  
Protestant.

PROCEDURE AND RECORD

Under date of January 13, 1972, Applicant filed the above-entitled application with this Commission for authority to extend operations as a common carrier by motor vehicle for hire as specifically set forth in said application.

The Commission assigned Docket No. 25471-Extension to the application and gave due notice in accordance with the provisions of 115-6-8(2), CRS 1963, as amended.

The following protests were filed subsequent to the filing of the application: on February 16, 1972, the protest of Broomfield Rubbish Removal, and on March 1, 1972, the protests of Golden Transfer Company and Denver Clean-Up, Inc., doing business as "Waste Disposal."

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Wednesday, April 26, 1972, at 10 a.m. The hearing was held at the said time and place.

At the hearing, counsel for Applicant informed the Examiner that Applicant and Protestant, Golden Transfer Company, had entered into a Stipulation which, in essence, is an amendment to the application restricting Applicant against proposed services to be rendered within the following-described area, to-wit:

Area No. 1: Starting at the intersection of Nelson Road and Airport Road, then north along Airport Road to the intersection of Airport Road as extended with State Highway 66, thence east along State Highway 66 to Boulder-Weld County Line, then south along Boulder-Weld County Line to its intersection with Nelson Road as extended, thence west along Nelson Road as extended to intersection of Nelson Road and Airport Road which is the point of beginning.

Area No. 2: Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, Township 1 South, Range 69 West of the 6th Principal Meridian.

Pursuant to the aforesaid Stipulation, Protestant Golden Transfer Company requested leave to withdraw its protest and to withdraw from participation in the proceedings. The amendment contained in the aforesaid Stipulation, being restrictive in nature, was granted by the Examiner. The Examiner also granted Protestant Golden Transfer Company leave to withdraw from the proceedings. Applicant furthermore moved to strike the protest of Protestant Broomfield Rubbish Removal on the grounds that the protest of the aforesaid protesting company was improperly filed and on the further grounds that only one portion of the extended area for which authority to operate is prayed for by Applicant is in conflict with the Protestant. The motion was denied by the Examiner, whereupon Applicant requested leave to further amend the application by deleting from the proposed service area the area presently served by Protestant Broomfield Rubbish Removal under its existing authority. The second request for leave to amend the application, likewise being clearly restrictive in nature, was granted by the Examiner, whereupon Protestant Broomfield Rubbish Removal requested leave to withdraw from the proceedings. Protestant Denver Clean-Up, Inc., likewise requested leave to withdraw. The requests for leave to withdraw from the proceedings by Broomfield Rubbish Removal and Denver Clean-Up, Inc., were granted by the Examiner, and the hearing was conducted as a non-protested matter. The respective parties protestant who had withdrawn from the proceedings were granted by the Examiner leave to remain as parties to this proceeding for

the limited purpose of receiving a copy of the Order in the within matter.

Official notice was taken of the Financial Statement, Balance Sheet dated October 31, 1971, and the Equipment List of Applicant.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is a Colorado corporation duly organized and existing under the laws of the State of Colorado.

2. Applicant presently holds authority from this Commission under PUC NO. 3235, which reads as follows, to-wit:

"(1) Transportation -- on call and demand -- of  
Ashes, trash and other refuse

From points within the City of Boulder, State of Colorado and a five (5) mile radius thereof to designated and approved dump and disposal sites in the County of Boulder, State of Colorado.

(2) Transportation -- on call and demand -- of  
Ashes, trash and other refuse

From points within Niwot, Colorado to designated and approved dump and disposal sites in the County of Boulder, State of Colorado.

(3) Transportation -- on call and demand -- of  
Ashes, trash and other refuse

From all points within the following described area:

Commencing at the intersection of Colorado Highway No. 119 and Highway U. S. 287, thence south along U. S. 287 to the intersection of the South Boulder Road, thence west

three and one-half (3-1/2) miles along South Boulder Road, thence northwest along a line ten (10) miles to a point on Colorado Highway 119 six (6) miles southwest of Longmont, Colorado, thence along Highway 119 to the point of beginning, to designated and approved dumps and disposal sites in the County of Boulder, State of Colorado.

RESTRICTION:

Restricted against service in the Town of Lafayette, Colorado."

3. Applicant also holds authority from this Commission under Certificate of Public Convenience and Necessity PUC No. 4615 and Permit No. M-2401, which have no bearing on the herein application.

4. The authority to which extension is hereby sought, PUC No. 3235, has been continually operated in the past and is presently in good standing with the Commission.

5. By this application as amended, Applicant seeks to extend the authority under PUC No. 3235 to the rest and remainder of the County of Boulder, State of Colorado, with two exceptions:

(a) Area No. 1: Starting at the intersection of Nelson Road and Airport Road, thence north along Airport Road to the intersection of Airport Road as extended with State Highway 66, thence east along State Highway 66 to Boulder-Weld County Line, thence south along Boulder-Weld County Line to its intersection with Nelson Road as extended, thence west along Nelson Road as extended to intersection of Nelson Road and Airport Road which is the point of beginning.

(b) Area No. 2: Sections 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, Township 1 South, Range 69 West of the 6th Principal Meridian.

6. The extension applied for herein is compatible with and does not conflict with or duplicate the authority held by Applicant.

7. Applicant owns 11 packer trucks, 1 roll-off unit, 2 pickup trucks, and has on order for May 1 delivery one Kenworth w/Anchor Pac Roll-off Unit. In addition, Applicant has, at present, 8 stationary and 10 roll-off compaction units, of which two are located in the city of Boulder. In the event this application is granted, Applicant will obtain such other additional roll-off containers, stationary compaction units, and drop-box units as will be in accordance with the needs and usage in the proposed extended service area. Such units are available on the market and can also

be leased. It is found as a fact that all of the aforesaid presently-owned or to-be-acquired equipment is ample and suitable for the operation of the proposed extended authority applied for herein.

8. Applicant has, as of October 31, 1971, approximately \$27,000 in current assets, approximately \$203,000 in machinery, equipment, and buildings (net after depreciation), and other assets of approximately \$191,000 to a total figure in assets of approximately \$421,000. On the liabilities side, Applicant has approximately \$43,000 in current liabilities, approximately \$291,000 in long-term liabilities, approximately \$26,000 in capital stock and capital surplus, and retained earnings of approximately \$104,000. It is found as a fact that the aforesaid monies are ample and sufficient for the operation of the present authority and the extended authority applied for herein.

9. The Applicant corporation has operated under its present authority in this state for approximately 12 years and its officers and employees are, in the majority, seasoned transportation workers in the field of trash and refuse removal.

10. The chief corporate officers as well as the employees of Applicant are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicant has or will make adequate provisions for insurance.

11. According to the evidence of record and in particular the testimony given at the hearing by Mr. Robert V. Lord, Jr., president of R. V. Lord & Associates, Inc., a civil engineering firm located in the city of Boulder, the County of Boulder has become, during the past 10 years or so, highly urbanized in the part contained within the city limits of Boulder, Colorado, and its suburbs and has experienced considerable influx of permanent residents in several other small towns in the eastern part of the county. In addition, in the western part of the county which is located in the Rocky Mountains, there has been a great influx of permanent residents, some of whom have



settled within the boundaries of the existing mountain towns such as Nederland, Gold Hill, Jamestown, Lyons, Allenspark, Ward, and Peaceful Valley, but also in other areas where new subdivisions now exist containing a considerable number of residents. The growth of population in the County of Boulder has exceeded the previous planning and expectations of the County Commissioners of said County; and, as a result, orderly collection and disposal of trash collection has not kept pace with the growth of the population and is, at present, rather fragmented or non-existent except in the southern part of the county between Boulder and Denver, in the town of Boulder and its suburbs, and the other major towns within the county such as Longmont or Broomfield. The County Commissioners, being aware of the population growth in the County of Boulder and the need for orderly trash removal, have hired the R. V. Lord Company to conduct a study with respect to this problem, which said study has now been completed and recommendations presented to the County Commissioners. The results of the study show that at the present there exist approximately 10 landfill sites or dump sites in the County of Boulder which are being used for the dumping of trash and refuse. Seven out of that number are in violation of existing Colorado statutes, particularly our sanitation laws. The operations at most of these dump sites are uneconomical, which may be the reason for violations of the sanitation laws, and it is the recommendation of the R. V. Lord Company that all dump sites in the County of Boulder be henceforth closed except for the two major ones located at Superior and Longmont Colorado, which can be operated economically. The County Commissioners are expected to accept the aforesaid recommendation. If this came to pass, the situation with respect to ash and trash removal, particularly in the western part of the county, will become rather serious for the following reasons: the roads in the western mountainous part of the county are generally acceptable but especially during inclement weather with which the County of Boulder is unfortunately so blessed, these roads often are blocked or open only in part and the residents of the mountain towns or new subdivisions are not able to reach the disposal sites. The above-mentioned study by the Lord Company clearly shows that at the



settled within the boundaries of the existing mountain towns such as Nederland, Gold Hill, Jamestown, Lyons, Allenspark, Ward, and Peaceful Valley, but also in other areas where new subdivisions now exist containing a considerable number of residents. The growth of population in the County of Boulder has exceeded the previous planning and expectations of the County Commissioners of said County; and, as a result, orderly collection and disposal of trash collection has not kept pace with the growth of the population and is, at present, rather fragmented or non-existent except in the southern part of the county between Boulder and Denver, in the town of Boulder and its suburbs, and the other major towns within the county such as Longmont or Broomfield. The County Commissioners, being aware of the population growth in the County of Boulder and the need for orderly trash removal, have hired the R. V. Lord Company to conduct a study with respect to this problem, which said study has now been completed and recommendations presented to the County Commissioners. The results of the study show that at the present there exist approximately 10 landfill sites or dump sites in the County of Boulder which are being used for the dumping of trash and refuse. Seven out of that number are in violation of existing Colorado statutes, particularly our sanitation laws. The operations at most of these dump sites are uneconomical, which may be the reason for violations of the sanitation laws, and it is the recommendation of the R. V. Lord Company that all dump sites in the County of Boulder be henceforth closed except for the two major ones located at Superior and Longmont Colorado, which can be operated economically. The County Commissioners are expected to accept the aforesaid recommendation. If this came to pass, the situation with respect to ash and trash removal, particularly in the western part of the county, will become rather serious for the following reasons: the roads in the western mountainous part of the county are generally acceptable but especially during inclement weather with which the County of Boulder is unfortunately so blessed, these roads often are blocked or open only in part and the residents of the mountain towns or new subdivisions are not able to reach the disposal sites. The above-mentioned study by the Lord Company clearly shows that at the

present trash and refuse is being dumped all over the western part of the County of Boulder, alongside roads and highways, in ditches and in fields, or mountain meadows, creating a serious sanitation and pollution problem. If this situation prevails while the residents of western Boulder County still have some close dumps available, it will be vastly aggravated after the closing of all dumps in the county except the two at Superior and Longmont. The officials of the County of Boulder and the Lord Company have conducted numerous public meetings with the residents of the mountain towns and population centers and, as a result, with the support of the aforesaid communities, the Lord Company has recommended to the County Commissioners of the County of Boulder that a trash and refuse hauler install in all or most towns and population centers in the western part of the county stationary compaction boxes or collection units into which the residents would then deposit their trash and refuse instead of hauling it to dump sites or, as presently is done in many instances, by just scattering it any place away from the existing residences. The aforesaid study further shows that while the population of the western part of the County of Boulder has been growing considerably, many of the population centers do not yet contain a sufficient number of permanent residents to afford to have door-to-door, economically justifiable trash removal services. The above-described collection and removal stations in the form of drop boxes appear to be the only solution, and this solution is strongly supported by the residential population with which we are concerned here.

In addition, the eastern portion of the County of Boulder is undergoing a period of extensive population growth with new subdivisions containing numerous residents being erected by building contractors. These new subdivisions may, in time, grow to the extent where they would be able to economically afford door-to-door trash collection services; but that point in time is not here yet as far as the subdivisions currently under construction are concerned. At these construction sites, there is no trash collection available at the present time. Building contracts strongly support the type of service proposed by Applicant in its request for extended authority; as, for example, did Mr. Phillip E. Harris of Longmont, Colorado, field manager and

general superintendent of the Flatiron Construction Company. Said witness strongly supported Applicant's proposed services which would include the positioning of stationary compaction units or drop boxes at given construction sites to receive construction and clean-up trash debris, hauling the trash to the dumps where such trash can be lawfully disposed of, and returning the container or containers to the construction sites. Such operations would be more economical because the building contractors would not have to shift the accumulating trash and debris from place to place on the construction sites, haul it in and out on trucks to the dumps, and use for trash removal construction employees whose wages are rather expensive. Moreover, the continuous daily removal of trash and debris will allow the contractors to have their construction sites clean which enhances safety and decreases the possibility of accidents.

12. The granting of the requested extension of authority is not protested by any other common carriers by motor vehicle for hire.

13. There is presently no service available in the area to which extension is sought, or it is available only on an incomplete and fragmented basis so as to be, in fact, inadequate.

14. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

15. The granting of the authority applied for herein will be in the public interest.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicant should be granted as hereinafter set forth.

2. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

O R D E R

THE COMMISSION ORDERS THAT:

1. Bestway Disposal Co., a Colorado corporation, 5690 Valmont Road, Boulder, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 3235 as follows:

To the rest and remainder of the County of Boulder, State of Colorado, in addition to Applicant's present authority with two exceptions:

- (a) Starting at the intersection of Nelson Road and Airport Road; thence north along Airport Road to the intersection of Airport Road as extended with State Highway 66; thence east along State Highway 66 to Boulder-Weld County Line; thence south along Boulder-Weld County Line to its intersection with Nelson Road as extended; thence west along Nelson Road as extended to intersection of Nelson Road and Airport Road which is the point of beginning.
- (b) Commencing at the intersection of Baseline Road and South 112th St.; thence south on South 112th St. to its intersection with W. 120th Ave.; thence east along W. 120th Ave. (U.S. 287) to the Boulder-Adams County line; thence north along the Boulder-Adams County line to its intersection with Colorado Highway No. 7; thence west along Colorado Highway No. 7 to the point of beginning.

2. Henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 3235 shall read and be as follows, to-wit:

Transportation of

- (1) Ash, trash, and other refuse

From all points located within the County of Boulder, State of Colorado, to such locations where the same may be lawfully delivered or disposed of.

RESTRICTION:

Item (1) of this Certificate is restricted against rendering transportation within the following described areas of the County of Boulder:

- (a) Starting at the intersection of Nelson Road and Airport Road; thence north along Airport Road to the intersection of Airport Road as extended with Colorado Highway No. 66; thence east along Colorado Highway No. 66 to Boulder-Weld County line; thence south along Boulder-Weld County line to its intersection with Nelson Road as extended; thence west along Nelson Road as extended to the intersection of Nelson Road and Airport Road which is the point of beginning.

- (b) Commencing at the intersection of Baseline Road and South 112th Street; thence south on South 112th Street to its intersection with West 120th Avenue; thence east along West 120th Avenue (US 287) to the Boulder-Adams County line; thence north along the Boulder-Adams County line to its intersection with Colorado Highway No. 7; thence west along Colorado Highway No. 7 to the point of beginning.

- (2) Ash, trash, and other refuse

From all points located within that portion of the County of Jefferson lying within a five (5) mile radius of Boulder, Colorado, to such locations where the same may be lawfully delivered or disposed of.


3. Applicant shall operate its carrier system in accordance with this Order, except when prevented by an Act of God, the public enemy, or extreme conditions.

4. This Order is subject to compliance by Applicant with all present and future laws and rules and regulations of the Commission.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
sp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: ADDING PROVISIO "SUBJECT )  
TO LOADING BY CONSIGNOR AND )  
UNLOADING BY CONSIGNEE" )  
APPLICABLE TO POTATOES, IN )  
BAGS )  
----- )

CASE NO. 1585

-----  
June 8, 1972  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 10, 1972, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed 8th Revised Page No. 103 to its Motor Freight Tariff No. 14, Colorado PUC No. 13\*(\*The Motor Truck Common Carriers' Association, Agent, Series) amending Items 1485 and 1500 to include a proviso "subject to loading and unloading by the consignee and consignor" and scheduling the change to become effective June 10, 1972.

Supporting these tariff changes, by letters to the Commission, are L. G. Decker, Traffic Manager, Ashton Trucking Co., R. L. Phillips, Phillips Trucking Company and Wally Fletchinger, General Traffic Manager, Rio Grande Motor Way, Inc.

The gist of the reasoning for this change is:

1. To put all shippers on an equal footing;
2. It has been the practice for at least the last ten years for shipper to load and consignee to unload;
3. Some consignees have instituted a flat \$20.00 unloading fee;
4. Some consignees buy all shipments f.o.b. their docks (prepaid) and do not choose their carrier.

THE COMMISSION FINDS THAT:

1. No protests have been filed relative to the changed loading and unloading features.



2. In view of the reasons supporting this change, it appears it will be in the public interest.
3. Pursuant to Rule 19-B, Rules of Practice and Procedure an Order shall be entered prescribing said changes thereto.

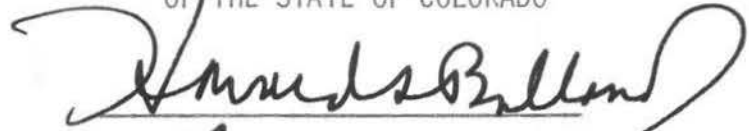
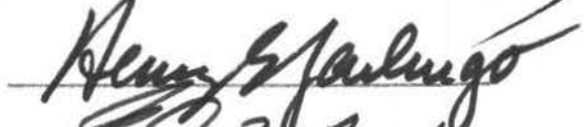

#### O R D E R

##### THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact and Appendix "A" be, and the same are hereby, made a part hereof.
2. That the provisions and changes set forth in Appendix "A" shall be the prescribed provisions of the Commission.
3. That on and after June 10, 1972, the affected common carriers by motor vehicle herein shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.
4. That all contract 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 prescribed for motor vehicle common carriers, on and after June 10, 1972.
5. 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.
6. That this Order shall not be construed so as to compel a contract carrier by motor vehicle to be or become a motor vehicle common carrier.
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

Dated at Denver, Colorado, this  
8th day of June, 1972. av

CASE No. 1585  
 DECISION No. 80440

APPENDIX "A"

COLO. PUC No. 13°  
 (\*THE MOTOR TRUCK COMMON CARRIERS'  
 ASSOCIATION, AGENT, SERIES)

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT MOTOR FREIGHT TARIFF No. 14				
SECTION NO. 5 COMMODITY RATES RATES ARE IN CENTS PER 100 POUNDS (UNLESS OTHERWISE STATED)				
ITEM	COMMODITY	FROM	TO	RATES
	COMMODITIES IN THE SAME ITEM MAY BE SHIPPED IN STRAIGHT OR MIXED TRUCK LOADS	(EXCEPT AS NOTED IN INDIVIDUAL ITEMS)	(EXCEPT AS NOTED IN INDIVIDUAL ITEMS)	
8TH REVISED PAGE No. 103				
1485	POTATOES, IN BAGS, TRUCKLOADS, MINIMUM WEIGHT 42,000 POUNDS. (RIO GRANDE MOTOR WAY, INC.) ♦ / SUBJECT TO LOADING BY CONSIGNOR AND TO UNLOADING BY CONSIGNEE.	MONTROSE, COLO.	DENVER, COLO.	45
1500	POTATOES, IN BAGS. ① MIN.WT. 30,000 POUNDS ② MIN.WT. 40,000 POUNDS (RIO GRANDE MOTOR WAY, INC.)	CENTER, COLO. ALAMOSA, COLO. LA JARA, COLO. MONTE VISTA DEL NORTE SARGENTS SCHOOL	COLORADO SPRINGS DENVER PUEBLO	① 41 ② 35 145 40 136 30 35
♦ / ALL RATES IN THIS ITEM ARE SUBJECT TO LOADING BY CONSIGNOR AND TO UNLOADING BY CONSIGNEE.				

/ DENOTES ADDITION.

♦ DENOTES INCREASE.

(Decision No. 80441)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES M. McCULLOUGH AND DONALD N. )  
DeJULIO, DOING BUSINESS AS "TELLURIDE )  
STAGE LINE," 448 MAIN STREET, )  
MONTROSE, COLORADO, FOR AUTHORITY )  
TO TRANSFER ALL RIGHT, TITLE, AND )  
INTEREST IN AND TO CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
PUC NO. 7762 TO DELBERT W. HALE, )  
DOING BUSINESS AS "TELLURIDE STAGE )  
LINE," 229 NO. TOWNSEND, MONTROSE, )  
COLORADO. )

APPLICATION NO. 25651-Transfer  
ORDER OF THE COMMISSION

- - - - -  
June 12, 1972  
- - - - -

It appearing, That by Order of the Commission dated April 10, 1972, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicants in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That James M. McCullough and Donald N. DeJulio, doing business as "Telluride Stage Line," 448 Main Street, Montrose, Colorado, be, and are hereby, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 7762 to Delbert W. Hale, doing business as "Telluride Stage Line," 229 No. Townsend, Montrose, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 7762 shall read and be as follows, to-wit:

"Transportation -- on call and demand -- of

Passengers and their baggage in limousine service

Between all points within Montrose, Colorado, and a five (5) mile radius thereof, on the one hand, and all points within Telluride, Colorado, and a ten (10) mile radius thereof, on the other hand.

RESTRICTION: This Certificate is restricted to the use of vehicles having a manufacturer's rated seating capacity of not less than six (6), or more than twelve (12) passengers."

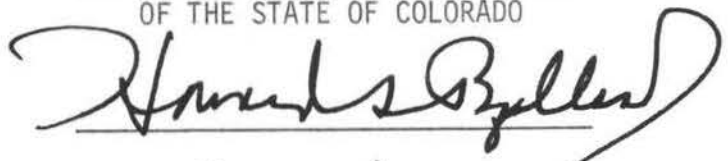


It is further ordered, That said transfer shall become effective only if and when, but not before, said Transferors and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty 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.

It is further ordered, That the tariff of rates, rules, and regulations of Transferors shall, upon proper adoption notice, become and remain those of Transferee until changed according to law and the rules and regulations of this Commission.

It is further ordered, That the right of Transferee to operate under this Order shall be dependent upon compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by Transferors of delinquent reports, if any, covering operations under said Certificate up to the time of transfer of said Certificate.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
12th day of June, 1972.

js



(Decision No. 80442)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
P. R. McCAY, BOX 394, PAONIA, )  
COLORADO, FOR AUTHORITY TO OPERATE )  
AS A CLASS "B" CONTRACT CARRIER BY )  
MOTOR VEHICLE. )

APPLICATION NO. 25716-PP-Amended  
ORDER OF THE COMMISSION

- - - - -  
June 12, 1972  
- - - - -

It appearing, That by Order of the Commission dated May 22, 1972, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is, fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That P. R. McCay, Box 394, Paonia, Colorado, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

- (1) 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;

- (2) 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;

- (3) 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;

- (4) 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;

RESTRICTION: Items No. 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

(5) Crushed rock

From point to point within a radius of fifty (50) miles of Paonia, Colorado."

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

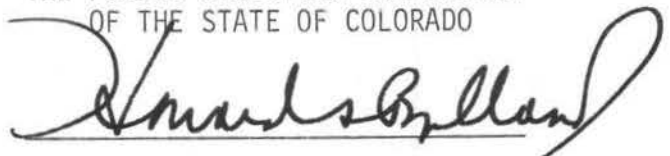
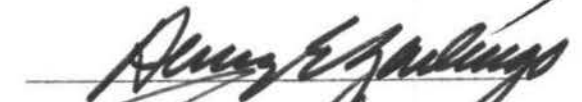
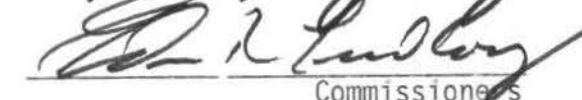
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
12th day of June, 1972.

js

(Decision No. 80443)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
TILLER'S INCORPORATED, 5580 WADS- )  
WORTH AVENUE, ARVADA, COLOADO, FOR )  
AUTHORITY TO EXTEND OPERATIONS UNDER )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY PUC NO. 897. )

APPLICATION NO. 25619-  
Extension and/or Clarification

ORDER OF THE COMMISSION

- - - - -  
June 30, 1972  
- - - - -

Appearances: Edward T. Lyons, Jr., Esq.,  
Denver, Colorado, for Applicant.

It appearing, That by Order of the Commission dated March 27, 1972, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That the present or future public convenience and necessity requires or will require Applicant's transportation service as hereinafter extended and ordered;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Tiller's Incorporated, 5580 Wadsworth Avenue, Arvada, Colorado, be and hereby is, authorized to extend and clarify operations under Certificate of Public Convenience and Necessity PUC No. 897 to include the following:

"(1) Transportation -- on call and demand -- of

Household goods, used office furniture and equipment, farm products, sand, gravel, rock, and dirt

Between all points located within an area described as follows: Jefferson and Denver Counties, and that portion of Arapahoe County lying north of Belleview Avenue as extended and west of Peoria Street as extended and that portion of Adams County lying west of Peoria Street as extended and on and south of 114th Avenue as extended and points within that portion of Boulder County lying on and south of Colorado Highway No. 170 as extended and on and east of Colorado Highway No. 93.

"(2) Transportation -- on call and demand -- of

Household goods and used office furniture and equipment, farm products, sand, gravel, rock, and dirt

Between points within the area described in Item No. 1, on the one hand, and all points located within the State of Colorado on the other hand."

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 897, as extended and clarified, shall read and be as follows, to wit:

"(1) Transportation -- on call and demand -- of

Household goods, used office furniture and equipment, farm products, sand, gravel, rock, and dirt

Between all points located within an area described as follows: Jefferson and Denver Counties, and that portion of Arapahoe County lying north of Bellevue Avenue as extended and west of Peoria Street as extended and that portion of Adams County lying west of Peoria Street as extended and on and south of 114th Avenue as extended and points within that portion of Boulder County lying on and south of Colorado Highway No. 170 as extended and on and east of Colorado Highway No. 93.

(2) Transportation -- on call and demand -- of

Household goods and used office furniture and equipment, farm products, sand, gravel, rock, and dirt

Between points within the area described in Item No. 1, on the one hand, and all points located within the State of Colorado on the other hand."

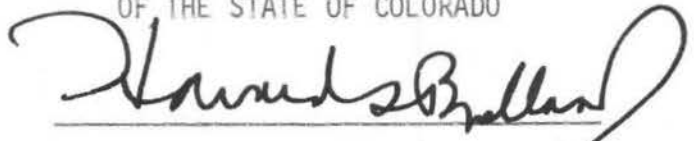
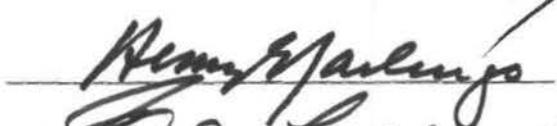

It is further ordered, That Applicant shall file tariffs of rules and regulations as required by law and the rules and regulations of this Commission within twenty days from date hereof.

It is further ordered, That the holder of this Certificate shall operate in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

It is further ordered, That this Order is subject to compliance by the holder of this Certificate with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective  
twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
30th day of June, 1972.  
nto



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 2130 )

Colorado Springs Cartage Inc. )  
313 E Vermijo )  
Colorado Springs, Colorado 80903 )

Respondent.)

CASE NO. 235-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

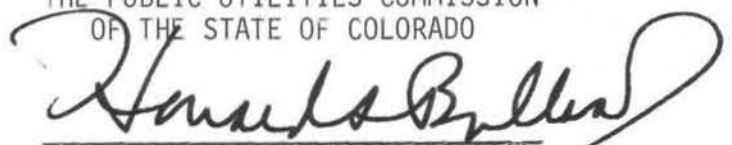
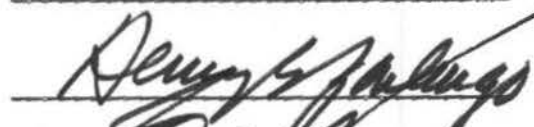

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80445

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 3208 )  
Brimmerman & Son Disposal )  
1742 Havana )  
Aurora, Colorado 80010 )  
Respondent.)

CASE NO. 236-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

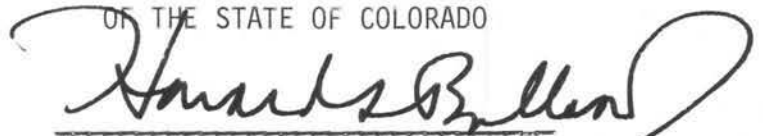
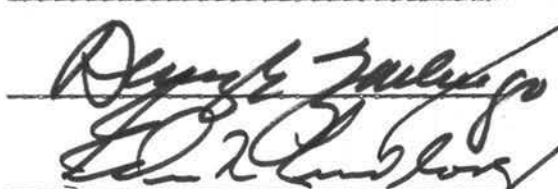

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate Nos. 3225, 4615, 4238 )  
543 )  
Bestway Disposal Co. )  
P. O. Box 795 )  
Greeley, Colorado 80630 )  
Respondent.)

CASE NO. 237-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

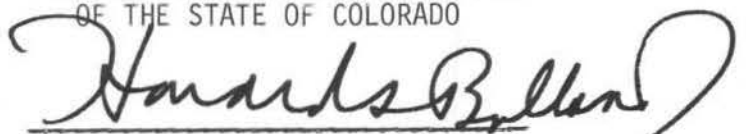
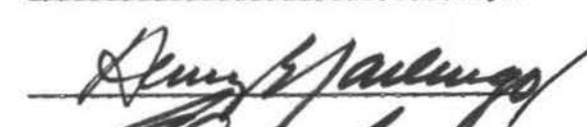

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

(Decision No. 80447

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 3312 )

City Wide Rubbish Removal Service )  
6691 E 80th Avenue )  
Commerce City, Colorado 80022 )

Respondent.)

CASE NO. 238-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

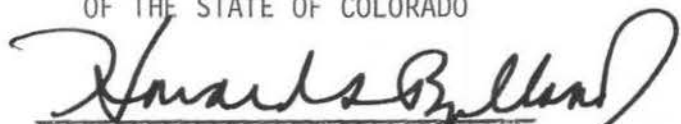
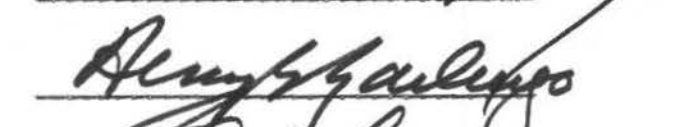

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80448

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 3337 )

Jesse Bragg Jr. & Earl Bragg )  
642 E Williamette )  
Colorado Springs, Colorado 80900 )

Respondent.)

CASE NO. 239-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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 the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Donald S. Belland*  
*Alvin L. Zalusko*  
*Ed R. Lullong*  
Commissioner



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 3570 )  
Edward Blea )  
3648 Gilpin Street )  
Denver, Colorado 80205 )  
  
Respondent.)

CASE NO. 240-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

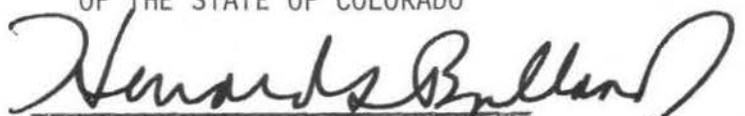


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

(Decision No. 80450)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 3595 )  
Denver Wide Rubbish Removal Service )  
3548 Gilpin Street )  
Denver, Colorado 80205 )  
  
Respondent.)

CASE NO. 241-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

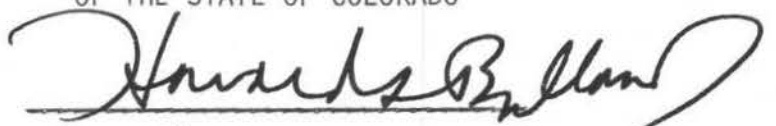
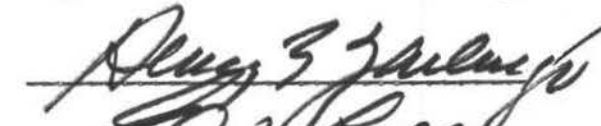

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
 )  
Certificate No. 3614 )  
 )  
James Romero )  
Box 312 )  
Ignacio, Colorado 81137 )  
 )  
Respondent.)

CASE NO. 242-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

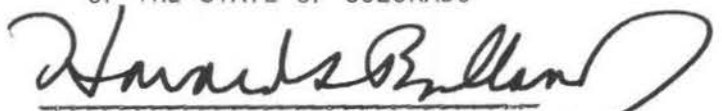
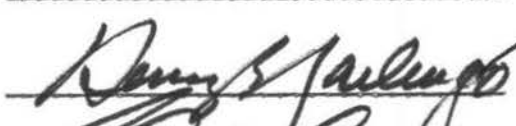

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80452

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 3712 )  
Frank Diaz )  
2501 Bluff Street )  
Boulder, Colorado 80301 )  
Respondent.)

CASE NO. 243-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

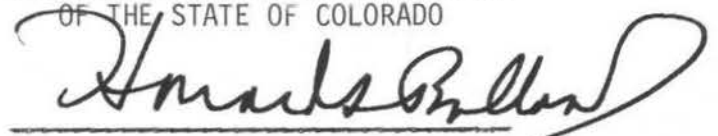
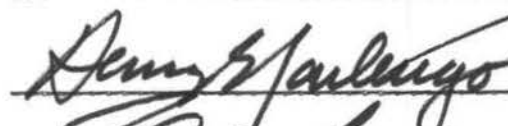

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 4340 )

Don Shields Disposal  
3450 Fordham Ct.  
Boulder, Colorado 80301 )

Respondent.)

CASE NO 244-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

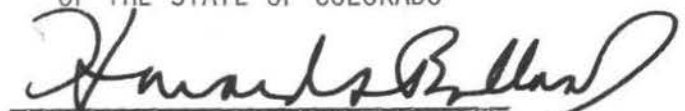
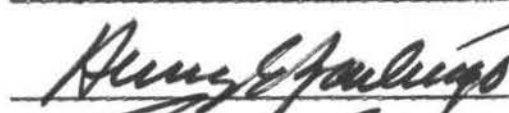

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 5362 )  
Lee Bros. Ash & Trash Disposal )  
2829 Harrison Street )  
Denver, Colorado 80205 )  
Respondent.)

CASE NO. 245-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

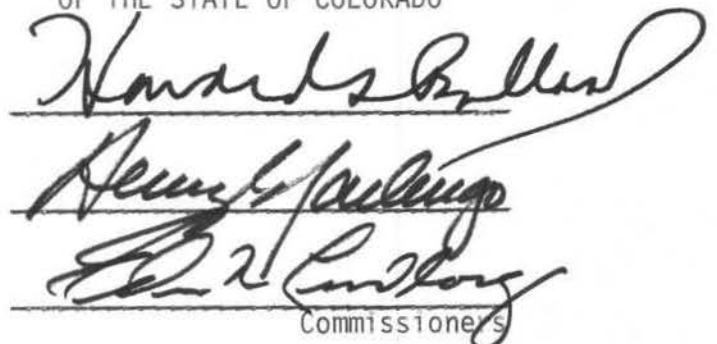
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 7909 )  
Sunshine Garbage Inc. )  
P. O. Box 193 )  
Crested Butte, Colorado 81224 )  
Respondent.)

CASE NO. 246-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

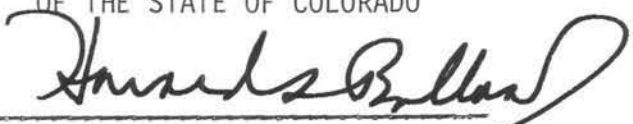
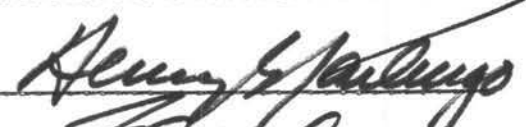

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 7930 )

Better Maintenance Service Inc. )  
P. O. Box 925 )  
Boulder, Colorado 80301 )

CASE NO. 247-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

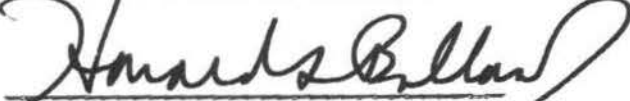


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80457)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )	
Certificate No. 346 )	CASE NO. <u>248-AR</u>
Cornelius Transfer & Storage )	NOTICE OF HEARING
1st and Santa Fe )	AND
La Junta, Colorado 80150 )	ORDER TO SHOW CAUSE
Respondent.)	

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

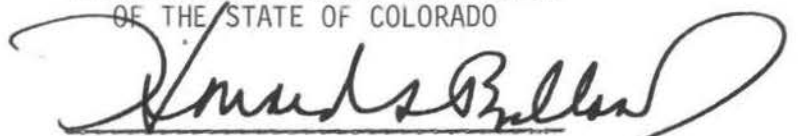


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 8194 )  
Duffy's Trucking )  
Cheyenne Wells, )  
Colorado 80810 )  
Respondent.)

CASE NO. 249-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

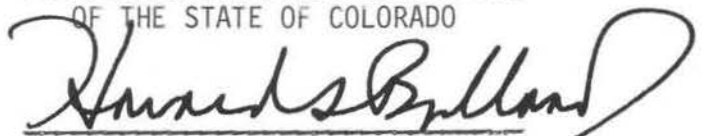
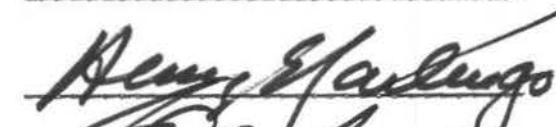

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 453 & I )  
Hoffman Transfer Co. )  
4825 Lima Street )  
Denver, Colorado 80239 )  
Respondent.)

CASE NO. 250-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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 the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Harold B. Bell*  
*Deputy Secretary*  
*Ed R. Lindsey*  
Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 7858 )  
Everett Kraft )  
Route 2, Box 181 )  
Pueblo, Colorado 81004 )  
Respondent.)

CASE NO. 251-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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 the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Howard Bullen*  
*Donald A. Delaney*  
*Ed. H. Lusk*  
Commissioners

(Decision No. 80461

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 8068 )  
 )  
Laverne Jenkins Trucking )  
Campo, )  
Colorado 81029 )  
 )  
Respondent.)

CASE NO. 252-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

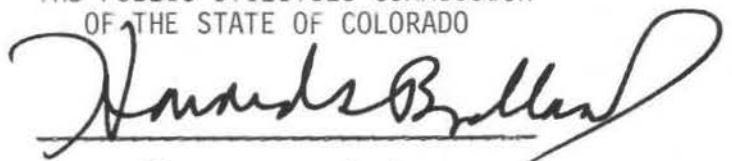


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 560 )

Lafferty Moving & Storage )  
517 13th Street )  
Greeley, Colorado 80631 )

CASE NO. 253-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

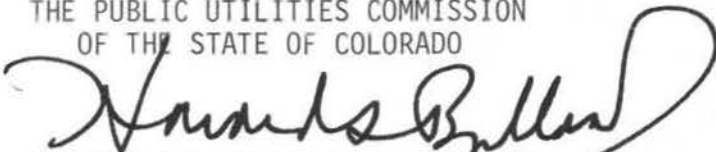
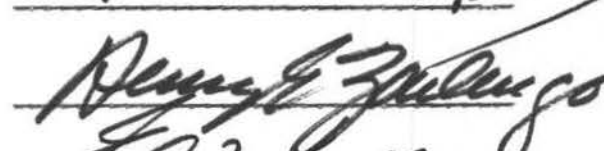
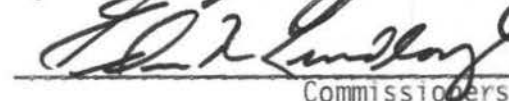
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 1416 )  
Morgan Cab. Co. )  
Apple Orchard Motel )  
625 E Platte Avenue )  
Fort Morgan, Colorado 80701 )  
Respondent.)

CASE NO. 254-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

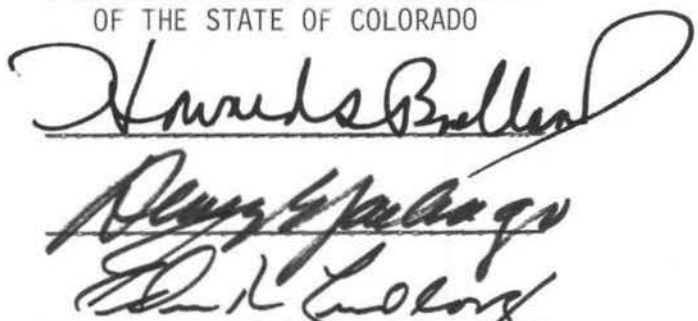
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

(Decision No.80464

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 3913 & I )  
Aaron & Santa Fe Moving & Storage Co.)  
2340 W 2nd Avenue )  
Denver, Colorado 80223 )  
Respondent.)

CASE NO. 255-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

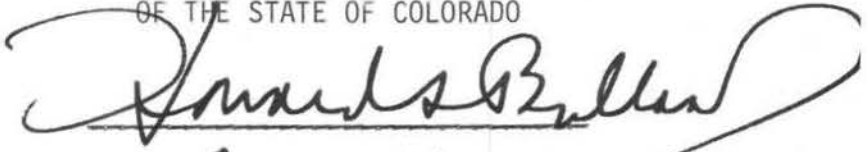

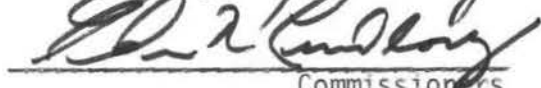
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 3450 & I )

Accurate Delivery Service, Inc. )  
5598 Broadway )  
Denver, Colorado 80216 )

Respondent.)

CASE NO. 256-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

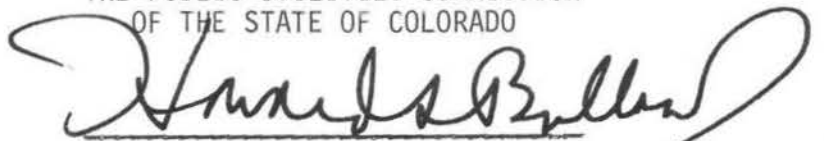
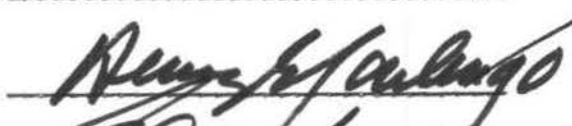

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 3642 & I )  
Art's Mobile Homes )  
438 No. Townsend Avenue )  
Grand Junction, Colorado 81501 )  
Respondent.)

CASE NO. 257-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

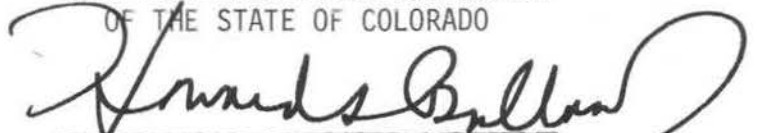
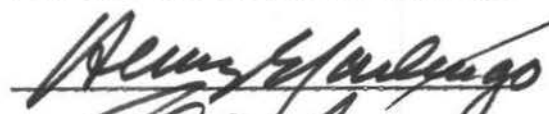

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 1229 & I )

H. W. Billings )  
601 West Sixth )  
Springfield, Colorado 81073 )

Respondent.)

CASE NO. 258-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

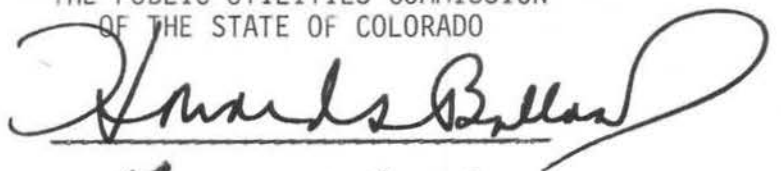


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 37 )

Douglas County Transfer Inc.  
P. O. Box 165  
Parker, Colorado 80134 )

Respondent.)

CASE NO. 259-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

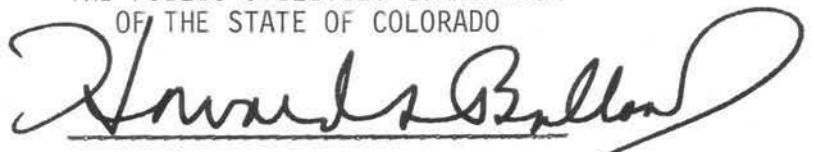
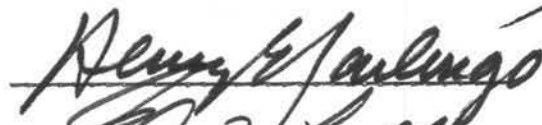
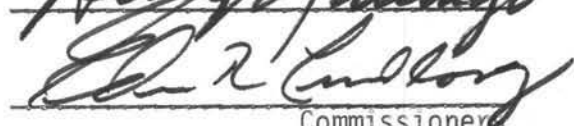
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 2783 )

E L W COMPANY )  
P. O. Box 187 )  
Salida, Colorado 81201 )

CASE NO. 260-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

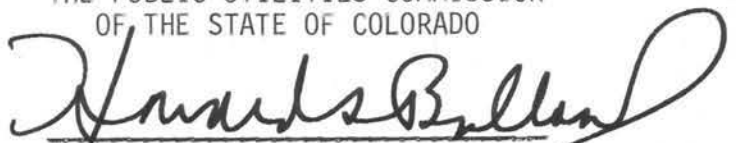
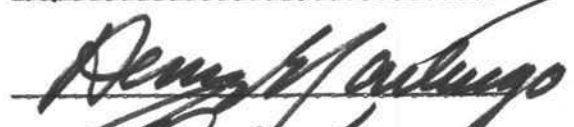

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner



(Decision No. 80470)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 6557 )

Mountain Motorway, Inc. )  
1546 Miner Street )  
Idaho Springs, Colorado 80452 )

CASE NO. 261-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

Respondent.)

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

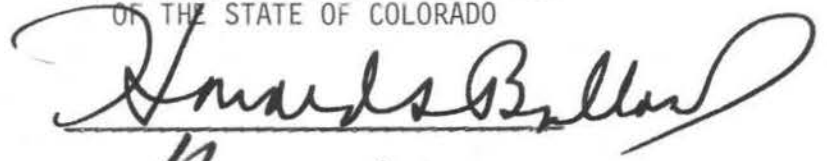
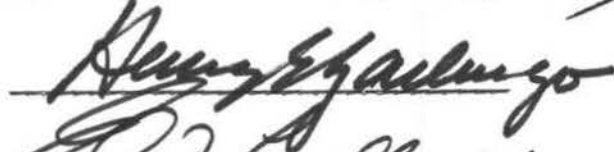

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



(Decision No. 80471

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 1969 )  
Haxtun Dray )  
RFD Route 1 )  
Fleming, Colorado 80728 )  
Respondent.)

CASE NO. 262-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

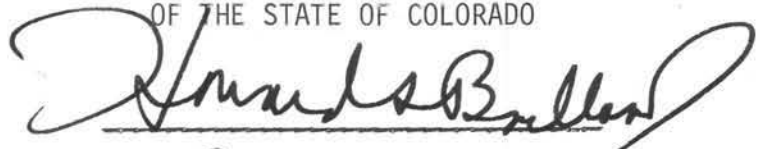
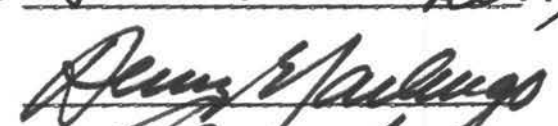

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 7869 )

High Country Jeep Tours  
P. O. Box 312  
Bailey, Colorado 80421 )

Respondent.)

CASE NO. 263-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

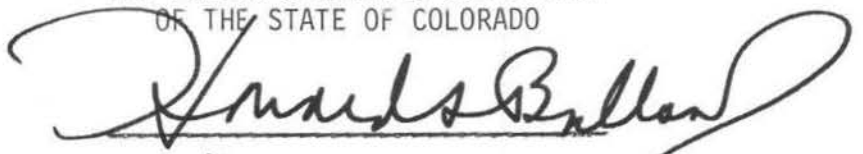


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 7040 )

High Country Tours )

P. O. Box 84 )

Buena Vista, Colorado 81211 )

Respondent.)

CASE NO. 264-AR

NOTICE OF HEARING  
AND

ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

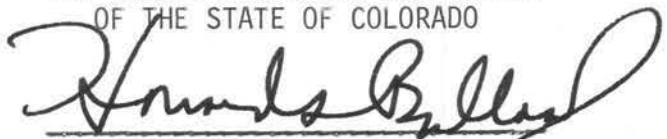
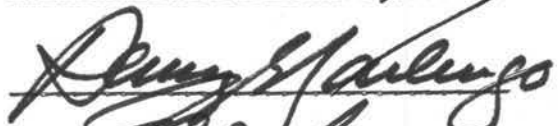

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 5991 )  
Floyd Keck )  
2215 Linden )  
Trinidad, Colorado 81082 )  
Respondent.)

CASE NO 265-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

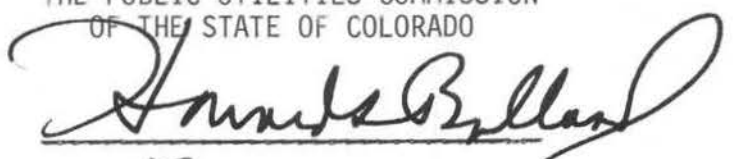
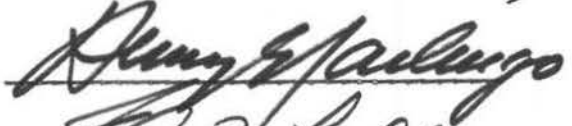

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

(Decision No. 80475

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 6962 )  
L & M Mobile Homes )  
405 W 7th Street )  
Cortez, Colorado 81321 )  
Respondent.)

CASE NO. 266-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

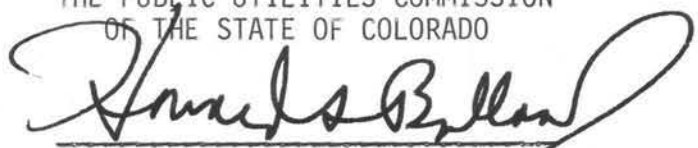
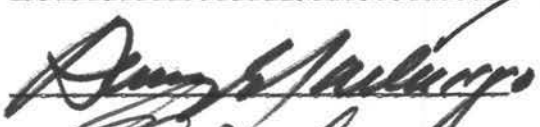
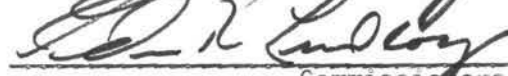
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 5632 )

Lake Eldora Bus. Co.  
1580 Canyon Blvd.  
Boulder, Colorado 80302 )

Respondent.)

CASE NO. 267-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

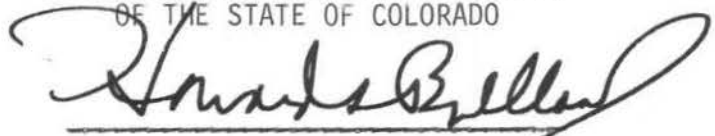
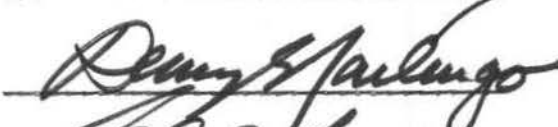

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



(Decision No. 80477

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 2352 )

Miller Transfer )  
720 Sycamore Street )  
Julesburg, Colorado 80737 )

Respondent.)

CASE NO. 268-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

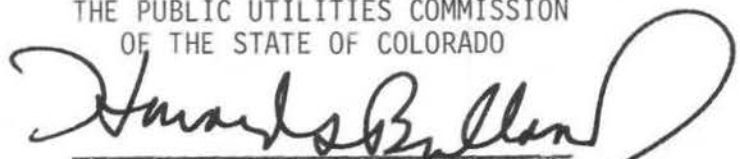


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 3346 )  
Million Dollar Moving & Storage )  
2000 E 40th Ave. )  
Denver, Colorado 80205 )  
Respondent.)

CASE NO. 269-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

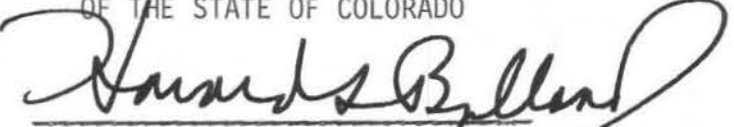
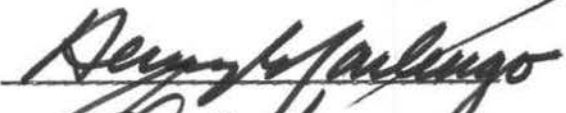
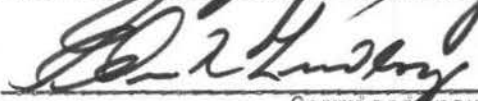
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 32 & I )  
Mountain Express Truck Line )  
2903 No. Tejon Street )  
Colorado Springs, Colorado 80907 )  
Respondent.)

CASE NO. 270-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

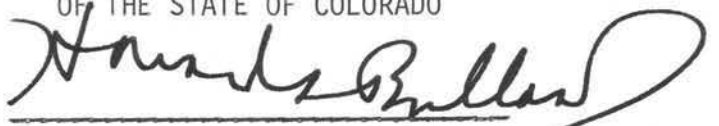
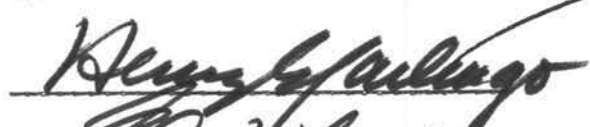

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80480)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 80480 )  
Keith Rehfeld )  
6486 Brentwood Court )  
Arvada, Colorado 80002 )  
Respondent.)

CASE NO. 271-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

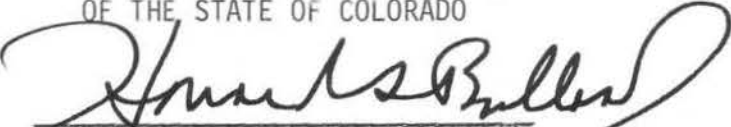
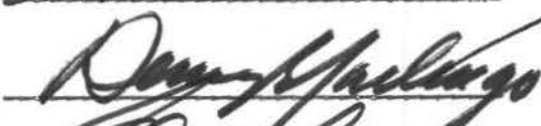
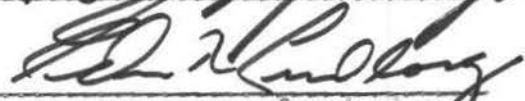
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80481

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 1579 )

Thomas W. Rogers  
Manassa,  
Colorado 81141 )

Respondent.)

CASE NO. 272-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

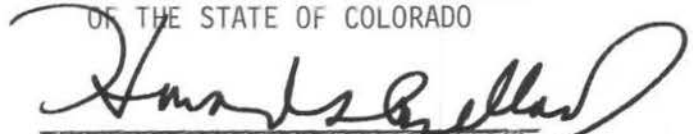
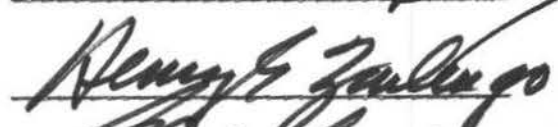

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 3141 )

Ryberg Construction Co.  
8317 So. Reed Street  
Littleton, Colorado 80120 )

Respondent.)

CASE NO. 273-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

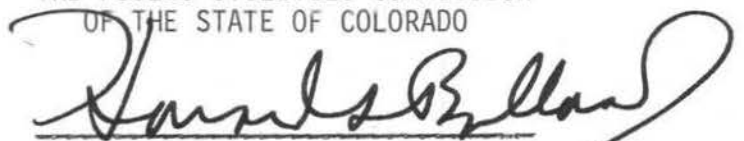


That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July, 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 7789 )

Ski Country Stages, Inc. )

P. O. Box 1046 )

Steamboat Springs, Colorado 80477 )

Respondent.)

CASE NO. 274-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

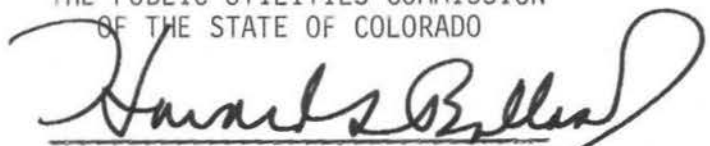
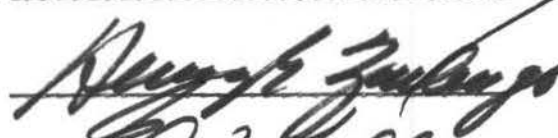

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80484

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )

Certificate No. 7762 )

Telluride Stage Line  
448 Main Street  
Montrose, Colorado 81401 )

Respondent.)

CASE NO. 275-AR

NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

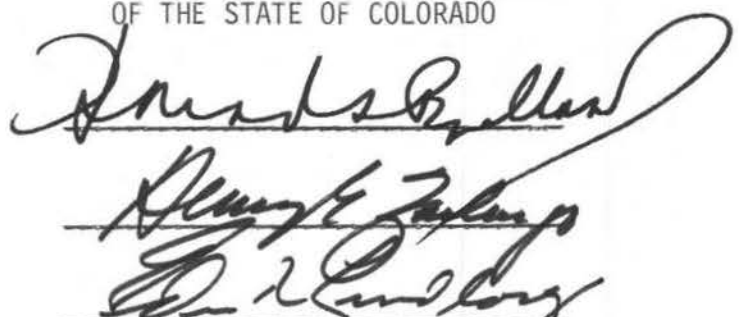
That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 1989 )  
Valley Taxi Service )  
1500 Elm Avenue )  
Rocky Ford, Colorado 81607 )  
Respondent.)

CASE NO. 276-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

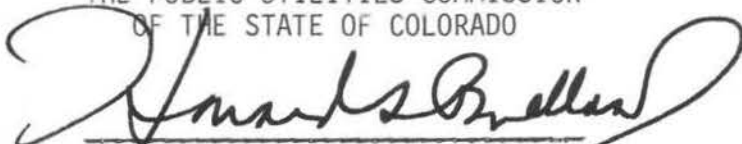
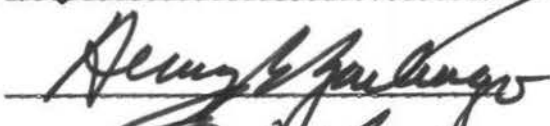

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972 .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80486

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS UNDER )  
Certificate No. 624 & I )  
Young Bros. Transfer & Storage Co. )  
1531 19th Street )  
Denver, Colorado 80202 )  
Respondent.)

CASE NO. 277-AR  
NOTICE OF HEARING  
AND  
ORDER TO SHOW CAUSE

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Heretofore the above named Respondent was issued the above-entitled authority to engage in the business of a motor vehicle carrier. The files of the Commission disclose that said Respondent has failed to file with the Commission an Annual Report as required by law and the Rules and Regulations of the Commission and is now operating under said authority in violation of said law, rules and regulations.

The Commission states and finds that unless the above named Respondent files with the Commission an Annual Report as above set forth 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 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:

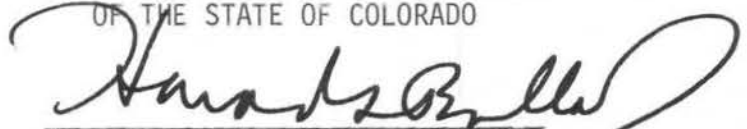
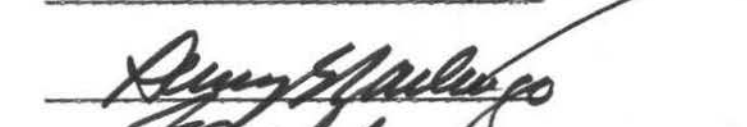

That this case be, and the same hereby is, set down for hearing in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10:00 a.m., on July 13, 1972, at which time and place proper evidence may be presented.

That, unless the herein Respondent shall have filed an Annual Report as herein set forth or shows 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.

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

Dated at Denver, Colorado, this 12th day of June, 1972

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

(Decision No. 80487)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HOME LIGHT AND POWER COMPANY, 810 )  
NINTH STREET, GREELEY, COLORADO, FOR )  
AN ORDER AUTHORIZING IT TO ISSUE A )  
MAXIMUM OF 40,000 SHARES OF ITS )  
COMMON STOCK TO BE PAID AS A TEN )  
PERCENT STOCK DIVIDEND. )

APPLICATION NO. 25744-SECURITIES

- - - - -  
June 12, 1972  
- - - - -

Appearances: Barnard Houtchens, Esq.,  
Greeley, Colorado,  
for Applicant;  
James A. VanderWal,  
Denver, Colorado, and  
Craig Merrell, Denver,  
Colorado, for the  
Staff of the Commission.

PROCEDURE AND RECORD

Home Light and Power Company (Applicant) filed Application No. 25744-Securities with this Commission on May 16, 1972. By such application Applicant seeks authority of this Commission to issue a maximum of 40,000 new shares of its common stock of the par value \$6.25 per share to be paid as a stock dividend of ten percent (10%) on its presently issued and outstanding common stock. Said application was set for hearing after due notice to all interested persons, firms or corporations at 9 a.m. on Wednesday, May 31, 1972, in the hearing room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, and was there heard by Hearing Examiner Robert L. Pyle, to whom the matter was assigned pursuant to law.

No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application.

Applicant's exhibits identified as A, B, C and D were offered and admitted into evidence.



### FINDINGS OF FACT

From the record herein the Commission finds as fact that:

1. Applicant Home Light and Power Company is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1963.

2. Applicant, a Colorado corporation, is a public utility operating company engaged in the purchase, transmission, distribution and sale of electric energy in Weld County, Colorado. The Company has no electric generating facilities but purchases its entire electric energy requirements from Public Service Company of Colorado. The Company supplies electric service at retail for residential, commercial and other uses in eleven cities and towns and seven other communities in addition to outlying rural territories in its service area in Weld County, Colorado. The incorporated cities and towns in which Applicant supplies electric service are: Ault, Eaton, Evans, Garden City, Gilcrest, Greeley, Kersey, LaSalle, Nunn, Pierce and Rosedale. The unincorporated towns and communities in which the Applicant supplies electric service are: Barnesville, Briggsdale, Farmers Spur, Galeton, Gill, Lucerne and Peckham.

3. Applicant is not affiliated with any other company.

4. This Commission has jurisdiction over the Applicant and the subject matter of this application.

5. The Commission is fully advised in the premises.

6. Applicant proposes to set aside, out of earned surplus or undivided earnings of the Company, a maximum of \$1,120,000 as stock dividends to the common stock now outstanding and to issue a maximum of 40,000 new shares of its common stock to be paid as a stock dividend of ten percent (10%) payable on or about July 20, 1972, to its common stockholders of record at the close of business on June 20, 1972.

7. For the purpose of this stock dividend declaration and for fractional share payments, a value of \$28.00 per share has been determined by the Board of Directors of the Company.



8. Applicant's pro forma capital structure after the issuance of the proposed stock dividends will remain unchanged at approximately 32% long-term debt, 3% preferred stock and 65% common stock equity.

9. The proposed issuance of 40,000 new shares of common stock of Applicant to be paid as a stock dividend of ten percent (10%) on Applicant's presently issued and outstanding common stock as hereinabove set forth is not inconsistent with the public interest and the purpose or purposes therefor are permitted by, and are consistent with the provisions of Chapter 115, Colorado Revised Statutes 1963, as amended.

Since Chapter 115-1-4, Colorado Revised Statutes 1963, requires that security applications be disposed of within thirty (30) days, the Commission finds that due and timely execution of its functions imperatively and unavoidably requires that the recommended decision of the Hearing Examiner be omitted and that this Decision should be the initial decision of the Commission.

#### CONCLUSION

It is the conclusion of the Commission that the authorization sought in the aforesaid application should be granted and the following Order should be entered.

#### O R D E R

##### THE COMMISSION ORDERS:

1. That Applicant Home Light and Power Company be, and it hereby is, authorized to issue a maximum of 40,000 new shares of its common stock of the par value of \$6.25 per share to be paid as a stock dividend of ten percent (10%) on its presently issued and outstanding common stock.

2. That the securities authorized to be issued hereunder shall bear on the face thereof a serial number for proper and easy identification.

3. That within ninety (90) days after the final delivery of the new shares of Applicant's common stock to be issued as a ten percent (10%) stock dividend, Applicant shall file with the Commission a verified

report showing the issuance of such securities, the costs and expenses incurred by Applicant incident to such issue and the journal entries reflecting such transaction on the books of Applicant.

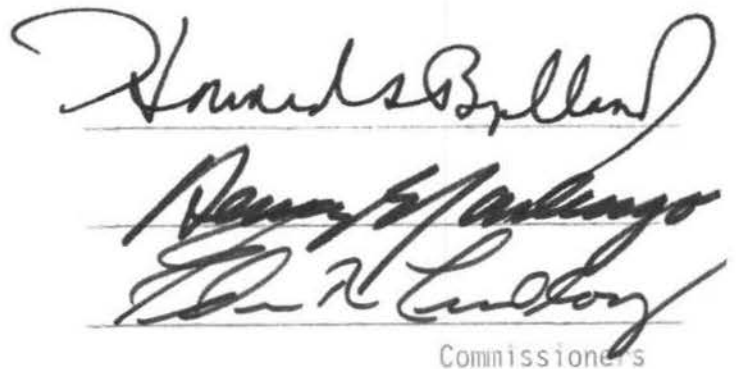
4. That nothing herein shall be construed to imply any recommendation or guaranty of or any obligation with respect to said securities on the part of the State of Colorado.

5. That this Commission retain jurisdiction of this proceeding 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.

6. That the authority herein granted shall be exercised from and after the date of this Order, and the Order herein contained shall be effective forthwith.

7. That the within Decision and Order shall be the initial Decision and Order of the Commission as provided for in Chapter 115-6-9 (6), CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



The block contains three handwritten signatures in cursive script, stacked vertically. Each signature is written over a horizontal line. The signatures appear to be of the three commissioners mentioned in the caption below.

Commissioners

Dated at Denver, Colorado,  
this 12th day of June, 1972.  
hbp

(Decision No. 80488)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARLAN BISHER, DOING BUSINESS AS )  
"BISHER'S HOT SHOT SERVICE," 627 )  
EAST PLATTE AVENUE, FORT MORGAN, )  
COLORADO, FOR TEMPORARY AUTHORITY )  
TO OPERATE AS A COMMON CARRIER BY )  
MOTOR VEHICLE. )

APPLICATION NO. 25757-TA

ORDER DENYING TEMPORARY AUTHORITY

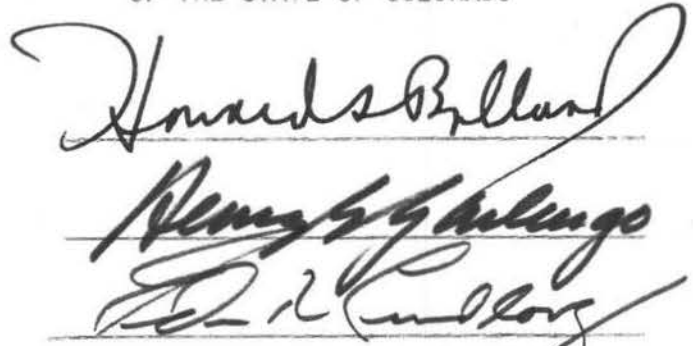
- - - - -  
June 12, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),  
being under consideration, and

It appearing, That the Applicant has not shown that there is  
an immediate and urgent need for the relief herein sought.

It is ordered, That the application for temporary authority  
be, and is hereby, denied.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 12th day of June, 1972.  
hbp

(Decision No. 80489)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SISK ENTERPRISES, INC., 1591 FULTON )  
STREET, AURORA, COLORADO, FOR TEM- )  
PORARY AUTHORITY TO OPERATE AS A )  
CLASS "B" CONTRACT CARRIER BY MOTOR )  
VEHICLE. )

APPLICATION NO. 25753-PP-TA

ORDER GRANTING TEMPORARY AUTHORITY

- - - - -  
June 12, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),  
being under consideration, and

It appearing, That there is an immediate and urgent need for  
the motor carrier service described in the appendix attached hereto, and  
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted tempo-  
rary authority, conditioned upon full compliance with all applicable  
statutory and Commission requirements, rules and regulations, to engage  
in the business of transportation by motor vehicle to the extent and in  
the manner set forth in the appendix attached hereto.

It is further ordered, That the service provided for in this  
order shall not be commenced until all requirements have been met and  
Applicant has received notice in writing from the Commission that  
compliance has been effected and service may be instituted.

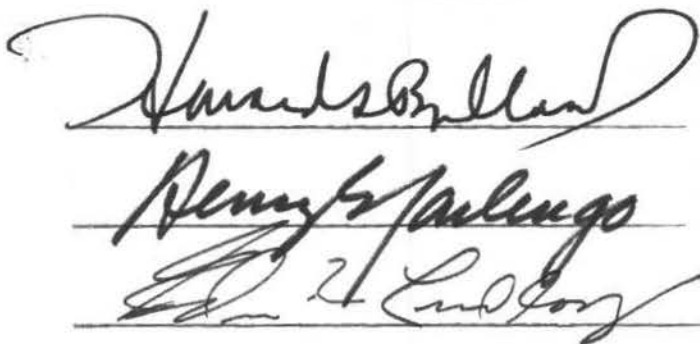
It is further ordered, That upon the authority herein granted  
becoming effective, failure of the Applicant to maintain compliance  
with statutory and Commission requirements shall constitute sufficient  
grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with  
all applicable statutory and Commission requirements, rules and regulations

within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Three handwritten signatures in cursive script, each written over a horizontal line. The signatures are of the three commissioners.

Commissioners

Dated at Denver, Colorado,  
this 12th day of June, 1972.  
hbp

(Decision No. 80489)  
June 12, 1972

APPENDIX

Application No. 25753-PP-TA

Sisk Enterprises, Inc.  
1591 Fulton Street  
Aurora, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 165 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

Lost, overdue, or mishandled baggage

From Stapleton International Airport to all points located within the counties of Arapahoe, Adams, Boulder, Denver, Douglas, Gilpin, Larimer, Jefferson and Weld, State of Colorado.

RESTRICTION: This temporary authority is restricted to rendering transportation service for only air carrier domiciled at Stapleton International Airport."



(Decision No. 80490)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
RALPH SHOEMAKER, DOING BUSINESS AS )	APPLICATION NO. 25603-PP
"SHOEMAKER TRUCKING COMPANY," 8624 )	
FRANKLIN ROAD, BOISE, IDAHO, FOR )	ORDER OF THE COMMISSION
AUTHORITY TO OPERATE AS A CLASS "B" )	
CONTRACT CARRIER BY MOTOR VEHICLE. )	

- - - - -  
June 9, 1972  
- - - - -

Appearances: John P. Thompson, Esq., Denver,  
Colorado, for Applicant.

It appearing, That by Order of the Commission dated March 27, 1972, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter ordered;

We further find, That it does not appear that the grant of authority as hereinafter ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Ralph Shoemaker, doing business as "Shoemaker Trucking Company," 8624 Franklin Road, Boise, Idaho, be, and is hereby, authorized to operate as a class "B" contract carrier by motor vehicle for hire for the following:

"Transportation of

Wood "I" beam trusses ~~and~~ component parts

From the plant of Trus-Joist Corporation, Fort Lupton, Colorado, to all points located within the State of Colorado, with the return of refused or rejected shipments.

RESTRICTION: This Permit is restricted to rendering transportation service for only Trus-Joist Corporation, Boise, Idaho."

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

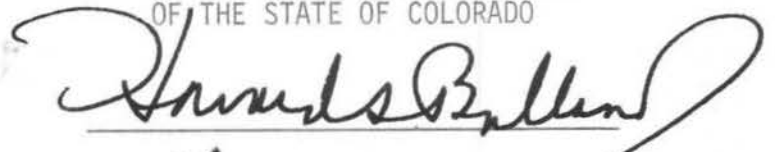


It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
9th day of June, 1972.  
js

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: APPLICATION TO PUBLISH ON LESS  
THAN STATUTORY (30 DAYS) NOTICE,  
NEW CONTAINER SERVICE APPLICABLE TO  
ASH, TRASH AND WASTE MATERIAL  
(K-RUBBISH REMOVAL, CERTIFICATE NO.  
3388)

APPLICATION NO. 25810

-----  
June 9, 1972  
-----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 2, 1972, John J. Conway, Esq., for and on behalf of Robert A. Leech, K-Rubbish Removal, filed a petition to publish on three day's notice, 1st Revised Page No. 3 to its Tariff No. 1, Colorado PUC No. 1, adding new provisions designated by Symbol "N" in the attached Appendix "A" to become effective June 5, 1972.

It is represented that:

"Mr. Leech recently purchased certain assets of B & B Rubbish Removal Service, including several one-yard and one and one-half yard trash containers. The owner of B & B does not desire to service the customers at whose locations these containers are situated and has requested K-Rubbish Removal to commence providing the service.

"K-Rubbish Removal's existing filed tariff does not provide a rate to be charged for servicing one-yard and one and one-half yard containers. The extra service No. 1 is a service which B & B had been performing and K-Rubbish Removal desires to continue to provide for these customers and others who may desire same."

THE COMMISSION FINDS:

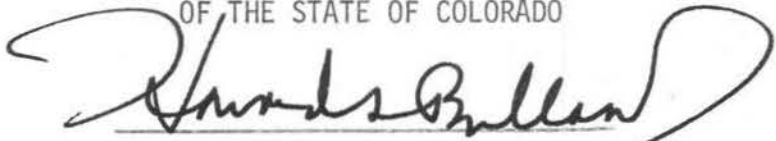
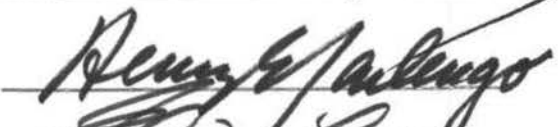

1. That the application should be granted.
2. That the Applicant carrier shall file the necessary revised (1st Revised Page 3) to its Colorado PUC No. 1, Tariff No. 1, indicating thereon the application and decision number of this Order with the appropriate changes as requested, upon less-than-statutory notice of thirty days.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact, and Appendix "A" attached hereto, be, and the same are hereby, made a part hereof.
2. That the Applicant may file the revised page as set forth in Finding No. 2 on one day's notice to the Commission and to the general public.
3. That the date and number of this Order shall be entered upon the revised page amending matter on Page 3, of Applicant's current tariff.
4. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

Dated at Denver, Colorado, this  
9th day of June, 1972. av

Appendix "A"

K RUBBISH REMOVAL

Issued: June 2, 1972

Effective: June 5, 1972

1st Revised Page 3  
Cancels Page 3

N	- CONTAINER SERVICE 1 YARD		
	One 1-Yard	One Pick up per week	\$8.00 per month
	" " "	Two Pick up per week	\$14.00 per month
N	" " "	Three Pick up per week	\$18.00 per month
	CONTAINER SERVICE 1 1/2 YARD		
	One 1 1/2 Yard	One pick up per week	\$10.00 per month
	" " "	Two Pick up per week	\$16.00 per month
	" " "	Three Pick up per week	\$20.00 per month

MISCELLANEOUS CONTAINER & DRUM CHARGES.

One 2 Yard container picked up two (2) times per week with wooden palets on side. \$24.00 per month

One 2 Yard container picked up One (1) time per week and 4 each 50 gallon drums picked up two (2) times per week at customers second location. \$17.50 per month

One 2 Yard container picked up one (1) time per week contains one (1) Yard of trash. \$11.00 per month

One metal box cleaned out one (1) time per week which contains approx. two (2) 50 gallon drums of trash. \$ 8.00 per month.

EXTRA CLEAN UP WORK

Extra work quoted and billed on one man and truck at \$15.00 per hr. Loading time. Where two men and truck used, charge will be \$15.00 per hour, including portal to portal time.

N EXTRA SERVICE NO. 1

- Cleaning or picking up around container area add...\$2 per month
- Places hard to get to such as having to move vehicles or having keys to open gates for entry-add...\$2 per month.

###

RECEIVED

JUN 2 1972

THE PUBLIC UTILITIES COMMISSION  
THE STATE OF COLORADO



(Decision No. 80492)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
SHUPE & YOST, INC., P.O. BOX 1123, )  
GREELEY, COLORADO. )

PERMIT NO. B-6739

- - - - -  
June 12, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Shupe & Yost, Inc., (Debtor), owner and operator of Contract Carrier Permit No. B-6739, herein seeks authority to encumber said Permit to the Cache National Bank of Greeley, P. O. Box 1257, Greeley, Colorado (Secured Party), to secure payment of indebtedness in the sum of Two hundred twenty-four thousand and no/100 dollars (\$224,000.00) in accordance with certain terms and conditions as set forth in Security Agreement dated May 10, 1972, and Financing Statement dated May 10, 1972.

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

O R D E R

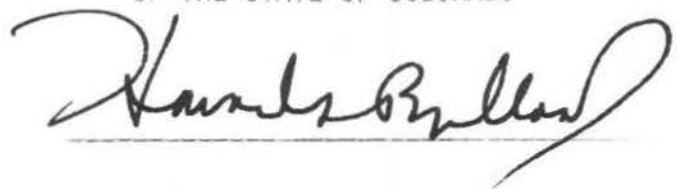
THE COMMISSION ORDERS:

That Shupe & Yost, Inc., P. O. Box 1123, Greeley, Colorado, be, and hereby is, authorized to encumber all right, title, and interest in and to Contract Carrier Permit No. B-6739 to the Cache National Bank of Greeley, Greeley, Colorado, to secure payment of the sum of Two hundred twenty-four thousand and no/100 dollars (\$224,000.00), in accordance

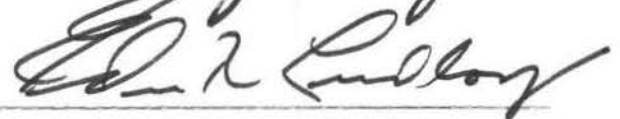
with the terms and conditions set forth in the Security Agreement and Financing Statement which is made a part of this Order by reference.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,  
this 12th day of June, 1972.  
hbp

(Decision No. 80493)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DONNIE R. LANE, LEONA LANE, TOMMIE )  
L. LANE, GILBERTA M. LANE, KENNETH )  
R. LANE AND EVELYN LANE, DOING )  
BUSINESS AS "DELTA SALES YARD," P. O. )  
BOX 35, 700 W. 5TH STREET, DELTA, )  
COLORADO, FOR AUTHORITY TO OPERATE )  
AS A COMMON CARRIER BY MOTOR VEHICLE )

APPLICATION NO. 25433

ORDER OF THE COMMISSION

-----  
June 12, 1972  
-----

Appearances: Roderick N. Stewart, Esq., Delta,  
Colorado, for Applicants.

It appearing, That by Order of the Commission dated January 17, 1972,  
notice of the filing of the above-entitled application was given to all inter-  
ested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to inter-  
vene or otherwise participate in the proceeding has been filed by any person  
within the time prescribed by the Commission in said Order, and that the herein  
proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein  
matter is one which may properly be determined without the necessity of a formal  
oral hearing and that the taking of evidence in this proceeding should be by  
reference to the verified application as filed with the Commission together with  
such additional information or data as may have been required of Applicants in  
connection with said filing, and the files and records of the Commission.

And it further appearing, That the evidence thus submitted amply  
warrants the grant of authority as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the present or future public convenience and necessity  
requires or will require Applicants' transportation service as hereinafter  
ordered;

And we further find, That Applicants are fit, willing and able properly to perform the service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Donnie R. Lane, Leona Lane, Tommie L. Lane, Gilberta M. Lane, Kenneth R. Lane and Evelyn Lane, doing business as "Delta Sales Yard," P. O. Box 35, 700 W. 5th Street, Delta, Colorado, be, and are hereby, granted a Certificate of Public Convenience and Necessity to operate as a common carrier by motor vehicle for hire for the following:

"Transportation -- on call and demand -- of  
Livestock

Between the Delta Sales Yard located at Delta, Colorado, on the one hand, and points located within a thirty (30) mile radius of Delta, Colorado, on the other hand."

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

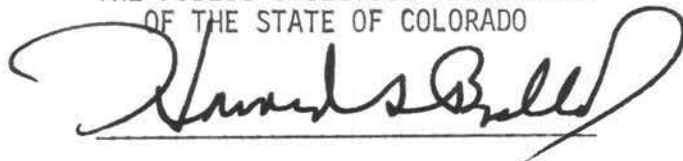
It is further ordered, That Applicants shall file tariffs of rates, rules and regulations as required by law and the rules and regulations of this Commission within twenty days from date hereof.

It is further ordered, That the holders of this Certificate shall operate in accordance with the Order of the Commission except when prevented by Act of God, the public enemy, or extreme conditions.

It is further ordered, That this Order is subject to compliance by the holders of this Certificate with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioner

Dated at Denver, Colorado,  
this 12th day of June, 1972.

sp

(Decision No. 80494)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MIDIA V. HART, DOING BUSINESS AS )  
"D. R. HART RUBBISH REMOVAL," 7980 )  
NEWPORT STREET, COMMERCE CITY, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER ALL )  
RIGHT, TITLE, AND INTEREST IN AND TO )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY PUC NO. 3605 TO LEO C. )  
HART, DOING BUSINESS AS "D. R. HART )  
RUBBISH REMOVAL," 6041 TICHY BOULE- )  
VARD, COMMERCE CITY, COLORADO. )

APPLICATION NO. 25596-Transfer

ORDER OF THE COMMISSION

- - - - -  
June 12, 1972  
- - - - -

Appearances: William Andrew Wilson, Esq.,  
Denver, Colorado,  
for Applicants.

It appearing, That by Order of the Commission dated March 27, 1972,  
notice of the filing of the above-entitled application was given to all inter-  
ested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to inter-  
vene or otherwise participate in the proceeding has been filed by any person  
within the time prescribed by the Commission in said Order, and that the herein  
proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the  
herein matter is one which may properly be determined without the necessity of  
a formal oral hearing and that the taking of evidence in this proceeding should  
be by reference to the verified application as filed with the Commission together  
with such additional information or data as may have been required of Applicants  
in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply  
warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has been satis-  
factorily established and that the transfer is compatible with the public interest;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Midia V. Hart, doing business as "D. R. Hart Rubbish Removal," 7980 Newport Street, Commerce City, Colorado, be, and is hereby, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 3605 to Leo C. Hart, doing business as "D. R. Hart Rubbish Removal," 6041 Tichy Boulevard, Commerce City, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 3605 shall read and be as follows, to wit:

"Transportation of

Ash, trash, and other refuse

From all points located within the City and County of Denver, Colorado, to such locations where the same may be lawfully delivered or disposed of."

It is further ordered, 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 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.

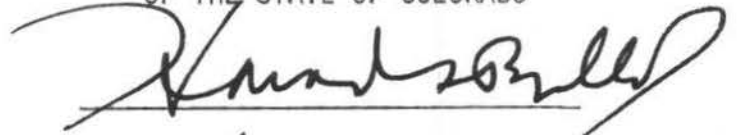
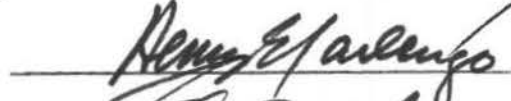

It is further ordered, That the tariff of rates, rules, and regulations of Transferor shall, upon proper adoption notice, become and remain those of Transferee until changed according to law and the rules and regulations of this Commission.



It is further ordered, That the right of Transferee to operate under this Order shall be dependent upon 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 Certificate up to the time of transfer of said Certificate.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 12th day of June, 1972.  
sp

(Decision No. 80495)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS )  
OF RESPONDENTS, COMMON AND )  
CONTRACT CARRIERS, AS SHOWN IN )  
APPENDIX "A" ATTACHED HERETO )  
-----

CASE NO. 5500

ORDER TO SHOW CAUSE  
AND  
NOTICE OF HEARING

-----  
June 12, 1972  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 25, 1971, the Commission instituted a general investigation of all common and contract motor vehicle carriers duly authorized to engage in the transportation of ashes, trash, waste, rubbish, garbage and other refuse.

The matter was assigned Case No. 1585 and Case No. 5453. All common and contract carriers by motor vehicle authorized to transport ashes, trash, waste, rubbish and garbage were made Respondents in these proceedings. After due and proper notice, the matter was set for hearing and was heard commencing at 10 a.m., on June 29, 1971, in the Commission's Hearing Room.

Pursuant to law the proceedings were assigned to Commissioner Edwin R. Lundborg for hearing and recommendation of a decision. On January 13, 1972, by Decision No. 79404, Commissioner Lundborg issued his Recommended Decision, which decision subsequently became the decision of the Commission as provided by Section 115-6-9 (2), CRS 1963, as amended.

The Commission, among other things, ordered -- to wit:

- "2. All Respondent motor vehicle common carriers and all Respondent motor vehicle contract carriers be, and hereby are, directed to file with this Commission on or before May 1, 1972, tariffs setting forth all rates and charges, rules, regulations and practices of such Respondents which tariff shall be, insofar as applicable, generally in the form of and contain the information prescribed under the rules and regulations of this Commission governing motor vehicle common carriers and motor vehicle contract carriers."

The Respondent carriers shown in Appendix "A" attached hereto have failed to file the required tariffs and said Respondents are now conducting operations as motor vehicle carriers under their certificates or permits which may be in violation of the Rules and Regulations of the Commission.

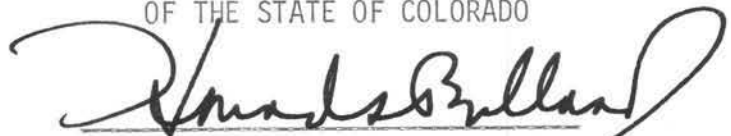


O R D E R

THE COMMISSION ORDERS:

That Respondents are hereby directed to appear before the Commission on the day and time set forth below, to show cause why the Commission should not take such action and enter such Order or penalty as may be appropriate, including, but not limited to an Order cancelling the aforesaid Certificates or Permits of the Respondents.

That this Case be, and the same hereby is, set for hearing before the Commission, Room 500, Columbine Building, 1845 Sherman Street, Denver, Colorado 80203, at 10 a.m., on September 6, 1972, at which time and place such evidence as is proper may be introduced and such arguments as are material to the issue may be presented.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

Dated at Denver, Colorado, this  
12th day of June, 1972. av

APPENDIX "A"

CERTIFICATE No. 2032  
PERSINGER'S RUBBISH REMOVAL, INC.  
3265 South Corona Street  
Englewood, CO 80110

CERTIFICATE No. 2179  
CHUCK STOVER ASH & TRASH SERVICE  
1402 Osyood Road  
Colorado Springs, CO 80915

CERTIFICATE No. 2183  
J & B HAULING CO.  
2502 Sonoma Drive  
Colorado Springs, CO

CERTIFICATE No. 2427  
BRAVO TRASH SERVICE  
1327 Roselawn Road  
Pueblo, CO 81001

CERTIFICATE No. 2547  
GROVE, ROBERT A.  
15965 South Golden Road  
Golden, CO 80401

CERTIFICATE No. 2783  
E L W COMPANY  
Rainbow Boulevard - P. O. Box 187  
Salida, CO 81201

CERTIFICATE No. 3048  
BROOMFIELD RUBBISH REMOVAL  
225 Main  
Broomfield, CO 80020

CERTIFICATE No. 3198  
HAMILTON, RAYMOND R.  
333 South Gilpin Street  
Denver, CO 80209

CERTIFICATE No. 3208  
BRIMMERMAN & SON DISPOSAL  
1742 Havana  
Aurora, CO 80010

CERTIFICATE No. 3275  
SUNSET SERVICE SPECIAL  
2401 East 34th Avenue  
Denver, CO 80205

CERTIFICATE No. 3286  
DENVER DISPOSAL COMPANY  
3001 Walnut Street  
Denver, CO 80205

CERTIFICATE No. 3312  
CITY WIDE RUBBISH REMOVAL SERVICE  
6691 East 80th Avenue  
Commerce City, CO 80022

CERTIFICATE No. 3323  
WESTERKAMP, ARTHUR F.  
5073 Grant Street  
Denver, CO 80216

CERTIFICATE No. 3337  
JESSE BRAGG JR. & EARL BRAGG  
642 East Williamette  
Colorado Springs, CO 80900

CERTIFICATE No. 3340  
GARRISON TRASH SERVICE  
337 Spruce Street  
Boulder, CO 80301

CERTIFICATE No. 3532  
RITE-WAY DISPOSAL  
1646 Routt  
Jefferson City, CO 80215

CERTIFICATE No. 3583  
VIVENS, RICHARD  
2227 Clarkson Street  
Denver, CO 80205

CERTIFICATE No. 3595  
DENVER WIDE RUBBISH REMOVAL SERVICE  
3548 Gilpin Street  
Denver, CO 80205

CERTIFICATE No. 3614  
ROMERO, JAMES  
Box 312  
Ignacio, CO 81137

CERTIFICATE No. 3634  
ALL-CITY HAULERS  
200 South Hazel Court  
Denver, CO 80219

CERTIFICATE No. 3724  
BARNETT COMPANY  
3800 Wynkoop Street  
Denver, CO 80205

CERTIFICATE No. 3786  
HOLLYWOOD JANITOR SERVICE  
4 Regis Lane  
Pueblo, CO 81005

CERTIFICATE No. 3945  
PISCIOFFE, TONY  
2025 East 12th Street  
Pueblo, CO 81001

CERTIFICATE No. 4077  
ARROW RUBBISH REMOVAL  
3205 West Union Avenue  
Englewood, CO 80110

CERTIFICATE No. 4353  
MORGAN COUNTY RUBBISH REMOVAL  
Route 1, Box 614  
Fort Morgan, CO 80701

CERTIFICATE No. 4615  
BESTWAY DISPOSAL CO., CORP.  
P. O. Box 795  
Greeley, CO 80631

CERTIFICATE No. 4749  
RODRIGUEZ, JESS J.  
932 Elm Street  
Pueblo, CO 81001

CERTIFICATE No. 4887  
DENVER RUBBISH REMOVAL  
4680 Gaylord Street  
Denver, CO 80216

CERTIFICATE No. 5136  
CROSS, JOEL  
3406 Josephine Street  
Denver, CO 80205

CERTIFICATE No. 5362  
LEE BROS. ASH & TRASH DISPOSAL  
2829 Harrison Street  
Denver, CO 80205

CERTIFICATE No. 5416  
SCOTT RUBBISH REMOVAL  
Route 2  
Glenwood Springs, CO 81601

CERTIFICATE No. 5495  
ZUPAN, JOE P.  
P. O. Box 695 - 105 Lavista Road  
Pueblo, CO 81001

CERTIFICATE Nos. 6980 & 8166  
PERMIT No. B-7278  
LAMB CONSTRUCTION INC.  
229 Park  
Lyons, CO 80540

CERTIFICATE No. 7745  
D & L SANITATION  
2511 Farragut  
Colorado Springs, CO 80907

CERTIFICATE No. 7909  
SUNSHINE GARBAGE INC.  
P. O. Box 193  
Crested Butte, CO 81224

CERTIFICATE No. 7930  
BETTER MAINTENANCE SERVICE INC.  
P. O. Box 925  
Boulder, CO 80301

CERTIFICATE No. 8043  
WASTE TRANSPORT COMPANY  
3703 West 80th Drive  
Westminster, CO 80030

CERTIFICATE No. 8085  
C & L SANITATION INC.  
40 South First Street  
Cheyenne Wells, CO 80810

CERTIFICATE No. 8255  
HUGHES, JOHN L.  
817 - 7th Street  
Walden, CO 80480

CERTIFICATE No. 8396  
ARCHULETA COUNTY TRASH SERVICE  
Box 301  
Pagosa Springs, CO 81147

PERMIT No. B-3967  
ARVADA RUBBISH REMOVAL CO.  
10843 West 68th Way  
Arvada, CO 80002

PERMIT No. B-5242  
NORTHLAND TRASH CORP.  
2701 Alcott Street  
Denver, CO 80211

PERMIT No. B-6393  
RIZZUTO BROTHERS INC.  
4001 Delgany Street  
Denver, CO 80205

PERMIT No. B-7184  
GALLAGHER, TIM  
Route 2  
Alamosa, CO 81101

PERMIT No. B-7109  
SANDER & HILYARD  
Box 765  
Idaho Springs, CO

PERMIT No. B-7111  
McCLURE, JOHN W.  
Box 202  
Central City, CO 80427

PERMIT No. B-4980  
DENVER DISPOSAL CO.  
3001 Walnut Street  
Denver, CO 80205

PERMIT No. B-5815  
SIMPSON, FRED  
2625 Jackson Street  
Denver, CO 80205

PERMIT No. B-5704  
CEDAR CANON COAL MINE  
Route 1  
Florence, CO 81626

PERMIT No. B-6082  
WITZEL, FREDDIE E.  
Burlington,  
CO 80807

PERMIT No. B-7058  
WILSON, ERNEST DARWIN  
Route 2, Box 124  
Berthoud, CO 80221

PERMIT No. B-5351  
BURBRIDGE, GEORGE L.  
Box 186  
Nucla, CO 81424

PERMIT No. B-6280  
GARCIA, TOM A.  
Box 326  
Center, CO 81125

PERMIT No. B-5101  
PARKS, ORVAL E.  
266 Cedar  
Akron, CO 80720



(Decision No. 80496)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25747-Suspension
BOULDER-YELLOW CAB, INC., DOING )	
BUSINESS AS "BOULDER STAGE LINES," )	RECOMMENDED DECISION OF
2680 ARAPAHOE STREET, BOULDER, )	CHRISTIAN O. IGENBERGS,
COLORADO 80302, FOR AUTHORITY TO )	EXAMINER
TEMPORARILY SUSPEND SERVICE UNDER )	
PUC NO. 301. )	DISMISSING APPLICATION

- - - - -  
June 12, 1972  
- - - - -

Appearances: Walter M. Simon, Esq.,  
Denver, Colorado, for  
Applicant.  
George Baker, Denver,  
Colorado, of the Staff  
of the Commission.

PROCEDURE AND RECORD

Under date of April 4, 1972, Applicant filed the above-entitled application with this Commission requesting authority to suspend service under the above-captioned Certificate as specifically set forth in said application.

The Commission assigned Docket No. 25747-Suspension to the application and gave due notice in accordance with the provisions of 115-6-8(2), CRS 1963, as amended.

No protests or petitions to intervene were received by the Commission in opposition to the granting of the application.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, on Wednesday, June 8, 1972, at 10 a.m. The hearing was held at the said time and place

At the commencement of the hearing, counsel for Applicant moved for leave to withdraw the application. The motion was granted by the Examiner.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant has withdrawn the subject application.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. Application No. 25747-Suspension, having been withdrawn by Applicant, should be dismissed.
2. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

1. Application No. 25747-Suspension, being an application of Boulder-Yellow Cab, Inc., doing business as "Boulder Stage Lines," 2680 Arapahoe Street, Boulder, Colorado 80302, for authority to temporarily suspend service under Certificate of Public Convenience and Necessity PUC No. 301, be, and hereby is, dismissed.
2. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.
3. As provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be

served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Christian O. Ikenberry  
Examiner  
rw/js

(Decision No. 80497)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
ENGLEWOOD-LITTLETON-ARAPAHOE RUBBISH	)	
REMOVAL, INC., 3950 SOUTH KALAMATH,	)	APPLICATION NO. 25739-Transfer-TA
ENGLEWOOD, COLORADO, FOR TEMPORARY	)	
APPROVAL TO CONDUCT OPERATIONS UNDER	)	ORDER GRANTING TEMPORARY APPROVAL
CERTIFICATE OF PUBLIC CONVENIENCE AND	)	
NECESSITY PUC NO. 3202 PENDING THE	)	
DETERMINATION OF THE APPLICATION TO	)	
ACQUIRE SAID CERTIFICATE.	)	

- - - - -  
June 12, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (2), being under consideration, and

It appearing, That appropriate application has been made to this Commission for permanent authority to transfer Certificate of Public Convenience and Necessity PUC No. 3202 from Arthur S. Van Eps, doing business as "Vanish Rubbish Removal," to the above-named Transferee.

It further appearing, That failure to grant temporary approval may result in destruction of, or injury to, the Applicant or interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

It is ordered, That Transferee be, and is hereby, granted temporary approval, conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

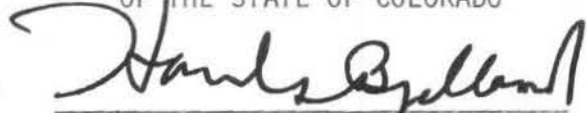
It is further ordered, That the service provided for in the Order shall not be commenced until all requirements have been met and Transferee has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the approval herein granted becoming effective, failure of the Transferee to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said approval.

It is further ordered, That if Transferee fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the approval herein granted shall create no presumption that corresponding permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_

  
  
Commissioners

Dated at Denver, Colorado this  
12th day of June, 1972.

hj

(Decision No. 80497)  
June 12, 1972

APPENDIX

Application No. 25739-Transfer-TA

Englewood-Littleton-Arapahoe Rubbish Removal, Inc.  
3950 South Kalamath  
Englewood, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY APPROVAL IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Common

SERVICE AUTHORIZED:

Temporary approval to conduct operations under Certificate of Public Convenience and Necessity PUC No. 3202 with authority as follows:

"(1) Transportation of

Ash, trash, and other refuse

From point to point within that portion of Arapahoe County as follows:

Beginning at a point where South University Boulevard intersects the Douglas County Line; thence north along said South University Boulevard to the Denver County Line; thence along the Denver County Line to a point where said county line intersects East Sixth Avenue (or any westerly extension thereof); thence along Colorado State Highway No. 30 to a point where said highway intersects Smoky Hill Road; thence along Smoky Hill Road to the Douglas County Line; thence due west along said Douglas County Line to the point of beginning, to such locations where the same may be lawfully delivered or disposed of."



"(2) Transportation of

Ash, trash, and other refuse

From points within the City and County of Denver to such locations where the same may be lawfully delivered or disposed of.

RESTRICTION: This temporary approval is restricted against rendering transportation service to customers within the City of Aurora, Colorado, the City of Englewood or any portion of the City of Littleton, Colorado, that may be included in said area."

(Decision No. 80498)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
MARIUS MARK FAIDY, P. O. BOX 1926, )	APPLICATION NO. 25752-PP-TA
LA POSTA ROAD, DURANGO, COLORADO, )	
FOR TEMPORARY AUTHORITY TO OPERATE )	ORDER GRANTING TEMPORARY AUTHORITY
AS A CLASS "B" CONTRACT CARRIER BY )	
MOTOR VEHICLE. )	

- - - - -  
June 12, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1),  
being under consideration, and

It appearing, That there is an immediate and urgent need for  
the motor carrier service described in the appendix attached hereto, and  
that there is no carrier service available capable of meeting such need.

It is ordered, That Applicant be, and is hereby, granted tempo-  
rary authority, conditioned upon full compliance with all applicable statu-  
tory and Commission requirements, rules and regulations, to engage in the  
business of transportation by motor vehicle to the extent and in the manner  
set forth in the appendix attached hereto.

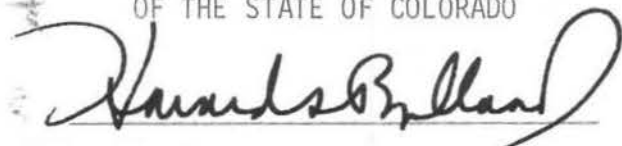


It is further ordered, That the service provided for in this  
order shall not be commenced until all requirements have been met and  
Applicant has received notice in writing from the Commission that compliance  
has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted  
becoming effective, failure of the Applicant to maintain compliance with  
statutory and Commission requirements shall constitute sufficient grounds  
for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado this  
12th day of June, 1972.

hj

(Decision No. 80498)  
June 12, 1972

APPENDIX

Application No. 25752-PP-TA

Marius Mark Faidy  
P. O. Box 1926, La Posta Road  
Durango, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engaged in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to operate as a class "B" contract carrier by motor vehicle with authority as follows:

"Transportation of

Ash, trash, and other refuse

From campgrounds located in the Pine District of the San Juan National Forest, to such locations where the same may be lawfully delivered or disposed of.

RESTRICTION: This temporary authority is restricted to rendering transportation service for only the U.S. Forest Service."

(Decision No. 80499)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DONALD K. GUMS AND GRACE GUMS, )  
DOING BUSINESS AS "AERO OIL CO.," )  
5801 FEDERAL, DENVER, COLORADO, FOR )  
EMERGENCY TEMPORARY AUTHORITY TO )  
OPERATE AS A CLASS "B" CONTRACT )  
CARRIER BY MOTOR VEHICLE. )

APPLICATION NO. 25811-PP-ETA

ORDER DENYING

EMERGENCY TEMPORARY AUTHORITY

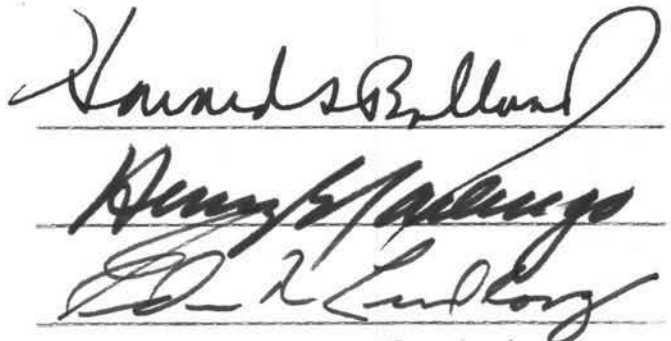
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June 12, 1972  
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The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That the Applicants have not shown that there is  
an immediate and urgent need for the relief herein sought.

It is ordered, That the application for emergency temporary  
authority be, and is hereby, denied.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 12th day of June, 1972.  
hbp

(Decision No. 80500 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
PARK CHAPMAN INDUSTRIES, INC. )  
11705 Shiawassee )  
Lennen, Michigan 48449 )

AUTHORITY NO. M 14103  
CASE NO. 8202-M-Ins.

-----  
May 24, 1972  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 8, 1972, 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.

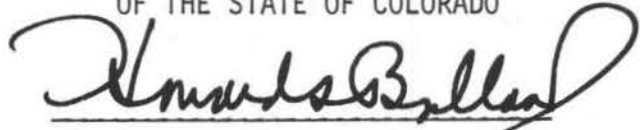
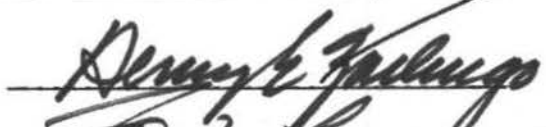

The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 24th day of May, 1972



(Decision No. 80501)

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 TOWING CAR- )  
RIERS BY MOTOR VEHICLE OVER THE PUBLIC )  
HIGHWAYS OF THE STATE OF COLORADO. )

- - - - -  
June 13, 1972  
- - - - -

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 towing carriers by motor  
vehicle over the public highways of the State of Colorado, but have either  
(1) failed, after filing an application for such authority, to file either  
the required certificate of insurance, or (2) articles of incorporation,  
(3) list of equipment, (4) description of storage area -- all of which are  
required by law and the Commission's Rules and Regulations Governing Towing  
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 per-  
sons 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 corpora-  
tions, partnerships, and/or persons before this Commission to obtain authority

to operate as towing carriers by motor vehicle over the public highways of the State of Colorado, be, and the same hereby are, dismissed:

NAME

REASON - FAILURE TO FILE:

James T. Crosby, dba  
Bing's Towing Service  
73 Hazel Ct.  
Denver, Colorado 80219

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

Chuck's Towing  
Box 412  
Gunnison, Colorado 81230

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability, Applica-  
tion, Equipment List, Storage  
Facilities, Designation of Agent.

Donohoe Motor Co.  
Fourth & Colorado  
Holly, Colorado 81047

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability, Designation  
of Agent, Articles of Incorporation.

Gary Ford, dba  
Gary Ford's Auto Repair  
Box 622  
Cedaredge, Colorado 81413

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability, Designa-  
tion of Agent

Joseph A. Fortino and Robert A.  
Jackson, dba  
Fortino & Jackson Chevrolet Co.  
920 North Main  
Pueblo, Colorado 81002

PL & PD Insurance

Four Seasons Texaco Inc.  
P. O. Box 400  
Estes Park, Colorado 80517

Requested dismissal

Walter Gabardi, dba  
Gabardi's Texaco  
85-87 Fountain Valley Shopping Center  
Security, Colorado 80911

Requested dismissal

Gary G. Salmans, dba  
Gary's Shamrock  
Route 1  
Stratton, Colorado 80836

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

Lester H. Gay, dba  
Gay Motors  
2400 No. Poplar Ave.  
Leadville, Colorado 80461

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

Harvey D. Wann, dba  
Harvey's Service  
Box 257  
Arriba, Colorado 80804

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

Rowland Boddy, dba  
Lyons Oil & Fuel  
339 Main Street  
Lyons, Colorado 80540

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

NAMEREASON - FAILURE TO FILE:

James I. and Bessie L. Ramsey, dba  
Rainbow Park Auto Salvage  
Route 1, Box 154  
Florence, Colorado 81226

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

Harvey L. Kittel, dba  
Scout 66 Service  
320 North College  
Fort Collins, Colorado 80521

Designation of Agent, Equipment  
List, Description of Storage  
Facilities.

Jesse Alberts, dba  
Vail Enco  
Box 1225  
Vail, Colorado 81657

PL & PD Insurance

LaVern Wedge, dba  
Verns Auto Sales & Service  
202 Oak  
Salida, Colorado 81201

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

Sir-Vim, Inc., dba  
Vince's "Red Carpet" Service  
2010 Clinton Street  
Aurora, Colorado 80010

PL & PD Insurance, Designation of  
Agent

Samuel M. and Douglas E. Hurley, dba  
Wetmore Garage  
Wetmore, Colorado 81253

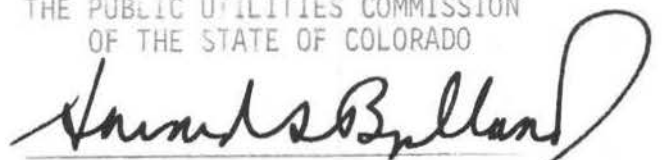
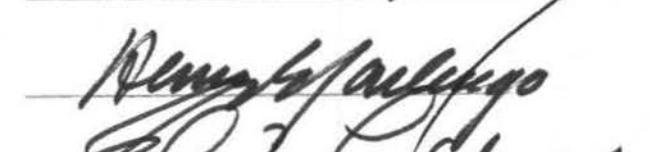

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

Quentin Wirth, dba  
Wirth Auto Parts  
Box 234  
Wiggins, Colorado 80654

PL & PD Insurance, Cargo or Garage  
Keepers Legal Liability

This Order shall become effective ten (10) days from the day  
and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 13th day of June, 1972.

sp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAYMOND R. HAMILTON, 333 SOUTH )  
GILPIN STREET, DENVER, COLORADO, )  
FOR AUTHORITY TO TRANSFER ALL RIGHT, )  
TITLE, AND INTEREST IN AND TO CERTI- )  
FICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY PUC NO. 3198 TO ROBERT C. )  
WRENFROW, DOING BUSINESS AS "A B C )  
DISPOSAL SERVICE," 2366 WEST 23RD )  
CIRCLE, GOLDEN, COLORADO. )

APPLICATION NO. 25609-Transfer  
ORDER OF THE COMMISSION

- - - - -  
June 13, 1972  
- - - - -

Appearances: W. David McClain, Esq., Denver,  
Colorado, for Applicants.

It appearing, That by Order of the Commission dated March 27, 1972,  
notice of the filing of the above-entitled application was given to all inter-  
ested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to  
intervene or otherwise participate in the proceeding has been filed by any  
person within the time prescribed by the Commission in said Order, and that  
the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the  
herein matter is one which may properly be determined without the necessity  
of a formal oral hearing and that the taking of evidence in this proceeding  
should be by reference to the verified application as filed with the  
Commission together with such additional information or data as may have  
been required of Applicants in connection with said filing, and the files  
and records of the Commission;

And it further appearing, That the evidence thus submitted amply  
warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has been satisfactorily established and that the transfer is compatible with the public interest;

And we further find, That Transferee is fit, willing and able properly to engage in bona fide motor carrier operations under the authority to be transferred and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Raymond R. Hamilton, 333 South Gilpin Street, Denver, Colorado, be, and is hereby, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 3198 to Robert C. Wrenfrow, 2366 West 23rd Circle, Golden, Colorado, subject to encumbrances, if any, against said authority approved by this Commission.

It is further ordered, That henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 3198 shall read and be as follows, to wit:

"Transportation of

Ash, trash, and other refuse

From all points located within the City and County of Denver, Colorado, to such locations where the same may be lawfully delivered or disposed of."

It is further ordered, 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,

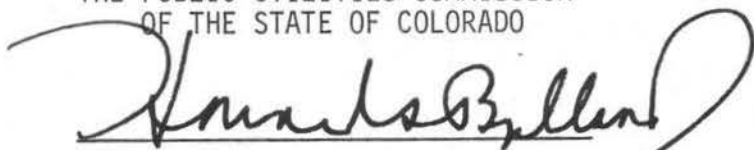

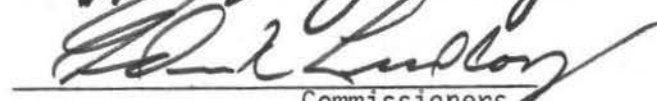
kept and performed. Failure to file said written acceptance of the terms of this Order within thirty days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

It is further ordered, That 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.

It is further ordered, That the right of Transferee to operate under this Order shall be dependent upon 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 Certificate up to the time of transfer of said Certificate.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
13th day of June, 1972.

js



(Decision No. 80503)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARL H. BATES, DOING BUSINESS AS )  
"LAMAR TAXI COMPANY," 121 WEST )  
BEECH, LAMAR, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER ALL RIGHT, TITLE, )  
AND INTEREST IN AND TO CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY )  
PUC NO. 1528 TO RICHARD E. WILLIAMS, )  
DOING BUSINESS AS "LAMAR TAXI )  
COMPANY," 121 WEST BEECH, LAMAR, )  
COLORADO. )

APPLICATION NO. 25649-Transfer  
ORDER OF THE COMMISSION

- - - - -  
June 13, 1972  
- - - - -

Appearances: John J. Lefferdink, Esq., Lamar,  
Colorado, for Applicants.

It appearing, That by Order of the Commission dated April 10,  
1972, notice of the filing of the above-entitled application was given  
to all interested persons, firms and corporations pursuant to CRS 1963,  
115-6-8 (2);

It further appearing, That no protest, objection or petition to  
intervene or otherwise participate in the proceeding has been filed by any  
person within the time prescribed by the Commission in said Order, and  
that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5),  
the herein matter is one which may properly be determined without the  
necessity of a formal oral hearing and that the taking of evidence in this  
proceeding should be by reference to the verified application as filed  
with the Commission together with such additional information or data as  
may have been required of Applicants in connection with said filing, and  
the files and records of the Commission;

And it further appearing, That the evidence thus submitted  
amply warrants approval of the transfer as hereinafter ordered;

Wherefore, and good cause appearing therefor:

We find, That the financial standing of the Transferee has  
been satisfactorily established and that the transfer is compatible with  
the public interest;

And we further find, That Transferee is fit, willing and able  
properly to engage in bona fide motor carrier operations under the  
authority to be transferred and to conform to the applicable statutory  
requirements and the Commission's rules and regulations thereunder, and  
that an appropriate order should be entered; and

It is ordered, That Earl H. Bates, doing business as "Lamar  
Taxi Company," 121 West Beech, Lamar, Colorado, be, and is hereby,  
authorized to transfer all right, title and interest in and to Certi-  
ficate of Public Convenience and Necessity PUC No. 1528 to Richard E.  
Williams, doing business as "Lamar Taxi Company," 121 West Beech,  
Lamar, Colorado, subject to encumbrances, if any, against said authority  
approved by this Commission.

It is further ordered, That henceforth the full and complete  
authority under Certificate of Public Convenience and Necessity PUC No.  
1528 shall read and be as follows, to wit:

"Transportation of

Passengers and their baggage by taxicab

Between all points located within the following described area:  
Commencing twenty (20) miles west of Lamar; thence south to a  
line running east and west through Springfield, Colorado, thence  
east along said line to a line running north and south twenty  
(20) miles east of Lamar; thence north along said line to a line  
running east and west through Eads, Colorado; thence west along  
said line to a point eleven (11) miles west of Eads; thence  
south to point of beginning."

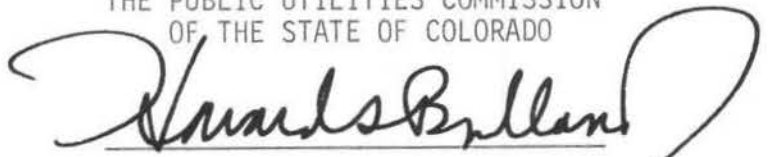


It is further ordered, That said transfer shall become effective only if and when, but not before, said Transferor and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions 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 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.

It is further ordered, That 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.

It is further ordered, That the right of Transferee to operate under this Order shall be dependent upon 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 Certificate up to the time of transfer of said Certificate.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
13th day of June, 1972.

js

(Decision No. 80504)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF COMMON AND CONTRACT )  
CARRIERS ENGAGED IN THE BUSINESS OF )  
TRANSPORTING ASHES, TRASH, REFUSE )  
AND GARBAGE. RE: THE FILING OF )  
TARIFFS AND ANNUAL REPORTS. )

CASE NO. 1585

ORDER OF THE COMMISSION  
GRANTING EXTENSION OF TIME  
AND  
VACATING AND RESETTING HEARING

- - - - -  
June 12, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 8, 1972, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Tariff Bureau, Inc., petitioned the Commission for an extension of time with respect to the matters contained in Decision No. 80390. The Commission finds and concludes that good cause existing therefor, the Petition should be granted and the following Order entered.

O R D E R

THE COMMISSION ORDERS THAT:

1. Decision No. 80390 be, and hereby is, amended to extend the time for filing the verification and/or tariffs as provided for in paragraph 1 of the ordering provisions of said Decision No. 80390 until and including August 1, 1972.

2. The hearing heretofore set in this matter by Decision No. 80390 on June 16, 1972, be, and hereby is, vacated, and the matter be, and hereby is, reset for hearing as follows:

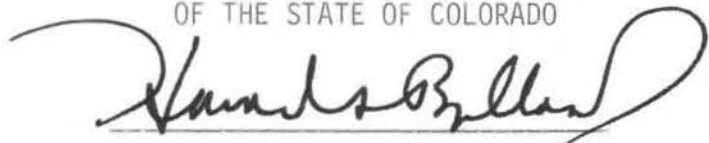
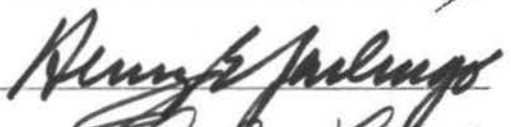

DATE: Tuesday, August 8, 1972

TIME: 10:00 o'clock A.M.

PLACE: 500 Columbine Building  
1845 Sherman Street  
Denver, Colorado

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
12th day of June, 1972.

js

(Decision No. 80505)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
GLEN LEE SELBY, 8724 WEST 46TH	)	APPLICATION NO. 25664-PP-Extension
AVENUE, ARVADA, COLORADO, FOR AUTHOR-	)	
ITY TO EXTEND OPERATIONS UNDER CONTRACT	)	ORDER OF THE COMMISSION
CARRIER PERMIT NO. B-7571.	)	

- - - - -  
June 14, 1972  
- - - - -

It appearing, That by Order of the Commission dated April 10, 1972 notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered.



We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Glen Lee Selby, 8724 West 46th Avenue, Arvada, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-7571 to include the following:

"Transportation of

- (1) 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 two hundred (200) miles of said pits and supply points;

- (2) 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 two hundred (200) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone, and refuse

From and to building construction jobs, to and from points within a radius of two hundred (200) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of two hundred (200) miles of said pits and supply points;

RESTRICTION: Items No. 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

- (5) Peat moss

From all points located within the Counties of Park, Gilpin, and El Paso, State of Colorado, to all points located within the State of Colorado."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-7571, as extended, shall read and be as follows, to wit:

"Transportation of

- (1) 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 two hundred (200) miles of said pits and supply points;

- (2) 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 two hundred (200) miles of said pits and supply points;

- (3) Sand, gravel, dirt, stone, and refuse

From and to building construction jobs, to and from points within a radius of two hundred (200) miles of said jobs;

- (4) Insulrock

From pits and supply points in the State of Colorado to roofing jobs within a radius of two hundred (200) miles of said pits and supply points;

RESTRICTION: Items No. 1, 2, 3, and 4 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials.

- (5) Peat moss

From all points located within the Counties of Park, Gilpin, and El Paso, State of Colorado, to all points located within the State of Colorado."

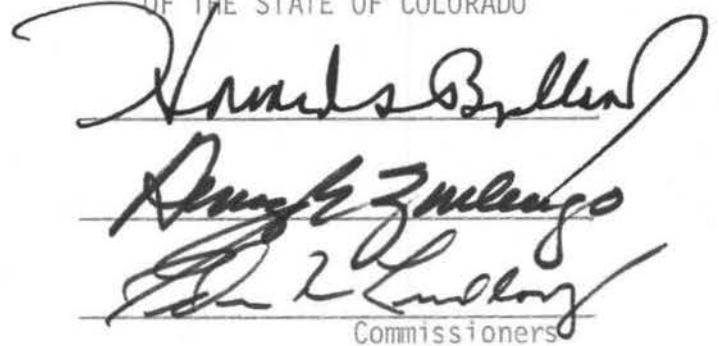
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado this  
14th day of June, 1972.

hj

(Decision No. 80506)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
RONALD L. ANDERSON, ROUTE 2, BOX 46, )	APPLICATION NO. 25700-PP-Extension
EATON, COLORADO, FOR AUTHORITY TO )	
EXTEND OPERATIONS UNDER CONTRACT )	ORDER OF THE COMMISSION
CARRIER PERMIT NO. B-7661. )	

- - - - -  
June 13, 1972  
- - - - -

It appearing, That by Order of the Commission dated May 8, 1972, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8 (2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing , That pursuant to CRS 1963, 115-6-9 (5) the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered;

We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Ronald L. Anderson, Route 2, Box 46, Eaton, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-7661 to include the following:

"Transportation of

Farm products

Between all points located within an area comprised of the Counties of Weld, Morgan, Larimer, Boulder, Adams, Yuma, and Washington, State of Colorado.

RESTRICTION: This Permit is restricted against the transportation of livestock, bulk milk, and dairy products."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-7661, as extended, shall read and be as follows, to wit:

"Transportation of

(1) Natural fertilizer

Between all points located within an area comprised of the Counties of Weld, Morgan, Larimer, Boulder, and Adams, State of Colorado.

(2) Farm products

Between all points located within an area comprised of the Counties of Weld, Morgan, Larimer, Boulder, Adams, Yuma, and Washington, State of Colorado.

RESTRICTION: Item No. 2 of this Permit is restricted against the transportation of livestock, bulk milk, and dairy products."

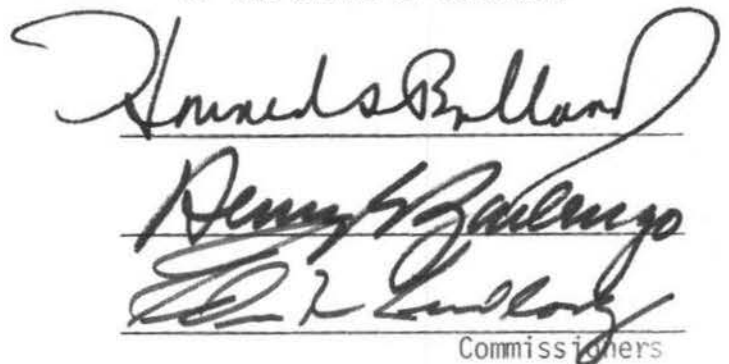
It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado this  
13th day of June, 1972.

hj



(Decision No. 80507)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
MICHAEL G. MALOTT, 3301 MOORE LAND, )	APPLICATION NO. 25717-PP-Extension
FORT COLLINS, COLORADO, FOR AUTHORITY )	
TO EXTEND OPERATIONS UNDER CONTRACT )	ORDER OF THE COMMISSION
CARRIER PERMIT NO. B-7666. )	

- - - - -  
June 13, 1972  
- - - - -

It appearing, That by Order of the Commission dated May 8, 1972, notice of the filing of the above-entitled application was given to all interested persons, firms and corporations pursuant to CRS 1963, 115-6-8(2);

It further appearing, That no protest, objection or petition to intervene or otherwise participate in the proceeding has been filed by any person within the time prescribed by the Commission in said Order, and that the herein proceeding is therefore noncontested and unopposed;

It further appearing, That pursuant to CRS 1963, 115-6-9 (5), the herein matter is one which may properly be determined without the necessity of a formal oral hearing and that the taking of evidence in this proceeding should be by reference to the verified application as filed with the Commission together with such additional information or data as may have been required of Applicant in connection with said filing, and the files and records of the Commission;

And it further appearing, That the evidence thus submitted amply warrants the grant of authority as hereinafter extended and ordered;

Wherefore, and good cause appearing therefor:

We find, That there is a present and special need for Applicant's transportation services as hereinafter extended and ordered;

We further find, That it does not appear that the grant of authority as hereinafter extended and ordered will impair the efficient public service of any authorized common carrier adequately serving the same territory over the same general route or routes;

And we further find, That Applicant is fit, willing and able properly to perform the extended service as hereinafter granted and to conform to the applicable statutory requirements and the Commission's rules and regulations thereunder, and that an appropriate order should be entered; and

It is ordered, That Michael G. Malott, 3301 Moore Lane, Fort Collins, Colorado, be, and is hereby, authorized to extend operations under Contract Carrier Permit No. B-7666 to include the following:

"Transportation of

- (1) 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;

- (2) 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;

- (3) 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;

- (4) 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;

RESTRICTION: This Permit is restricted against the use of tank vehicles when transporting road-surfacing materials."

It is further ordered, That henceforth the full and complete authority under Contract Carrier Permit No. B-7666, as extended, shall read and be as follows, to wit:

"Transportation of

- (1) Farm products

Between all points located within an area comprised of the Counties of Larimer, Weld, and Jackson, State of Colorado."

"RESTRICTION: Item No. 1 of this Permit is restricted against transporting livestock, bulk milk, and dairy products.

- (2) 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;

- (3) 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;

- (4) 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;

- (5) 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;

RESTRICTION: Items No. 2, 3, 4, and 5 of this Permit are restricted against the use of tank vehicles when transporting road-surfacing materials."

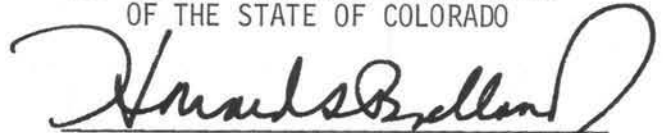


It is further ordered, That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this Permit as deemed advisable.

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

It is further ordered, That the right of Applicant to operate hereunder shall depend upon compliance with all present and future laws and rules and regulations of the Commission.

And it is further ordered, That this Order shall become effective  
twenty-one days from the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado this  
13th day of June, 1972.

hj

(Decision No. 80508)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF	)	
JAMES C. MAXEY, DOING BUSINESS	)	
AS "MAXEY MOTOR LINES," 214	)	PUC NO. 8327-I
NORTH DURFFEE, SYRACUSE, KANSAS	)	
67878.	)	

- - - - -  
June 13, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate holder requesting authority to do business under the trade name and style of James C. Maxey, Jr., doing business as "Maxey Motor Lines," Box 316, Syracuse, Kansas 67878, in the conduct of operations under PUC No. 8327-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.

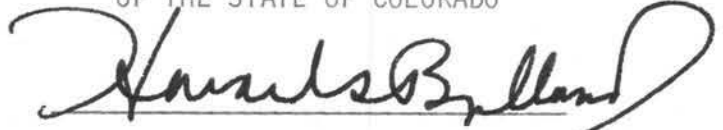
O R D E R

THE COMMISSION ORDERS:

That James C. Maxey, doing business as "Maxey Motor Lines," be, and hereby is, authorized to conduct operations under the name and style of James C. Maxey, Jr., doing business as "Maxey Motor Lines," Box 316, Syracuse, Kansas 67878, in the conduct of operations under PUC No. 8327-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

Dated at Denver, Colorado  
this 13th day of June, 1972.  
hj



(Decision No. 80509)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BONANZA TRUCKING CO., INC. ) PUC NO. 5077-I  
4250 ONEIDA STREET, DENVER, )  
COLORADO 80216. )

-----  
June 13, 1972  
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STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The Commission is in receipt of a communication from the above-styled certificate holder requesting authority to change its corporate name to "Bonanza Trucking Co.," in the conduct of operations under PUC No. 5077-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.

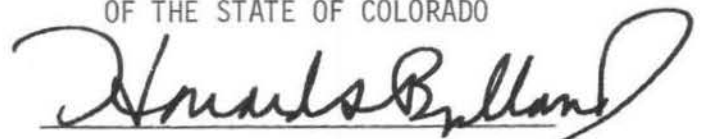


ORDER

THE COMMISSION ORDERS:

That Bonanza Trucking Co., Inc., be, and hereby is, authorized to change its corporate name to "Bonanza Trucking Co.," in the conduct of operations under PUC No. 5077-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

Dated at Denver, Colorado this  
13th day of June, 1972.

(Decision No. 80510)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
HUBERT H. McNEILL AND EDITH H. McNEILL,	)	APPLICATION NO. 25496-Extension
1049 COLORADO AVENUE, LOVELAND-	)	
COLORADO, FOR A CERTIFICATE OF PUBLIC	)	RECOMMENDED DECISION OF
CONVENIENCE AND NECESSITY AUTHORIZING	)	ROBERT L. PYLE, EXAMINER
EXTENSION OF OPERATIONS UNDER PUC NO.	)	
2165.	)	GRANTING APPLICATION IN PART

- - - - -  
June 12, 1972  
- - - - -

Appearances: John P. Thompson, Esq.,  
Denver, Colorado, for  
Applicants.  
Thomas J. Burke, Jr., Esq.,  
Denver, Colorado, for  
Don E. Schleiger, doing  
business as "S & S Sanitation,"  
and D & G Sanitation, Inc.,  
Protestants.

PROCEDURE AND RECORD

The above-entitled application was filed with the Commission on February 8, 1972, and subsequent thereto, protests were filed by Don E. Schleiger, doing business as "S & S Sanitation," and D & G Sanitation, Inc., under date of February 22, 1972. After due and proper notice to all interested parties, the application was set for hearing on Tuesday, May 2, 1972, at 10 a.m., in the Council Chambers, Municipal Building, Loveland, Colorado, at which time and place the matter was heard by Examiner Robert L. Pyle, to whom it was assigned pursuant to law.

Exhibits 1 through 15, inclusive, were tendered and admitted into evidence, and notice was taken of population and area figures from the Colorado Marketing Manual published by the Public Affairs Department of the Colorado Interstate Gas Company.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicants are husband and wife who operate an ash and trash hauling business as a partnership. They are the present owners of Certificates of Public Convenience and Necessity PUC No. 2150 and PUC No. 2165, both of which authorize the transportation of ash and trash in the city of Loveland, Colorado, and, therefore, are duplicate of one another. Both Certificates were issued in 1950 and are, therefore, considered to authorize service in the city of Loveland as the city limits existed in 1950.

2. Exhibit 1 is the city map of Loveland as the boundaries existed at the time of the issuance of these Certificates. Suffice it to say, the city of Loveland, Colorado, has almost doubled in size since that time; and in the last 11 years, it is noted that the population has gone from 9,734 persons to 16,575 persons. The city of Loveland, like most of the Front Range cities extending from Pueblo to Fort Collins, has enjoyed considerable expansion in area, population, and business over the past decade.

3. By this application, Applicants seek to extend Certificate of Public Convenience and Necessity PUC No. 2165 so as to authorize the transportation of ash, trash, and other refuse in an area described as follows:

From points in an area located in Larimer County, Colorado and described as follows:

Commencing at the intersection of Colorado Highway 392 and Interstate Highway 25; thence west approximately seven and one-half miles to the northwest corner of Section 21, Township 6 North, Range 69 West; thence south approximately nine miles to Colorado Highway 60; thence west one mile; thence

south approximately four miles to the southwest corner of Section 20, Township 4 North, Range 69 West; thence west one-half mile; thence south approximately two miles to the Larimer-Boulder County line; thence east approximately five and one-half miles to the point of joinder of Larimer, Boulder, and Weld Counties; thence north approximately six miles along the Larimer-Weld County line; thence east approximately four miles along the Larimer-Weld County line to Interstate Highway 25; thence north approximately nine miles to the point of beginning

To such locations where the same may be lawfully disposed of.

4. Applicant also has Permit No. M-6876, which is used to transport salvageable cardboard from various places in and about the Loveland area to Denver.

5. The application was protested by Don E. Schleiger, doing business as "S & S Sanitation," which owns and operates Certificate of Public Convenience and Necessity PUC No. 6946. This Certificate generally authorizes the transportation of ash, trash, and other refuse from the town of Berthoud and a 5-mile radius thereof to dumps in Weld and Larimer Counties. It is specifically found that this authority and its operation by the owner thereof does not conflict with the authority as hereinafter granted although it would conflict if the entire application as requested were granted.

6. The application was also protested by D & G Sanitation, Inc., under its Certificate of Public Convenience and Necessity PUC No. 5257, which generally authorizes transportation of ash, trash, and other refuse in the city of Loveland and a 5-mile radius thereof. This Protestant also operates an ash and trash authority which provides for service in Fort Collins and a 3-mile radius which is immaterial to this proceeding. The Loveland authority operated by Protestant D & G Sanitation, Inc., is not adequate to meet the particular transportation requirements of the city of Loveland as it now exists primarily because of the rapid growth of the city in the past few years; and a competitor, such as Applicants, in the city of Loveland and the immediate surrounding area, would be in the public interest.

7. Applicants have a net worth of \$48,800, which is ample and sufficient for the operation of the authority applied for herein.

8. Applicants have been in the transportation business for approximately 12 years, which experience is ample and suitable for the operation of the authority applied for herein.

9. Applicants own one 1956 Chevrolet 2-ton truck with 13-yard packer, one 1961 Chevrolet 2-ton truck with 20-yard packer, one 1953 Ford 2-ton stake truck, and one 1956 8'x12'x6' 2-wheel trailer, which said equipment is suitable and sufficient to perform the transportation services applied for herein.

10. Applicants are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission. Further, Applicants have made or will make adequate provision for insurance.

11. Applicants have generally been expanding their service as the city limits of Loveland expanded, all in good faith; but, upon the advice of their attorney, they drew back to the 1950 city limits prior to the time of this hearing. There are several of their customers who have, in the past, been enjoying the use of Applicants' services and obviously want to continue. It is found as a matter of fact that the authority to which extension is sought has been continually operated in the past and is presently in good standing with the Commission.

12. The extension applied for herein is compatible with and does not conflict with or duplicate the authority already held by Applicants.

13. The city of Loveland picks up the trash from city residents with certain limitations and charges for this service. It is, therefore, imperative that an ash and trash hauler such as Applicants be able to serve some areas outside the city to work in with commercial or business accounts they might have so as to make the operation economically feasible.

14. Larimer County has been forced to close several of its dumps in the area which makes it more inconvenient for individuals to haul their own trash. In addition, there was competent testimony to the effect that the services performed by Protestant D & G Sanitation, Inc., were inadequate, insufficient, and not being performed in the public interest.

15. Applicants amply showed that the present or future public convenience and necessity requires or will require the granting of the application to the extent as is hereinafter set forth.

16. There is a present and special need for the services and the granting of the application as hereinafter set forth will be in the public interest.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicants should be granted as hereinafter set forth.

2. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

1. Hubert H. McNeill and Edith H. McNeill, 1049 Colorado Avenue, Loveland, Colorado, be, and hereby are, authorized to extend operations under Certificate of Public Convenience and Necessity PUC No. 2165 so that the entire authority shall henceforth read and be as follows:

Transportation of

Ash, trash, and other refuse

From points in the following-described area:

Commencing at the intersection of Colorado Highway No. 392 and Interstate Highway No. 25; thence due west approximately seven and one-half (7 1/2) miles to the northwest corner of Section 21, Township 6 North, Range 69 West; thence south approximately nine (9) miles to Colorado Highway No. 60, as extended; thence east approximately seven and one-half (7 1/2)

miles to Interstate Highway No. 25; thence north along the west side of Interstate Highway No. 25 approximately nine (9) miles to the point of beginning;

to such locations where the same may be lawfully delivered or disposed of.

2. Certificate of Public Convenience and Necessity PUC No. 2150 be, and hereby is, revoked inasmuch as it is completely duplicated by the authority as granted herein.

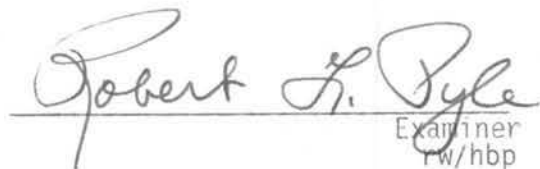
3. Applicants shall operate their carrier system in accordance with this Order, except when prevented by an Act of God, the public enemy, or extreme conditions.

4. This Order is subject to compliance by Applicants with all present and future laws and rules and regulations of the Commission.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
rw/hbp



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DUANE KNAUS AND BERTHA KNAUS, SUR- )	APPLICATION NO. 25620-Waiver
VIVING SPOUSE OF GEORGE KNAUS, )	
DECEASED, DOING BUSINESS AS "CITY- )	
WIDE RUBBISH REMOVAL SERVICE," 6691 )	RECOMMENDED DECISION OF
EAST 80TH AVENUE, COMMERCE CITY, )	CHRISTIAN O. IGENBERGS,
COLORADO, FOR AN ORDER OF THE COMMIS- )	EXAMINER
SION FOR WAIVER OF THE INSURANCE )	
REQUIREMENTS WITH RESPECT TO CERTIFI- )	
CATE OF PUBLIC CONVENIENCE AND )	GRANTING APPLICATION
NECESSITY PUC NO. 3312. )	

-----  
June 19, 1972  
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Appearances: Carl L. Harthun, Esq.,  
Denver, Colorado, for  
Applicant;  
William A. Wilson, Esq.,  
Denver, Colorado, for  
A Ace Ash & Trash Hauling, Inc.  
A Ash & Trash  
A-Aurora Removal Service  
A & F Trash Disposal  
Arvada Rubbish Removal  
Aurora & East Denver Trash Disposal  
Aurora Ash & Trash, Inc.  
Aurora F & S Sanitary Carriers  
B & W Disposal Service  
Bestway Disposal  
Brandt Rubbish Removal  
Brite'N Best Rubbish Removal, Inc.  
J. W. Burbach, Jr.  
Capitol City Disposal Co.  
Clear Rubbish Removal  
Commerce Refuse Disposal, Inc.  
Dalberg Disposal  
Rafael G. Davila  
Decker Disposal, Inc.  
Don's Hauling  
D's Disposal  
Englewood-Littleton-Arapahoe Rubbish Removal, Inc.  
Freddies Rubbish Removal  
Freddies Trash Box  
Gerlach & Sons Disposal  
Gerlach Rubbish Removal  
Jake Ginther  
Victor Ginther  
Golden Waste Disposal  
Joe Gonzales  
Adam Green  
Hager Rubbish Removal

Ellsworth R. Hall Rubbish Removal  
Hart's Disposal  
Hizel Rubbish Removal  
Industrial Disposal  
Jacoby Rubbish Removal  
J-R Dispose-All  
Kembel Rubbish Removal  
Laing Disposal Service  
Lakewood Disposal Service  
Monarch Disposal  
Mountain View Rubbish Removal  
Neiwert Disposal  
Northland Disposal  
Clarence Praznik  
Charles Prien  
Robinson & Sons  
Rod's Rubbish Removal  
John C. Rowe  
George Schimpf, Jr.  
Star Disposal  
Alfred Strassheim  
C. E. Strassheim  
U. S. Cargo Corporation  
Vanish Rubbish Removal  
Ed Walters  
Wheatridge Disposal Service  
Protestants;  
Dalton O. Ford and John A. Hurt,  
Denver, Colorado,  
of the Staff of the Commission.

#### PROCEDURE AND RECORD

Under date of March 2, 1972, Applicant filed the above-entitled application with this Commission requesting a waiver of the insurance requirements with respect to Certificate of Public Convenience and Necessity PUC No. 3312 as specifically set forth in said application.

The Commission assigned Docket No. 25620-Waiver to the application and gave due notice in accordance with the provisions of 115-6-8(2), CRS 1963, as amended.

The following protests were received subsequent to the filing of the application: on April 17, 1972, the protests of

A Ace Ash & Trash Hauling, Inc.  
A Ash & Trash  
A-Aurora Removal Service  
A & F Trash Disposal  
Arvada Rubbish Removal  
Aurora & East Denver Trash Disposal  
Aurora Ash & Trash, Inc.  
Aurora F & S Sanitary Carriers

B & W Disposal Service  
 Bestway Disposal  
 Brandt Rubbish Removal  
 Brite'N Best Rubbish Removal, Inc.  
 J. W. Burbach, Jr.  
 Capitol City Disposal Co.  
 Clear Rubbish Removal  
 Commerce Refuse Disposal, Inc.  
 Dalberg Disposal  
 Rafael G. Davila  
 Decker Disposal, Inc.  
 Don's Hauling  
 D's Disposal  
 Englewood-Littleton-Arapahoe Rubbish Removal, Inc.  
 Freddie's Rubbish Removal  
 Freddie's Trash Box  
 Gerlach & Sons Disposal  
 Gerlach Rubbish Removal  
 Jake Ginther  
 Victor Ginther  
 Golden Waste Disposal  
 Joe Gonzales  
 Adam Green  
 Hager Rubbish Removal  
 Ellsworth R. Hall Rubbish Removal  
 Hart's Disposal  
 Hize! Rubbish Removal  
 Industrial Disposal  
 Jacoby Rubbish Removal  
 J-R Dispose-All  
 Kembel Rubbish Removal  
 Laing Disposal Service  
 Lakewood Disposal Service  
 Monarch Disposal  
 Mountain View Rubbish Removal  
 Neiwert Disposal  
 Northland Disposal  
 Clarence Praznik  
 Charles Prien  
 Robinson & Sons  
 Rod's Rubbish Removal  
 John C. Rowe  
 George Schimpf, Jr.  
 Star Disposal  
 Alfred Strassheim  
 C. E. Strassheim  
 U. S. Cargo Corporation  
 Vanish Rubbish Removal  
 Ed Walters  
 Wheatridge Disposal Service

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Tuesday, May 23, 1972, at 10 a.m. The hearing was held at the said time and place.

Official notice was taken by the Examiner of the following Decisions of the Commission, to-wit: 74491, 77815, 78204, and 79168.

The Examiner directed Applicant to file a sworn affidavit with the Commission, said affidavit pertaining to the existence or non-existence of any claims against the Applicant carrier at the time of the hearing and said affidavit to be filed within seven days from the date of hearing. The aforesaid affidavit, duly sworn to and executed, was filed by counsel for Applicant on May 31, 1972.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Certificate of Public Convenience and Necessity PUC No. 3312 was originally granted to one George Knaus, a resident of Derby, Colorado, by Decision No. 45277, on January 30, 1956.
2. George Knaus died in December of 1969, and the aforesaid certificate of public convenience and necessity, being part of the decedent's estate, became subject to estate proceedings.
3. The Executor of the estate requested that the authority be placed in suspension and the Commission, by Decision No. 74491, dated March 4, 1970, authorized suspension of operations under the subject certificate from March 6, 1970, to and including September 6, 1970.

4. On September 4, 1970, Bertha Knaus, surviving spouse and heir of the decedent, George Knaus, filed a Petition with this Commission for authority to transfer all right, title, and interest in and to Certificate of Public Convenience and Necessity PUC No. 3312 to one Duane Knaus, a son of the petitioner and the decedent. On June 7, 1971, by Decision No. 77815, the Commission granted the transfer.

5. On June 9, 1971, by Decision No. 77879, the Commission, noting that the carrier had failed to file an annual report for the calendar year 1970 as required by the rules and regulations of this Commission, ordered said carrier to appear before the Commission on July 13, 1971, to show cause why the Commission should not take such action and enter such order as may be appropriate, including, but not limited to, an order canceling the subject certificate. The Commission, pursuant to law, designated Christian O. Igenbergs as Examiner for the purpose of conducting the hearing in the matter and of issuing a recommended decision.

The hearing was held as scheduled and on July 20, 1971, Examiner Igenbergs, by Decision No. 78204, revoked and canceled the subject authority; provided, however, that in lieu of said revocation and cancellation, the carrier, on or before August 20, 1971, file its 1970 annual report and pay the sum of Fifty Dollars (\$50) to the Public Utilities Commission under and pursuant to the provisions of the Public Utilities Law.

The carrier filed the required annual report and elected to pay the sum of Fifty Dollars (\$50) on or before August 20, 1971; whereupon the Commission, by Decision No. 79168, dated December 1, 1971, vacated Decision No. 78204, thus reinstating the authority in full force and effect.

6. On March 2, 1972, Applicant filed the subject application with this Commission requesting a waiver of the insurance requirements with respect to Certificate of Public Convenience and Necessity PUC No. 3312.

7. The subject application was reinstated on December 1, 1971, and Applicant, in accordance with the rules and regulations of this Commission, thereupon had to have insurance as a common carrier by motor vehicle for hire, such insurance to be verified by the filing of a copy of the policy with the Commission (Rule 18 of the Rules and Regulations Governing Common Carriers by Motor Vehicle).

The estate of George Knaus, Deceased, was still, at that time, in the courts, and the estate had not been finally settled; thus preventing Applicant from engaging in active carrier operations.

The estate has now been finally settled, Applicant has acquired or will acquire the necessary equipment, and has acquired or will acquire the necessary insurance to cover his operations.

At no time has Applicant had any intention to abandon the subject authority.

8. Inasmuch as the lack of required insurance was caused by prolonged estate proceedings during which time no operations were carried out under the authority and since no liabilities whatsoever, insurable or otherwise, have attached to the subject authority or any vehicle or equipment heretofore operated thereunder, it is found as a fact that the granting of a waiver with regard to insurance would be in the public interest.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The application should be granted as hereinafter set forth.
2. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

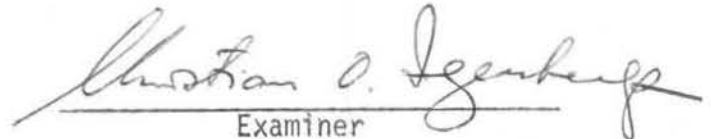
1. Application No. 25620-Waiver, being an application of Duane Knaus, doing business as "City-Wide Rubbish Removal Service," 6691 East 80th Avenue, Commerce City, Colorado, be, and hereby is, granted. The

aforesaid Applicant be, and hereby is, granted an exemption from complying with the provisions of Rule 18 of the Rules and Regulations Governing Common Carriers by Motor Vehicle for a period of time beginning on September 6, 1970 and ending on the effective date of this Order..

2. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

3. As provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner sp



(Decision No. 80512)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: PETITION OF COLORADO MOTORWAY, )	APPLICATION NO. 25050
INC., AND DENVER-BOULDER BUS COMPANY )	
FOR AUTHORITY TO INCREASE PASSENGER )	ORDER OF THE COMMISSION DENYING
FARES BETWEEN POINTS IN THE STATE OF )	APPLICATION FOR RECONSIDERATION
COLORADO. )	OF DECISION NO. 79838 AND DECISION
	NO. 80049.

- - - - -  
June 13, 1972  
- - - - -

Appearances: David Butler, Esq., Denver, Colorado,  
for Applicants;  
Richard C. McLean, Esq., and  
Daniel F. Bernard, Esq., Denver, Colorado,  
Intervenors, pro se and for other  
Petitioners/Protestants;  
Girts Krumins, Esq., Denver, Colorado,  
for the Staff of the Commission.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On March 24, 1972, the Commission entered its Decision No. 79838 in the above-captioned matter and on April 19, 1972, the Commission entered its Decision No. 80049 in the above proceeding.

On June 2, 1972, Attorneys Gary P. Sandblom and Daniel F. Bernard, pro se and for other Intervenors, filed with the Commission an Application for Reconsideration of Decision No. 79838 and Decision No. 80049.

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

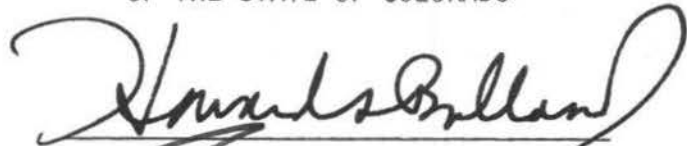
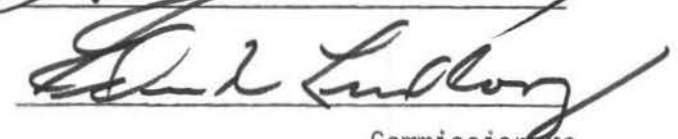
O R D E R

THE COMMISSION ORDERS THAT:

Application for Reconsideration of Commission Decision No. 79838 and Decision No. 80049, filed on June 2, 1972, be, and hereby is, denied.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

COMMISSIONER HENRY E. ZARLENGO DISSENTING.

COMMISSIONER ZARLENGO DISSENTING:

I respectfully dissent.

The Application for Reconsideration of Commission Decision No.  
79838 and Decision No. 80049 should be granted.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioner

Dated at Denver, Colorado,  
this 13th day of June, 1972.  
hbp

(Decision No. 80513)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
NORTHERN NATURAL GAS COMPANY FOR A	)	
DETERMINATION FOR RATE-MAKING PUR-	)	APPLICATION NO. 25586
POSES OF THE REASONABLE VALUE OF	)	
ITS GAS PROPERTIES DEVOTED TO PUBLIC	)	
USE, THE FAIR RATE OF RETURN THEREON,	)	
AND THE GROSS REVENUES TO WHICH	)	
APPLICANT MAY BE ENTITLED.	)	
RE: INVESTIGATION AND SUSPENSION OF	)	
TARIFF SHEETS ACCOMPANYING ADVICE	)	
LETTER NO. 48 FILED BY PEOPLES	)	
NATURAL GAS DIVISION OF NORTHERN	)	INVESTIGATION AND SUSPENSION
NATURAL GAS COMPANY, COLORADO SPRINGS,	)	DOCKET NO. 734
COLORADO.	)	

- - - - -  
June 13, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

The City of Lamar and the Lamar Utilities Board, through their attorneys Leonard M. Campbell and Howard J. Beck, filed with the Commission on May 26, 1972, a Protest and Motion in the above-captioned proceeding. The Commission finds that the City of Lamar and the Lamar Utilities Board may be interested in or affected by any order that may be entered in the above-captioned proceedings and should be allowed to participate as parties therein as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS THAT:

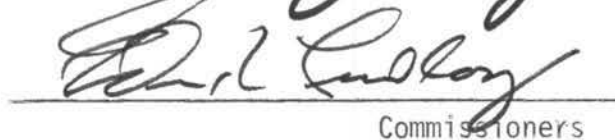
The City of Lamar and the Lamar Utilities Board be, and hereby are, granted leave to appear as parties in the above-captioned proceeding.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

Dated at Denver, Colorado,  
this 13th day of June, 1972.  
hbp

(Decision No. 80514)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DENVER CLEANUP SERVICE, INC., DOING )  
BUSINESS AS WASTE DISPOSAL, INC., )  
3001 WALNUT STREET, DENVER, COLORADO )  
80205, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY AUTHORIZING )  
EXTENSION OF OPERATIONS UNDER PUC NO. )  
3430 TO INCLUDE TRANSPORTATION OF )  
ASHES, TRASH AND ALL OTHER KINDS OF )  
REFUSE FROM POINTS TO POINTS WITHIN )  
THE COUNTY OF BOULDER, STATE OF COLO- )  
RADO, TO SUCH LOCATIONS WHERE THE )  
SAME MAY BE LAWFULLY DELIVERED OR )  
DISPOSED OF. )

APPLICATION NO. 25755-Extension

- - - - -  
June 13, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 7, 1972, Golden Transfer Company of Longmont, Colorado, by its attorney William T. Secor, filed a pleading entitled "Protest and Petition for Denial and Petition to Intervene" in the above-captioned proceeding.

The Commission states and finds that Petitioner 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.

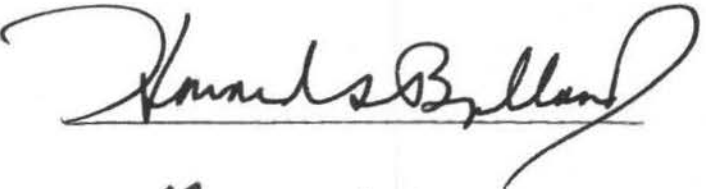
O R D E R

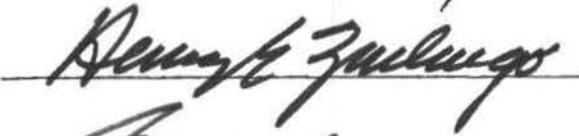
THE COMMISSION ORDERS THAT:

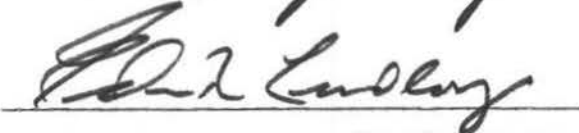
Golden Transfer Company of Longmont, Colorado, be, and hereby is, granted leave to intervene as requested in the petition filed June 7, 1972.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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\_\_\_\_\_

  
\_\_\_\_\_

Commissioners

Dated at Denver, Colorado,  
this 13th day of June, 1972.  
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: ADJUSTMENTS IN SIGHTSEEING  
TOURS APPLICABLE TO THE DENVER  
MOUNTAIN PARKS AREA AND THE  
ROCKY MOUNTAIN NATIONAL PARK  
AREAS

APPLICATION NO. 25816

June 13, 1972

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 8, 1972, David C. Pierce, Vice President, San Juan Tours, Inc., operating under Certificate No. 55 & I, filed Application dated June 6, 1972, requesting that he be permitted to publish changes in their Tariff No. 13, Colorado PUC No. 13\* MP-ICC No. 4 (\*Rocky Mountain Motor Company, Inc., d/b/a Colorado Transportation Company Series) effecting changes in Tours Nos. 1, 2, 18 and 32, and adding a new Tour, No. 4, on less than statutory notice, to become effective one day after the filing thereof with the Commission.

The changes proposed to be effective are in Section C, designated as "Individual and Group Rates." Tours Nos. 1 and 1-A will be remembered as Tours Nos. 1 and 2, interchanging the Tours. Tour No. 1 will now be designated as the "One Day Big Circle" whereas formerly the tours were the same with a difference only in the direction of travel. The miles traveled will remain the same. The individual fare of \$20 under Tour No. 2 is to be eliminated. Tour No. 4 is a new tour and Tour No. 18 is being rerouted with minor adjustment, omitting Central City and Clear Creek Canyon. Tour No. 32 is being adjusted, eliminating Central City and adding Georgetown with the approximate same number of miles.

The Petitioner states that:

Colorado PUC No. 13 was published by Rocky Mountain Motor Company to become effective January 1, 1971. It was an



an effort to provide an efficient tour list made necessary when a substantial part of transportation equipment was found sub-standard under DOT regulations. Many tours formerly published were not republished, including Tour No. 31, Gold Patch City Tour, for lack of public demand. However, since San Juan Tours, Inc., has been operating under this Certificate, numerous requests for this tour have been received, including one from AMTRAK of which a copy is attached. The tour is therefor asked to be reinstated together with a fare that lies between the extremes of rates per mile and rates per hour of the other tours in Section C and is therefor reasonable and should not be considered an increase. The individual fare, reduced to a per mile basis is \$.09. Twenty-five adult passengers would produce the per capita group rate per mile of .072 or a total per mile of \$1.80. It will take twenty individual adult fares to produce a similar total per mile. This amount, without considering any cost increases whatsoever, based on experience of previous years would produce an operating ratio for this tour of approximately 93% which appears to be the minimum required.

Demand for new Tour No. 1 (old Tour No. 1-A) so far has exceeded demand for new Tour No. 2 (Old Tour No. 1) to such an extent that to continue the individual fare for Tour No. 2, which is the same tour in the reverse direction, would require an increase in rate for both directions and would have an adverse effect on the public as well as on the operation.

Renumbering and rerouting is required to conform to nationally distributed promotional material designed to solicit the greatest number of inquiries.

The Commission finds that the request to amend the sightseeing Tours is in the public interest and will facilitate the Mile High Adventure Sightseeing Tours scheduled to begin the week of June 25, in conjunction with Amtrak's advertising and promotion, and the Applicant should be granted authority to publish on less-than-statutory notice (30 days), the changes set forth in Appendix "A" attached hereto.

#### O R D E R

##### THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact and Appendix "A" attached hereto, be, and the same are hereby, made a part hereof.
2. That San Juan Tours, Inc., may publish on less than statutory notice the changes set forth in Appendix "A" attached hereto, to its Tariff No. 13, Colorado PUC No. 13, on one day's notice.
3. That reference to this Decision and Application number shall be entered on the revised pages of supra tariff.

4. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Harold Bullen  
Deputy Secretary  
John L. Lumborg  
Commissioner

Dated at Denver, Colorado, this  
13th day of June, 1972. av

APPENDIX "A"

COLO. PUC No. 13		MP-ICC No. 4
SAN JUAN TOURS, INC.		FIRST REVISED PAGE C-1
ISSUED JUNE 1972		EFFECTIVE JUNE 1972
SECTION C		
INDIVIDUAL AND GROUP FARES		
RATES SHOWN ARE FOR GROUPS TRAVELING TOGETHER ON ROUND TRIPS MADE IN ONE (1) DAY, WITH NO STOPOVER. RATES ARE FOR FULL FARES OR EQUIVALENT. WHEN THE NUMBER OF FULL FARES OR EQUIVALENT THEREOF EXCEEDS FORTY-ONE (41) PASSENGERS, A MINIMUM OF ELEVEN (11) PASSENGER FARES OR THE EQUIVALENT THEREOF WILL APPLY FOR EACH ADDITIONAL VEHICLE REQUIRED. IF STOPOVERS ARE DESIRED, THEY WILL BE PERMITTED BY ADDING THE PROVISION OUTLINED UNDER RULE TEN (10) OF THE RULES AND REGULATIONS SECTION OF THIS TARIFF		
TOUR NO.	NOTE: FARES SHOWN ARE FOR TRANSPORTATION ONLY	FARE
1	<u>ONE DAY BIG CIRCLE</u> (240 MILES - 11 HOURS) DENVER, IDAHO SPRINGS, BERTHOUD PASS, WINTER PARK, GRAND LAKE, TRAIL RIDGE ROAD, ROCKY MOUNTAIN NATIONAL PARK, BIG THOMPSON CANYON, LOVELAND, DENVER	\$20.00
	PARTIES OF TWENTY-FIVE (25) TO FORTY-ONE (41) INCLUSIVE	\$16.00
2.	<u>ROCKY MOUNTAIN NATIONAL PARK CIRCLE TRIP</u> (240 MILES ROUND TRIP) DENVER, VIA BIG THOMPSON CANYON OR SOUTH ST. VRAIN CANYON, ESTES PARK, ROCKY MOUNTAIN NATIONAL PARK, TRAIL RIDGE ROAD, CONTINENTAL DIVIDE, CLEAR CREEK CANYON, IDAHO SPRINGS, DENVER.	INDIV. FARE (E)
	PARTIES OF TWENTY-FIVE (25) TO FORTY-ONE (41) INCLUSIVE	\$16.00
4.	<u>CENTRAL CITY CIRCLE</u> (100 MILES - 6½ HOURS) DENVER, BOULDER, NEDERLAND, WARD, BLACKHAWK, CENTRAL CITY, GOLDEN, DENVER.	\$ 9.00
	PARTIES OF TWENTY-FIVE (25) TO FORTY-ONE (41) INCLUSIVE	\$ 7.20
18.	<u>ESTES PARK</u> (163 MILES - 9 HOURS) DENVER, GOLDEN, BOULDER, SOUTH ST. VRAIN CANYON, ESTES PARK, BIG THOMPSON CANYON, LOVELAND, DENVER.	\$12.00
	PARTIES OF TWENTY-FIVE (25) TO FORTY-ONE (41) INCLUSIVE	\$ 9.20

APPENDIX "A"

COLO. PUC No. 13		MP-ICC No. 4
SAN JUAN TOURS, INC.		FIRST REVISED PAGE C-1
ISSUED JUNE , 1972		EFFECTIVE JUNE 1972
TOUR NO.	NOTE: FARES SHOWN ARE FOR TRANSPORTATION ONLY	FARE
27	<u>DENVER MOUNTAIN PARKS</u> (64 MILES - 3½ HOURS) DENVER, RED ROCKS PARK, MORRISON, BEAR CREEK CANYON, EVERGREEN, DENVER MOUNTAIN PARKS, BUFFALO BILL'S GRAVE AND MUSEUM, LOOKOUT MOUNTAIN, LARIAT TRAIL, GOLDEN, DENVER.	\$ 6.00
	PARTIES OF TWENTY-FIVE (25) TO FORTY-ONE (41) INCLUSIVE	\$ 4.80
31	<u>PIKES PEAK, AIR FORCE ACADEMY</u> (230 MILES - 10 HOURS) DENVER, U.S. AIR FORCE ACADEMY, GARDEN OF THE GODS, VAN BRIGGLE POTTERY WORKS, SUMMIT OF PIKES PEAK, BROADMOOR RESIDENTIAL DISTRICT, DENVER	\$18.00
	PARTIES OF TWENTY-FIVE (25) TO FORTY-ONE (41) INCLUSIVE	\$14.40
32	<u>MOUNT EVANS, GEORGETOWN</u> (147 MILES - 8½ HOURS) DENVER, MT. VERNON CANYON, SQUAW PASS, ECHO LAKE, SUMMIT OF MT. EVANS, CHICAGO CREEK, IDAHO SPRINGS, GEORGETOWN, CLEAR CREEK CANYON, GOLDEN, DENVER.	\$12.00
	PARTIES OF TWENTY-FIVE TO FORTY-ONE (41) INCLUSIVE	\$ 9.00

- / DENOTES ADDITION  
 (E) ELIMINATION  
 ° REISSUED FROM PREVIOUS PAGE WITHOUT CHANGE

(Decision No. 80516)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DENVER CLEANUP SERVICE, INC., 3001 )	APPLICATION NO. 25733-PP-Extension-TA
WALNUT STREET, DENVER, COLORADO, )	
FOR TEMPORARY AUTHORITY TO EXTEND )	ORDER GRANTING TEMPORARY AUTHORITY
OPERATIONS UNDER CONTRACT CARRIER )	
PERMIT NO. B-5698. )	

- - - - -  
June 14, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (1), being under consideration, and

The Commission finds, That the area wherein Applicant's customers are located has been previously served by Applicant in good faith under the interpretation that such authority was contained in Certificates of Public Convenience and Necessity PUC No. 3343 and PUC No. 3286; that such service cannot be continued by Applicant under the stipulation entered into by Applicant as set forth in Paragraph No. 10 of the application for temporary authority herein; that a segment of the public in such area has been dependent upon the service provided by Applicant in the past, as evidenced by the letters of support attached to the application for temporary authority herein; that while there are other authorized carriers to perform the service in the area, there could be a serious disruption of trash removal service if temporary authority is not granted; that five carriers of ash and trash have protested the granting of temporary authority to Applicant, but that the public interest requires that territorial disputes of carriers should not be permitted to cause inconvenience to the consumer public; that failure to grant temporary authority would result in an abrupt interruption of the service to Applicant's

customers herein and suddenly divert a large amount of business from Applicant to protesting carriers which they have not previously handled and therefore,

It appearing, That, under the above circumstances, there is an immediate and urgent need for the motor carrier service described in the appendix attached hereto, and that there is no carrier service available capable of meeting such need;

It is ordered, That Applicant be, and is hereby, granted temporary authority conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations, to engage in the business of transportation by motor vehicle to the extent and in the manner set forth in the appendix attached hereto.

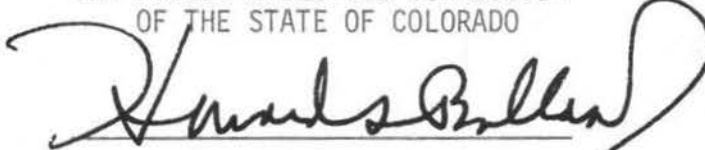
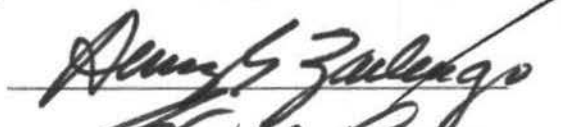

It is further ordered, That the service provided for in this order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

It is further ordered, That upon the authority herein granted becoming effective, failure of the Applicant to maintain compliance with statutory and Commission requirements shall constitute sufficient grounds for suspension, change or revocation of the said authority.

It is further ordered, That if Applicant fails to comply with all applicable statutory and Commission requirements, rules and regulations within fifteen (15) days from the date hereof, this Order shall be of no further force and effect.

It is further ordered, That the authority herein granted shall create no presumption that corresponding permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
14th day of June, 1972.

js



APPENDIX

Application No. 25733-PP-Extension-TA

Denver Cleanup Service, Inc.  
3001 Walnut Street  
Denver, Colorado

By Order of the Commission which this appendix is a part hereof, entered under the name and number shown above, Applicant, upon compliance with the conditions set forth therein and after receipt of notice in writing from the Commission that said conditions have been met, is authorized to engage in the business of transportation by motor vehicle as follows:

TIME FOR WHICH TEMPORARY AUTHORITY IS GRANTED - 180 days or until such time as the decision of the Commission on the corresponding permanent application of the Applicant becomes final, whichever occurs first.

TYPE OF CARRIER - Contract

SERVICE AUTHORIZED:

Temporary authority to extend operations under Contract Carrier Permit No. B-5698 with authority as follows:

"Transportation of

Ash, trash, and other refuse

From the following-named points:

- (1) The Montbello Distribution Center of the Gates Rubber Company, 11275 East 40th Avenue, Denver, Colorado;
- (2) Samsonite Corporation, 11200 East 45th Avenue, Denver, Colorado;
- (3) Chrysler Corporation, 12225 East 39th Avenue, Denver, Colorado;
- (4) Howard Johnson's Motor Lodge, 6300 East Hampden Avenue, Denver, Colorado;

to such locations where the same may be lawfully delivered or disposed of."

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
HUBERT H. McNEILL AND EDITH H. McNEILL,	)	APPLICATION NO. 25417-Transfer
1049 COLORADO AVENUE, LOVELAND,	)	
COLORADO, FOR AUTHORITY TO TRANSFER	)	RECOMMENDED DECISION OF
PUC NO. 2150 TO JOHN E. ELLEY AND	)	ROBERT L. PYLE, EXAMINER
MARY E. ELLEY, DOING BUSINESS AS "A-1	)	
TRASH SERVICE," 417 JEFFERSON STREET,	)	DISMISSING APPLICATION
FORT COLLINS, COLORADO.	)	

IN THE MATTER OF THE APPLICATION OF	)	
HUBERT H. McNEILL AND EDITH H. McNEILL,	)	APPLICATION NO. 25418-Transfer
1049 COLORADO AVENUE, LOVELAND,	)	
COLORADO, FOR AUTHORITY TO TRANSFER	)	RECOMMENDED DECISION OF
PUC NO. 2165 TO JOHN E. ELLEY AND	)	ROBERT L. PYLE, EXAMINER
MARY E. ELLEY, DOING BUSINESS AS "A-1	)	
TRASH SERVICE," 417 JEFFERSON STREET,	)	GRANTING APPLICATION
FORT COLLINS, COLORADO.	)	

-----  
June 13, 1972  
-----

Appearances: John P. Thompson, Esq.,  
Denver, Colorado, for  
Applicants.  
Thomas J. Burke, Jr., Esq.,  
Denver, Colorado, for  
Don E. Schleiger, doing  
business as "S & S Sanitation,"  
and D & G Sanitation, Inc.,  
Protestants.

PROCEDURE AND RECORD

The above-entitled applications were filed with the Commission on December 24, 1971, and subsequent thereto, protests were filed by D & G Sanitation, Inc., and Don E. Schleiger, doing business as "S & S Sanitation," on January 21, 1972. After due and proper notice to all interested parties, the applications were set for hearing on Tuesday, May 2, 1972, at 10 a.m., in the City Council Chambers, Municipal Building, Loveland, Colorado, and were heard by Examiner Robert L. Pyle, to whom they were duly assigned, and were concluded on May 9, 1972.

Exhibits 1 through 8, inclusive, were offered and admitted into evidence; and, at the conclusion of the hearing, the subject matter was taken under advisement.

During the course of the hearing, the name of Mary E. Elley was struck as one of the Transferees so the only Transferee is John E. Elley.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Transferors are husband and wife and operate as partners in the ash and trash business holding authorities from this Commission identified as Certificates of Public Convenience and Necessity PUC No. 2150 and PUC No. 2165. Notice is called to the fact that in a companion case for extension by these Transferors, Certificate of Public Convenience and Necessity PUC No. 2165 was extended and Certificate of Public Convenience and Necessity PUC No. 2150 was canceled. Therefore, Application No. 25417-Transfer, which requests the transfer of PUC No. 2150, should be dismissed. Certificate of Public Convenience and Necessity PUC No. 2165, as extended in the companion proceeding, presently provides as follows:

"Transportation of

Ash, trash, and other refuse

From points in the following-described area:

Commencing at the intersection of Colorado Highway No. 392 and Interstate Highway No. 25; thence due west approximately seven and one-half (7 1/2) miles to the northwest corner of Section 21, Township 6 North, Range 69 West; thence south approximately nine (9) miles to Colorado Highway No. 60, as extended;

thence east approximately seven and one-half (7 1/2) miles to Interstate Highway No. 25; thence north along the west side of Interstate Highway No. 25 approximately nine (9) miles to the point of beginning;

to such locations where the same may be lawfully delivered or disposed of."

2. Transferors have owned and operated the two authorities since about 1950, and said authorities are presently in good standing with the Commission.

3. Transferee is an individual who owns and operates Certificate of Public Convenience and Necessity PUC No. 416 which authorizes the transportation of ash, trash, and other refuse "within the city of Fort Collins, Colorado, and a 5-mile radius thereof." This authority presently held by Transferee does not duplicate or conflict with the authority sought to be transferred herein.

4. The application was protested by D & G Sanitation, Inc., under its Certificate of Public Convenience and Necessity PUC No. 5257, which authorizes transportation of ash and trash within the city of Loveland, Colorado, and a 5-mile radius thereof. This Protestant furnished no evidence whatsoever that would be cause for denial of this application.

5. The application was also protested by Don E. Schleiger, doing business as "S & S Sanitation," under his Certificate of Public Convenience and Necessity PUC No. 6946 which authorizes transportation of trash and other refuse "from the town of Berthoud, Colorado, and a 5-mile radius thereof." Likewise, this Protestant presented no evidence whatsoever that would be cause for denial of this application.

6. The parties have entered into an agreement for the transfer of the certificate involved herein, and the consideration to be paid is \$10,000. This consideration is fair and reasonable.

7. Transferee has one 1971 GMC truck with packer and one 1966 Chevrolet truck with packer, which are ample and suitable for the operation of this authority.

8. Transferee has net worth of \$79,600, which is ample and suitable for the operation of this authority.

9. Applicant has ample experience to perform the operations of the authority to be transferred herein.

10. The Certificate is free and clear of any debts, encumbrances, or obligations.

11. Transferee is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to abide by said rules and regulations, as well as the safety requirements of the Commission, and has made or will make adequate provision for insurance.

12. The granting of the application will be in the public interest.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. Application No. 25417-Transfer should be dismissed.
2. The authority sought to be transferred by Applicants in Application No. 25418-Transfer should be granted as hereinafter set forth.
3. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

1. Application No. 25417-Transfer be, and hereby is, dismissed.
2. Hubert H. McNeill and Edith H. McNeill, 1049 Colorado Avenue, Loveland, Colorado, be, and hereby are, authorized to transfer all right, title, and interest in and to Certificate of Public Convenience and Necessity PUC No. 2165 to John E. Elley, doing business as "A-1 Trash Service," 417 Jefferson Street, Fort Collins, Colorado, subject to encumbrances, if any, against said authority.
3. Henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 2165 shall read and be as follows, to-wit:

Transportation of

Ash, trash, and other refuse

From points in the following-described area:

Commencing at the intersection of Colorado Highway No. 392 and Interstate Highway No. 25; thence due west approximately seven and one-half (7 1/2) miles to the northwest corner of Section 21, Township 6 North, Range 69 West; thence south approximately nine (9) miles to Colorado Highway No. 60, as extended; thence east approximately seven and one-half (7 1/2) miles to Interstate Highway No. 25; thence north along the west side of Interstate Highway No. 25 approximately nine (9) miles to the point of beginning;

to such locations where the same may be lawfully delivered or disposed of.

4. Said transfer shall become effective only if and when, but not before, said Transferors and Transferee, in writing, have advised the Commission that said Certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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 this Commission, upon proper application.

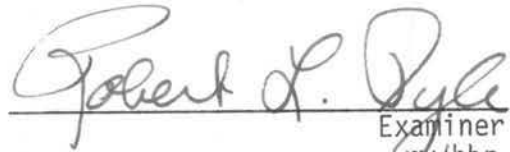
5. The right of Transferee to operate under this Order shall depend upon a prior filing of an annual report by Transferors herein, covering the operations under the aforesaid Certificate up to the time of transfer of said Certificate.

6. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

7. As provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as

the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
rw/hbp



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: REDUCED STUDENT GROUP  
FARES ON THE MANITOU AND  
PIKES PEAK RAILWAY

APPLICATION NO. 25817

June 13, 1972

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On January 8, 1972, Martin Frick, General Manager, The Manitou and Pikes Peak Railway Company, filed a petition dated June 6, 1972, requesting permission to publish a reduced party fare as follows on less-than-statutory (30 days) notice.

Organized parties of ten or more persons traveling together under the personal supervision of a conductor or manager

From: Manitou Springs, Colorado  
To: Summit of Pikes Peak, Colorado  
and return, per capita, adult  
Passenger \$7.00

The Petitioner represents that:

"Lack of reduced fare for groups of ten or more when accompanied by an escort, but less than 80, has deprived several student groups from taking the Cog trip. The railway management, conscious of the technical and historic significance of the road as well as the many-faceted significance of Pikes Peak itself, has no wish to make the fare so high as to deprive anyone, particularly students, of this experience and respectfully requests this Honorable Commission to grant permission forthwith to effect the proposed reduction."

The Commission finds the requested publication will be in the public interest --

1. That the Manitou and Pikes Peak Railway Company may publish said reduced organized party fare on less than statutory notice.
2. That said publication may be published and filed with

the Commission in its Local Passenger Tariff No. 16, Colorado PUC No. 135.

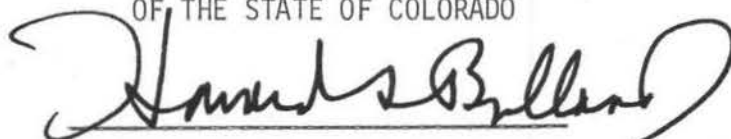


3. That the present per capita adult fare is \$8.00.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact be, and the same are hereby, made a part hereof.
2. That the Manitou and Pikes Peak Railway Company may publish and file a reduced party fare as set forth in the statement hereof, on less than statutory notice to the Commission and general public.
3. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioner

Dated at Denver, Colorado, this  
13th day of June, 1972. av

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	
DON E. SCHLEIGER, DOING BUSINESS AS )	
"S & S SANITATION," 559 SOUTH ST. )	
LOUIS, LOVELAND, COLORADO, FOR A )	APPLICATION NO. 25409-Extension
CERTIFICATE OF PUBLIC CONVENIENCE )	
AND NECESSITY AUTHORIZING EXTENSION )	
OF OPERATIONS UNDER PUC NO. 6946. )	

- - - - -  
June 14, 1972  
- - - - -

Appearances: Thomas J. Burke, Jr., Esq.,  
Denver, Colorado,  
for Applicant;  
John P. Thompson, Esq.,  
Denver, Colorado, for  
Hubert H. McNeill and  
Edith H. McNeill, Protestants;  
William A. Wilson, Esq.,  
Denver, Colorado, for  
Allied Sanitation, Inc.;  
Dick's Trash Hauling Service;  
James P. and Mary M. Donnell,  
doing business as "Donnell's  
Trash Service"; G & S Sanitation;  
Rick's Hauling Service, Inc.; and  
D & G Sanitation, Protestants.

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 23, 1972, the Recommended Decision No. 80314 of Robert L. Pyle, Examiner, was entered and served upon the parties. Section 115-6-9 (2) CRS 1963, as amended, provides that exceptions shall be filed twenty (20) days after service of the Recommended Decision upon the parties or within such extended period of time as the Commission may authorize in writing.

On June 9, 1972, Applicant Don E. Schleiger, doing business as "S & S Sanitation," through his attorney Thomas J. Burke, Jr., filed with the Commission a Petition for Extension of Time in Which to File Exceptions to the Recommended Decision No. 80314 up to and including June 19, 1972.

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

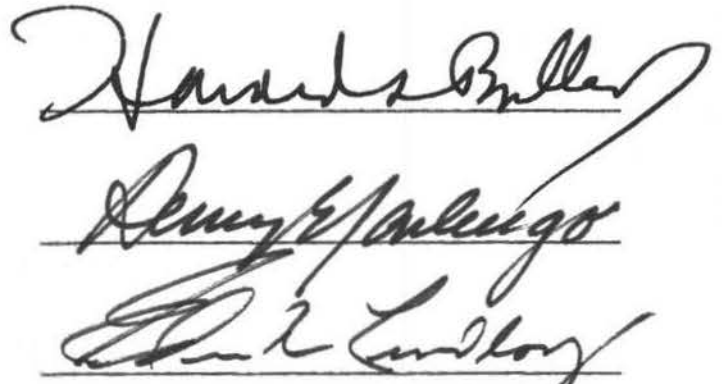
ORDER

THE COMMISSION ORDERS THAT:

Applicant Don E. Schleiger, doing business as "S & S Sanitation," be, and hereby is, granted an extension of time within which to file exceptions to the said Recommended Decision of the Examiner up to and including June 19, 1972.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1972.  
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25812-PP-ETA
JACK H. MILLARD, DOING BUSINESS AS )	
"JACK MILLARD TRUCKING," 3128 W. )	ORDER GRANTING
JEFFERSON AVE., ENGLEWOOD, COLORADO, )	
FOR EMERGENCY TEMPORARY AUTHORITY TO )	EMERGENCY TEMPORARY AUTHORITY
OPERATE AS A CLASS "B" CONTRACT )	
CARRIER BY MOTOR VEHICLE. )	

- - - - -  
June 14, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent operating authority.

It further appearing, That failure to immediately grant  
emergency temporary authority may result in undue delay in availability  
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute  
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Jack H. Millard, doing business as  
"Jack Millard Trucking," 3128 W. Jefferson Ave., Englewood, Colorado,  
be, and is hereby, granted emergency temporary authority for a period  
of fifteen (15) days commencing June 14, 1972, as a class "B" contract  
carrier by motor vehicle, for the

"Transportation of

- (1) 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;

- (2) Sand and gravel

From pits and supply points in the State of Colorado to  
railroad loading points and to homes and small construc-  
tion jobs within a radius of fifty (50) miles of said  
pits and supply points;

(3) 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;

(4) 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;

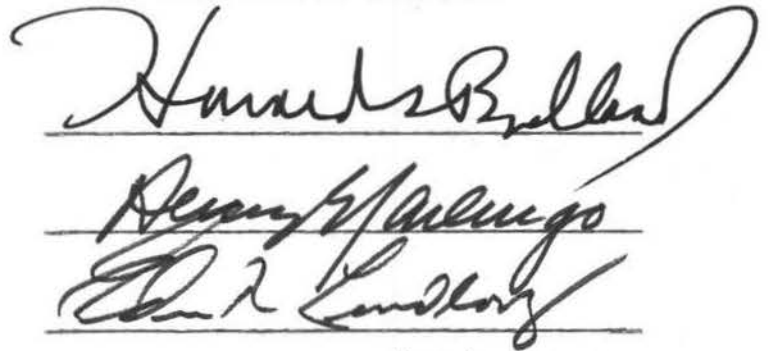
RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Three handwritten signatures in black ink, each written over a horizontal line. The signatures are cursive and stylized. The first signature is the largest and most prominent. The second and third signatures are smaller and positioned below the first.

Commissioners

Dated at Denver, Colorado,  
this 14th day of June, 1972.  
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: THE CANCELLATION OF ITEM  
165, LOCAL MOTOR FREIGHT COMMODITY  
TARIFF, COLORADO PUC NO. 3, OF  
NATIONAL TRAILER CONVOY, INC.  
CERTIFICATE NO. 2636

CASE NO. 5494

ORDER TO SHOW CAUSE  
AND  
NOTICE OF HEARING

RE: REDUCED RATES AND CHARGES ON  
NEW MOBILE HOME TRAILERS BY NATIONAL  
TRAILER CONVOY, INC., ITEM 165A,  
SUPPLEMENT NO. 3 TO COLORADO PUC  
NO. 3, SCHEDULED TO BECOME EFFECTIVE  
APRIL 27, 1972.

Investigation and Suspension  
Docket No. 730

RECOMMENDED DECISION OF  
ROBERT L. PYLE, EXAMINER

REVOKING CERTIFICATE

-----  
June 14, 1972  
-----

Appearances: Lawrence C. Abdoo, Denver, Colorado  
of the Staff of the Commission

PROCEDURE AND RECORD

BY THE COMMISSION:

On March 8, 1972, the Staff of the Commission advised Respondent that Item 165 in their Local Motor Freight Commodity Tariff appeared to be in violation of the Public Utilities Act in that it granted an advantage in rates to Dealers.

By letter dated March 10, 1972, and signed by Mr. Irvin Tull, Traffic Manager for National Trailer Convoy, Inc., special permission to correct Item 165 in Tariff, Colorado PUC No. 3, was requested.

By Decision No. 79823 dated March 21, 1972, Respondent Carrier was granted special permission to cancel Item 165 on less than statutory notice, (five (5) days' notice), to become effective on March 3, 1972.

By letter dated March 24, 1972, signed by Mr. Tull, Traffic Manager for Respondent Carrier, it was stated, among other things, that Carrier had decided not to cancel Item 165.



On March 24, 1972, Mr. Tull filed Supplement No. 3 to its Tariff, Colorado PUC No. 3, cancelling Item 165 by Item 165A which, in effect, changes the wording of Item 165, and the new item would apply to anyone having a new trailer moved, and then it would reduce the revenues of the Carrier by expanding the reduced or discounted rates to other than dealers.

The Commission, by Decision No. 80095, dated April 25, 1972, found that sufficient cause existed for the holding of a hearing to determine the facts in Carrier failing to cancel their Item 165, and set the matter for hearing on June 12, 1972. By Decision No. 80094, the Commission suspended said tariff filings, i.e., Supplement No. 3 to Colorado PUC No. 3, to and including August 24, 1972, assigned Investigation and Suspension Docket No. 730, and set the matter for hearing, along with Case No. 5494, on June 12, 1972.

The hearing was held as scheduled and the matters shown above were consolidated. Respondent Carrier did not appear at the hearing.

At the conclusion of the hearing the matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963) as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended Order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Respondent herein is a common carrier operating in intra-state commerce under authority granted by the Colorado Public Utilities Commission and is, therefore, subject to the rules and regulations of the Commission.

2. No witness appeared on behalf of Respondent.

3. Respondent Carrier, by letter dated May 26, 1972, requested that proceedings be cancelled as they did not wish to go forward with the hearing, and requested information necessary to bring the tariff in line with the wishes of the Public Utilities Commission.

4. By letter dated May 31, 1972, Mr. Ralph Knull, Supervising Rate Expert of the Staff, advised Mr. Irvin Tull, Traffic Manager for Respondent, that it would be necessary for Respondent to "issue supplement No. 4 to Colorado PUC No. 3, cancelling Supplement No. 3." Supplement No. 4 should contain the items brought forward from Supplement No. 2 (that is, Items 10-A and 11) and to cancel Item No. 165 of the tariff."

#### CONCLUSIONS ON FINDINGS OF FACT

1. Respondent Carrier shall issue Supplement No. 4 to Colorado PUC No. 3, cancelling Supplement No. 3. Supplement No. 4 should contain the items brought forward from Supplement No. 2 (that is, Items 10-A and 11) and cancel Item 165 of the Tariff.

2. That Respondent failed to appear at hearing on June 12, 1972, as directed in ordering Paragraph 3 of Decision No. 80095, dated April 25, 1972.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

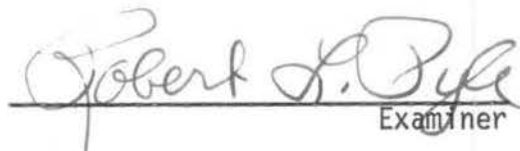
1. Respondent, National Trailer Convoy, Inc., shall issue Supplement No. 4 to Colorado PUC No. 3, cancelling Supplement No. 3. Supplement No. 4 should contain the items brought forward from Supplement No. 2, and cancel Item No. 165 of the tariff.

2. If Respondent fails to file the necessary supplement mentioned in Ordering Paragraph No. 1 above by July 5, 1972, said Respondent's authority with this Commission, Certificate of Public Convenience and Necessity PUC No. 2636, be, and the same is hereby, revoked and cancelled as of July 5, 1972. In the event Respondent files said Supplement (ordering paragraph No. 1 above) by July 5, 1972, that portion of this Order pertaining to the cancellation and revocation of the aforesaid certificate shall be null and void and of no effect and said authority shall be fully operative.

3. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

4. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such decision is stayed within such time by the Commission upon its own Motion, such Recommended Decision shall become the decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner

(Decision No. 80522)

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 AN ORDER GRANTING TO IT A CERTIFI- )  
CATE OF PUBLIC CONVENIENCE AND NECES- )  
SITY TO EXERCISE FRANCHISE RIGHTS IN )  
THE TOWN OF SILT, GARFIELD COUNTY, )  
COLORADO FOR THE GENERATION, PRODUC- )  
TION, MANUFACTURE, PURCHASE, STORAGE, )  
EXCHANGE, TRANSMISSION AND DISTRIBU- )  
TION OF ELECTRICAL ENERGY, GASEOUS )  
FUELS OR MIXTURES THEREOF, IN SAID )  
TOWN, AND TO DISTRIBUTE AND SELL )  
NATURAL GAS IN THE AREA CONTIGUOUS )  
TO SAID TOWN AND ALONG THE GAS TRANS- )  
MISSION PIPELINE TO THE TOWN. )

APPLICATION NO. 25672

RECOMMENDED DECISION OF  
ROBERT L. PYLE, EXAMINER

GRANTING APPLICATION

- - - - -  
June 16, 1972  
- - - - -

Appearances: Lee, Bryans, Kelly and Stansfield,  
Esqs., Denver, Colorado by  
Robert S. Gast, Jr., Esq. for  
Applicant.  
C. J. Miller, Denver, Colorado,  
of the Staff of the Commission.

PROCEDURE AND RECORD

The above-entitled application was filed by Public Service Company of Colorado (Applicant) on April 7, 1972. By this application, Applicant seeks an order of the Commission for a certificate of public convenience and necessity to exercise franchise rights in the Town of Silt, County of Garfield, State of Colorado, for the generation, production, manufacture, purchase, storage, exchange, transmission, and distribution of electrical energy and gaseous fuels, and for the distribution and sale of natural gas in the area contiguous to said Town and along the gas transmission pipeline to the Town.

Upon due and proper notice to all interested parties, the matter

was set for hearing on June 13, 1972, at 10 a.m. in the hearing room of the Commission, 507 Columbine Building, 1845 Sherman Street, Denver, Colorado, at which time and place the matter was heard by Hearing Examiner Robert L. Pyle, to whom the matter was duly assigned. No one appeared at the hearing in opposition to the granting of the application.

Exhibit 1 was tendered and admitted into evidence.

Official notice was taken of the 1971 annual report of Applicant on file with the Commission.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Robert L. Pyle now transmits herewith to the Commission the record and exhibit of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the generation, purchase, transmission, distribution and sale of electric energy and the purchase, distribution, and sale of natural gas at various points within the State of Colorado.

2. A certified copy of Applicant's Certificate of Incorporation together with all amendments thereto, has heretofore been filed with this Commission.

3. On January 10, 1972, the Board of Trustees of the Town of Silt passed Ordinance No. 61, granting a gas and electric franchise to Applicant, which ordinance was entitled:

AN ORDINANCE GRANTING A FRANCHISE BY THE TOWN OF SILT, GARFIELD COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, PURCHASE, ACQUIRE, LOCATE, MAINTAIN, OPERATE AND EXTEND INTO, WITHIN AND THROUGH SAID TOWN, PLANTS, WORKS, SYSTEMS AND FACILITIES FOR THE GENERATION, PRODUCTION, MANUFACTURE, PURCHASE, STORAGE, EXCHANGE, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY, GASEOUS FUELS OR MIXTURES THEREOF, BY MEANS OF PIPES, MAINS, CONDUITS, WIRES, CABLES, POLES AND STRUCTURES, OR OTHERWISE, ON, OVER, UNDER, ALONG AND ACROSS ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, PUBLIC WAYS AND OTHER PUBLIC PLACES IN SAID TOWN OF SILT TO SELL, FURNISH AND DISTRIBUTE SAID PRODUCTS TO THE TOWN AND THE INHABITANTS THEREOF; AND FIXING THE TERMS AND CONDITIONS THEREOF.

A copy of said franchise was offered and accepted into evidence as Exhibit 1. The said franchise is for a term of 25 years and provides for a franchise consideration to be paid to the Town in the amount of 2% of gross gas revenue and 2% of gross electric revenue, with certain exclusions.

4. Applicant presently supplies electric service in said Town of Silt under the terms and conditions of a franchise granted by Ordinance No. 7B of said Town on September 8, 1947, and supplies gas service in said Town of Silt under the terms and conditions of a franchise granted by Ordinance No. 31 of said Town on June 19, 1961 and under the authority of Certificates of Public Convenience and Necessity of this Commission granted in Decisions No. 29804 of January 22, 1948 and No. 57038 of August 17, 1961, Applications No. 8995 and No. 18616.

5. Applicant presently supplies natural gas service in the area adjacent to the Town and along the gas transmission line to the Town under the authority of this Commission in Decision No. 57038 of August 17, 1961.

6. Applicant obtains its natural gas for distribution and sale in Silt from Western Slope Gas Company, a wholly owned subsidiary of Applicant, and supplies electric energy from its interconnected generating and transmission system.

7. There is no other public utility in the business of distributing electricity or gas in said Town of Silt, or distributing natural gas in the contiguous area or along the gas transmission line to the Town. The population of the Town in 1970 was 434. As of May, 1972, Applicant served

180 residential electric customers and 143 residential gas customers in the Town. Existing facilities of the Applicant, which the Commission finds to be adequate, will be utilized in continuing service. Applicant's 1971 annual report to the Commission demonstrates Applicant's financial ability to perform its franchise obligations.

8. Public convenience and necessity requires, and will require, the exercise by Applicant of the franchise rights granted in and by said Ordinance No. 61 of the Town of Silt for the generation, production, manufacture, purchase, storage, exchange, transmission, and distribution of electrical energy and gaseous fuels in the Town and the distribution and sale of natural gas in the area contiguous to the Town and along the gas transmission line thereto.

#### CONCLUSION

Based on the aforesaid findings of fact, it is concluded that:

1. The authorization sought in the application should be granted and that the following order should be entered.

2. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following order.

#### ORDER

##### THE COMMISSION ORDERS THAT:

1. Public convenience and necessity requires, and will require, the exercise by Applicant of the franchise rights granted in and by Ordinance No. 61 of the Town of Silt marked Exhibit 1 herein, which by reference is made a part hereof, for the generation, production, manufacture, purchase, storage, exchange, transmission, and distribution of electrical energy and gaseous fuels or mixtures thereof by Applicant in said Town, and for the distribution and sale of natural gas in the contiguous area and along the gas transmission line thereto, and this Order shall be deemed and held to be a CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY therefor.



2. Applicant shall install, operate, and maintain its electric and gas systems and supply service in the Town of Silt in accordance with its schedules of rates, classifications, rules, and regulations now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

3. Applicant shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices in accordance with the rules regulating the service of electric and gas utilities in accordance with the Commission's requirements.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

5. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
hj

(Decision No. 80523 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )  
LEIFESTE, HOWARD L. DBA HOWARD'S )  
LIVESTOCK TRANSPORTATION )  
3017 Bowie Street )  
San Angelo, Texas 76901 )

AUTHORITY NO. 7853-I

CASE NO. 3468-H-Ins.

-----  
June 14, 1972  
-----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On February 28, 1972 , 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.

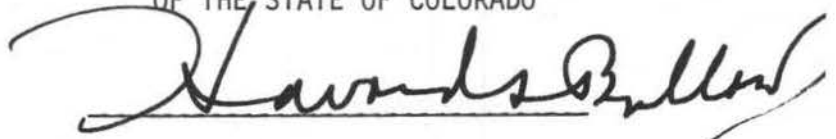
The Commission finds, in view of the above, that it would be in the public interest to restore the herein authority to active status.

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.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners

Dated at Denver, Colorado,  
this 14th day of June 1972

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF )	
STANLEY GOLDFEDER, DOING BUSINESS )	
AS "BONANZA MOVING & STORAGE CO.," )	CERTIFICATE PUC NO. 2589
4585 IRONTON STREET, DENVER, )	CERTIFICATE PUC NO. 3383
COLORADO. )	

- - - - -  
June 15, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

Stanley Goldfeder, doing business as "Bonanza Moving & Storage Co.," (Debtor), owner and operator of Certificates of Public Convenience and Necessity PUC No. 2589 and PUC No. 3383, herein seeks authority to encumber said Certificates to the Peoples Bank & Trust Co., Aurora, Colorado, (Secured Party), to secure payment of indebtedness in the sum of twenty thousand dollars (\$20,000.00) in accordance with certain terms and conditions as set forth in the Promissory Note dated June 13, 1972.

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

O R D E R

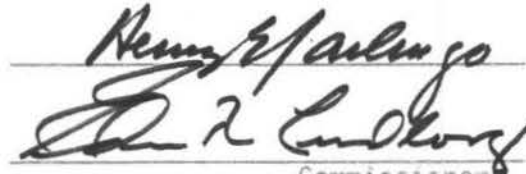
THE COMMISSION ORDERS:

That Stanley Goldfeder, doing business as "Bonanza Moving & Storage Co.," 4585 Ironton St., Denver, Colorado, be, and hereby is, authorized to encumber all right, title, and interest in and to Certificates of Public Convenience and Necessity PUC No. 2589 and PUC No. 3383 to the Peoples Bank & Trust Co., Aurora, Colorado, to secure payment of the sum of twenty thousand dollars (\$20,000.00), in accordance with the terms

and conditions set forth in the Promissory Note which is made a part of this order by reference.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

CHAIRMAN HOWARD S. BJELLAND  
NECESSARILY ABSENT AND NOT  
PARTICIPATING.

Dated at Denver, Colorado, this  
15th day of June, 1972.  
js

(Decision No. 80525)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CLARENCE BOSHART, 612 HIGH STREET, )  
COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 3611 )  
TO ERNIE A. SCHADE, DOING BUSINESS )  
AS "PROFESSIONAL BUILDING MOVERS," )  
1515 WEST 17TH STREET, PUEBLO, COLO- )  
RADO; TO CANCEL LEASE OF PUC NO. )  
3611, AND TO CONSOLIDATE AND MERGE )  
PUC NO. 3611 INTO PUC NO. 2100. )

APPLICATION NO. 25525-Transfer

IN THE MATTER OF THE APPLICATION OF )  
JIM D. BLOOM, DOING BUSINESS AS "JIM )  
BLOOM HOUSE MOVER," 1332 SOUTH 25TH )  
STREET, COLORADO SPRINGS, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT NO. )  
B-3127 TO ERNIE A. SCHADE, DOING )  
BUSINESS AS "PROFESSIONAL BUILDING )  
MOVERS," 1515 WEST 17TH STREET, )  
PUEBLO, COLORADO. )

APPLICATION NO. 25526-PP-Transfer

RECOMMENDED DECISION OF  
CHRISTIAN O. IGENBERGS,  
EXAMINER

GRANTING APPLICATIONS

- - - - -  
June 19, 1972  
- - - - -

Appearances: Ivan A. Allen, Esq., Colorado  
Springs, Colorado, for  
Clarence Boshart and  
Jim D. Bloom, doing business  
as "Jim Bloom House Mover,"  
Transferors; and  
Ernie A. Schade, doing business  
as "Professional Building Movers,"  
Transferee.

PROCEDURE AND RECORD

Under date of February 14, 1972, Clarence Boshart, Transferor,  
and Jim D. Bloom, doing business as "Jim Bloom House Mover," Transferor,  
filed the respective above-entitled applications with this Commission for  
authority to transfer Certificate of Public Convenience and Necessity  
PUC No. 3611 and Permit No. B-3127 to Ernie A. Schade, doing business as  
"Professional Building Movers."

The Commission assigned Docket Nos. 25525-Transfer and 25526-PP-Transfer to the respective applications and gave due notice in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

Pursuant to law, the Commission assigned the applications to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or corporations, set the herein matters for a hearing to be held in the hearing room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Friday, May 19, 1972, at 10 a.m. The hearing was held at the aforesaid time and place on a joint record.

Official notice was taken of the following documents on file with the Commission, to wit: copy of Contract dated February 9, 1972, and duly executed and signed by Clarence Boshart, Jim D. Bloom, Transferrors, and Ernie A. Schade, Transferee; Equipment List of Clarence Boshart; Equipment List of Jim D. Bloom; Equipment List of Ernie A. Schade; and Balance Sheet of Ernie A. Schade.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Transferor, Clarence Boshart, is an individual and a resident of Colorado Springs, Colorado. The aforesaid Boshart is the record owner of Certificate of Public Convenience and Necessity PUC No. 3611, which is the subject matter of Application No. 25525-Transfer and reads as follows, to wit:

"Transportation of

Houses and buildings and all items necessarily connected with the movement of a house or building.

Between all points within a radius of 25 miles of the corner of Pikes Peak and Tejon Streets in Colorado Springs, Colorado.

(Houses and buildings are meant to include all buildings, such as garages or sheds, but not to include structures which are not ordinarily considered buildings or shelters.)"

At the present, Certificate of Public Convenience and Necessity PUC No. 3611 is leased by Clarence Boshart to Jim D. Bloom, such lease having been authorized by the Commission in Decision No. 79146, dated November 29, 1971. The lessee, Jim D. Bloom, is the present operator of the subject authority. Both lessor and lessee have entered into an agreement to cancel the within lease if the transfer of the authority were to be approved by the Commission.

2. Transferor, Jim D. Bloom, doing business as "Jim Bloom House Mover," is an individual and a resident of Colorado Springs, Colorado. The aforesaid Jim Bloom is the present owner and operator of class "B" Contract Carrier Permit No. B-3127, which is the subject matter of Application No. 25526-PP-Transfer and reads as follows, to wit:

"Transportation of

(1) Buildings

Between all points within the State of Colorado lying east of a line drawn north and south through Genoa, Colorado, and within a seventy-five (75) mile radius of Flagler, Colorado;

(2) Buildings

Between all points west of a line drawn north and south through Genoa, Colorado, and within a seventy-five (75) mile radius of Genoa, Colorado;



(3) Buildings

Between all points within that portion of a twenty-five (25) mile radius of the intersection of U. S. Highway No. 24 and Colorado Highway No. 94 lying outside said seventy-five (75) mile radius of Genoa, Colorado."

3. These authorities have been continually operated in the past and are presently in good standing with the Commission.

4. Transferee is an individual, one Ernie A. Schade, doing business as "Professional Building Movers," and a resident of Pueblo, Colorado. Transferee is the present owner and operator of Certificate of Public Convenience and Necessity PUC No. 2100, which reads as follows, to wit:

"Transportation of

Buildings

Commencing at a point six (6) miles west of the southwest corner of Jefferson County; thence east along the southern boundaries of the Counties of Jefferson, Douglas, Elbert, Washington and Yuma, to the Colorado-Kansas state line; thence south along said line to the Colorado-Oklahoma state line; thence west along the Colorado-Oklahoma-New Mexico state line to a point thirty-five (35) miles west of Interstate Highway No. 25; thence north along a line thirty-five (35) miles west of Interstate Highway No. 25 and parallel thereto to the point of beginning.

RESTRICTION: This Certificate is restricted against the transportation of box cars and tramway cars."

5. There is considerable duplication between the three aforementioned authorities; and such duplication, as presently exists, should be eliminated by the Order, infra.

6. The Commission has jurisdiction over Transferors, Transferee, and the subject matter of this proceeding.

7. The parties have entered into an agreement to transfer the operating authorities and the consideration to be paid is fair and reasonable.

8. The Certificate and Permit are free and clear of any debts, encumbrances, or obligations.

9. Transferee owns five trucks, twenty assorted trailers, assorted steel trusses, timbers, power jacks, and necessary accessory equipment. In addition, Transferee is acquiring assorted trucks, trailers, steel beams, and auxiliary equipment from both Transferors, Clarence Boshart and Jim D. Bloom. All of the aforesaid equipment is adequate and suitable for the moving of houses and buildings.

10. Transferee has been in the house-moving business since the year 1954 and, for this reason, has sufficient and ample experience in order to operate the authorities sought to be transferred herein.

11. Transferee has assets to a total sum of approximately \$156,000 and liabilities of approximately \$51,000 with a net worth of \$105,000. The aforesaid monies are ample and sufficient for the operation of the authorities sought to be transferred herein.

12. Transferee is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if these applications are granted, promises to abide by said rules and regulations, as well as the safety requirements of the Commission, and has or will make adequate provision for insurance.

13. If these transfers are approved, Transferee intends to and will engage in bona fide motor carrier operations under the operating rights set forth herein.

14. The granting of the applications will be in the public interest.

### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The transfers sought by Applicants should be granted as hereinafter set forth. Certificate of Public Convenience and Necessity PUC No. 3611 should be canceled and the authority contained in said PUC No. 3611 should be written into Certificate of Public Convenience and Necessity PUC No. 2100. Likewise, the authority duplicating Certificate of Public Convenience and Necessity PUC No. 2100 under Permit No. B-3127 should be reformed in order to avoid duplication.

2. The lease of all right, title, and interest in and to Certificate of Public Convenience and Necessity PUC No. 3611 by Clarence Boshart to Jim D. Bloom, as authorized by Commission Decision No. 79146, dated November 29, 1971, should be canceled.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

### O R D E R

#### THE COMMISSION ORDERS THAT:

1. The lease of all right, title, and interest in and to Certificate of Public Convenience and Necessity PUC No. 3611 by Clarence Boshart to Jim D. Bloom, as authorized by Commission Decision No. 79146, be, and hereby is, canceled.

2. Clarence Boshart, 612 High Street, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title and interest in and to Certificate of Public Convenience and Necessity PUC No. 3611 to Ernie A. Schade, doing business as "Professional Building Movers," 1515 West 17th Street, Pueblo, Colorado, subject to encumbrances, if any, against said authority.

3. The authority contained in Certificate of Public Convenience and Necessity PUC No. 3611 be, and hereby is, written into and consolidated with Certificate of Public Convenience and Necessity PUC No. 2100, and Certificate of Public Convenience and Necessity PUC No. 3611 be, and hereby is, canceled.

4. Henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 2100 shall read and be as follows, to wit:

(1) Transportation of

Buildings

Commencing at a point six (6) miles west of the southwest corner of the County of Jefferson; thence east along the southern boundaries of the Counties of Jefferson, Douglas, Elbert, Washington, and Yuma, to the Colorado-Kansas state line; thence south along said line to the Colorado-Oklahoma state line; thence west along the Colorado-Oklahoma-New Mexico state line to a point thirty-five (35) miles west of Interstate Highway No. 25; thence north along a line thirty-five (35) miles west of Interstate Highway No. 25 and parallel thereto to the point of beginning.

RESTRICTION:

Item (1) of this Certificate is restricted against the transportation of box cars and tramway cars.

(2) Transportation of

Buildings

Between points within that portion of the Counties of Douglas and Elbert, State of Colorado, lying within a twenty-five (25) mile radius of the intersection of Pikes Peak and Tejon Streets, Colorado Springs, Colorado.

5. Jim D. Bloom, doing business as "Jim Bloom House Mover," 1332 South 25th Street, Colorado Springs, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-3127 to Ernie A. Schade, doing business as "Professional Building Movers," 1515 West 17th Street, Pueblo, Colorado, subject to encumbrances, if any, against said authority.

6. Henceforth the full and complete authority under Permit No. B-3127 shall read and be as follows, to wit:

(1) Transportation of

Buildings

Within that portion of the Counties of Washington and Yuma lying within a seventy-five (75) mile radius of Flagler, Colorado, and east of a line drawn north and south through Genoa, Colorado.

(2) Transportation of

Buildings

Between all points within a seventy-five (75) mile radius of Genoa, Colorado, located north of the north boundary line of the Counties of Lincoln and El Paso, State of Colorado, and west of a line drawn north and south through Genoa, Colorado, except those portions of the Counties of Douglas and Elbert, State of Colorado, lying within a twenty-five (25) mile radius of the intersection of U.S. Highway No. 24 and Colorado Highway No. 94.

7. Said transfers shall become effective only if and when but not before, said Transferors and Transferee, in writing, have advised the Commission that said Certificate and Permit 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 authorities 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.

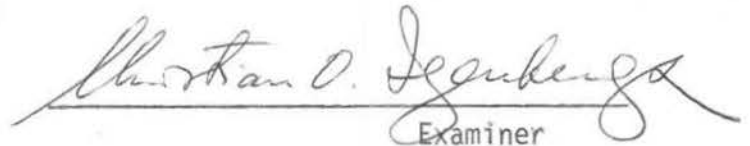
8. The tariff of rates, rules, and regulations of Transferors shall, upon proper adoption notice, become and remain those of Transferee until changed according to law and the rules and regulations of this Commission.

9. 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 of an annual report by Transferors herein covering the operations under the Certificate and Permit respectively up to the time of the transfer of said Certificate and Permit.

10. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

11. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF

Antonio J. S. Montoya  
dba Tony's Standard  
P.O. Box 958  
900 East Main St.  
Cortez, Colorado 81321

AUTHORITY NO. T 319  
CASE NO. 13-T-Ins.

June 15, 1972

## STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 22, 1972 , 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.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

OF THE STATE OF COLORADO

James B. Bell

James E. Bell

John E. Bell

Commissioners

Dated at Denver, Colorado,  
this 15th day of June, 1972



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: INCREASED RATES AND CHARGES )  
LOCAL CARTAGE, HOURLY RATES )  
APPLICABLE TO GENERAL CARTAGE, )  
HEAVY HAULING AND HOUSEHOLD GOODS )  
BETWEEN POINTS IN CITY AND COUNTY )  
OF DENVER AND A FIFTEEN MILE RADIUS )  
THEREOF )

Investigation and Suspension  
Docket No. 738

-----  
June 15, 1972  
-----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 18, 1972, Walter R. Plankinton, President, Cowboy Trash Disposal System, Inc., d/b/a Cowboy Transfer and Storage, Inc., operating under Certificate No. 3741, filed its Local Cartage Tariff No. 5, Colorado PUC No. 5, cancelling Colorado PUC No. 1>(\*Kellogg Grain Co., d/b/a Kiowa Valley Truck Line, Series) scheduled to become effective June 26, 1972. The new schedule is set forth in Appendix "A" attached hereto.

The Commission is of the opinion that the proposed schedule may be in violation of the Public Utilities Law of Colorado and the Price Commission's Regulations governing Public Utilities, as published in Part 300 of Title 6 of the Code of Federal Regulations, as amended. Therefore, under the provisions of Rule 19-A of the Commission's Rules of Practice and Procedure, and 115-6-11 of the statutes governing the suspension of new rates, the schedule shall be suspended for a period of 120 days.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings and Appendix "A", attached hereto, be, and the same are hereby, made a part hereof.

2. That it shall enter upon a hearing concerning the lawfulness of the rates and charges set forth in the schedule enumerated in the statement of this Order.

3. That the operation of said schedule be, and it is hereby, suspended and the use thereof deferred to and including October 20, 1972, 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 and the regulations of the Price Commission.

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.

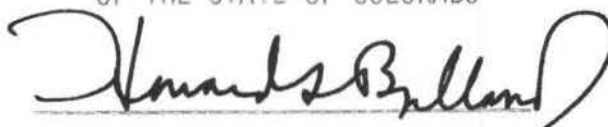

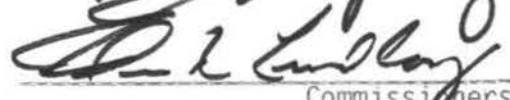
6. That a copy of this Order shall be filed with the schedules in the office of the Commission and that a copy hereof be served upon Walter R. Plankinton, President, Cowboy Trash Disposal System, Inc., d/b/a Cowboy Transfer and Storage, Inc., 4955 Olive Street, Commerce City, Colorado 80022. The necessary suspension supplement shall be issued, filed and posted to the respective tariff referred to in the Statement and Findings hereof.

7. That ten (10) days prior to the hearing date herein Respondent shall provide the Secretary of the Commission with copies of any and all exhibits which they intend to introduce in evidence in support of their case.

8. That this Investigation and Suspension Docket No. 738, be, and the same is hereby, set for hearing before the Commission on the 25th day of August, 1972, at 10 a.m., in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203.

9. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
15th day of June, 1972. av

I&S No.  
Decision No.

Appendix "A"

COLO. P.U.C. No. 5  
(ISSUED IN LIEU OF  
COLO. P.U.C. No. 4)  
CANCELS  
\*COLO. P.U.C. No. 1

COWBOY TRASH DISPOSAL SYSTEM, INC.  
D/B/A  
COWBOY TRANSFER AND STORAGE, INC.

LOCAL CARTAGE TARIFF NO. 5

(PUC 3741)

NAMING

CLASS AND COMMODITY RATES AND HOURLY CHARGES

FOR THE TRANSPORTATION OF FREIGHT

BETWEEN POINTS IN THE CITY AND COUNTY OF DENVER, COLORADO, AND A FIFTEEN MILE RADIUS THEREOF.

FOR GOVERNING PUBLICATIONS SEE ITEM NO. 60.

\* KELLOGG GRAIN CO. D/B/A KIOWA VALLEY TRUCK LINE, SERIES

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE PAGE 3.

ISSUED: MAY 18, 1972

EFFECTIVE: JUNE 26, 1972

MTS  
M

ISSUED BY:  
WALTER R. PLANKINTON, PRESIDENT  
4955 OLIVE STREET  
COMMERCE CITY, COLORADO 80022

RECEIVED

MAY 18 1972

THE PUBLIC UTILITIES COMMISSION  
DENVER, COLORADO

I&S No.  
Decision No.

Appendix "A"

ORIGINAL PAGE 1

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. D/G/A COWBOY TRANSFER AND STORAGE, INC.								
LOCAL CARTAGE TARIFF NO. 5								
CHECKING SHEET FOR CORRECTIONS								
UPON RECEIPT OF REVISED OR NEW PAGES A CHECK MARK MUST BE PLACED OPPOSITE THE "CORRECTION" NUMBER (SHOWN BELOW) CORRESPONDING TO NUMBER SHOWN IN LOWER LEFT-HAND CORNER OF NEW OR REVISED PAGE. IF "CORRECTION" NUMBERS ARE CHECKED PROPERLY AS RECEIVED, CHECK MARKS WILL APPEAR IN CONSECUTIVE ORDER WITH NO OMISSIONS. IF CHECK MARKS INDICATE THAT A "CORRECTION" SHEET HAS NOT BEEN RECEIVED, REQUEST SHOULD BE MADE AT ONCE FOR A COPY.								
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4	24	44	64	84	104	124	144	164
5	25	45	65	85	105	125	145	165
6	26	46	66	86	106	126	146	166
7	27	47	67	87	107	127	147	167
8	28	48	68	88	108	128	148	168
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13	33	53	73	93	113	133	153	173
14	34	54	74	94	114	134	154	174
15	35	55	75	95	115	135	155	175
16	36	56	76	96	116	136	156	176
17	37	57	77	97	117	137	157	177
18	38	58	78	98	118	138	158	178
19	39	59	79	99	119	139	159	179
20	40	60	80	100	120	140	160	180

FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.

ISSUED: MAY 18, 1972	EFFECTIVE: JUNE 26, 1972
ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022	
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MAY 18 1972

THE PUBLIC UTILITIES COMMISSION  
THE STATE OF COLORADO

I&S No.  
Decision No.

Appendix "A"

ORIGINAL PAGE 2

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/s/a COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
TABLE OF CONTENTS	
ARTICLE	ITEM NO. (EXCEPT AS NOTED)
ADDITIONAL DELIVERIES .....	70
ADVANCING OF CHARGES .....	180
APPLICATION OF TARIFF .....	30
CHECKING SHEET FOR CORRECTIONS .....	PAGE 1
CLAIMS .....	194
CLASS RATES .....	200
COLLECT-ON-DELIVERY SHIPMENTS .....	50
COMPUTATION OF TIME .....	198
DELIVERY SERVICE .....	40
DESCRIPTION OF METROPOLITAN AREA .....	20
DETENTION CHARGES .....	100
EXPLANATION OF ABBREVIATIONS AND SYMBOLS .....	PAGE 3
EXTRA LABOR .....	170
GENERAL CARTAGE HOURLY RATES .....	PAGE 10, PAGE 11
GENERAL HOURLY RATES .....	210
GOVERNING PUBLICATION .....	60
HEAVY HAULING HOURLY RATES .....	220
HOURLY RATES AT OPTION OF SHIPPER OR CONSIGNEE .....	190
HOUSEHOLD GOODS RATES .....	270
MIXED SHIPMENTS .....	90
MORE THAN ONE DELIVERY AT DESTINATION .....	150
NEW FURNITURE RATES .....	250
NORMAL BUSINESS HOURS .....	140
OVERTIME .....	160
PIANO MOVING CHARGES .....	280
SPECIFIC COMMODITY RATES .....	PAGE 12, PAGE 13
STENCILING .....	110
STORAGE .....	120
TERRITORIAL APPLICATION OF TARIFF .....	10
VALUATION - RELEASED OR DECLARED .....	130
VARYING MINIMUM WEIGHTS .....	80
FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.	
ISSUED: MAY 18, 1972	
EFFECTIVE: JUNE 26, 1972	
ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022	
MTS M	

Appendix "A"

ORIGINAL PAGE 3

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/b/a COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
EXPLANATION OF ABBREVIATIONS AND SYMBOLS	
ABBREVIATION OR SYMBOL	EXPLANATION
C.O.D. Co. COLO. d/b/a INC. No. Nos. P.U.C.	COLLECT-ON-DE' IVERY COMPANY COLORADO JOINT BUSINESS AS INCORPORATED NUMBER NUMBERS PUBLIC UTILITIES COMMISSION
♦	INCREASE
▲	CHANGE, RESULTING IN NEITHER AN INCREASED NOR A REDUCTION
↓	REDUCTION
(E)	ELIMINATE
+	ADDITION
%	PER CENT
\$	DOLLAR OR DOLLARS
¢	CENT OR CENTS

FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.

ISSUED: MAY 18, 1972	EFFECTIVE: JUNE 26, 1972
MTS M	ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022

REC-11

MAY 18 1972

THE PUBLIC UTILITIES  
COMMISSION OF COLORADO



Appendix "A"

ORIGINAL PAGE 4

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/o/a COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
RULES AND REGULATIONS	ITEM NO.
<u>TERRITORIAL APPLICATION OF TARIFF</u> BETWEEN POINTS WITHIN THE METROPOLITAN AREA OF DENVER, COLORADO, AND LITTLETON, COLORADO; BETWEEN POINTS WITHIN THE MUNICIPALITY OF DENVER, COLORADO; BETWEEN POINTS IN THE METROPOLITAN AREA OF DENVER, COLORADO, AND POINTS IN THE MUNICIPALITY OF DENVER, COLORADO.	10
<u>DESCRIPTION OF METROPOLITAN AREA</u> THE METROPOLITAN AREA INCLUDES ALL POINTS WITHIN A FIFTEEN-MILE AIR LINE DISTANCE FROM THE BOUNDARY LINES OF THE CITY OF DENVER, EXCEPT ARVADA, COLORADO, AND LITTLETON, COLORADO.	20
<u>APPLICATION OF TARIFF</u> THE RATES, CHARGES, RULES AND REGULATIONS SHOWN IN THIS TARIFF WILL APPLY TO THE TRANSPORTATION AND/OR SERVICE INCIDENTAL TO TRANSPORTATION OF PROPERTY FOR COMPENSATION OVER THE STREETS, ALLEYS, AND/OR ROADS WITHIN THE CITY OF DENVER AND THE DENVER METROPOLITAN AREA, AS DESCRIBED IN ITEMS 10 AND 20, EXCEPT AS PROVIDED IN THE NOTE BELOW:  NOTE:-THE RATES NAMED IN THIS TARIFF DO NOT APPLY TO THE TRANSPORTATION OF:  (1) BULK LIQUIDS TRANSPORTED IN TANK VEHICLES.  (2) PROPERTY OF EXTRAORDINARY VALUE SUCH AS BANK BILLS; COINS OR CURRENCY; DEEDS, DRAFTS; NOTES OR VALUABLE PAPERS OF ANY KIND; JEWELRY; PRECIOUS METALS OR ARTICLES MANUFACTURED THEREFROM; PRECIOUS STONES OR REVENUE STAMPS.  (3) PICKUP AND DELIVERY FOR THE ACCOUNT OF COMMON CARRIERS OR FORWARDING COMPANIES.  (4) AUTOMOBILES (FREIGHT OR PASSENGER) IN DRIVEAWAY SERVICE (UNDER OWN POWER) OR IN TRUCKAWAY SERVICE (ON SPECIAL EQUIPMENT FOR HAULING AUTOMOBILES ONLY).	30
<u>DELIVERY SERVICE</u> THE RATES IN CENTS PER 100 POUNDS NAMED IN THIS TARIFF COVER ONLY STORE DOOR OR PLATFORM PICK-UP OR DELIVERY, AND ONLY ONE DELIVERY AND/OR PICK-UP WILL BE MADE PER SHIPMENT. SHIPMENTS MUST BE CONSOLIDATED AND READY AT ONE PLACE.  IN THE EVENT SHIPPERS DESIRE PLACEMENT OR PICK-UP OF SHIPMENTS AT POINTS OTHER THAN THE GROUND FLOOR DOOR OR DOCK, THE SERVICE WILL BE PERFORMED AND WILL BE CHARGED FOR AT THE HOURLY RATES SHOWN IN THIS TARIFF FOR THE TYPE OF EQUIPMENT BEING USED.	40
<u>C.O.D. (COLLECT-ON-DELIVERY) SHIPMENTS</u> COLLECT-ON-DELIVERY SHIPMENTS WILL NOT BE ACCEPTED.	50
<u>GOVERNING PUBLICATION</u> THIS TARIFF IS SUBJECT TO THE LESS-THAN-TRUCKLOAD OR ANY QUANTITY RATINGS PUBLISHED IN NATIONAL MOTOR FREIGHT TRAFFIC ASSOCIATION, INC., AGENT, NATIONAL MOTOR FREIGHT CLASSIFICATION A-12, COLO. P.U.C. No. 9, SUPPLEMENTS THERETO AND REISSUES THEREOF.  WHERE THIS TARIFF DOES NOT PROVIDE A RATE FOR THE CLASS RATING SHOWN OPPOSITE THE DESCRIPTION OF ARTICLES IN THE GOVERNING CLASSIFICATION, APPLY THE RATE FOR THE NEXT HIGHER CLASS RATING FOR WHICH RATES ARE SHOWN IN THIS TARIFF.	60
FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.	
ISSUED: MAY 18, 1972 EFFECTIVE: JUNE 26, 1972	
ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022	
MTS M	

MAY 18 1972

THE PUBLIC UTILITIES BOARD  
OF THE STATE OF COLORADO

Appendix "A"

ORIGINAL PAGE 5

ALL CHARGES ON THIS PAGE ARE INCREASES

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/b/a COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
RULES AND REGULATIONS	ITEM NO.
<u>ADDITIONAL DELIVERIES</u>	70
WHEN, FOR REASONS BEYOND CARRIER'S CONTROL, COMPLETE DELIVERY OF SHIPMENT IS NOT POSSIBLE, EACH ADDITIONAL DELIVERY OR ATTEMPT TO DELIVER WILL BE CHARGED FOR AT THE SAME RATE AS THE FIRST DELIVERY. IF SHIPMENT IS RETURNED, THE RETURN CHARGE WILL BE THE SAME AMOUNT AS THE OUTBOUND CHARGE.	
<u>VARYING MINIMUM WEIGHTS</u>	80
IN NO CASE SHALL THE CHARGE FOR A GIVEN SHIPMENT BE GREATER THAN THE CHARGE FOR A SHIPMENT WITH A GREATER WEIGHT OF THE SAME COMMODITY, FROM AND TO THE SAME POINT.	
<u>MIXED SHIPMENTS</u>	90
ON SINGLE SHIPMENTS FROM ONE CONSIGNOR TO ONE CONSIGNEE ON ONE BILL OF LADING IN ONE-DAY IN ONE VEHICLE OR COMBINATION OF VEHICLES, COMPOSED OF TWO OR MORE ARTICLES SUBJECT TO DIFFERENT LESS-THAN-TRUCKLOAD OR ANY QUANTITY RATINGS, APPLY TO EACH ARTICLE ITS RESPECTIVE CLASS RATE BASED ON THE WEIGHT THEREOF.	
EXCEPTION: WHEN THE WEIGHT OF ANY CLASS OF COMMODITY INCLUDED IN A SINGLE SHIPMENT IS 80 O/O OR MORE OF THE TOTAL WEIGHT OF A SHIPMENT, THE ENTIRE SHIPMENT WILL BE CHARGED FOR AT THE RATE APPLICABLE TO THAT CLASS OF COMMODITY WHICH CONSTITUTES 80 O/O OR MORE OF THE WEIGHT OF THE SHIPMENT.	
<u>DETENTION CHARGES</u>	100
CLASS AND COMMODITY RATES PUBLISHED IN THIS TARIFF INCLUDE THE FOLLOWING FREE TIME FOR THE LOADING, UNLOADING, AND/OR WAITING TO LOAD OR UNLOAD EACH VEHICLE:	
FLOOR LOAD	
1 POUND TO 4,000 POUNDS .....	1 HOUR
5,000 POUNDS TO 10,000 POUNDS .....	1 1/2 HOURS
10,001 POUNDS TO 15,000 POUNDS .....	2 HOURS
15,001 POUNDS TO 20,000 POUNDS .....	2 1/2 HOURS
20,001 POUNDS OR OVER .....	3 HOURS
(1) DELAY IN LOADING, UNLOADING AND/OR WAITING TO LOAD OR UNLOAD BEYOND FREE TIME SPECIFIED ABOVE, WHEN CAUSED BY SHIPPERS, CONSIGNEES OR THEIR REPRESENTATIVES, WILL BE CHARGED FOR AS FOLLOWS:	
(2) CHARGES WILL BE ASSESSED AT \$1.25 PER PERIOD FOR ALL TIME SPENT AT A PLACE OF BUSINESS AFTER FREE TIME HAS ELAPSED. A PERIOD SHALL CONSIST OF FIFTEEN (15) MINUTES.	
PALLETIZED	
ALL WEIGHTS .....	1 1/2 HOURS
DELAY IN LOADING, UNLOADING AND/OR WAITING TO LOAD OR UNLOAD BEYOND FREE TIME SPECIFIED ABOVE, WHEN CAUSED BY SHIPPERS, CONSIGNEES OR THEIR REPRESENTATIVES, WILL BE CHARGED FOR AS FOLLOWS:	
TRUCK OR TRACTOR AND SEMI-TRAILER (WITH ONE MAN) \$9.70 PER HOUR.	
FRACTIONS OF AN HOUR WILL BE FIGURED AT THE NEXT ONE-FOURTH HOUR AND CHARGED FOR AT THE RATE OF \$2.63 FOR EACH ONE-FOURTH HOUR.	
SUCH CHARGES WILL BE IN ADDITION TO ALL OTHER LAWFUL CHARGES AND WILL BE ASSESSED AGAINST THE CONSIGNOR IN THE CASE OF LOADING OR AGAINST THE CONSIGNEE IN THE CASE OF UNLOADING, IRRESPECTIVE OF WHETHER LINE HAUL CHARGES ARE PREPAID OR COLLECT.	
FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.	
ISSUED: MAY 18, 1972	EFFECTIVE: JUNE 26, 1972
MTS M	ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022

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THE COLORADO UTILITIES COMMISSION  
THE STATE OF COLORADO

Appendix "A"

ORIGINAL PAGE 6

ALL CHARGES ON THIS PAGE ARE INCREASES

Co'o. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/a COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
RULES AND REGULATIONS	
<u>STENCILING</u>	ITEM NO. 110
WHEN CARRIER STENCILS THE FREIGHT ACCORDING TO THE MANIFEST OR BILL OF LADING, A CHARGE OF THIRTEEN CENTS (13¢) PER 100 POUNDS WILL BE ASSESSED, SUBJECT TO A MINIMUM CHARGE OF ONE DOLLAR AND TWENTY-FIVE CENTS (\$1.25) PER SHIPMENT.	
<u>STORAGE</u>	120
FORTY-EIGHT (48) HOURS FREE TIME WILL BE ALLOWED FOR THE REMOVAL OF INBOUND FREIGHT FROM CARRIER'S DEPOT OR STATION, SUCH FREE TIME TO BE COMPUTED FROM THE FIRST 7:00 A.M., AFTER NOTICE OF ARRIVAL HAS BEEN SENT OR GIVEN THE CONSIGNEE. IN ALL CASES WHERE ANY PART OF A SHIPMENT HAS BEEN REMOVED BY CONSIGNEE PRIOR TO THE SENDING OR GIVING OF THE REQUIRED NOTICE, SUCH REMOVAL SHALL BE CONSIDERED AS A NOTICE OF ARRIVAL (SUBJECT TO NOTE 2).	
AFTER THE LAPSE OF SUCH FREE TIME, SHIPMENTS MAY, AT THE OPTION OF THE CARRIER, BE REMOVED TO AND STORED IN A PUBLIC WAREHOUSE AT THE EXPENSE OF THE OWNER (SUBJECT TO NOTE 1), AND THERE HELD AT THE OWNER'S RISK AND WITHOUT LIABILITY ON THE PART OF THE CARRIER, SUBJECT TO A LEIN FOR ALL FREIGHT AND OTHER LAWFUL CHARGES OF COMPANIES IN WHOSE POSSESSION THEY REMAIN, OTHERWISE, A STORAGE CHARGE OF NINE (9) CENTS PER 100 POUNDS WILL BE CHARGED FOR EACH DAY THE SHIPMENT REMAINS IN THE CUSTODY OF THE CARRIER, SUBJECT TO A MINIMUM CHARGE OF SEVENTY-FIVE (75) CENTS PER SHIPMENT PER CALENDAR DAY.	
NOTE 1:-IN ADDITION TO THE RATE NAMED FOR STORAGE, A CHARGE OF FIFTY CENTS (50¢) PER 100 POUNDS, SUBJECT TO A MINIMUM CHARGE OF \$2.90 PER SHIPMENT WILL BE MADE FOR EXTRA HANDLING OF SHIPMENTS SENT TO PUBLIC WAREHOUSES.	
NOTE 2:-IN COMPUTING FREE TIME, SUNDAYS AND/OR LEGAL HOLIDAYS (NATIONAL, STATE OR MUNICIPAL), BUT NOT HALF HOLIDAYS WILL BE EXCLUDED. FRACTIONS OF A DAY WILL BE CONSIDERED AS A WHOLE DAY.	
<u>VALUATION - RELEASED OR DECLARED</u> (APPLIES ONLY ON SHIPMENTS OF FURNITURE AND/OR HOUSEHOLD GOODS)	130
1. THE RATES NAMED IN THIS TARIFF ON FURNITURE AND/OR HOUSEHOLD GOODS ARE BASED ON A RELEASED VALUATION OF NOT TO EXCEED 30 CENTS PER POUND PER ARTICLE.	
2. SHIPPERS ARE REQUIRED TO STATE SPECIFICALLY, IN WRITING, THE AGREED OR DECLARED VALUE OF THE PROPERTY.	
3. IF SHIPPER DECLINES TO DECLARE THE VALUE OR AGREE TO A RELEASED VALUE IN WRITING, THE SHIPMENT WILL NOT BE ACCEPTED.	
4. THE AGREED OR DECLARED VALUE SHALL BE DEEMED TO RELATE TO ALL SERVICES UNDERTAKEN BY THE CARRIER OR ITS AGENTS, TO EACH ARTICLE SEPARATELY AND NOT TO THE SHIPMENT AS A WHOLE. SUCH AGREED OR DECLARED VALUE MUST BE ENTERED ON SHIPPING RECEIPT OR BILL OF LADING.	
5. UNLESS OTHERWISE PROVIDED HEREIN, WHERE RATE IS BASED ON THE WEIGHT, DECLARED VALUE SHALL BE STATED IN CENTS OR DOLLARS AND CENTS PER POUND.	
6. SHIPPERS MAY DECLARE, ON SPECIFIC ARTICLES, VALUATIONS IN EXCESS OF THE VALUE DECLARED ON THE SHIPMENT; EACH SUCH ARTICLE MUST BE DESCRIBED AND ITS EXCESS DECLARED VALUE SET FORTH IN SPACE PROVIDED ON SHIPPING RECEIPT OR BILL OF LADING. ADDITIONAL CHARGES THEREFOR WILL BE ASSESSED AS FOLLOWS:	
IF THE VALUE PER POUND DECLARED ON ANY SPECIFIC ARTICLE OR ARTICLES EXCEEDS THE VALUE PER POUND DECLARED FOR AN ENTIRE SHIPMENT, AN ADDITIONAL CHARGE OF TWO (2) PER CENT OF THE TOTAL EXCESS VALUE DECLARED FOR SUCH ARTICLE OR ARTICLES, WILL BE MADE.	
NOTE:-ARTICLES ON WHICH THE SHIPPER DECLARES A VALUE OF MORE THAN \$10,000 EACH WILL NOT BE ACCEPTED FOR SHIPMENT.	
FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.	
ISSUED: MAY 18, 1972	
EFFECTIVE: JUNE 26, 1972	
ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022	
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MAY 13 1972

I&S No.  
Decision No.

Appendix "A"

ORIGINAL PAGE 7

ALL CHARGES ON THIS PAGE ARE INCREASES

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/b/a COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
RULES AND REGULATIONS	ITEM NO.
<u>NORMAL BUSINESS HOURS</u>  CLASS AND COMMODITY RATES PUBLISHED IN THIS TARIFF WILL APPLY FOR THE TRANSPORTATION OF FREIGHT DURING NORMAL BUSINESS HOURS. SHIPMENTS PICKED UP OR DELIVERED AT TIMES OTHER THAN NORMAL BUSINESS HOURS, AT REQUEST OF SHIPPER OR CONSIGNEE, WILL BE SUBJECT TO OVERTIME CHARGES BASED ON THE HOURLY RATES PUBLISHED IN ITEM NO. 210.  THE HOURLY RATES WILL APPLY TO ACTUAL HOURS OPERATED BETWEEN 4:30 P.M., AND 8:00 A.M., AND ARE FOR THE ACCOUNT OF THE PARTY REQUIRING THIS SERVICE.  THE TERM "NORMAL BUSINESS HOURS," AS USED IN THIS RULE, MEANS THE HOURS BETWEEN 8:00 A.M., AND 4:30 P.M., MONDAY THROUGH FRIDAY OF EACH WEEK EXCEPT THE FOLLOWING HOLIDAYS: NEW YEAR'S DAY, MEMORIAL DAY, JULY 4, LABOR DAY, THANKSGIVING DAY, DECEMBER 24 AND CHRISTMAS DAY.	140
<u>MORE THAN ONE DELIVERY AT DESTINATION</u>  ON SHIPMENTS DELIVERED TO TWO OR MORE PLACES WHICH ARE ALL WITHIN THE LIMITS OF A SINGLE DESTINATION (PLANT SITE, WAREHOUSE, FACTORY, MILITARY INSTALLATION OR RESERVATION, RETAIL OR WHOLESALE OUTLET, ETC.), THE RATE TO BE ASSESSED WILL BE THE RATE APPLICABLE FROM ORIGIN TO DESTINATION, AND THERE WILL BE AN ADDITIONAL CHARGE OF \$12.10 PER DELIVERY STOP, EXCEPT FOR THE FIRST STOP FOR WHICH NO CHARGE WILL BE MADE. SUBJECT TO NOTE 1.  NOTE 1:-THE TERM "DELIVERY STOP" IS DEFINED TO INCLUDE ANY STOP MADE PURSUANT TO INSTRUCTIONS BY THE SHIPPER OR CONSIGNEE FOR THE PURPOSE OF DELIVERY OF ANY PART OF THE LADING, REGARDLESS OF WHETHER OR NOT ANY DELIVERY IS MADE.	150
<u>OVERTIME (SEE NOTE)</u>  IN THE EVENT CARRIER IS REQUESTED BY THE CONSIGNOR OR CONSIGNEE TO RENDER SERVICE BETWEEN THE HOURS OF 5:00 P.M., AND 7:00 A.M., OR ON SATURDAY, SUNDAY OR LEGAL HOLIDAYS, VIZ.: NEW YEAR'S DAY, THE DAY BEFORE CHRISTMAS, CHRISTMAS DAY, THANKSGIVING DAY, INDEPENDENCE DAY, VETERAN'S DAY, LABOR DAY AND MEMORIAL DAY, SUCH SERVICE WILL BE PERFORMED, IF POSSIBLE, AND WILL BE CHARGED FOR AT THE RATES PUBLISHED IN THIS TARIFF, PLUS \$5.00 PER HOUR PER MAN FOR EACH MAN REQUIRED TO RENDER THE SERVICE.  NOTE:-WHEN REFERENCE IS MADE TO THIS NOTE, ALL OVERTIME CHARGES WILL BE SUBJECT TO A MINIMUM CHARGE OF FOUR (4) HOURS FOR CALL OUTS OR CALL BACKS.	160
<u>EXTRA LABOR</u>  RATES NAMED IN THIS TARIFF ARE BASED ON TRUCK AND DRIVER ONLY. WHENEVER ADDITIONAL HELP IS REQUIRED TO LOAD, UNLOAD, GUARD, OR PROTECT SHIPMENTS, OR FLAG TRAFFIC ON ACCOUNT OF SIZE, WEIGHT OR SHAPE OF SHIPMENTS, SUCH HELP SHALL BE FURNISHED BY CONSIGNOR OR CONSIGNEE, OR AT THE REQUEST OF CONSIGNOR OR CONSIGNEE, SAME WILL BE FURNISHED BY THE CARRIER, AND CHARGED FOR AT A RATE OF \$8.50 PER HOUR.	170
<u>ADVANCING OF CHARGES</u>  NO CHARGES SHALL BE ADVANCED AGAINST SHIPMENTS BY CARRIER EXCEPT CHARGES DIRECTLY ATTRIBUTABLE TO THE TRANSPORTATION OF SUCH SHIPMENTS, VIZ.: DRAYAGE OR SWITCHING CHARGES BETWEEN CONNECTING CARRIERS; STORAGE AND TRANSPORTATION CHARGES OF CONNECTING LINE-HAUL CARRIERS.  IN NO CASE SHALL CARRIER ADVANCE WAREHOUSE OR STORAGE CHARGES (EXCEPT STORAGE CHARGES OF A LINE-HAUL CARRIER) OR THE COST OR ANY PART OF THE COST OF GOODS TRANSPORTED. A CARRIER SHALL NOT ADVANCE CHARGES AGAINST SHIPMENTS OF THE CHARACTER ON WHICH PREPAYMENT OR GUARANTEE OF FREIGHT CHARGES ARE REQUIRED EXCEPT THAT CARRIER MAY ADVANCE CHARGES ON SUCH SHIPMENTS OF PARTIES TO WHOM CHARGES ARE ADVANCED FURNISH SATISFACTORY GUARANTEE COVERING REFUND THEREOF IN THE EVENT COLLECTION CANNOT BE MADE AT DESTINATION.	180
FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.	
ISSUED: MAY 18, 1972	
EFFECTIVE: JUNE 26, 1972	
ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022	
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MAY 18 1972



Appendix "A"

ORIGINAL PAGE 5

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. D/B/A COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
RULES AND REGULATIONS	ITEM NO.
<u>HOURLY RATES AT OPTION OF SHIPPER OR CONSIGNEE</u> UPON REQUEST OF SHIPPER OR CONSIGNEE, ANY COMMODITY MAY BE TRANSPORTED AT THE HOURLY RATES NAMED IN THIS TARIFF, PROVIDED, HOWEVER, THAT THE CARRIER IS NOTIFIED IN WRITING THAT THE HOURLY RATES ARE TO APPLY. SUCH NOTIFICATION MUST BE GIVEN BEFORE PROPERTY IS TRANSPORTED.	190
<u>CLAIMS</u> 1. ANY CLAIM FOR LOSS, DAMAGE OR OVERCHARGE SHALL BE IN WRITING AND SHALL BE ACCOMPANIED BY ORIGINAL PAID BILL FOR TRANSPORTATION AND ORIGINAL BILL OF LADING OR SHIPPING RECEIPT, IF NOT PREVIOUSLY SURRENDERED TO CARRIER. CARRIER MAY REQUIRE CERTIFIED OR SWORN STATEMENT OF CLAIM. 2. CARRIERS SHALL BE IMMEDIATELY NOTIFIED OF ALL CLAIMS FOR CONCEALED DAMAGE AND SHALL BE GIVEN REASONABLE OPPORTUNITY TO INSPECT ALLEDGED CONCEALED DAMAGE IN ORIGINAL PACKAGE.	194
<u>COMPUTATION OF TIME</u> EXCEPT AS OTHERWISE PROVIDED, TIME RATES NAMED IN THIS TARIFF SHALL BE COMPUTED TO THE NEAREST ONE-HALF HOUR PERIOD, AND SHALL BE SUBJECT TO A MINIMUM CHARGE OF ONE-HALF HOUR.	198
FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE PAGE 3.	
ISSUED: MAY 18, 1972	EFFECTIVE: JUNE 26, 1972
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THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Appendix "A"

ORIGINAL PAGE 9

ALL RATES ON THIS PAGE ARE INCREASES

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC.  
D/B/A  
COWBOY TRANSFER AND STORAGE, INC.

LOCAL CARTAGE TARIFF NO. 5

ITEM NO.  
200

CLASS RATES

ALL CLASSES WILL BE CHARGED FOR AT THE RATE OF \$3.25 FOR THE FIRST 200 POUNDS THEREOF, AND EACH ADDITIONAL 100 POUNDS WILL BE CHARGED FOR AT THE RATES SHOWN BELOW. (THE \$3.25 CHARGE FOR THE FIRST 200 POUNDS WILL NOT APPLY ON SHIPMENTS OF 10,000 POUNDS OR MORE.)

THE FOLLOWING RATES IN CENTS PER 100 POUNDS ARE FOR DELIVERIES TO BE MADE ON ROUTE TRIPS, DOCK-TO-DOCK, OTHER THAN THOSE FROM THE CARRIER'S OWN WAREHOUSE. FOR SPECIAL DELIVERIES OR DELIVERIES TO BE MADE AT SPECIFIED TIMES, USE THE HOURLY RATES PUBLISHED IN THIS TARIFF.

(SUBJECT TO ITEMS 40, 90 AND 100)

CLASSES	RATES IN CENTS PER 100 POUNDS				
	MINIMUM WEIGHT - POUNDS				
	LESS-THAN-TRUCKLOAD	2,000	5,000	10,000	20,000
50	48	46	44	40	37
55	52	49	48	44	40
60	57	54	52	48	44
65	62	59	57	52	48
70	67	64	61	56	51
85	81	77	74	67	62
92½	88	84	81	74	67
100	95	90	87	80	73
110	105	100	96	87	81
125	119	113	109	100	91
150	143	136	131	120	110
175	166	158	153	140	128
200	190	181	175	160	146
250	238	226	219	200	183
300	285	271	262	239	219
350	333	316	306	279	257
400	380	361	350	319	293
500	475	451	437	399	366

FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.

ISSUED: MAY 18, 1972

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WALTER R. PLANKINTON, PRESIDENT  
4955 OLIVE STREET  
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THE PUBLIC UTILITIES  
THE STATE OF COLORADO

I&S No.  
Decision No.

Appendix "A"

ORIGINAL PAGE 10

ALL RATES ON THIS PAGE ARE INCREASES

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. o/b/a COWBOY TRANSFER AND STORAGE, INC.		
LOCAL CARTAGE TARIFF NO. 5		
GENERAL CARTAGE HOURLY RATES		ITEM NO.
GENERAL HOURLY RATES		210
EQUIPMENT	STRAIGHT TIME	OVERTIME
TRUCK AND DRIVER .....	\$10.00	\$13.50
TRACTOR AND DRIVER - SINGLE AXLE .....	12.25	15.75
TRACTOR AND DRIVER - TANDEM AXLE .....	15.00	18.50
LIFT GATE TRUCK AND DRIVER .....	11.50	14.75
TRAILER ONLY .....	3.25	3.25
HELPERS ..... PER MAN .....	8.50	11.75
FOREMAN ..... PER MAN .....	9.00	12.25
TRACTOR, TRAILER AND DRIVER - SINGLE AXLE .....	14.50	18.00
TRACTOR, TRAILER AND DRIVER - TANDEM AXLE: LOADING NOT EXCEEDING 44,000 POUNDS .....	17.25	20.75
STRAIGHT TIME RATES WILL BE CHARGED FOR ALL HOURS WORKED EXCEPT THOSE PROVIDED FOR IN OVERTIME EXPLANATION BELOW.		
OVERTIME RATES WILL BE CHARGED FOR ALL TIME WORKED IN EXCESS OF 8 HOURS PER DAY AND FOR ALL TIME WORKED BEFORE 8:00 A.M., AND AFTER 4:30 P.M., ON WEEK DAYS AND FOR ALL TIME WORKED ON SATURDAYS, SUNDAYS AND THE FOLLOWING HOLIDAYS: NEW YEAR'S DAY, MEMORIAL DAY, JULY 4, LABOR DAY, THANKSGIVING DAY, DECEMBER 24 AND CHRISTMAS DAY.		
TIME RATES SHALL INCLUDE DRIVING TIME TO AND FROM THE CARRIER'S GARAGE.		
FRACTIONS OF AN HOUR WILL BE CHARGED FOR AT THE NEAREST ONE-HALF HOUR.		
STRAIGHT TIME RATES WILL BE SUBJECT TO A MINIMUM CHARGE FOR ONE HOUR.		
CALL-OUTS OR SERVICE REQUESTED SPECIFICALLY DURING THE HOURS AND ON THE DAYS DESCRIBED ABOVE AS BEING SUBJECT TO OVERTIME RATES WILL BE FURTHER SUBJECT TO THE CHARGE APPLICABLE FOR A MINIMUM OF FOUR (4) HOURS.		
FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.		
ISSUED: MAY 18, 1972		EFFECTIVE: JUNE 26, 1972
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THE PUBLIC UTILITIES  
THE STATE OF COLORADO



Appendix "A"

ORIGINAL PAGE 11

ALL RATES ON THIS PAGE ARE INCREASES

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/b/a COWBOY TRANSFER AND STORAGE, INC.	
LOCAL CARTAGE TARIFF NO. 5	
GENERAL CARTAGE HOURLY RATES	
HEAVY HAULING HOURLY RATES  THE FOLLOWING CHARGES WILL BE ASSESSED ON SHIPMENTS WHEN SPECIAL SERVICES AND/OR EXTRA LABOR IS REQUIRED IN LOADING OR UNLOADING, OR WHEN EXTRA SERVICES ARE REQUIRED DUE TO WEAK BRIDGES OR OTHER HIGHWAY OBSTRUCTIONS PREVENTING ACCESSIBILITY ON THE NORMAL ROUTE. ALSO, FOR STRINGING MATERIAL ALONG A RIGHT-OF-WAY, TO TOW, DRAG, OR GATHER MATERIAL OR EQUIPMENT TO OR FROM LOADING OR UNLOADING PLACE, TO PULL DOWN, OR SET UP MATERIAL, MACHINERY OR EQUIPMENT, OR WRECK OR PLACE SAME IN POSITION, OR TO RIG UP OR TO PUMP LIQUIDS ON OR OFF TANKS.  RATES SHOWN BELOW INCLUDE THE SERVICES OF DRIVER OR OPERATOR WHERE INDICATED.  ALL HOURLY CHARGES SHALL BE COMPUTED FROM THE TIME UNIT AND OPERATOR LEAVE CARRIER'S TERMINAL UNTIL THEY RETURN TO THE CARRIER'S TERMINAL.  STRAIGHT TIME RATES WILL BE CHARGED FOR ALL HOURS WORKED EXCEPT THOSE PROVIDED FOR IN OVERTIME ITEM No. 160.	ITEM NO.  220
EQUIPMENT	STRAIGHT TIME PER HOUR
STAKE TRUCK AND DRIVER .....	\$11.50
WINCH TRUCK AND DRIVER .....	12.50
TAIL GATE LIFT TRUCK AND DRIVER .....	12.50
TRACTOR AND HI-BED AND DRIVER:	
LOADING NOT EXCEEDING 20 TONS .....	13.50
LOADING EXCEEDING 20 TONS OR STRETCH TRAILER .....	16.00
TRACTOR AND LOW-BED AND DRIVER:	
LOADING NOT EXCEEDING 25 TONS .....	15.00
LOADING EXCEEDING 25 TONS BUT NOT EXCEEDING 40 TONS .....	20.00
LOADING EXCEEDING 40 TONS BUT NOT EXCEEDING 50 TONS .....	25.00
LOADING EXCEEDING 50 TONS BUT NOT EXCEEDING 60 TONS .....	35.00
LOADING EXCEEDING 60 TONS .....	75.00
TRAILER ONLY .....	3.00
FOREMAN - EACH .....	10.00*
HELPERS - EACH .....	9.50*
*LABOR RATES APPLY TO TEAMSTER LABOR ONLY. OTHER CRAFTS FURNISHED AT PREVAILING RATES.  NOTE 1:-A MINIMUM OF 2 HOURS WILL APPLY TO ALL STRAIGHT TIME AT RATES ABOVE.  NOTE 2:-OTHER EQUIPMENT WHICH IS REQUIRED TO TRANSPORT, PUSH OR SUPPORT LADING SHALL BE CHARGED FOR AT THE RATE OR CHARGE OF THE CONTRACTOR AND SUCH EXPENSE SHALL BE BORNE BY THE CONSIGNOR OR CONSIGNEE. COPY OF INVOICE WILL BE ATTACHED TO CARRIER'S BILLING.  ANY EXTRA EXPENSE INVOLVED IN FURNISHING MATERIAL AND EQUIPMENT FOR RIGGING UP, BRACING, OR MOVING OF WIRES WILL BE IN ACCORDANCE WITH THE AMOUNT REQUIRED OR THE EXPENSES INCURRED.  ANY NECESSARY TRAVEL OR SUBSISTENCE EXPENSES INVOLVED IN PERFORMING THE ABOVE SERVICES ARE ADDITIONAL.	
FOR EXPLANATION OF ABBREVIATIONS AND SYMBOLS, SEE PAGE 3.	
ISSUED: MAY 18, 1972 <span style="float: right;">EFFECTIVE: JUNE 26, 1972</span>	
ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022	
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MAY 18 1972

Appendix "A"

ORIGINAL PAGE 12

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC.

c/b/a

COWBOY TRANSFER AND STORAGE, INC.

LOCAL CARTAGE TARIFF NO. 5

SPECIFIC COMMODITY RATES

ITEM NO.

NEW FURNITURE RATES

250

POLL OR MIXED CARS, OR POOL OR MIXED TRUCKS OF NEW FURNITURE, IN CARTONS OR CRATES, WILL BE HANDLED AND/OR DISTRIBUTED ACCORDING TO THE FOLLOWING ZONES AND APPLICABLE RATES THEREIN.

NOTE:--WHENEVER A STREET IS NAMED AS THE BOUNDARY OF A ZONE, PLACES OF BUSINESS ON BOTH SIDES OF THE STREET ARE WITHIN THE LOWER RATED ZONE.

ZONE 1:--BEGINNING AT 38TH STREET AND LARIMER STREET, 38TH STREET TO WEST 44TH AVENUE, WEST 44TH AVENUE TO FEDERAL BOULEVARD, FEDERAL BOULEVARD TO WEST 6TH AVENUE, WEST 6TH AVENUE TO DOWNING STREET, DOWNING STREET TO LARIMER STREET.

ZONE 2:--BEGINNING AT COLORADO BOULEVARD AND 52ND AVENUE, 52ND AVENUE TO SHERIDAN BOULEVARD, SHERIDAN BOULEVARD TO EXPOSITION AVENUE, EXPOSITION AVENUE TO COLORADO BOULEVARD, COLORADO BOULEVARD TO 52ND AVENUE.

ZONE 3:--ALL OTHER PARTS OF THE CITY OF DENVER AND METROPOLITAN AREA OUTSIDE OF THE ABOVE NAMED ZONES.

COLUMN 1

HANDLING ONLY

COLUMN 2

HANDLING AND CARTAGE ON ROUTE DELIVERY

45¢ PER 100 POUNDS

SUBJECT TO A

MINIMUM CHARGE

OF \$1.50 PER

SHIPMENT.

FIRST 200 POUNDS .....

EACH ADDITIONAL 100 POUNDS:

LESS-THAN-TRUCKLOAD .....

MINIMUM WEIGHT 5,000 POUNDS ....

ZONES

1

2

3

\$2.25

\$2.50

\$3.00

.60

.75

.90

.50

.65

.80

COLUMN 1 RATES ARE FOR SUCH SERVICES AS UNLOADING, CHECKING, HANDLING AND NOTIFICATION OF CARRIER, CARRIER'S AGENTS OR CUSTOMERS TO PICK UP THEIR VARIOUS CONSIGNMENTS IMMEDIATELY ON ARRIVAL. FOLLOWING NOTICE BY TELEPHONE, CONSIGNMENTS HELD OVER 48 HOURS ARE SUBJECT TO STORAGE AND OTHER WAREHOUSE CHARGES.

COLUMN 2 RATES ARE FOR A FULL AND COMPLETE SERVICE OF CHECKING, HANDLING AND STORE-DOOR DELIVERY OF THE ENTIRE CAR OR TRUCKLOAD TO THE SUB-CONSIGNEES ON ROUTE DELIVERY. SPECIAL OR EXPEDITED SHIPMENTS TO BE SUBJECT TO THE HOURLY RATES SET FORTH IN THIS TARIFF FOR GENERAL CARTAGE.

VOTING MACHINE RATES

260

VOTING MACHINES, BETWEEN POINTS WITH THE CITY AND COUNTY OF DENVER, AND A RADIUS OF 5 MILES THEREOF .....

\$10.00 EACH.

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE PAGE 3.

ISSUED: MAY 18, 1972

EFFECTIVE: JUNE 26, 1972

ISSUED BY:

WALTER R. PLANKINTON, PRESIDENT

4955 OLIVE STREET

COMMERCE CITY, COLORADO 80022

MTS

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RECEIVED

MAY 16 1972

THE PUBLIC UTILITIES  
THE STATE OF COLORADO

Appendix "A"

ORIGINAL PAGE 13

COLO. P.U.C. No. 5

COWBOY TRASH DISPOSAL SYSTEM, INC. d/o/a COWBOY TRANSFER AND STORAGE, INC.				
LOCAL CARTAGE TARIFF NO. 5				
SPECIFIC COMMODITY RATES				ITEM NO.
HOUSEHOLD GOODS RATES				270
<p>COMMODITY DESCRIPTION: THE FOLLOWING RATES WILL APPLY ON SHIPMENTS OF UNCRATED AND UNPACKED MIXED SHIPMENTS OF USED, SECOND-HAND PERSONAL EFFECTS AND PROPERTY USED OR TO BE USED IN A DWELLING OR OFFICE WHEN A PART OF THE EQUIPMENT OR SUPPLY OF SUCH DWELLING OR OFFICE; MIXED SHIPMENTS OF FIXTURES, EQUIPMENT AND THE PROPERTY OF STORES.</p>				
SUBJECT	PER	RATES IN DOLLARS & CENTS		
MOTOR VANS ENGAGED IN HOUSEHOLD GOODS MOVING, AS DESCRIBED ABOVE, INCLUDING A DRIVER AND A HELPER .....	Hour	(A) \$18.00		
EXTRA MEN ..... (PER MAN) .....	Hour	\$7.00		
TIME RATES SHALL INCLUDE DRIVING TIME TO AND FROM THE CARRIER'S GARAGE.				
OVERTIME LABOR CHARGES:				
COVERS ALL SERVICES WHEN SUCH SERVICES ARE REQUESTED BY THE SHIPPER OR HIS REPRESENTATIVE OR MADE MANDATORY BY PREVAILING ORDINANCE OR LANDLORD REQUIREMENTS DURING THE HOURS AND ON THE DAYS AS FOLLOWS:				
1. BETWEEN 5:00 P.M., AND 8:00 A.M. EXCEPT SUNDAYS AND HOLIDAYS.				
2. DURING ANY HOUR ON THE FOLLOWING DAYS: NEW YEARS DAY, DECORATION DAY, FOURTH OF JULY, LABOR DAY, THANKSGIVING DAY, CHRISTMAS DAY AND SUNDAYS.				
PER MAN .....	Hour	\$11.25		
ON HOUSEHOLD GOODS STORED OTHER THAN IN TRANSIT AT SHIPPER'S REQUEST ON A WEIGHT BASIS, AND INCLUDING AS AN INTEGRAL SERVICE AT POINT OF PICK-UP, INVENTORYING, IDENTIFICATION BY TAGGING AND TAPING, WEIGHING ON A CERTIFIED SCALE, WARDROBE SERVICE, AND PACKING IN ACCORDANCE WITH THE BEST COMMERCIAL PRACTICES, DRAYAGE INCIDENTAL TO SUCH SERVICE FROM OR TO CARRIER'S WAREHOUSE WILL BE CHARGED FOR AT A RATE OF \$2.25 PER ONE HUNDRED POUNDS.				
PIANO MOVING CHARGES (IN DOLLARS AND CENTS)				280
TYPE OF PIANO	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
SPINET .....	\$ 7.00	\$ 15.00	\$ 5.00	\$ 3.00
UPRIGHT .....	9.00	18.00	5.00	3.00
GRAND UNDER 6 FOOT .....	12.00	22.50	5.00	3.00
GRAND OVER 6 FOOT ..... (SEE NOTE 1) .....	12.00	22.50	5.00	3.00
PLAYER SPINET .....	9.00	18.00	5.00	3.00
SMALL ORGAN .....	6.00	12.00	3.00	2.00
LARGE ORGAN .....	12.00	22.50	5.00	3.00
KEYBOARD JOB .....	22.50	35.00	5.00	3.00
COMPLETE DISASSEMBLY .....	35.00	50.00	5.00	3.00
NOTE 1:—PLUS \$5.00 PER HOUR FOR EACH EXTRA MAN REQUIRED.				
COLUMN 1 RATES APPLY FROM SHIPPER'S DOOR OR DOCK TO CONSIGNEE'S MAIN FLOOR, DOOR OR DOCK.				
COLUMN 2 RATES APPLY FROM MAIN FLOOR TO MAIN FLOOR.				
COLUMN 3 RATES ARE IN ADDITION TO COLUMN 1 OR 2 RATES FOR EACH FLIGHT OF STAIRS UP.				
COLUMN 4 RATES ARE IN ADDITION TO COLUMN 1 OR 2 RATES FOR EACH FLIGHT OF STAIRS DOWN.				
FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE PAGE 3.				
ISSUED: MAY 18, 1972		EFFECTIVE: JUNE 26, 1972		
ISSUED BY: WALTER R. PLANKINTON, PRESIDENT 4955 OLIVE STREET COMMERCE CITY, COLORADO 80022				

MAY 1 3 1972

THE CHURCH  
JUL 10 1972

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: FARM PRODUCTS, AS DESCRIBED, )  
FROM FIELDS, SHEDS OR CELLARS TO )  
PACKING SHEDS, CELLARS OR STORAGE )  
PLACES IN THE SAN LUIS VALLEY )  
-----

CASE NO. 1585

-----  
June 16, 1972  
-----

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 26, 1972, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed 9th Revised Page No. 103 to its Motor Freight Tariff No. 14, Colorado PUC No. 13\* (\*The Motor Truck Common Carriers' Association, Agent, Series), cancelling the following commodity rates, scheduled to become effective June 26, 1972.

SECTION NO. 5 COMMODITY RATES				
ITEM	COMMODITY	FROM	TO	RATES
	COMMODITIES IN THE SAME ITEM MAY BE SHIPPED IN STRAIGHT OR MIXED TRUCK LOADS	(EXCEPT AS NOTED IN INDIVIDUAL ITEMS)	(EXCEPT AS NOTED IN INDIVIDUAL ITEMS)	
1480	PEAS, FRESH, IN FIELD BOXES, WEIGHING APPROXIMATELY 60-65 POUNDS PER BOX. MINIMUM SHIPMENT 180 BOXES. EMPTY BOXES RETURNED FREE WHEN SAME CARRIER HANDLES LOADED MOVEMENT.	FIELDS	PACKING SHEDS  (IN SAN LUIS VALLEY) (SEE ITEM NO. 120)	(E) 4
(E) RATES IN CENTS PER BOX				
5 MILES AND UNDER . . . . . = 6				
10 MILES AND OVER 5 . . . . . = 9				
15 MILES AND OVER 10 . . . . . = 10				
1490	POTATOES, WHEAT, BARLEY, AND DRY PEAS, IN SACKS WEIGHING APPROXIMATELY 100 POUNDS. MINIMUM SHIPMENT 100 SACKS. (RIO GRANDE MOTOR WAY, INC.)	FIELDS, SHEDS, OR CELLARS	CELLARS, SHEDS OR STORAGE ON SHIPPER'S PREMISES TOWNS, SHIPPING OR STORAGE POINTS.  (IN SAN LUIS VALLEY) (SEE ITEM NO. 120)	# (E) 4 X
(E) # 1 MILE AND UNDER 3¢ PER SACK				

X RATES IN CENTS PER SACK:  
6 MILES AND UNDER . . . . . 7  
10 MILES AND OVER 6 . . . . . 8  
15 MILES AND OVER 10 . . . . . 9

Mr. Wally Fletcher, General Traffic Manager, Rio Grande Motor Way, Inc., filed a sworn statement stating that no commodities have been handled by his Company and that the rates are merely paper rates, for lack of any movement.

THE COMMISSION FINDS THAT:

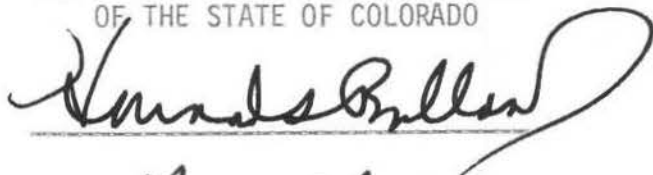
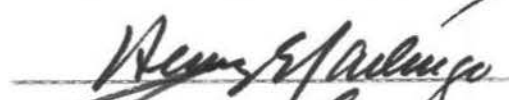

1. No protests have been filed relative to these changes.
2. The elimination of the rates and charges set forth in the above items will be in the public interest.
3. Case No. 1585 be amended to reflect said changes.
4. Pursuant to Rule 19-B, Rules of Practice and Procedure an Order shall be entered prescribing said changes thereto.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact, be, and the same are hereby, made a part hereof.
2. That the elimination of the rates and charges set forth in Items No. 1480 and 1490 be permitted to become effective on June 26, 1972.
3. That 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.
4. That this Order shall become effective forthwith.
5. 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

Dated at Denver, Colorado, this  
16th day of June, 1972. av

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25640-T-Waiver
STATE WIDE TOWING, INC., A COLORADO )	
CORPORATION, 851 DECATUR STREET, )	RECOMMENDED DECISION OF
DENVER, COLORADO, FOR EXEMPTION )	CHRISTIAN O. IGENBERGS,
FROM RULE 11 (c) OF THE COMMISSION'S )	EXAMINER
RULES AND REGULATIONS GOVERNING )	
TOWING CARRIERS BY MOTOR VEHICLE, )	DENYING APPLICATION
UNDER PERMIT NO. T-125. )	

- - - - -  
June 16, 1972  
- - - - -

Appearances: C. J. Berardini, Esq.,  
Denver, Colorado, for  
Applicant.  
Girts Krumins, Esq.,  
Denver, Colorado, for the  
Staff of the Commission.

PROCEDURE AND RECORD

Under date of February 14, 1972, the above-entitled application was filed with the Commission requesting that the Commission exempt Applicant from the provisions of Rule 11 (c) of the Commission's Rules and Regulations Governing Towing Carriers solely with reference to services the Applicant will supply in conjunction with contracts it has with approximately forty (40) customers.

The Commission assigned Docket No. 25640-T-Waiver to the application and gave due notice in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

No protests or petitions to intervene were received by the Commission in opposition of the granting of the application.

Exhibits 1, 2, and 3 were tendered and admitted into evidence.



At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant herein is a Colorado corporation. The sole stockholder of the corporation is Cary B. Gamble IV, a resident of Denver, Colorado.
2. Applicant herein is a towing carrier as defined in 115-14-1, CRS 1963, as amended.
3. By this application, Applicant requests that it be exempted from the provisions of Rule 11 (c) of the Commission's Rules and Regulations Governing Towing Carriers solely with reference to services the Applicant will supply in conjunction with contracts it has with approximately forty (40) customers.
4. This Commission has jurisdiction over said Applicant and the subject matter of this proceeding.
5. The subject rule, in force since January 1, 1972, pursuant to Commission Decision No. 79173, reads as follows, to-wit:



"(c) The vehicle is to be towed from private property upon the direction of the owner of the property or the owner's agent of such property to remove such vehicle therefrom. Such direction shall be in writing and shall identify the vehicle and the time and place of removal of the vehicle, and shall be retained by the towing carrier available for inspection by the owner of the vehicle or his authorized representative and authorized Commission personnel for a period of six months. No towing carrier shall accept blank directions presigned by the owner or the owner's agent of such private property. Each such authorization in writing shall be made, filled out in full and signed by the owner or owner's agent of such property and delivered to the towing carrier at the time such vehicle is to be removed from private property. For the purpose of this paragraph, 'owner' shall include a lessee, and 'owner's agent' shall include any persons having authority or apparent authority to act in the owner's behalf, except the towing carrier, its employees, partners, officers, directors, or stockholders."

6. Prior to the effective date of the subject rule and specifically in the calendar year 1971, Applicant operated as a towing carrier under contracts with its customers, the owners or managers of real property offering residential or visitor parking for apartment dwellers and individuals having business at doctors' offices and medical buildings, banks, and restaurants. In addition to the contracts, Applicant supplied its customers with a list of requirements or conditions which the customers were expected to comply with.

The contract and the list of requirements is in conflict with Rule 11 (c) in that it grants blank authorization to the carrier to remove an illegally parked automobile from the premises of the customer without adequate specific authorization in writing filled out in full and filed by the owner or owner's agent of the property and directed to the towing carrier at the time such vehicle is to be removed from private property.

Applicant herein prays for permission to revert to the situation as it was prior to the promulgation of Rule 11 (c) and to be freed from the obligation to secure an authorization in writing in each and every case when an illegally parked car is removed as outlined above.

7. Applicant pleads substantial hardship upon itself and upon all of its customers in complying with the subject rule. Furthermore, Applicant claims that operations under the subject rule are causing a loss of earnings to the business. Applicant did not present any evidence of its earnings in the year 1971 when the rule was not yet in effect and it operated under the former contract setup, or for the period of time that has passed since January 1, 1972, when he has operated under the subject rule, other than stating that it derived somewhat more than one-third of its total revenues from towing operations and the remainder from commercial towing for insurance companies.

8. Applicant claims that under the old contract situation, there accrued several advantages to both itself and its customers such as the fact that Applicant could more fully utilize the time of its towing drivers, there being no need to contact the owner, manager, or agent of the property in each and every instance and the managers not having to be bothered at inopportune times such as at nighttime.

9. Applicant admitted at the hearing that prior to January 1, 1972, the date when Rule 11 (c) became effective, in approximately 260 instances during the calendar year 1971 alone, the carrier had been mistaken and had towed away to its storage lot cars which had every right to be parked at the places from which they had been removed.

When a car has mistakenly been removed from the place where it had been parked to Applicant's storage lot at 851 Decatur Street in Denver,

Colorado, the car is released without any charge to the owner of the said car; but it is not returned to the original parking place and the owner has to come to the storage lot to repossess his property.

10. The towing drivers of Applicant are paid a commission at so much per tow for every car removed from the place where it is supposedly illegally parked to the Applicant's storage lot.

11. Although there is some merit to Applicant's contention that some advantages could accrue in the event this application were to be granted, the chief one appearing to be that the owners of real property or their managers or agents need not be bothered at inopportune times, thus creating a more beneficial climate in the business relations between Applicant and its customers, this has to be weighed against the facts which might be termed disadvantages or factors militating against the granting of the application.

Rules and regulations promulgated by this Commission under its legislative mandate, are so promulgated after a serious weighing of all the facts known to the Commission and after consideration is given to the interest of the industry concerned, its customers, and the interest of the general public. The rules so promulgated by this Commission should not be changed lightly and such a change or waivers of rules should be granted only if there are compelling reasons and after a showing has been made that such a waiver would be in the public interest. It is true as Applicant claims that in the Order promulgating the subject rules, the Commission stated that

"It is recognized that specific situations may exist or arise where a procedure for removal of vehicles other than contemplated by the above rule may be proper." (Page 5 of Decision No. 79173)

In order to grant the waiver requested herein, we would have to establish such "specific situations." In other words, we have to find a compelling reason for the granting of the waiver either by being shown that the rule indeed creates undue hardship or that the advantages of granting the waiver by far outweigh the disadvantages.

The advantages, as claimed by Applicant, are shown in this Finding of Fact, supra. Let us now look at the remainder of the facts.

Under the prior setup, Applicant admittedly removed approximately 260 automobiles to its storage yards in the year 1971 when the owners or drivers of the subject automobiles had every right to park where they did. The number of automobiles thus unlawfully removed appears to be quite high. Coupled with this is the fact that the owner of an automobile whose car has so been removed is put to a series of activities in order to recover his property which he no longer can find. He has to ascertain who removed the car, where it had been removed to, has to secure transportation to the storage lot, and take time off from his other activities to go to the lot and repossess his property. On top of this, such a person is not compensated for the loss of the use of his property or the time he has to spend in order to recover same.

It is duly noted that Applicant's towing drivers are compensated in the form of a commission for each and every car they towed to the storage lot. It follows by sheer logic that in the absence of reasonable but nevertheless strict enforcement of the rules as they stand now, unlawful removal of lawfully parked cars would be encouraged.

12. The thrust of the supporting testimony in this case seems to be that under the old setup towing drivers would patrol the parking lots 24 hours a day and that the very presence of a towing automobile periodically driving through and stopping at the parking lots would disseminate this

information among the local residents or visitors and put them on notice that illegally parked cars are being watched and are subject to removal to the Applicant's storage lot.

Patrolling of the parking lots with which we are concerned here, however, is not in any way prohibited by Rule 11 (c). Applicant, who operates on a 24-hour, 7-day-a-week basis, can still have his towing drivers traverse the parking lots same as it did before. There are other alternatives open. The owner or managers of parking lots can themselves periodically check their lots or hire patrolmen for one large or several small lots.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The advantages claimed by Applicant in its prayer and at the presentation of its case appear indeed to be relatively small when compared to the disadvantages as outlined in the Findings of Fact, supra. Furthermore, Applicant has failed to establish that the enforcement of the subject rule is creating a hardship on the part of the Applicant and/or its customers. The subject rule, Rule 11 (c), has been promulgated not only to protect the owners of the cars but also to protect the owners of parking lots and the towing carrier itself against claims. If this rule is strictly applied, the possibility of error on the part of the towing carrier is lessened, avoiding unnecessary explanations, loss of time, and even possible litigation.

2. The granting of Application No. 25640-T-Waiver would not be in the public interest.

3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

O R D E R

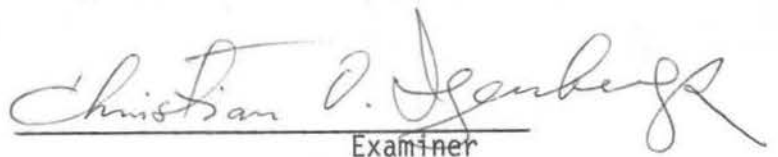
THE COMMISSION ORDERS THAT:

1. Application No. 25640-T-Waiver, being an application of State Wide Towing, Inc., a Colorado corporation, 851 Decatur Street, Denver, Colorado, for exemption from Rule 11 (c) of the Commission's Rules and Regulations Governing Towing Carriers by Motor Vehicle under Permit No. T-125, be, and hereby is, denied.

2. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

3. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Examiner  
js

(Decision No. 80530)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF	)	
COLORADO TRAIN LEASE, INC., DOING	)	APPLICATION NO. 25396
BUSINESS AS "STEAMBOAT STAGE COMPANY,"	)	
P.O. BOX 114, STEAMBOAT SPRINGS,	)	ORDER OF THE COMMISSION
COLORADO, FOR A CERTIFICATE OF PUBLIC	)	
CONVENIENCE AND NECESSITY TO OPERATE	)	GRANTING APPLICATION
AS A COMMON CARRIER BY MOTOR VEHICLE	)	
FOR HIRE.	)	

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June 16, 1972  
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Appearances: Robert S. Wham, Esq., Denver,  
Colorado, for Applicant.  
Don R. Evans, Esq., Denver,  
Colorado, for Ski Country  
Stages, Inc., Protestant.

PROCEDURE AND RECORD

Under date of December 15, 1971, Applicant filed the above-entitled application with this Commission requesting the issuance of a certificate of public convenience and necessity to conduct operations as a common carrier by motor vehicle for hire for the transportation service as specifically set forth in said application.

Applicant requested temporary authority for the interim period prior to the granting of permanent authority, and on January 3, 1972 was granted such temporary authority.

The Commission assigned Docket No. 25396 to the application and gave due notice in accordance with the provisions of 115-6-8 (2), CRS 1963, as amended.

On December 27, 1971, Ski Country Stages, Inc., filed its protest to the granting of the herein application.



Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Courtroom of the District Court, Courthouse, Steamboat Springs, Colorado, on Thursday, May 4, 1972, at 9 a.m. The hearing was held at the said time and place.

As a preliminary matter prior to the taking of testimony in the herein matter, counsel for both Applicant and Protestant informed the Examiner that said Applicant and Protestant had entered into an Agreement resolving their differences with regard to their respective operations, said Agreement being subject to further proceedings before the Commission aside from the subject matter at hand; and, as a result of such Agreement, Protestant requested leave to withdraw from the within proceedings. The Examiner granted Protestant leave to withdraw the protest and to withdraw from further participation in this proceeding. Thereafter, the hearing proceeded as a non-contested matter.

Exhibits 1 through 12, inclusive, were tendered and admitted into evidence.

Official notice was taken of Commission Decision No. 79294 and the tariff on file with the Commission.

At the conclusion of the hearing, the subject matter was taken under advisement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the Commission finds as fact that:

1. Applicant is a Colorado corporation duly organized and existing under the laws of the State of Colorado and it is doing business as "Steamboat Stage Company."

2. Applicant in this matter proposes to operate a public utility, as defined in Chapter 115, CRS 1963, as amended.

3. This Commission has jurisdiction over the Applicant and the subject matter of this proceeding.

4. Applicant does not hold any authority from this Commission.

5. By this application, Applicant proposes to provide ground transportation as a common carrier of passengers and their baggage in airport limousine service to and from the Steamboat Springs Airport, on a schedule which would be designed to meet all scheduled flights at the aforesaid airport, after first picking up departing passengers en route to the airport on notice from certain lodges, hotels, motels, and other appropriate stopping places as designated from time to time in Applicant's regulations and tariffs. The limousine would then pick up arriving passengers at the airport and transport same to such designated lodges, hotels, motels, or other appropriate stopping places. The Applicant's proposed schedules for this route would be based upon the scheduled arrivals and departures at the Steamboat Springs Airport.

Additionally, Applicant prays for the right to render its limousine service to the airport to and from the Yampa Valley Airport (also known as the Hayden Airport) in lieu of the Steamboat Springs Airport only on those occasions when scheduled flights are diverted from the Steamboat Springs Airport to the Yampa Valley Airport.

The second type of service proposed by Applicant would be a scheduled local and shuttle bus transportation service within the town of Steamboat Springs, Colorado, within the vicinity of the Mt. Werner ski area and between the said town and area. There are two routes proposed for this service, the first of which would pick up and/or discharge passengers at street intersections along Main Street (U.S. Highway No. 40) in the town of Steamboat Springs, Colorado, and at the Gondola Terminal and Ski Time Square in the ski area as well as at designated points along U.S. Highway No. 40 and the Mt. Werner Road between the town and the ski area. This route would be operated during the daytime only, on a high-frequency basis from 8 a.m. to 6 p.m. Another route in this type of service would operate

during the evening hours; namely, from 7 p.m. to 2 a.m., to provide transportation between the various lodges, inns, motels, and entertainment spots in the vicinity of the Mt. Werner ski area. Inasmuch as the local or shuttle bus service described in this paragraph is designed primarily to serve the ski area and between the town and the ski area at Mt. Werner, at the present such service is needed, in essence, only during the ski season or approximately from Thanksgiving until and including the week after Easter. Applicant requests that this second type of service, which would be performed by bus, would be authorized to be performed on an experimental basis for a period of three years. This would include authority to provide the service on a seasonal basis only as stated above with the right to extend the service to other times of the year so that Applicant can ascertain through such experimentation how best to meet the transportation needs of the public as contemplated by the proposed service. The airport limousine service described, supra, is not to be affected by any experimentation and the prayer of Applicant requests said limousine service to and from the airport be on a permanent basis.

6. Applicant owns three 1962 Mercedes Benz 0309-D buses, one of which will carry 13 passengers plus a driver and two of which will carry 16 passengers plus driver each. It is found that the aforesaid equipment is ample and suitable for the operation of the authority applied for herein.

7. Applicant has purchased the necessary land and now is constructing a repair and maintenance garage and office close to the western boundary of Steamboat Springs, Colorado.

8. At the present, Applicant employs two drivers, one Charles Williams and one Horace Soule, both local men experienced in driving the Applicant's equipment. During the past ski season, under its temporary authority, Applicant hired up to 10 extra drivers, all local people holding chauffeurs licenses and who were familiar with the highways, roads, and streets in the subject area. Applicant proposes to do the same if the permanent authority were to be granted. It is found that the employees of

Applicant have sufficient experience to conduct the proposed services.

9. At the present, Applicant has assets of approximately \$40,000, which includes the equipment, and approximately \$3,000 of cash in bank. On the liabilities side, Applicant has long-term liabilities of approximately \$35,000 and an owner's equity of \$10,000. Applicant has been in operation for only five months under temporary authority and, due to initial legal expenses, a high insurance premium, and the fact that it could not operate for approximately one-fourth of the ski season, having not been granted authority to do so, the five months ending April 30, 1972 resulted in a net loss of approximately \$6,600. The legal expenses, which are approximately \$2,000, will be capitalized as an asset of the operating authority, thus reducing the net loss or negative retained earnings by said sum. In addition, if this authority were to be granted, Applicant expects to operate the limousine service the year around and the shuttle bus service for the full skiing season thus increasing its revenues and offsetting the still-existing negative net earnings figure. This is supported by the record which shows that from December to March of 1972, which was basically the partial period of the ski season Applicant was allowed to operate, the number of passengers increased from approximately 2,300 passengers in the month of January, 1972, to over 4,700 in the month of March, 1972. Furthermore, Sherwood Johnston, the president and sole stockholder of the Applicant corporation, has a net worth of approximately \$1,136,000, and he stands ready and willing to supply the necessary monies to the Applicant corporation in order to make the operation economical and profitable. It is found that the monies at the disposal of the Applicant corporation are sufficient for the operation of the authority applied for herein.

10. The chief corporate officers as well as the employees of Applicant are sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promise to 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. The various businessmen and members of the public who appeared at the hearing, including owners of motels, hotels, condominiums, restaurants, the local airline serving the Steamboat Springs Airport (Rocky Mountain Airways), and developers of real estate in the Steamboat Springs area, strongly support Applicant's request for authority to operate. Furthermore, the Board of County Commissioners of the County of Routt, State of Colorado, passed a resolution on the second day of May, 1972, describing the need for the proposed services and their support thereof.

The town of Steamboat Springs is experiencing considerable growth in population and business establishments, especially west of the town en route to the airport and easterly along the highway to Mt. Werner and, in particular, the Mt. Werner ski area. In addition, the Steamboat Springs Airport is now regularly served by Rocky Mountain Airways, Inc., with three arrivals and departures daily of aircraft carrying passengers and their baggage from Denver alone. There is considerable passenger activity at the airport and it is found that the need for the proposed limousine service is present.

Steamboat Springs, Colorado, as several other areas in this state, is presently developing into a major resort and entertainment area with various clubs, entertainment spots, and restaurants being constructed and enlarged in addition to the existing ones. Particularly during the ski season, many people arrive by aircraft and they need transportation from the airport to the various accommodations where they intend to stay during their sojourn in the Steamboat Springs area and from and to the ski area and later at night from and between the various entertainment spots. It is found as a fact that a need exists for Applicant's proposed shuttle or bus service.

12. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

13. The granting of the application will be in the public interest.

14. Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, the Commission finds that due and timely execution of its functions imperatively and unavoidably requires that the recommended decision of the Hearing Examiner be omitted and that this decision should be the initial decision of the Commission.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, the Commission concludes that:

1. The authority sought by Applicant should be granted as herein-after set forth and the following order should be entered.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

1. Colorado Train Lease, Inc., doing business as "Steamboat Stage Company," P.O. Box 114, Steamboat Springs, Colorado, be, and hereby is, authorized to operate as a common carrier by motor vehicle for hire for the following, to wit:

- (1) Transportation -- on schedule in limousine or bus service -- of

Passengers and their baggage

Between Steamboat Springs Airport and points located within the town of Steamboat Springs, Colorado, and the Mount Werner Ski Area.

With the right to render service to and from the Yampa Valley Airport in place of the Steamboat Springs Airport on those occasions when scheduled airline flights are diverted from the Steamboat Springs Airport to the Yampa Valley Airport.

##### RESTRICTION:

Item (1) of this Certificate is restricted to the use of limousines or buses having a rated seating capacity of twenty (20) passengers or less, including the driver.

- (2) Upon an experimental basis for a period of three years only from the effective date hereof, with authority to operate seasonally only during the ski season, or at other times, as follows:



- (a) Transportation -- in scheduled bus service --  
of

Passengers

Between points located within the town of  
Steamboat Springs, Colorado.

- (b) Transportation -- in scheduled bus service --  
of

Passengers

Between points located within the Mount Werner  
Ski Area.

- (c) Transportation -- in scheduled bus service --  
of

Passengers and their baggage

Between Steamboat Springs, Colorado, and the  
Mount Werner Ski Area.

and this Order shall be deemed to be, and be, a CERTIFICATE OF PUBLIC CONVEN-  
IENCE AND NECESSITY therefor.

2. Applicant shall file tariffs of rates, rules, and regulations  
as required by the rules and regulations of this Commission within twenty  
(20) days from date.

3. Applicant shall operate its carrier system in accordance with  
the Order of the Commission, except when prevented by an Act of God, the  
public enemy, or extreme conditions.

4. This Order is subject to compliance by Applicant with all  
present and future laws and rules and regulations of the Commission.

5. The authority herein granted shall be exercised from and after  
the date of this Order, and the Order contained herein shall be effective  
forthwith.



6. The within Decision and Order shall be the initial Decision and Order of the Commission as provided for in 115-6-9 (6), CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

CHAIRMAN HOWARD S. BJELLAND  
NECESSARILY ABSENT AND NOT  
PARTICIPATING.

Dated at Denver, Colorado  
this 16th day of June, 1972.  
hj

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25553-PP-Lease
WESLEY D. CONDA AND R. FRANCES CONDA, )	
DOING BUSINESS AS "WESLEY CONDA," )	RECOMMENDED DECISION OF
5325 ELDORADO SPRINGS DRIVE, )	CHRISTIAN O. IGENBERGS,
BOULDER, COLORADO, FOR AUTHORITY TO )	EXAMINER
LEASE PERMIT NO. A-723 TO MILTON G. )	
JANSSEN, 3205 ARROWWOOD LANE, )	GRANTING APPLICATION
BOULDER, COLORADO. )	

- - - - -  
June 19, 1972  
- - - - -

Appearances: Christopher R. Brauchli,  
Esq., Boulder, Colorado,  
for Lessors and Lessee.  
George L. Baker, Denver,  
Colorado, of the Staff  
of the Commission.

PROCEDURE AND RECORD

Under date of March 3, 1972, Applicants filed the above-entitled application for authority to lease Permit No. A-723 to operate as a contract carrier by motor vehicle for hire from Wesley D. Conda and R. Frances Conda, doing business as "Wesley Conda," to Milton G. Janssen.

The Commission assigned Docket No. 25553-PP-Lease to the application and gave due notice in accordance with the provisions of 115-6-8(2), CRS 1963, as amended.

No protests or petitions to intervene in the within matter were received by the Commission.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the Hearing Room of the Commission, Columbine Building, 1845 Sherman Street, Denver, Colorado, on Monday, June 12, 1972, at 10 a.m. The hearing was held at the said time and place.

Exhibits 1 and 2 were tendered and admitted into evidence.

Official notice was taken by the Examiner of the following documents contained in the file of the Commission in the within matter: Financial Statement and Equipment List of the Lessee.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Lessors, a husband and wife partnership, are the present owners and operators of Permit No. A-723, which is the subject of this proceeding.

2. By this application, the parties seek Commission approval to lease Permit No. A-723 from Wesley D. Conda and R. Frances Conda, Lessors, to Milton G. Janssen, Lessee.

3. This authority has been continually operated in the past and is presently in good standing with the Commission.

4. Lessee holds previously granted authority from this Commission as a contract carrier by motor vehicle for hire under Permit No. B-7643, which has no bearing on the herein matter.

5. The parties have entered into a lease agreement, which said agreement is on file with the Commission. No consideration is to be paid for the lease because the Lessors are relatives of Lessee; namely, his wife's uncle and aunt.

6. The subject Permit is free and clear of any debts, encumbrances, or obligations.

7. Lessee owns sufficient equipment; namely, one Kenworth tractor and one Fruehauf trailer, both of the dump-type, which said equipment is sufficient and suitable for the operation of the subject authority.

8. Lessee has been in operation as a contract carrier by motor vehicle for hire for approximately one and one-half years and has acquired the necessary experience to operate the subject authority.

9. Lessee has total assets of approximately \$60,400 and total liabilities of approximately \$42,900 with a net worth of approximately \$17,500. It is found as a fact that the aforesaid monies are ample and sufficient for the operation of the subject authority.

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

11. Applicant Lessee has established that he is fit, willing, and able to perform contract carrier service under the subject authority and to conform to the Private Carrier Act and the rules and regulations of the Commission pertaining thereto.

12. The subject lease is compatible with the public interest.

13. The granting of the application will be in the public interest.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The lease sought by Applicants should be granted as herein-after set forth.

2. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

1. Wesley D. Conda and R. Frances Conda, doing business as "Wesley Conda," 5325 Eldorado Springs Drive, Boulder, Colorado, be, and hereby are, authorized to lease all right, title, and interest in and to Permit No. A-723 to Milton G. Janssen, 3205 Arrowwood Lane, Boulder, Colorado, pursuant to and in accordance with the Lease Agreement entered into by and between the parties on February 16, 1972, and properly filed with the Commission, up to and until one year from the effective date of this Order, unless otherwise terminated pursuant to the terms of said lease or by Order of the Commission.

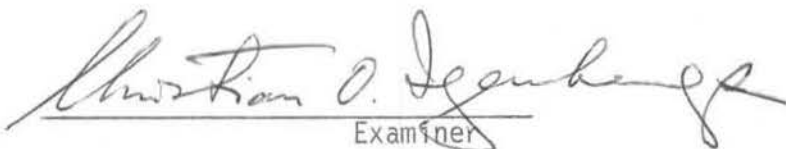
2. The tariff of rates, rules, and regulations of the Lessors shall, upon proper adoption notice, become and remain those of the Lessee until changed according to law and the rules and regulations of this Commission.

3. The right of Lessee to operate under this Order shall depend upon the prior filing of an annual report by Lessors herein, covering the operations under said Permit up to the time of lease of said Permit.

4. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

5. As provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
js

(Decision No. 80532)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25818-PP-ETA
D. K. "MIKE" MICHALS, 8116 EXPLORADOR )	
CALLE, DENVER, COLORADO, FOR EMER- )	ORDER GRANTING
GENCY TEMPORARY AUTHORITY TO OPERATE )	
AS A CLASS "B" CONTRACT CARRIER BY )	EMERGENCY TEMPORARY AUTHORITY
MOTOR VEHICLE. )	

-----  
June 16, 1972  
-----

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent  
need for the transportation service herein sought.

It further appearing, That failure to immediately grant  
emergency temporary authority may result in undue delay in availability  
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute  
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That D. K. "Mike" Michals, 8116 Explorador Calle,  
Denver, Colorado, be, and is hereby, granted emergency temporary  
authority for a period of fifteen (15) days commencing June 16, 1972,  
as a class "B" contract carrier by motor vehicle, for the

"Transportation of

- (1) 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;



(2) 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;

(3) 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;

(4) 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;

RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

CHAIRMAN HOWARD S. BJELLAND  
NECESSARILY ABSENT AND NOT  
PARTICIPATING.

Dated at Denver, Colorado,  
this 16th day of June, 1972.  
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: REQUEST TO PUBLISH ON  
LESS-THAN-STATUTORY NOTICE  
RAIL-MOTOR RATES ON CEMENT,  
IN BULK, FROM MEDBERY AND  
PORTLAND TO MONTROSE,  
COLORADO

APPLICATION NO. 25846

June 16, 1972

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 14, 1972, J. R. Cook, Manager of Pricing, Rio Grande Western Railroad Company, filed Application No. 4205, requesting permission to publish on one day's notice the following rail-motor rate:

From Medbery and Portland, Colorado, on cement (hydraulic, masonry, mortar, natural or portland) in bulk in covered hopper cars(which carriers are not obligated to furnish), minimum weight marked capacity of car used, except when car is loaded to full visible capacity, actual weight but not less than 150,000 pounds will apply, to points in Montrose County, Colorado, outside of but within five highway miles of the corporate limits of the City of Montrose, Colorado. Rate from Medbery will be 42 cents per 100 pounds, with routing via BN-Denver, Colorado-D&RGW-Montrose, Colorado-Orville Dunlap & Son. Rate from Portland, Colorado will be 39 cents per 100 pounds, with routing via D&RGW-Montrose, Colorado-Orville Dunlap & Son. Both rates subject to expiration date of December 31, 1972, unless sooner cancelled, changed or extended, and subject to X-265, X-267 and X281 increases, if and when applicable.

The petitioner represents that rates will be published in D&RGW Freight Tariff No. 6481-H; that there is no one-factor through rate published; that Item 190 of Tariff 6481-H contains a 46 cent rate from Medbery and 43 cent from Portland, subject to minimum weight of marked capacity of car used, except when car is loaded to full visible capacity, actual weight but not less than 150,000 pounds will apply; that the present truck rate from Montrose railhead to points within 10 miles distance from the railhead is 10 cents per 100 pounds and

that there is no published charge for trucker unloading from rail car into motor vehicle.

THE COMMISSION FINDS THAT:

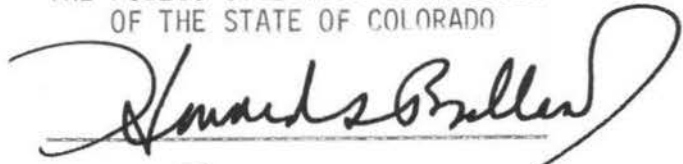
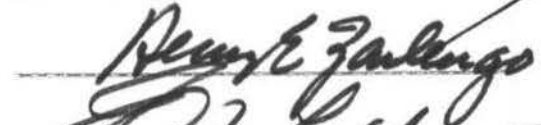

1. Reduced rates will ensue to the shippers involved.
2. Application of rail-motor transportation will result in a more economical service.
3. The present all motor truck rate, based upon a minimum weight of 45,000 pounds from Portland is 46¢ and from Medbery or Lyons is 55¢. Rates in cents per 100 pounds.
4. The request should be granted to publish on ten (10) days' notice to the Commission and to the general public pursuant to the provisions of Rule 19-C of the Rules of Practice and Procedure.

O R D E R

THE COMMISSION ORDERS:

1. That the Statement and Findings of Fact, be, and the same are hereby, made a part hereof.
2. That the Denver and Rio Grande Western Railroad Company may publish in its Freight Tariff No. 6481-H, on not less than 10 days' notice, the reduced rates as set forth in the statement hereof.
3. That reference to this Decision number and date shall be entered on the revised page of the involved tariff.
4. That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado, this  
16th day of June, 1972. av

(Decision No. 80534)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25552-Extension
WILLIAM DODDS-SCOTT, JR., DOING )	
BUSINESS AS "SCOTT RUBBISH REMOVAL," )	RECOMMENDED DECISION OF
ROUTE 2, BOX 51, GLENWOOD SPRINGS, )	CHRISTIAN O. IGENBERGS,
COLORADO, FOR A CERTIFICATE OF )	EXAMINER
PUBLIC CONVENIENCE AND NECESSITY )	
AUTHORIZING EXTENSION OF OPERATIONS )	GRANTING APPLICATION
UNDER PUC NO. 5416. )	

- - - - -  
June 20, 1972  
- - - - -

Appearances: Frank G. E. Tucker and  
Louise L. M. Tucker, Esqs.,  
Glenwood Springs, Colorado, for  
Applicant.  
Jack Weller, Jr.,  
New Castle, Colorado,  
Protestant, pro se.

PROCEDURE AND RECORD

Under date of February 22, 1972, Applicant filed the above-entitled application with this Commission for authority to extend operations as a common carrier by motor vehicle for hire as specifically set forth in said application.

The Commission assigned Docket No. 25552-Extension to the application and gave due notice in accordance with the provisions of 115-6-8(2), CRS 1963, as amended.

On March 15, 1972, Jack Weller, Jr., filed a protest to the granting of the herein application.

Pursuant to law, the Commission assigned the application to Christian O. Igenbergs, Examiner, for the purpose of conducting a hearing and, after due and proper notice to all interested persons, firms, or corporations, set the herein matter for a hearing to be held in the City Council Room, Municipal Building, Cooper and 8th, Glenwood Springs, Colorado, on Thursday, May 18, 1972, at 9 a.m. The hearing was held at the said time and place.

Exhibits 1, 2, 3, 4, 5, 6, 7, 8, and 9 were tendered and admitted into evidence.

At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963), as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact that:

1. Applicant is an individual, one William Dodds-Scott, Jr., a resident of Glenwood Springs, Colorado, doing business as "Scott Rubbish Removal."

2. Applicant presently holds authority from this Commission under PUC No. 5416, which reads as follows:

"Transportation of

(1) Ashes, trash and other waste materials

Within the City of Glenwood Springs, Colorado, and a ten (10) mile radius thereof to regularly designated and approved dumps and disposal sites.

(2) Ashes, trash and other waste materials

Within the Town of Carbondale, Colorado, and a five (5) mile radius thereof to regularly designated and approved dumps and disposal sites.

(3) Ashes, trash and other waste materials within two (2) miles of either side of Colorado Highway No. 82 situated between the Towns of Carbondale and Basalt, Colorado.

(4) Dirt, sand, rock and gravel in connection with demolition, construction and grading to dumps and disposal places within the City of Glenwood Springs, Colorado, and a ten (10) mile radius thereof.

(5) Dirt, sand, rock and gravel in connection with demolition, construction and grading within the Town of Carbondale, Colorado, and a five (5) mile radius thereof.

(6) Ashes, trash and other waste materials within the Crystal River drainage area and the Dinkle Lake Camp Ground area, State of Colorado.

Restriction:

All transportation service to be rendered under this certificate shall be restricted to transportation on that portion of Colorado Highway No. 82 lying and being within a five (5) mile radius of the Town of Basalt, State of Colorado."

3. Applicant also holds authority from this Commission under Permit No. M-10488 which has no bearing on the herein extension proceeding.

4. The authority to which extension is hereby sought, PUC No. 5416, has been continually operated in the past and is presently in good standing with the Commission.

5. By this application Applicant seeks to extend the authority under PUC No. 5416, in essence, as follows:

"Transportation of ashes, trash, garbage, debris, refuse, and other waste materials; disposition of trees, stumps, tree cuttings, and similar materials; hauling of waste, dirt, sand, rock, and gravel in connection with demolition or construction, grading, improvements or changes on construction work, for private individuals and building contractors, to dumps and other places of disposal, such waste materials being restricted to only materials which are discarded, thrown away, or abandoned, except materials which will be used in landscaping operations, in that part of the County of Garfield, State of Colorado, lying west of the east line of Range 89 West, Sixth Principal Meridian, and east of the west line of Range 97 West, Sixth Principal Meridian."

6. The extension applied for herein is compatible with and does not conflict with or duplicate the authority presently held by Applicant.

7. Applicant owns the following equipment: one 1953 International truck with a 6-yard dump bed; one 1966 Ford truck with a 17-yard Leach packer and container attachment; one 1957 Ford truck with a 16-yard Leach packer and container attachment; one 1961 International cab and chassis, which said truck is used as standby equipment; one 1964 Ford truck with a 20-yard Leach packer and container attachment; one 1957



International 4-wheel drive flatbed with sideboards and a top cover used as a service unit; one 1959 Ford truck cab and chassis, which is also used as a reserve unit; one 2-wheel equipment trailer; one 500 gallon tank for a pumper unit; 98 two-yard trash containers; two 1-yard containers; and one 3-yard container, with miscellaneous shop and repair equipment. It is found as a fact that the foregoing equipment is suitable and sufficient to serve the extended authority as prayed for by Applicant.

8. Applicant has been in the trash collection business for approximately 10 years and, for this reason, has acquired the necessary experience to operate the present and proposed extended authority.

9. Applicant has approximately \$99,600 in assets and \$22,500 in liabilities with a net worth of approximately \$77,100. It is found that the aforesaid monies are ample and sufficient for the operation of both the present authority and the extension prayed for.

10. Applicant is sufficiently familiar with the rules and regulations of the Public Utilities Commission and, if this application is granted, promises to 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. Applicant is presently actively engaged in ash and trash operations within the territory covered by his authority. The County of Garfield is longer east and west than north and south, with the main concentration of inhabitants following generally the valley of the Colorado River and its tributaries. Along the route from Glenwood Springs, Colorado, west, there are several small towns in existence such as New Castle, Silt, Rifle, and Grand Valley. The population in all the aforesaid towns is slowly but consistently increasing, particularly since the last two years. The present status of ash and trash collection in the aforesaid towns is as follows: in New Castle there exists the service of Protestant, Jack Weller, Jr.; in Silt there is no organized trash collection; in Rifle there exists an



attempt by the municipality to collect trash within the corporate limits, and the town of Rifle owns one truck which is utilized for such activities; in Grand Valley there is no organized trash collection. It is noted by the Examiner that the municipal borders of all the aforesaid towns are rather small and that many residences and even business establishments exist in the rural area surrounding the aforesaid towns.

12. Protestant, Jack Weller, Jr., is a long-time resident of the town of New Castle, Colorado, where he is engaged in many business activities and, among others, is operating as a trucker of general commodities. Protestant holds authority from this Commission under PUC No. 1477, which said authority, in essence, authorizes the Protestant to transport ash, trash, and other refuse from within the town of New Castle to dumps. Protestant does not protest the proposed extended authority beyond the city limits of New Castle. He neither advertises in the communications media nor does he actively solicit business as an ash and trash carrier. According to the testimony of Jack Weller who testified on his own behalf at the hearing, he is engaged mainly in general trucking and, as an estimate, only approximately ten percent (10%) of his trucking revenues are derived from trash collections within the corporate limits of the town of New Castle where he has approximately 20 call-and-demand customers for whom he hauls trash. Protestant did not present any actual figures at the hearing as to how much he might lose in revenues if the Applicant's extended authority were to be granted. It is found as a fact that the services of the Protestant at the present are inadequate in his service area of New Castle, Colorado.

13. Due to increased population and increased business activities, three of the municipalities enumerated in Finding of Fact No. 11, supra, with the exception of the town of New Castle, have approached Applicant with requests for service and requests for conferences in order to discuss the removal of trash and refuse by Applicant. The Board of County Commissioners of the County of Garfield, State of Colorado, has discussed the trash removal situation, particularly in the western part of the County, and has expressed

its fear that if a well-seasoned operator could not be authorized to begin to engage in trash removal in that area and in the communities therein, the scenic areas within the County and, in particular, along U.S. Highways Nos. 6 and 82, would become places where deposited litter by residents and transients would accrue, thus despoiling the beauty and utility of said area. Among the witnesses who appeared for Applicant at the hearing was James L. Harris, a resident and councilman of the city of New Castle, who voiced strong support for the extended authority as prayed for by Applicant.

14. The present or future public convenience and necessity requires or will require the granting of the authority as hereinafter set forth.

15. The granting of the application will be in the public interest.

#### CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

1. The authority sought by Applicant should be granted as hereinafter set forth.

2. Pursuant to 115-6-9(2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

#### O R D E R

##### THE COMMISSION ORDERS THAT:

1. William Dodds-Scott, Jr., doing business as "Scott Rubbish Removal," Route 2, Box 51, Glenwood Springs, Colorado, be, and hereby is, authorized to extend operations under Certificate of Public Convenience and Necessity PUC NO. 5416 as follows:

"(1) Transportation of ash, trash, and other refuse, from points located outside the present service area in that portion of the County of Garfield, State of Colorado, lying west of the east line of Range 89 West, Sixth Principal Meridian and lying east of the west line of Range 97 West, Sixth Principal Meridian, to such locations where the same may be lawfully disposed of; and (2) Transportation of dirt, rock, sand, and

gravel, between points located outside the present service area in that portion of the County of Garfield, State of Colorado, lying west of the east line of Range 89 West, Sixth Principal Meridian, and lying east of the west line of Range 97 West, Sixth Principal Meridian; restricted, however, to rendering service only in connection with demolition, construction, and grading work."

2. Henceforth the full and complete authority under Certificate of Public Convenience and Necessity PUC No. 5416 shall read and be as follows, to-wit:

(1) Transportation of

Ash, trash, and other refuse

From points located within that portion of the County of Garfield, State of Colorado, described as lying west of the east line of Range 89 West, Sixth Principal Meridian, and lying east of the west line of Range 97 West, Sixth Principal Meridian, to such locations where the same may lawfully be disposed of.

(2) Transportation of

Ash, trash, and other refuse

From points located within that portion of a ten (10) mile radius of Glenwood Springs, Colorado, lying outside the area described in Item (1) of this Certificate, to such locations where the same may lawfully be disposed of.

(3) Transportation of

Ash, trash, and other refuse

From points located within that portion of a five (5) mile radius of Carbondale, Colorado, lying outside the area described in Item (1) of this Certificate, to such locations where the same may lawfully be disposed of.

(4) Transportation of

Ash, trash, and other refuse

From points located within the area lying two (2) miles on either side of that portion of Colorado Highway No. 82 situated between the towns of Carbondale and Basalt, Colorado.

(5) Transportation of

Ash, trash and other refuse

From points located within the Crystal River drainage area to such locations where the same may be lawfully disposed of.

(6) Transportation of

Ash, trash, and other refuse

From the Dinkle Lake Camp Ground located in the County of Pitkin, State of Colorado, to such locations where the same may be lawfully disposed of.

(7) Transportation of

Dirt, rock, sand, and gravel

Between points located within that portion of the County of Garfield, State of Colorado, described as lying west of the east line of Range 89 West, Sixth Principal Meridian and lying east of the west line of Range 97 West, Sixth Principal Meridian, to such locations where the same may be lawfully disposed of.

(8) Transportation of

Dirt, rock, sand, and gravel

Between points located within that portion of a ten (10) mile radius of Glenwood Springs, Colorado, lying outside the area described in Item (7) of this Certificate.

(9) Transportation of

Dirt, rock, sand, and gravel

Between points located within that portion of a five (5) mile radius of Carbondale, Colorado, lying outside the area described in Item (7) of this Certificate.

RESTRICTION:

Items (7), (8), and (9) of this Certificate are restricted to rendering service only in connection with demolition, construction, and grading work.

RESTRICTION:

This Certificate is restricted against the rendering of transportation service to or from points located within a five (5) mile radius of Basalt, Colorado.

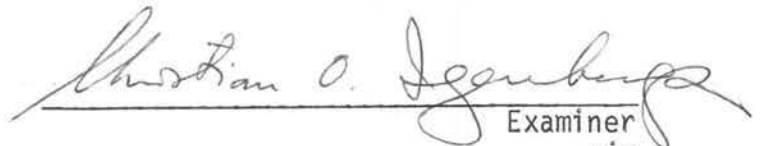
3. Applicant shall operate his carrier system in accordance with this Order, except when prevented by an Act of God, the public enemy, or extreme conditions.

4. This Order is subject to compliance by Applicant with all present and future laws and rules and regulations of the Commission.

5. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.

6. As provided by 115-6-9(2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such Decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
vjr

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: MOTOR VEHICLE OPERATIONS OF  
GRAND JUNCTION-PALISADE FREIGHT  
LINE, P.O. BOX 367, PALISADE,  
COLORADO 81526, OPERATING UNDER  
CERTIFICATE NO. 17 and PERMIT  
NO. B-2174

CASE NO. 5487

SUPPLEMENTAL ORDER

-----  
June 15, 1972  
-----

Appearances: Ralph H. Knull, Denver, Colorado  
of the Staff of the Commission

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On May 25, 1972, Recommended Decision of Christian O. Igenbergs, Examiner, being Decision No. 80325, was entered and now, by operation of the law, said Decision has become the Decision of the Commission. It provided the following:

"1. The authorities of Respondent, Grand Junction-Palisade Freight Line, Palisade, Colorado, being Certificate No. 17 and Permit No. B-2174, be, and the same hereby are, revoked and cancelled as of June 15, 1972, provided, however, that in lieu of said revocation and cancellation, Respondents shall file the required tariff and pay the sum of fifty dollars (\$50) to the Treasurer of the State of Colorado, to be deposited in the Public Utilities Commission Motor Carriers' Fund No. 4318, on or before June 15, 1972, under and pursuant to the provisions of the Public Utilities Law."

Inasmuch as the Respondent, Grand Junction-Palisade Freight Line, has elected to and paid the sum of Fifty Dollars (\$50) on or before June 15, 1972, as provided in Decision No. 80325, the Commission states and finds that Certificate No. 17 and Permit No. B-2174 should not be revoked and the same should remain in full force and effect.

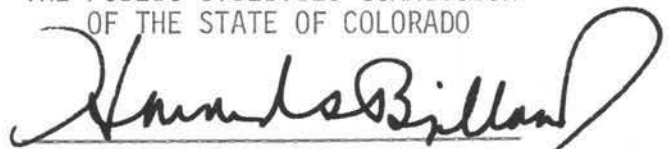
O R D E R

THE COMMISSION ORDERS:

That the portion of Decision No. 80325, dated May 25, 1972,

providing for the revocation of certificate of public convenience and necessity PUC No. 17 and Contract Carrier Permit No. B-2174 of Respondent, Grand Junction-Palisade Freight Line, be, and the same hereby is, vacated, set aside and held for naught, and that said operating rights shall remain in full force and effect and be fully operative.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_

  
  
\_\_\_\_\_

Commissioners

Dated at Denver, Colorado, this  
15th day of June, 1972. av



(Decision No. 80536)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	NOTICE OF APPLICATION FILED
PUBLIC SERVICE COMPANY OF COLORADO, )	NOTICE OF HEARING
550 - 15TH STREET, DENVER, COLORADO, )	
FOR AN ORDER AUTHORIZING THE ISSUANCE) APPLICATION NO. 25820-Securities	
OF \$50,000,000 PRINCIPAL AMOUNT OF )	
ITS FIRST MORTGAGE BONDS. )	ORDER OF THE COMMISSION

- - - - -  
June 19, 1972  
- - - - -

STATEMENT AND FINDINGS OF FACT

BY THE COMMISSION:

On June 14, 1972, Public Service Company of Colorado filed with the Public Utilities Commission the above-entitled application.

Upon consideration of the matter, the Commission on its own motion states and finds that good cause exists and the public interest and necessity require that less than thirty (30) days' notice be given of the filing of said Application No. 25820, as provided for in the order herein. The Commission further finds that the above-entitled matter should be set for hearing as hereinafter set forth.

O R D E R

THE COMMISSION ORDERS THAT:

1. The above-entitled application be, and hereby is, set for hearing before the Commission at 9 a.m., June 27, 1972, in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado.
2. Any person desiring to file objection, interevene in, or participate as a party herein shall file appropriate pleadings therefor prior to the hearing hereinabove set.

3. Notice be, and hereby is, given of the filing of the above-entitled application.

This Order shall be effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

CHAIRMAN HOWARD S. BJELLAND  
NECESSARILY ABSENT AND NOT  
PARTICIPATING.

Dated at Denver, Colorado this  
19th day of June, 1972.  
hj

(Decision No. 80537)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25819-PP-ETA
KERRY PROHASKA, 7390 N. FEDERAL, )	
WESTMINSTER, COLORADO, FOR EMERGENCY )	ORDER GRANTING
TEMPORARY AUTHORITY TO OPERATE AS A )	
CLASS "B" CONTRACT CARRIER BY MOTOR )	EMERGENCY TEMPORARY AUTHORITY
VEHICLE. )	

- - - - -  
June 19, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent operating authority.

It further appearing, That there is an immediate and urgent  
need for the transportation service herein sought.

It further appearing, That failure to immediately grant  
emergency temporary authority may result in undue delay in availability  
of equipment to contractors for pending construction projects.

And it further appearing, That said circumstances constitute  
an emergency requiring the immediate issuance of temporary authority.

It is ordered, That Kerry Prohaska, 7390 N. Federal, West-  
minster, Colorado, be, and is hereby, granted emergency temporary auth-  
ority for a period of fifteen (15) days commencing June 19, 1972, as a  
class "B" contract carrier by motor vehicle, for the

"Transportation of

- (1) 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;

(2) 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;

(3) 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;

(4) 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;

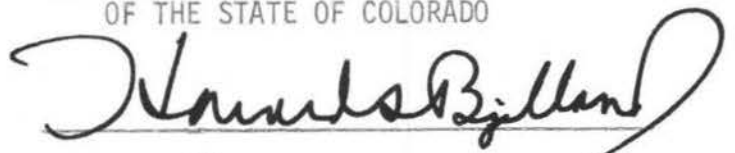


RESTRICTION: This emergency temporary authority is restricted against the use of tank vehicles when transporting road-surfacing materials";

conditioned upon full compliance with all applicable statutory and Commission requirements, rules and regulations.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the authority herein granted shall create no presumption that corresponding temporary or permanent authority will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1972.  
hbp

(Decision No. 80538)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )	APPLICATION NO. 25838-Lease-ETA
BRUCE CORMAN, BURLINGTON, COLORADO, )	
FOR EMERGENCY TEMPORARY APPROVAL TO )	ORDER GRANTING
CONDUCT OPERATIONS UNDER CERTIFICATE )	
OF PUBLIC CONVENIENCE AND NECESSITY )	EMERGENCY TEMPORARY APPROVAL
PUC NO. 912, PENDING DETERMINATION )	
OF THE APPLICATION TO LEASE SAID )	
CERTIFICATE. )	

- - - - -  
June 19, 1972  
- - - - -

The above-entitled application under CRS 1963, 115-6-20 (4),  
being under consideration, and

It appearing, That appropriate application has been made to  
this Commission for permanent authority to lease Certificate of Public  
Convenience and Necessity PUC No. 912 from Fred E. Witzel, doing business  
as "Witzel Truck Lines," to the above-named Lessee.

It further appearing, That there is an immediate and urgent  
need for the emergency temporary approval herein sought, and,

It further appearing, That failure to immediately grant emer-  
gency temporary approval may result in the destruction of, or injury to,  
such carrier or carrier properties sought to be acquired, or to interfere  
substantially with their future usefulness in the performance of adequate  
and continuous service to the public.

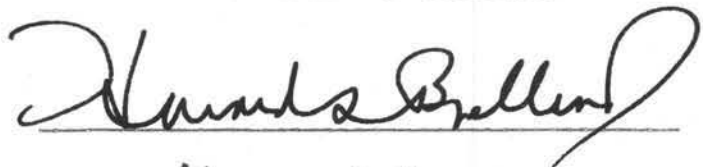
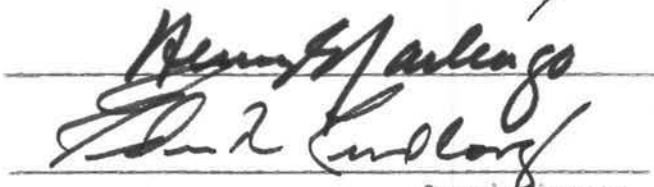
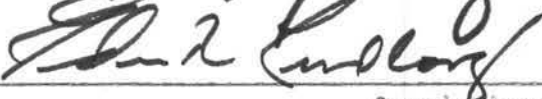
It further appearing, That said circumstances constitute an  
emergency requiring the immediate issuance of temporary approval.

It is ordered, That Bruce Corman, Burlington, Colorado, be, and  
is hereby, granted emergency temporary approval for a period of fifteen  
(15) days commencing June 19, 1972, to operate under Certificate of Public  
Convenience and Necessity PUC No. 912; conditioned upon full compliance  
with all applicable statutory and Commission requirements, rules and  
regulations, to engage in the business of transportation by motor vehicle.

It is further ordered, That the service provided for in this Order shall not be commenced until all requirements have been met and Applicant has received notice in writing from the Commission that compliance has been effected and service may be instituted.

And it is further ordered, That the approval herein granted shall create no presumption that corresponding temporary or permanent approval will be granted hereafter.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 19th day of June, 1972.  
hbp

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE: INCREASED RATES AND CHARGES )  
APPLICABLE TO HOUSEHOLD GOODS AS )  
DESCRIBED IN ITEM 1000, CMCA )  
MOTOR FREIGHT TARIFF NO. 14, )  
COLORADO PUC NO. 13, FOR ACCOUNT )  
OF G & G TRUCKING CO., A CORPORATION )  
----- )

Investigation and Suspension  
Docket No. 710

RECOMMENDED DECISION OF  
CHRISTIAN O. IGENBERGS  
EXAMINER

GRANTING INCREASE

-----  
June 19, 1972  
-----

Appearances: Carlos F. Lucero, Esq., Alamosa, Colorado  
for G & G Trucking Co.

Girts Krumins, Esq., Denver, Colorado  
for the Staff of the Commission

PROCEDURE AND RECORD

BY THE COMMISSION:

On December 15, 1972, J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, filed 4th Revised Page 26, 12th Revised Page 63 and 21st Revised Page 65-A, to its Motor Freight Tariff No. 14, Colorado PUC No. 13\*(\*The Motor Truck Common Carriers Association, Agent, Series) as set forth in Appendix "A", attached hereto, scheduled to become effective January 17, 1972. The changes modifying Rule 40, and in the rates and charges in Items Nos. 1160 and 1230, represent increases for the account of G & G Trucking Co., a Corporation.

The Commission, by Decision No. 79416, dated January 14, 1972, suspended said tariff filing, assigned Investigation and Suspension Docket No. 710, and set the matter for hearing to be held on March 7, 1972, at 10 a.m., in the Hearing Room of the Commission, 500 Columbine Building, 1845 Sherman Street, Denver, Colorado.

Pursuant to law, the Commission assigned Christian O. Igenbergs as Examiner for the purpose of conducting the hearing in the within matter. Hearing was held at the aforesaid time and place.

Exhibit No. 1 was tendered and admitted into evidence.



At the conclusion of the hearing, the subject matter was taken under advisement.

Pursuant to the provisions of Chapter 115, Article 6, Colorado Revised Statutes (1963) as amended, Examiner Christian O. Igenbergs now transmits herewith to the Commission the record and exhibits of this proceeding together with a written recommended decision which contains his findings of fact, and conclusions thereon, together with the recommended order or requirement.

#### FINDINGS OF FACT

Based upon all the evidence of record, the following is found as fact, that:

1. Respondent herein is a common carrier operating in intrastate commerce under authority granted by the Colorado Public Utilities Commission and is therefore subject to the jurisdiction of the Commission.

2. The actual operations for 1971 in the Household Goods Division of G & G Trucking Co., resulted in revenues of \$41,782, expenses of \$38,500, and a net profit for the year of \$3,282 before taxes.

3. Projecting the known increased costs and using 1971 as a base, the operating ratio without an increase would be 101% for the year 1972, or, in other words, expenses would exceed revenues.

4. Projecting the proposed increase for the year, and the known increased costs, the result would be an operating ratio of approximately 97%.

5. The present hourly rates of the Applicant are discriminatory in that the rate charged within the city limits is higher than the rate charged outside the city limits.

6. The proposed rates would place the areas inside and outside of the city on the same hourly rate, thus removing such discrimination.

7. Respondent has less than 60 employees, all non-union employees, and, therefore, Respondent is exempt from the Price Certification requirements.

CONCLUSIONS ON FINDINGS OF FACT

Based on the aforesaid findings of fact, it is concluded that:

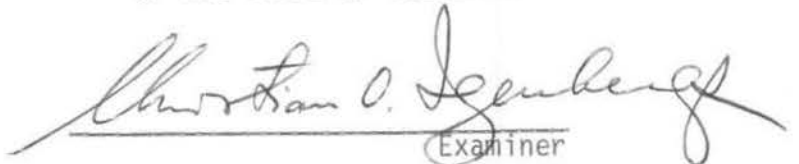
1. A need for additional revenues has been demonstrated by Respondent.
2. The rate increases proposed are just and reasonable.
3. Pursuant to 115-6-9 (2), CRS 1963, as amended, it is recommended by the Examiner that the Commission enter the following Order.

O R D E R

THE COMMISSION ORDERS THAT:

1. The increased rates and charges as set forth in Appendix "A" attached hereto shall be allowed to become effective as published.
2. the Tariff Publishing Agent shall make the necessary tariff publication to accomplish these changes.
3. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if such be the case, and is entered as of the date hereinabove set out.
4. As provided by 115-6-9 (2), CRS 1963, as amended, copies of this Recommended Decision shall be served upon the parties, who may file exceptions thereto; but if no exceptions are filed within twenty (20) days after service upon the parties or within such extended period of time as the Commission may authorize in writing (copies of any such extension to be served upon the parties), or unless such decision is stayed within such time by the Commission upon its own motion, such Recommended Decision shall become the Decision of the Commission and subject to the provisions of 115-6-14, CRS 1963, as amended.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Examiner  
av

# APPENDIX "A"

## COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT MOTOR FREIGHT TARIFF No. 14 COLORADO PUC No. 13°

(°THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, SERIES)  
EFFECTIVE JANUARY 17, 1972

ITEM No.	GENERAL RULES AND REGULATIONS
4TH REVISED PAGE No. 26	
	<p><b>APPLICATION OF TERRITORIAL SCALES:</b></p> <p><b>PLAINS SCALE:</b> THE PLAINS SCALE OF RATES WILL APPLY BETWEEN ALL POINTS LOCATED WITHIN THE TERRITORY DESCRIBED IN ITEM 110 AS PLAINS TERRITORY.</p> <p><b>MOUNTAIN SCALE:</b> THE MOUNTAIN SCALE OF RATES WILL APPLY BETWEEN ALL POINTS LOCATED WITHIN THE TERRITORY DESCRIBED IN ITEM 110 AS MOUNTAIN TERRITORY.</p> <p><b>DIFFERENTIAL SCALE:</b> THE DIFFERENTIAL SCALE OF RATES WILL BE USED IN COMPUTING RATES BETWEEN POINTS LOCATED IN PLAINS TERRITORY, ON THE ONE HAND, AND POINTS LOCATED IN MOUNTAIN TERRITORY, ON THE OTHER HAND. FOR EXAMPLE, THE PRESCRIBED DISTANCE FROM DENVER TO DILLON IS 77 MILES. THE LIVESTOCK RATE, SUBJECT TO A MINIMUM WEIGHT OF 20,000 POUNDS, FOR 77 MILES IN PLAINS TERRITORY IS 24¢. THE DISTANCE FROM DILLON TO THE DIVIDING LINE BETWEEN PLAINS AND MOUNTAIN TERRITORIES IS 62 MILES, AND THE DIFFERENTIAL RATE FOR 62 MILES, SUBJECT TO A MINIMUM WEIGHT OF 20,000 POUNDS, IS 8¢. ADD THIS 8¢ DIFFERENTIAL RATE TO THE ABOVE 24¢ RATE AND THIS PRODUCES A RATE OF 32¢ PER 100 POUNDS TO APPLY ON A 20,000 POUND SHIPMENT OF LIVESTOCK BETWEEN DENVER AND DILLON.</p>
40	<p><b>EXCEPTIONS TO APPLICATION OF TERRITORIAL SCALES:</b></p> <p>THE RATES, CHARGES, CLASSIFICATIONS, RULES AND REGULATIONS CONTAINED HEREIN SHALL NOT APPLY ON TRAFFIC TRANSPORTED LOCALLY BETWEEN DENVER, COLORADO, AND POINTS LOCATED WITHIN A RADIUS OF FIVE MILES OF DENVER, OR BETWEEN POINTS LOCATED WITHIN SAID AREA, EXCEPT SAID EXCEPTIONS SHALL NOT APPLY ON TRAFFIC MOVING BETWEEN DENVER, COLORADO AND ARVADA, COLORADO, OR ON LIVESTOCK, CORN, HAY AND ALFALFA.</p> <p>EXCEPT AS PROVIDED IN NOTE 1, THE RATES HEREIN PROVIDED WILL NOT APPLY ON LOCAL DRAYAGE WITHIN THE CORPORATE LIMITS OF CITIES OR TOWNS, OR WITHIN A RADIUS OF ONE MILE FROM ANY CENTRAL LOCATION IN AN UNINCORPORATED CITY OR TOWN.</p> <p>♦ NOTE 1: THE RATES AND CHARGES PROVIDED HEREIN WILL APPLY ON LOCAL CARTAGE FOR ACCOUNT OF G &amp; G TRUCKING CO., A CORPORATION, WITHIN ALAMOSA, ANTONITO, CENTER, CREEDE, DEL NORTE, HOOPER, LA JARA, MANASSA, MONTE VISTA, MOSCA, SANFORD, SOUTH FORK AND OTHER POINTS LOCATED WITHIN ITS AUTHORIZED TERRITORY.</p> <p>THE RATES, RULES AND REGULATIONS PUBLISHED IN THIS TARIFF WILL NOT APPLY ON LOCAL DRAYAGE TRANSPORTED WITHIN A FIVE-MILE RADIUS OF CORTEZ AND OAK CREEK, COLORADO.</p>

12TH REVISED PAGE No. 63							
	<p><b>LABOR CHARGES:</b></p> <p>COVERS ALL ACCESSORIAL SERVICES FOR WHICH NO CHARGES ARE OTHERWISE PROVIDED IN THIS TARIFF, WHEN SUCH SERVICES ARE REQUESTED BY THE SHIPPER.</p> <table> <tr> <td>PER MAN . . . . .</td><td>Hour</td><td>(3) 650; (2) 400; 250</td></tr> </table> <p><b>OVERTIME LABOR CHARGES:</b></p> <p>COVERS ALL ACCESSORIAL SERVICES FOR WHICH NO CHARGES ARE OTHERWISE PROVIDED IN THIS TARIFF WHEN SUCH SERVICES ARE REQUESTED IN WRITING BY THE SHIPPER OR HIS REPRESENTATIVE AND DURING THE HOURS AND ON THE DAYS AS FOLLOWS:</p> <ol style="list-style-type: none"> <li>BETWEEN 6 P.M., AND 7 A.M., EXCEPT SUNDAY OR HOLIDAYS.</li> <li>DURING ANY HOUR ON SUNDAY.</li> <li>DURING ANY HOUR ON THE FOLLOWING DAYS: NEW YEAR'S DAY, DECORATION DAY, FOURTH OF JULY, LABOR DAY, THANKSGIVING DAY AND CHRISTMAS DAY.</li> </ol> <table> <tr> <td>PER MAN . . . . .</td><td>Hour</td><td>(3) 975 (2) 600 375</td></tr> </table>	PER MAN . . . . .	Hour	(3) 650; (2) 400; 250	PER MAN . . . . .	Hour	(3) 975 (2) 600 375
PER MAN . . . . .	Hour	(3) 650; (2) 400; 250					
PER MAN . . . . .	Hour	(3) 975 (2) 600 375					
1160							

- (2) RATE APPLIES VIA ♦ G & G TRUCKING CO., A CORPORATION, OR W. R. HALL TRANSPORTATION AND STORAGE, ONLY.
- (3) RATE APPLIES VIA ISAAC T. KERLEY, D/B/A GOFF MOVING & TRANSFER, ONLY.

SECTION NO. 3  
HOUSEHOLD GOODS

RATES ON HOUSEHOLD GOODS AND OFFICE FURNITURE, (USED, SECOND-HAND, UNCRATED AND UNPACKED), AS DESCRIBED IN ITEM 1000.

ITEM No.	SUBJECT	RATES IN CENTS	
		COLUMN 1	COLUMN 2
21ST REVISED PAGE No. 65-A			
	<u>HOURLY CHARGE:</u>		
	TO APPLY ON ALL SHIPMENTS TRANSPORTED A	(1) 1000	(1) 800
	DISTANCE OF 30 MILES OR LESS . . . . . HOUR	(2) 1800	(3) ♦1200
	(CHARGE INCLUDES USE OF TRUCK AND TIME OF		(4) 1250
	TWO MEN. EXTRA LABOR WILL BE CHARGED FOR		(5) 1000
	AS PROVIDED IN ITEM No. 1160).		(6) 700
	HOURLY CHARGE SHALL INCLUDE DRIVING TIME TO		
	AND FROM CARRIER'S DOCK.		
	<u>OVERTIME CHARGE:</u> (SEE NOTE)		
	TO APPLY ON ALL SHIPMENTS TRANSPORTED A		
1230	DISTANCE OF 30 MILES OR LESS . . . . . HOUR	1500	1200
	(CHARGE INCLUDES USE OF TRUCK AND TWO MEN)		
	EXTRA LABOR . . . . . PER MAN . . . . . HOUR	375	375
	OVERTIME SHALL BE CHARGED FOR ALL TIME WORKED ON ORDER OF THE CUSTOMER IN		
	EXCESS OF 8 HOURS PER DAY, FOR ALL TIME WORKED BEFORE 8:00 A.M., AND/OR		
	AFTER 5:00 P.M., ON WEEK DAYS AND FOR ALL TIME WORKED ON SATURDAYS, SUNDAYS		
	OR LEGAL HOLIDAYS.		
	HOURLY CHARGE SHALL INCLUDE DRIVING TIME TO AND FROM THE CARRIER'S DOCK.		
	NOTE: APPLIES VIA W. L. & R. B. McCANN, D/B/A McCANN BROTHERS TRANSFER		
	Co., AND ANNA GASPERETTI, D/B/A THE TRI-C TRANSFER AND STORAGE.		
	<u>COLUMN 1</u> RATES WILL APPLY WHEN THE ORIGIN OR DESTINATION OF THE SHIPMENT		
	IS METROPOLITAN DENVER, WHICH INCLUDES THE CITY AND COUNTY OF DENVER,		
	COLORADO, AND ALL POINTS LOCATED WITHIN A RADIUS OF FIVE MILES OF THE		
	DENVER CITY LIMITS.		
	<u>COLUMN 2</u> RATES WILL APPLY WHEN METROPOLITAN DENVER, AS DESCRIBED ABOVE,		
	IS NEITHER THE ORIGIN NOR THE DESTINATION OF THE SHIPMENT.		
	(1) APPLIES VIA ALL CARRIERS, EXCEPT AS NOTED.		
	(2) APPLIES VIA ISAAC T. KERLEY, D/B/A GOFF MOVING & STORAGE, ONLY.		
	(3) APPLIES VIA G & G TRUCKING Co., A COLORADO CORPORATION, ONLY.		
	(4) APPLIES VIA W. R. HALL TRANSPORTATION AND STORAGE, ONLY.		
	(5) APPLIES VIA DALE P. BLUMBERG, D/B/A DALE'S TRANSFER & STORAGE, ONLY.		
	(6) APPLIES VIA FRED T. GIBSON, D/B/A GIBSON TRUCK LINE, ONLY.		

/ DENOTES ADDITION.

♦ DENOTES INCREASE.