

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS }  
CORPORATIONS AND PERSONS TO COMPLETE }  
APPLICATIONS FOR PERMITS TO OPERATE AS }  
COMMERCIAL CARRIERS OVER THE HIGHWAYS }  
OF THE STATE OF COLORADO }

September 7, 1946.

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of One Dollar as a filing fee for a commercial carrier permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by Law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

E. E. Cameron  
Bernard Campbell  
Everett E. Campbell  
O. L. Campbell,  
Chas. Cantrell,  
Cantu Bros.  
Will Caparoon  
C. L. Capps  
Burl Cardwell  
Frank Carlson  
A. H. Carnes  
Hirl Carpenter  
S. E. Carson  
W. A. Carter

321 Hillside, Pratt, Kansas.  
Kearney, Nebr.  
Fayetteville, Ark.  
Scottsbluff, Nebr.  
Eaton, Colo.  
1909 Center St. Houston, Texas.  
102 W. 4th Ave. Denver, 9, Colo.  
Box 413, Wills Point, Texas.  
Johnson, Arkansas.  
Wakefield, Kansas.  
Claremore, Okla.  
Tulsa, Okla.  
Iola, Kansas.  
Pampa, Texas.

Alvin Cassens  
 Hubert Casteel  
 Ted Catlin  
 J. Chaloupek  
 L. Chaloupke  
 E. T. Chandler  
 J. B. Chapa  
 Dean Chapman  
 Walter D. Chase  
 Philipe Chavez  
 N F & E L Cheek  
 I. C. Cherry  
 J. C. Cherry  
 Clyde C. Childress  
 Milton T. Childe  
 W. S. Chorn  
 H. J. Christen  
 Christian & Co. Inc.  
 H. F. Cink  
 Ted Cisneros  
 Toney Cisneros  
 Fred Clark  
 Ray Clark  
 Vaughn Clark  
 Clayton & Reese  
 D. H. Clinton,  
 A. E. Cloud  
 D. Gockrell  
 Vernon Coffman dba, Coffman Service  
 H. R. Cogburn  
 Oliver L. Cogdill  
 Irving Cohen  
 John Collins  
 Ray Collins  
 J. C. Commander

Wray, Colo.  
 Buford, Arkansas.  
 Blue Springs, Nebr.  
 Longdale, Okla.  
 Fairview, Okla.  
 Ft. Worth, Texas.  
 Box 423, Robstown, Texas.  
 W. 1st St. Mt. Pleasant, Texas.  
 402 E. 57th, Los Angeles, Calif.  
 Albuquerque, New Mexico.  
 Kadoka, South Dakota.  
 2123 Cadiz, Dallas, Texas.  
 Dallas, Texas.  
 Blooming Grove, Texas.  
 Salt Lake City, Utah.  
 Abeline, Texas.  
 Chappell, Nebr.  
 310 N. Oak, McPherson, Kans.  
 Manchester, Okla.  
 Manassa, Colo.  
 Manassa, Colo.  
 Boulder, Colo.  
 Byron, Okla.  
 Central & Wabash St. Wichita, Kans.  
 Ft. Smith, Arkansas.  
 Grand Junction, Colo.  
 1416 F, Lawton, Okla.  
 Durham, Okla.  
 Box 12, Julesburg, Colo.  
 Platteville, Colo.  
 Raton, New Mexico.  
 215 S. Tulane, Albuquerque, New Mexico.  
 Childress, Texas.  
 Edenburg, Texas.  
 Honey Grove, Texas.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and the same hereby are, dismissed.

That this order shall become effective on the 17th day of September 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*[Signature]*

*[Signature]*

*[Signature]*

Attest:

Secretary

Dated at Denver, Colorado, this 7th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS }  
CORPORATIONS AND PERSONS TO COMPLETE }  
APPLICATIONS FOR PERMITS TO OPERATE AS }  
COMMERCIAL CARRIERS OVER THE HIGHWAYS }  
OF THE STATE OF COLORADO }

September 7, 1946.

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It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by Law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by Law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission of their failure in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Community Service  
Joe Conning  
Clayton Cook  
Jimmy Cook  
Kenneth S. Cook  
Delbert C. Coon  
Albert A. Copeland,  
Leonard Copple  
Joe D. Cordova  
Gene O. Cotton  
W. L. Cotton  
Calvin Courley  
Kelly Covelli  
C. W. Cowdrey

Buena Vista, Colo.  
Pleona, Kansas.  
W. 13th, Grandview, Kans.  
Fredonia, Kans.  
Neodesha, Kansas.  
862-15th St. Boulder, Colo.  
Kingfisher, Okla.  
Sedan, Kans.  
Antonito, Colo.  
Cheyenne, Wyo.  
Buford Rt. Meeker, Colo.  
2210 Jasper, Wichita Falls, Texas.  
Ft. Morgan, Colo.  
Stratford, Texas.

A. D. Coon  
 J. W. Cox  
 Walter N. Cox  
 O. M. Cozad,  
 Melvin Craig  
 Sidney Crain  
 Willis M. Cranford  
 Lloyd Craton  
 W. M. Crawford,  
 S. H. Crider  
 Earl Crisman  
 Clyde Crocker  
 George W. Cross & Son  
 W. C. Cross  
 C. E. Crossman  
 Homer Culver  
 Claude Curry  
 Louis Curtis  
 Allen B. Daily  
 Dale Chevrolet Co.  
 James D. Dalpez  
 F. E. Dalton  
 H. Darby  
 J. H. Daugherty  
 B. E. Davis  
 Clyde Davis  
 J. O. Davis  
 Jesse R. Davis  
 Davis Motor Co.  
 S. G. Davis  
 Sam Davis  
 W. N. Dawson & L. R. Sheldon  
 Sam Day  
 Deal Lumber Co  
 B. L. Dean  
 M. E. Deatherage

Houston, Texas.  
 Boise City, Okla.  
 1201 Claude St. Dallas, Texas.  
 Jacksonville, Mo.  
 Fay Okla.  
 Pueblo, Colo.  
 Box 23, 339 Dodge, Delta, Colo.  
 La Grange, Wyo.  
 Springer, New Mexico.  
 Stamford, Texas.  
 622 Gay St, Longmont, Colo.  
 Blooming Grove, Texas.  
 Joes, Colo.  
 Joes, Colo.  
 El Paso, Texas.  
 Matheson, Okla.  
 911 N. Trenton, Tulsa, Okla.  
 Rt. 1, Proctor, Colo.  
 Logan, Okla.  
 Waukesha, Wisc.  
 Norwood, Colo.  
 302 Josephine, Weatherford, Texas.  
 Box 1109, Jacksonville, Texas.  
 Lyman, Nebr.  
 Lakeview, Texas.  
 Yuma, Arizona  
 210 E. Main, Shawnee, Okla.  
 Logan, Okla.  
 Goodland, Kans.  
 Shawnee, Okla.  
 Cowdrey, Colo.  
 1411-4th Ave. Dodge City, Kans.  
 Ft. Collins, Colo.  
 1104 So. 2nd, Laramie, Wyo.  
 Humphreys, Okla.  
 Childress, Texas.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and the same hereby are, dismissed.

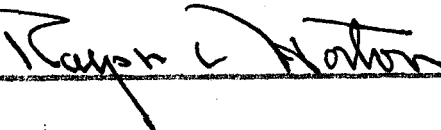
That this order shall become effective on the 17th day of September, 1946.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

By







Attest:

Secretary

Dated at Denver, Colorado, this 7th day of September, 1946.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE FAILURE OF VARIOUS }  
CORPORATIONS AND PERSONS TO COMPLETE }  
APPLICATIONS FOR PERMITS TO OPERATE AS }  
COMMERCIAL CARRIERS OVER THE HIGHWAYS }  
OF THE STATE OF COLORADO }

September 7, 1946.

It appears from the records of the Commission that the corporations and persons listed in the order part of this decision have, upon demand of the Courtesy Patrol of the State of Colorado, paid to this Commission the sum of One Dollar as a filing fee for a commercial carrier permit, pursuant to Chapter 167, Session Laws of 1935, as amended.

It further appears from the records of this Commission that said corporations and persons have failed to complete their said applications in one or more of the following particulars:

(a) Failure to file application as required by Law and Rule 2 of the Rules and Regulations of this Commission Governing Commercial Carriers by Motor Vehicle.

(b) Failure to make to this Commission a deposit to insure the filing of monthly reports and the payment of highway compensation taxes due from said corporations or persons, as required by Law and Rule 7 of said Rules and Regulations.

(c) Failure to file with this Commission a statement giving the description of each truck, trailer, or other vehicle used by said corporations or persons in their business, as required by law and Rule 12 of said Rules and Regulations.

(d) Failure to obtain, and keep in force at all times, public liability and property damage insurance or a surety bond providing similar coverage, or to file with this Commission a certificate of insurance, all as required by law and Rule 16 of said Rules and Regulations.

It further appears from the records of the Commission that all of the corporations and persons listed in the order part of this decision have been duly notified by this Commission on their failure in the respects hereinabove stated.

The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

ORDER

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Donald Deegan  
Deere Brothers  
Ralph DeGrazio  
Ed DeHerrera  
Max J. DeHerrera  
F. D. Delagrza  
H. G. Demuth  
Denison Poultry & Egg Co  
Quincy Clayton Denton  
Claude Derrick  
Albert & George DeSamber  
John DesEnfantres  
G. F. Dickerson  
J. L. Dickerson

Clarion, Iowa.  
Alva, Okla.  
Salida, Colo.  
Monte Vista, Colo.  
Box 419, Center, Colo.  
San Antonio, Texas.  
Rosston, Okla.  
Denison, Texas.  
Walden, Colo.  
Rt. 1, Grand Junction, Colo.  
Stoneham, Colo.  
Torrington, Wyo.  
214 SW 14th, Oklahoma City, Okla.  
Lexington, Nebr.

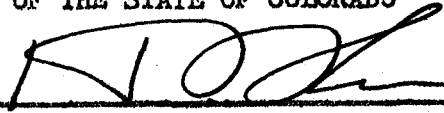

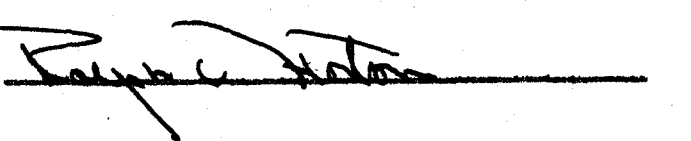
Raymond B. Dicus  
 Albert Dieges  
 Lee L. Diller  
 John Distad  
 L. M. Divin  
 C. E. Dixon  
 Allen Doan  
 Walter Dobrinske  
 Roy Dodd  
 A. L. Dodson  
 John Doggett  
 D. L. Donley  
 R. W. Dougherty & W. E. Higgens  
 Douglas Red & White  
 N. C. Dowell,  
 Wm. E. Downs  
 Willis Drake  
 Draper, Ross Produce Co  
 J. H. Dunlap  
 Harley Dunn  
 J. C. Durham  
 J. B. Eakins  
 Calvin C. Earley  
 Eastern Oregon Equipment Co.  
 C. T. Edgar,  
 Boyd F. Effert  
 W. L. Egley  
 Lester W. Ehlers  
 M. A. Elam  
 J. W. Eldridge & Paul Sugg  
 J. S. Elliott  
 Floyd Ellison  
 O. K. Ellison  
 Andrew Ellwanger,  
 Clarence Eoff  
 Byrd Eppley

Celina, Texas.  
 Victory Hill, Dodge City, Kans.  
 Lamar, Colo.  
 Conrad, Montana  
 411 Produce Row, San Antonio, Texas.  
 1249 Park Ave., Canon City, Colo.  
 San Benito, Texas.  
 Pryor, Okla.  
 Guthrie, Okla.  
 Pratt, Kansas.  
 2100 Bennett, Dallas, Texas.  
 Oxford, Kansas  
 Lamar, Colo.  
 Kiowa, Colo.  
 Yates Center, Kans.  
 320 S. Cascade, Colo. Springs, Colo.  
 216 S. 10th St. Frederick, Okla.  
 104 Johnson, Amarillo, Texas.  
 Texhoma, Okla.  
 Ft. Smith, Ark.  
 1002 W. 13th St. Plainview, Texas.  
 Durham, Okla.  
 Wichita Falls, Texas.  
 Ontario, Oregon  
 Rocky Ford, Colo.  
 Garden City, Kans.  
 Model, Colo.  
 North Platte, Nebr.  
 Poolville, Texas.  
 Gentry, Arkansas.  
 Denver, Colo.  
 Calmuet, Okla.  
 Vernon, Texas.  
 Gregory, South Dakota.  
 Camarargo, Okla.  
 Basalt, Colo.

before this Commission, to obtain permits authorizing said corporations and  
 persons to operate over the highways of this State as Commercial Carriers by  
 motor vehicle, be, and the same hereby are, dismissed.

That this order shall become effective on the 17th day of September, 1946.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

Attest:

Secretary

Dated at Denver, Colorado, this 7th  
 day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

Felix Esquibel  
Juan Esquibel  
Troy Estes  
H. E. Esty  
Walter H. Eubank  
L. C. Eubanks  
Nolan Eubanks  
J. D. Evans  
Martin Expara  
P. A. Fair  
E. Fairies  
Gin Fairview  
J. L. Fannin  
W. S. Fannin  
L. S. Fisher

Rt. 3, Box 67A, Ft. Collins, Colo.  
Gen Del VeLarde, New Mexico.  
161 Westwood, Decatur, Ill.  
Fremont, Nebr.  
817 S. Sawatch, Colo. Springs, Colo.  
Stannett, Texas.  
Wylie, Texas.  
Memphis, Texas.  
San Antonio, Texas.  
Cedarville, New Mexico.  
Rt. 2, Hutchinson, Kans.  
Rt. 2, Sudan, Texas.  
Topeka, Kans.  
1361 Medford St., Topeka, Kans.  
Woodward, Okla.



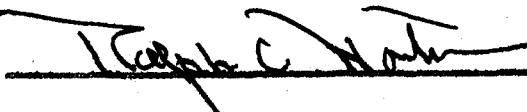
Richard Farmer  
 Farr & Harris  
 Buddy Faulkner  
 The Feed Depot  
 Felton Transfer  
 Paul H. Ferch  
 J. L. Ferguson  
 W. A. Ferguson  
 N. N. Ferrell  
 A. D. Field  
 Fireside Cafe  
 Albert Fisher  
 Theodore Fisher  
 O. B. Floro  
 Mack Flottis  
 J. H. Flowers  
 C. W. Flyer  
 Robert Folsom  
 B. H. Folton  
 H. J. Ben Ford  
 O. F. Forest  
 W. E. Fowler  
 James Fralex  
 Russell Francis  
 Tom Franklin  
 Wm. H. Frane  
 C. H. Franz  
 Hubert French  
 Matias Fresquez  
 Boyd Friedly  
 Emil Fritz  
 Archie Frucht  
 Fruehauf Trailer Co.  
 L. A. Fry  
 C. V. Fuller  
 B. H. Fulton

Center Ave., Oakley, Kans.  
 Ravens, Nebr.  
 Hutchinson, Kans.  
 El Paso, Texas.  
 Lombard Ill.  
 5185 Broadway, Denver, 16, Colo.  
 801 Date, Plainview, Texas.  
 Santa Fe, New Mexico.  
 Taloga, Okla.  
 Ordway, Colo.  
 Box 86, Evergreen, Colo.  
 Laramie, Wyo.  
 Ordway, Colo.  
 Stockville, Nebr.  
 Memphis, Texas.  
 Snyder, Texas.  
 Texola, Okla.  
 1074-5th Ave. Durango, Colo.  
 Dallas, Texas.  
 2215 W. Lindley, Oklahoma City, Okla.  
 Onida, South Dakota.  
 Rt. 1, Allen, Texas.  
 St. Louis, Mo.  
 Harper, Kans.  
 Tulsa, Okla.  
 P. O. Box 1008, Manitou Springs, Colo.  
 Salt Lake City, Utah.  
 Colwick, Kans.  
 Penasco, New Mexico.  
 Tesumesh, Nebr.  
 2422 Leavenworth St. Omaha, Nebr.  
 527 Preston, Houston, Texas.  
 Salt Lake City, Utah.  
 Weatherford, Okla.  
 Rule, Okla.  
 Dallas, Texas.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and the same hereby are, dismissed.

That this order shall become effective on the 17th day of September, 1946.

THE PUBLIC UTILITIES COMMISSION  
 OF THE STATE OF COLORADO

Attest:

Secretary

Dated at Denver, Colorado, this 7th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE FAILURE OF VARIOUS }  
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The Commission is of the opinion, and so finds, that all of said proceedings heretofore instituted by the corporations and persons listed in the order part of this decision should be dismissed.

O R D E R

IT IS ORDERED:

That each of the application proceedings heretofore commenced by:

R. B. Funkhouser  
Morris D. Gabriel  
Gaines Bros.  
N. E. Gallegos  
L. D. Gallini  
Dale Gandy  
Guadalupe Garcia  
Gus Garcia  
H. A. Gardner  
J. A. Gardner  
Garland Candy Co.  
Virgil Garner  
W. A. Gauley  
Gay Grocery Co.

Ledee, Okla.  
638 Roosevelt Ave. Loveland, Colo.  
Rt. 3, Kanorado, Kans.  
Springer, New Mexico.  
2113 Cadiz, Dallas, Texas.  
Lubbock, Texas.  
Scottsbluff, Nebr.  
1011 Boulevard, Trinidad, Colo.  
Hastings, Nebr.  
Jennings, Kans.  
Texarkana, Ark.  
Chelsea, Okla.  
Enid, Okla  
Walsh, Colo.

2



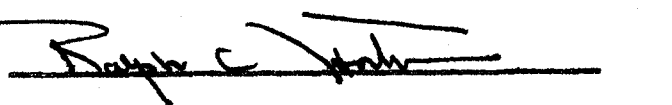
H. R. Gearhart  
Jack Gearhart  
General Equipment Co.  
A. W. George  
Arthur George  
Earl Gibson  
Ray Gibson  
J. C. Giesel  
W. A. Gifford  
E. L. Gilbert & E. V. Dawson  
R. R. Gilley  
Robt W. Gipson  
Joseph Giron  
Glenn Produce  
Taylor O. Glesby  
Glider Trailer Co.  
E. P. Goddard  
C. F. Goff  
L. B. Goldberg  
Emmet H. Golden  
J. V. Golden  
Jess Goldtrap  
Albert Gomez  
Ben Gomez  
Dale Gony  
Eloy Gonzales  
Ray Gonzales  
Reyes Gonzales  
Senovio E. Gonzales  
C. W. Gordon  
Goshen Farmers Coop  
Jeff Graham  
Grand Junction Seed Store  
Fred & Jack Graves  
Great Western Seal Co.  
E. G. Green

Gunter, Texas.  
Oswego, Kans.  
1114 So. State St. Salt Lake City, Utah.  
Leadville, Colo.  
Walsh, Colo.  
Neodesha, Kans.  
209 S. Dewey, Oklahoma City, Okla.  
Manchester, Okla.  
Big Springs, Nebr.  
Cory, Colo.  
Brewster, Kans.  
Pueblo, Colo.  
321-8th St. Alamosa, Colo.  
McPherson, Kans.  
Amarillo, Texas.  
1824 W. Kenzie St. Chicago, Ill.  
Penokee, Kans.  
Boise City, Okla.  
Waco, Texas.  
Gen. Del. Breckenridge, Colo.  
Grants, New Mexico.  
2800 S. Bdway, Englewood, Colo.  
Box 3, DelRio, Colo.  
Ranches of Taos, New Mexico.  
Lubbock, Texas.  
2007 Pinon, Trinidad, Colo.  
Longmont, Colo.  
Rt. 4, Longmont, Colo.  
1509 Dale Ct. Denver, 4, Colo.  
Floydada, Texas.  
Lingle, Wyo.  
Lubbock, Texas.  
316 Main, Grand Junction, Colo.  
1924 Ave N, Lubbock, Texas.  
P. O. Box 2370, Denver, 1, Colo.  
Denver, Colo.

before this Commission, to obtain permits authorizing said corporations and persons to operate over the highways of this State as Commercial Carriers by motor vehicle, be, and the same hereby are, dismissed.

That this order shall become effective on the 17th day of September, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Attest:

\_\_\_\_\_  
Secretary

Dated at Denver, Colorado, this 7th  
day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )	
BEN BECKER, WATKINS, COLORADO, FOR )	
AUTHORITY TO TRANSFER PERMIT NO. )	APPLICATION NO. 7874-PP
B-3475 TO ABE ZIEGLER, 2440 ELIOT )	Transfer.
STREET, DENVER, COLORADO. )	

-----

-----  
Sept. 7, 1946.  
-----

S T A T E M E N T

By the Commission:

By Decision No. 25754, of date April 5, 1946, Ben Becker, Watkins, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

Coal, feed, and farm produce, except hay, between points in Adams, Arapahoe, and Washington Counties; coal from mines in the northern Colorado coal fields to Denver and to points within a radius of five miles of Denver, and to points within a radius of five miles of Watkins; hay from points within a radius of twenty-five miles of Fort Morgan to Denver, Colorado.

Said permit-holder now seeks authority to transfer said operating rights (Permit No. B-3475) to Abe Ziegler, Denver, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that, pecuniarily and otherwise, transferee is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

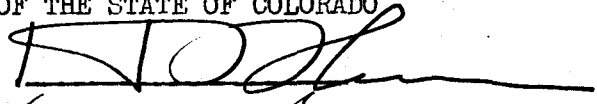
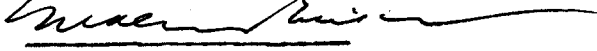
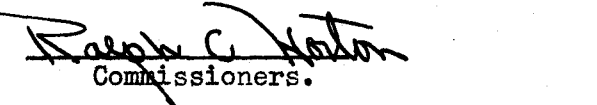
That Ben Becker, Watkins, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3475 to Abe Ziegler, Denver, Colorado.

That ton-mile tax deposit of transferor be transferred to account of transferee.

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.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BH



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
RONALD P. ROGERS, STRASBURG, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUC )  
NO. 1564 TO AUSTIN L. MORSE, DOING )  
BUSINESS AS "MORSE TRUCK LINE," )  
STRASBURG, COLORADO. )

APPLICATION NO. 7876-Transfer

-----  
September 7, 1946.  
-----

S T A T E M E N T

By the Commission:

Ronald P. Rogers herein seeks authority to transfer to Austin L. Morse, doing business as "Morse Truck Line," Strasburg, Colorado, PUC No. 1564, being the right to transport:

Freight, except milk, cream, poultry, and eggs, on call and demand, between points in the territory described as: the territory bounded on the east by Bijou Creek, on the north by the north line of Adams County, on the west by the highways which run north and south from Bennett, Colorado, that is to say, by (a) the highway which runs north from Bennett to connect (in Weld County) with State Highway No. 52, and (b) the highway which runs south from Bennett to Kiowa (in Elbert County), and on the south by the east and west township line between Townships 6 and 7-South, which line lies six miles, more or less, south of the north line of Elbert County, and from and to points therein (except points on U. S. Highway No. 40), to and from Denver and points on U. S. Highway No. 40, Bennett to Denver; coal from Denver to Strasburg; cement and plaster from Boettcher and LaPorte to Bennett and Strasburg; used farm machinery and equipment and used household goods, when moving a farmer, from and to points in the State of Colorado, to and from points in the aforescribed territory.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to carry on the operation,

and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:


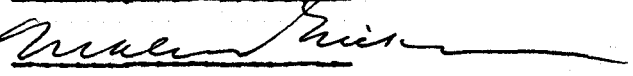
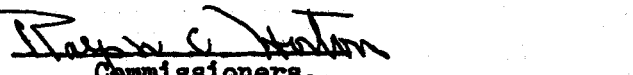
That Ronald P. Rogers, Strasburg, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1564 to Austin L. Morse, doing business as "Morse Truck Line," Strasburg, Colorado.

That ton-mile tax deposit of transferor shall be transferred to the account of transferee.

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
HENRY FEENSTRA AND HENRIETTA )  
FEENSTRA, DOING BUSINESS AS "SOUTH )  
DENVER COAL AND FEED," 301 KALAMATH )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "A" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 7787-PP

-----  
Sept. 7, 1946.  
-----

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Craig, Colorado, August 20, 1946, at 10:00 o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

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

The Commission is now in receipt of a communication from applicants as follows:

"Please cancel P appl. now pending before the Commission."

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

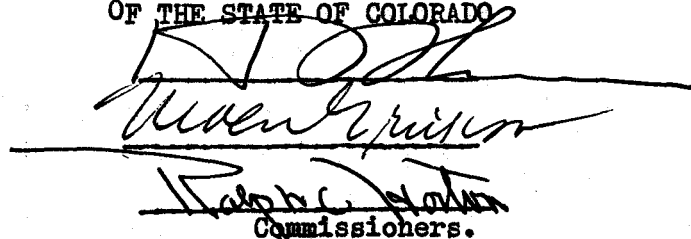
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, dismissed.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JOHN MELLEMA, 301 KALAMATH STREET, )  
DENVER, COLORADO, FOR AN EXTENSION )  
OF PERMIT NO. B-3409. )  
-----

APPLICATION NO. 7785-PP  
Extension

-----  
Sept. 7, 1946.  
-----

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at Craig, Colorado, August 20, 1946, at 10:00 o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

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

The Commission is now in receipt of a communication from applicant, as follows:

"Please cancel appl. for extension on B-3409."

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

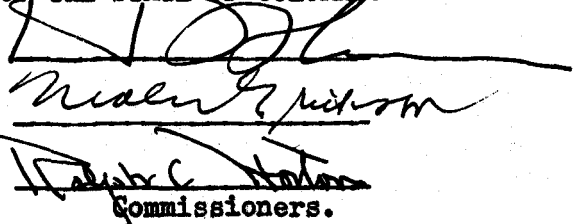
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, dismissed.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
SAMUEL L. CANNON, OIL FIELD GARAGE, )  
RANGELY, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY. )  
-----

APPLICATION NO. 7784

-----  
Sept. 7, 1946.  
-----

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Craig, Colorado, August 20, 1946, at 10:00 o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

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

The files were made a part of the record, and the matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be dismissed for lack of prosecution.

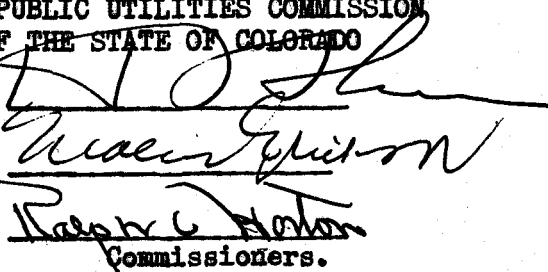
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
V. H. RICHARDSON, GENERAL DELIVERY, )  
WALDEN, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7872-PP

-----  
Sept. 7, 1946.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of timber, logs, poles, lumber ties, and timber products from point to point within a radius of fifty miles of Walden, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That V. H. Richardson, Walden, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of timber, logs, poles, lumber ties, and timber products from point to point within a radius of fifty miles of Walden, Colorado.

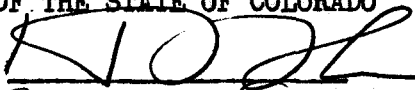
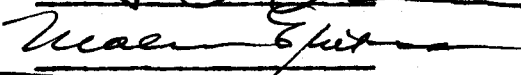
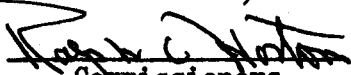
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
S. R. BARR, DOING BUSINESS AS )  
THE BARR LUMBER COMPANY, OF )  
LA JARA, COLORADO. )  
-----

P.U.C. NO. 1646

-----  
August 31, 1946.  
-----

S T A T E M E N T

By the Commission:

On April 18, by Decision No. 25861, P.U.C. No. 1646 was suspended until September 1, 1946, on account of illness of certificate-holder.

We have now received a request for a further suspension of said certificate for a six-months period.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, and PUC No. 1646 suspended for an additional period of six months.

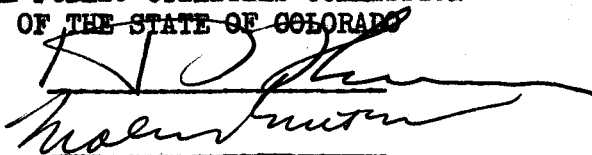
O R D E R

THE COMMISSION ORDERS:

That S. R. Barr, doing business as The Barr Lumber Company, be, and he is hereby, authorized to suspend operations under Certificate No. 1646 until March 1, 1947.

That unless S. R. Barr, doing business as The Barr Lumber Company, shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of August, 1946.

BH



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
A. T. BURBRIDGE, 1212 TENTH STREET, )  
GREELEY, COLORADO, FOR AUTHORITY TO )  
LEASE PERMIT NO. A-20 TO JAMES DE )  
GEORGE AND C. A. BAUMGARTNER, DOING )  
BUSINESS AS "DENVER TRANSFER AND )  
CARTAGE COMPANY," 801 WALNUT STREET, )  
DENVER, COLORADO. )

APPLICATION NO. 7883-PP-Lease.

-----  
August 31, 1946.  
-----

S T A T E M E N T

By the Commission:

Heretofore, A. T. Burbridge, Greeley, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

freight between Denver and Eaton and intermediate points, over U. S. Highway No. 85,

Permit No. A-20 duly issuing to him on June 24, 1931.

He now seeks authority to lease said permit for a period of one year, at a monthly rental of Two Hundred Dollars (\$200.00) in cash to James DeGeorge and C. A. Baumgartner, doing business as "Denver Transfer and Cartage Company," Denver, Colorado.

Upon examination of our files and records, it appears that said permit is in good standing; that Baumgartner and DeGeorge are able, qualified, and willing to carry on the operation; that no useful purpose would be served by setting said matter for formal hearing.

F I N D I N G S

THE COMMISSION FINDS:

Being now sufficiently advised in the premises, that the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That A. T. Burbidge, Greeley, Colorado, be, and he hereby is, authorized to lease his Private Carrier Permit No. A-20, for a period of one year, at a monthly rental of Two Hundred Dollars (\$200.00) per month, to James DeGeorge and C. A. Baumgartner, doing business as "Denver Transfer and Cartage Company," Denver, Colorado, with the proviso that said lessees shall not, in any manner, directly or indirectly, combine their operations under said permit with their operations under Permits Nos. A-77 and B-2906, and otherwise, at all times, shall comply with our rules and regulations governing operations of private carriers by motor vehicle for hire.

The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 31st day of August, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
KENNETH J. REVIS, 1245 SPRUCE )  
STREET, BOULDER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 7873-PP

-----  
Sept. 7, 1946.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products from points within a radius of twenty miles of Boulder, Colorado, to Boulder and to Denver, Colorado, with no town to town service.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Kenneth J. Revis, Boulder, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products from points within a radius of twenty miles of Boulder, Colorado, to Boulder, and to Denver, Colorado, with no town to town service.


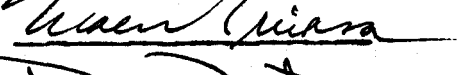

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BH

Original

( Decision No. 2644 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CURNOW LIVERY & TRANSFER COMPANY, )  
IDAHO SPRINGS, COLORADO, TO TRANSFER )  
ITS LINE HAUL AUTHORITY UNDER PUC NO. )  
49 TO FRANK BROWN AND LEAMON RESLER, )  
DOING BUSINESS AS CLEAR CREEK TRUCK )  
LINE, IDAHO SPRINGS, COLORADO. )

APPLICATION NO. 7741  
(Transfer)

September 7, 1946

Appearances: T. A. Stockton, Jr., Esq., Denver,  
Marion F. Jones, Esq., Denver, and  
A. E. Small, Esq., Denver,  
for Transferor and Transferees.

S T A T E M E N T

By the Commission:

On July 1, 1929, Curnow Livery and Transfer Company was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

Freight between Denver, Idaho Springs,  
Alice, Dumont, Larson, Empire, Georgetown,  
and Silver Plume.

On September 18, 1930, by Decision No. 3041, Curnow Livery and Transfer Company was authorized to extend their operations to include:

The transportation of passengers in taxi  
service between any points within the city of  
Idaho Springs, and from Idaho Springs only to  
any point within the State of Colorado.

Applicant, Curnow Livery and Transfer Company, now seeks authority to transfer that Portion of PUC No. 49 which authorizes the transportation of freight between Denver, Idaho Springs, Alice, Dumont, Larson, Empire, Georgetown, and Silver Plume, being the regular scheduled motor carrier service between Denver and Silver Plume, Colorado, via U. S. Highways 6 and 40, to Frank Brown and Leamon Resler, doing business as Clear Creek Truck Line.

At the hearing in Denver, Colorado, on August 6, 1948, it appeared that the consideration for transfer of the above-described portion of PUC No. 49 is the sum of \$5,000.00, of which \$1,000.00 has been paid by transferees to transferor, the remaining \$4,000.00 to be paid upon final approval of transfer by the Commission.

It also appeared that there are no outstanding unpaid obligations against said operation except a deed of trust given to Mr. Curnow, President of Curnow Livery and Transfer Company, which will be released upon final consummation of the transfer.

The operating experience and pecuniary responsibility of transferees were established to the satisfaction of the Commission.

It also appeared at the hearing that the line-haul service here sought to be transferred has been operated separately from the call and demand service authorized under PUC No. 49.

The evidence further disclosed that the public interest would be served by the granting of the instant application.

After careful consideration of the record and evidence submitted at the hearing, the Commission is of the opinion, and finds, that said transfer should be authorized.

#### O R D E R

##### THE COMMISSION ORDERS:

That Curnow Livery and Transfer Company, a Colorado corporation, Idaho Springs, Colorado, be, and it hereby is, authorized to transfer all its right, title, and interest in and to that portion of PUC No. 49 which authorizes:

Transportation of freight, on schedule, between Denver, Idaho Springs, Alice, Dumont, Larson, Empire, Georgetown, and Silver Plume, as more particularly described in Decision No. 2338,

to Frank Brown and Leamon Resler, co-partners, doing business as Clear Creek Truck Line, of Idaho Springs, Colorado.

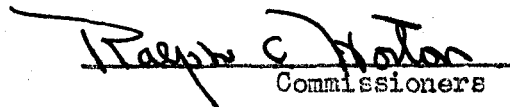
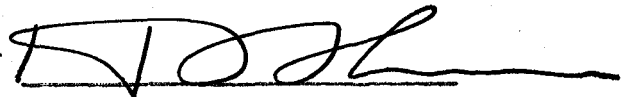
That the PUC Number 49 be retained by Curnow Livery and

Transfer Company for designation of the authority retained by it, and that a new certificate number be assigned to transferees for the operating rights hereby transferred.

That the tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 7th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. E. HOCKETT OF 1714 - 7th ST., )  
GREELEY, COLORADO )

PERMIT NO. C-1269

September 9, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

L. E. Hockett

requesting that Permit No. C-1269.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-1269....., heretofore issued to.....

L. E. Hockett.....be,

and the same is hereby, declared cancelled effective July 28, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GIBBS TIRE & BATTERY COMPANY OF )  
4589 WASHINGTON STREET, DENVER, )  
16, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-13080

-----  
September 9, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Gibbs Tire & Battery Company-----  
requesting that Permit No. C-13080-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-13080-----, heretofore issued to-----  
Gibbs Tire & Battery Company-----be,  
and the same is hereby, declared cancelled effective August 19, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Harry D. Shuman*

*Malcolm Erickson*

*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ED SISNEROS OF GENERAL DELIVERY )  
DRAGERTON, UTAH )

PERMIT NO. C-12604

September 9, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ed Sisneros.....  
requesting that Permit No. C-12604.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-12604, heretofore issued to.....  
Ed Sisneros.....be,  
and the same is hereby, declared cancelled effective August 28, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawan*

*Malcom Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PETE A. SCHROCK OF THURMAN, )  
COLORADO )

PERMIT NO. C-14038

September 9, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Pete A. Schrock

requesting that Permit No. C-14038 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-14038, heretofore issued to.....

Pete A. Schrock

be,

and the same is hereby, declared cancelled effective August 7, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry S. Shaw*  
*William Emerson*  
*Ralph S. Horton*  
Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
HARRY KENNEDY OF ROUTE # 2, )  
EXCELLO, MISSOURI )  
 )  
 ) PERMIT NO. C-17121  
 )  
 )  
 )

-----  
September 9, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Harry Kennedy.....  
requesting that Permit No. C-17121.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17121....., heretofore issued to.....  
Harry Kennedy.....be,  
and the same is hereby, declared cancelled effective June 19, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Leury D. Thomas*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Hart*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM B. BARNES OF 930 )  
BENNETT STREET, GLENWOOD )  
SPRINGS, COLORADO ) PERMIT NO. C-17136  
 )  
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 )  
 )  
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-----  
September 9, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
William B. Barnes-----  
requesting that Permit No. C-17136-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17136-----, heretofore issued to-----  
William B. Barnes-----be,  
and the same is hereby, declared cancelled effective May 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawman*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD KIRBY LIMING OF 423 )  
DODGE STREET, DELTA, COLORADO )  
 )  
 )  
 )  
 )

PERMIT NO. C-17140

-----  
September 9, 1946  
-----

S T A T E M E N T

By the Commission:

- The Commission is in receipt of a communication from-----

Harold Kirby Liming-----

requesting that Permit No. C-17140-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17140-----, heretofore issued to-----

Harold Kirby Liming-----be,

and the same is hereby, declared cancelled effective May 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. T. DOWEN OF SOUTH 10th, )  
LEWIS, COLORADO )  
)  
)  
)  
)

PERMIT NO. C-17167

-----  
September 9, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
H. T. Dowen.....  
requesting that Permit No. C-17167.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17167....., heretofore issued to.....  
H. T. Dowen.....be,  
and the same is hereby, declared cancelled effective May 20, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
-----  
*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CLAY L. HANSEN AND SONS OF )  
1111 N. 53rd STREET, LINCOLN, 3 )  
NEBRASKA )  
 )  
 )

PERMIT NO. C-17169

-----  
September 9, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Clay L. Hansen & Sons-----

requesting that Permit No. C-17169-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17169-----, heretofore issued to-----

Clay L. Hansen & Sons-----be,

and the same is hereby, declared cancelled effective July 15, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

❖ ❖ ❖ ❖

RE MOTOR VEHICLE OPERATIONS OF )  
JOE R. CHAVEZ OF WESTON, )  
COLORADO )

PERMIT NO. C-17202

September 9, 1946

## STATEMENT

By the Commission:

The Commission is in receipt of a communication from.

Joe R. Chavez

requesting that Permit No. C-17202 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

**O R D E R**

**THE COMMISSION ORDERS:**

That Permit No. C-17202, heretofore issued to

Joe R. Chavez

and the same is hereby, declared cancelled effective July 16, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry B. Shaw

Malcolm Essickson

*Ralph C. Huston*  
Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. W. SMITHERS OF 340 N. MAIN, )  
WICHITA, KANSAS )

PERMIT NO. C-17215

September 9, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

L. W. Smithers.....

requesting that Permit No. C-17215.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17215....., heretofore issued to.....

L. W. Smithers.....be,

and the same is hereby, declared cancelled effective April 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*

*Malcolm Erickson*

*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

• • • •

RE MOTOR VEHICLE OPERATIONS OF )  
HOMER MILLS OF CEDAREDGE, )  
COLORADO )

PERMIT NO. C-17232

**1946**

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24 \_\_\_\_\_  
22 \_\_\_\_\_  
18 \_\_\_\_\_  
25 \_\_\_\_\_

September 9, 1946

# STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from.

Homer Mills

requesting that Permit No. C-17232 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

**O R D E R**

**THE COMMISSION ORDERS:**

That Permit No. C-17232, heretofore issued to

Homer Mills

**.be,**

and the same is hereby, declared cancelled effective June 17, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Norton

**Commissioners**

Dated at Denver, Colorado,

this.....9th.....day of September....., 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROBERT MILLER OF VONA, COLORADO )

PERMIT NO. C-17238

September 9, 1946

STATEMENT

By the Commission:

The Commission is in receipt of a communication from  
Robert Miller  
requesting that Permit No. C-17238 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. C-17238, heretofore issued to  
Robert Miller be,  
and the same is hereby, declared cancelled effective July 1, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
*Malcom Erickson*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ERNEST J. MALOVICH & HERBERT )  
MARTINELLI OF 213 E. TOPEKA AVE.)  
TRINIDAD, COLORADO ) PERMIT NO. C-17255  
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 )  
 )  
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-----  
September 9, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Ernest J. Malovich & Herbert Martinelli-----  
requesting that Permit No. C-17255-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17255-----, heretofore issued to-----  
Ernest J. Malovich & Herbert Martinelli-----be,  
and the same is hereby, declared cancelled effective June 16, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Henry D. Shuman*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 9th day of September, 194 6

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH & THOMAS YOREE OF )  
4895 MORRISON ROAD, DENVER 9, )  
COLORADO )

PERMIT NO. C-17260

September 9, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Ralph & Thomas Yoree

requesting that Permit No. C-17260 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17260, heretofore issued to.....

Ralph & Thomas Yoree

be,

and the same is hereby, declared cancelled effective June 26, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Brown*

*Malcom Erickson*

*Ralph C. Hentz*

Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JEWELL VAN OSTEN OF 9910 WEST )  
21st AVE., DENVER 15, COLORADO )

PERMIT NO. C-17266

September 9, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Jewell Van Osten.....

requesting that Permit No. C-17266.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17266....., heretofore issued to.....

Jewell Van Osten.....be,

and the same is hereby, declared cancelled effective June 15, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcom Erickson*

*Ralph C. Heston*

Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. J. McFANN OF 2495 VRain ST., )  
DENVER, 12, COLORADO )

PERMIT NO. C-17276

September 9, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

R. J. McFann

requesting that Permit No. C-17276.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17276, heretofore issued to.....

R. J. McFann

and the same is hereby, declared cancelled effective May 5, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shaw*

*William Erickson*

*Reginald C. Johnston*  
Commissioners

Dated at Denver, Colorado,

this 9th day of September, 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
E. G. MAHAN, STEAMBOAT SPRINGS, COLO- } APPLICATION NO. 7779  
RADO, FOR A CERTIFICATE OF PUBLIC }  
CONVENIENCE AND NECESSITY. )  
-----

-----  
Sept. 7, 1946.  
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Appearances: Addison Gooding, Esq., Steamboat  
Springs, Colorado, for  
applicant;  
Herman DeWild, Steamboat Springs,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Steamboat Springs, Colorado, August 19, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a common carrier by motor vehicle and horse-drawn vehicle for hire, as a scavenger, for the periodical and continuous removal of ashes, trash, debris, refuse, and garbage from the Town of Steamboat Springs to such garbage disposal places and city dumps in the vicinity of Steamboat Springs as may be provided by the Board of Trustees of said town.

Applicant has been a resident of Steamboat Springs for approximately nine years, during which period he has been performing the service aforementioned for residents of the community and said town by means of horse-drawn equipment. Recently, the business has increased to the point where he has decided to purchase, and has purchased, a truck. It is equipped with a three-yard dump body, and represents a total investment of \$950.00. He is thoroughly familiar with the town, and is qualified and able to carry on the service he seeks to perform. The Town Board, by Resolution, has authorized the performance of the service.

Claude R. Lukens, Mayor of Steamboat Springs, and Messrs. Nelson, Knowles, and Hure, residents of said town, testified in support of the

application. They confirmed applicant's statements that the service is needed, and that he has been authorized by the town to furnish said service.

He will file tariff, showing charges for said service, which have been approved by the Board of Trustees.

Mr. DeWild, who recently was granted a common carrier certificate and who has been furnishing a similar service, stated that he had no objections to the issuance of the authority sought.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That public convenience and necessity require the proposed service, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the operation by applicant as a common carrier by motor vehicle and horse-drawn vehicle for hire, on call and demand, as a scavenger, for the periodical and continuous removal of ashes, trash, debris, refuse and garbage, from the Town of Steamboat Springs to such garbage disposal places and city dumps in the vicinity of Steamboat Springs as may be provided by the Board of Trustees of said town, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

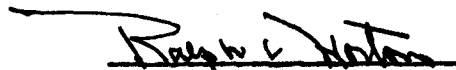
Applicant shall operate his carrier system in accordance with the order of the Commission except when prevented by Act of God, the public enemy or extreme conditions.

This order is subject to compliance with all present and future

laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 7th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
H. G. KENDALL BAKERY OF 333 N. )  
COMMERCIAL, TRINIDAD, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-7760

-----  
September 10, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
H.-G. Kendall Bakery.....  
requesting that Permit No. C-7760.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-7760....., heretofore issued to.....  
H. G. Kendall Bakery.....be,  
and the same is hereby, declared cancelled effective August 23, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Sherman*  
-----  
*Walter E. Erickson*  
-----  
*Ralph C. Hinton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
OSCAR REDD AND EARL WILCOX, JR.)  
OF 2108 NORTH AVENUE, GRAND )  
JUNCTION, COLORADO ) PERMIT NO. C-6085  
)  
)  
)  
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-----  
September 10, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Oscar Redd and Earl Wilcox Jr.,.....  
requesting that Permit No. C-6085.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-6085....., heretofore issued to.....  
Oscar Redd and Earl Wilcox, Jr.,.....be,  
and the same is hereby, declared cancelled effective June 1, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Malcolm Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ED L. LARSEN OF KEYSTONE, )  
NEBRASKA )  
 )  
 ) PERMIT NO. C-6739  
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-----  
September 10, 1946  
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S T A T E M E N T

By the Commission:  
The Commission is in receipt of a communication from-----  
Ed L. Larsen-----  
requesting that Permit No. C-6739-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:  
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:  
That Permit No. C-6739-----, heretofore issued to-----  
Ed L. Larsen-----be,  
and the same is hereby, declared cancelled effective June 29, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*LeRoy D. Sullivan*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. L. WARD OF 957 S. NEVADA AVE )  
COLORADO SPRINGS, COLORADO )

PERMIT NO. C-7498

September 10, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

E. L. Ward

requesting that Permit No. C-7498 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-7498, heretofore issued to.....

E. L. Ward be,

and the same is hereby, declared cancelled effective August 13, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 10th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
W. L. PETERSON OF 1405 S. Gay- )  
lord, DENVER 10, COLORADO )  
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PERMIT NO. C-8910

-----  
September 10, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----W. L. Peterson-----  
requesting that Permit No. C-8910-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-8910-----, heretofore issued to-----  
-----W. L. Peterson-----be,  
and the same is hereby, declared cancelled effective July 15, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
-----*Henry D. Shawan*-----  
-----*Malcom Erickson*-----  
-----*Ralph C. Horton*-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 194 6





BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ROCKY MOUNTAIN FUEL COMPANY OF )  
FLAT IRON BUILDING, DENVER 2, )  
COLORADO )

PERMIT NO. C-214

September 10, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Rocky Mountain Fuel Company.....  
requesting that Permit No. C-214.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-214....., heretofore issued to.....  
Rocky Mountain Fuel Company.....be,  
and the same is hereby, declared cancelled effective August 13, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Lewis D. Bowman*

*Malcom Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,  
this.....10th.....day of.....September....., 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALFRED E. TURNER OF STEAMBOAT )  
SPRINGS, COLORADO )  
 ) PERMIT NO. C-2270  
 )  
 )  
 )

-----  
September 10, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Alfred E. Turner-----  
requesting that Permit No. C-2270-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-2270-----, heretofore issued to-----  
Alfred E. Turner-----be,  
and the same is hereby, declared cancelled effective August 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawman*

*Malcom Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BOB CLARK OF YAMPA, COLORADO )  
 )  
 ) PERMIT NO. C-3238  
 )  
 )  
 )  
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-----  
September 10, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Bob Clark.....  
requesting that Permit No. C-3238..... be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3238....., heretofore issued to.....  
Bob Clark..... be,  
and the same is hereby, declared cancelled effective August 14, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Thomson*

*Malcom Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. E. WEBB OF TOPONAS, )  
COLORADO )  
 )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-3272

-----  
September 10, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
R. E. Webb-----  
requesting that Permit No. C-3272-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-3272-----, heretofore issued to-----  
R. E. Webb-----be,  
and the same is hereby, declared cancelled effective August 11, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Lewy D. Shuman*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Horton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. L. OVERMYER, CARE OF JACK )  
PEARMAN, LITTLETON, COLORADO )  
)  
)  
)  
)  
-----

PERMIT NO. C-5204

-----  
September 10, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
-----A. L. Overmyer-----  
requesting that Permit No. C-5204-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5204-----, heretofore issued to-----  
-----A. L. Overmyer-----be,  
and the same is hereby, declared cancelled effective August 23, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Malcolm Erickson*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
M. SHRYOCK OF RT. 4, BOX 46, )  
GREELEY, COLORADO )  
 )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-5483

-----  
September 10, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
M. Shryock-----  
requesting that Permit No. C-5483-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5483-----, heretofore issued to-----  
M. Shryock-----be,  
and the same is hereby, declared cancelled effective July 7, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Henry D. Shawan*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ED LUJAN OF SAGUACHE, COLORADO )  
 )  
 ) PERMIT NO. C-5775  
 )  
 )  
 )  
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-----  
September 10, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Ed Lujan  
-----  
requesting that Permit No. C-5775 ----- be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-5775 -----, heretofore issued to-----  
Ed Lujan ----- be,  
and the same is hereby, declared cancelled effective July 31, 1946

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
Henry D. Shawan  
-----  
Malcom Erickson  
-----  
Ralph C. Horton  
-----  
Commissioners

Dated at Denver, Colorado,  
this 10th day of September, 194 6



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE INVESTIGATION  
AND SUSPENSION OF TARIFFS OF THE  
TRENTMAN-MILNER COMPANY, DOING  
BUSINESS AS BEL-ADAMS WATER SYSTEM. )

INVESTIGATION AND SUSPENSION  
DOCKET NO. 256

S T A T E M E N T

By the Commission:

Heretofore, this Commission issued its decisions, wherein certain tariffs filed by the Trentman-Milner Company, doing business as Bel-Adams Water System, were suspended to September 14, 1946.

It now appears that said matter cannot be disposed of until a later date, and that the effective date of said tariffs should be further suspended for an additional 120 days, or to January 14, 1947.

O R D E R

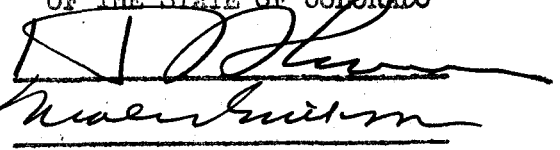

IT IS ORDERED:

That the effective date for the aforesaid tariffs so filed by Trentman-Milner Company, doing business as Bel-Adams Water System, be suspended for an additional 120 days, from September 14, 1946, or to January 14, 1947, unless otherwise ordered by this Commission.

That a copy of this order shall be filed with the proposed tariffs of the Trentman-Milner Company, doing business as Bel-Adams Water System, and copies thereof be forthwith served on Ina B. Lindsey, 385 So. Meade St., Denver, Trustee or Agent for the complainants or protestants; H. C. Rose, 3600 Alameda Parkway, Denver; W. E. Mead, 710 So. Lowell Blvd., Denver; William Jenkins, 3909 W. Nevada St., Denver; Julia Agnew, 579 So. Osceola St., Denver, for protestants; A. Milner, owner and manager of the Bel-Adams Water System, 1735 Stout St., Denver; and P. S. Morris, Price Attorney, O. P. A., Kittredge Building, Denver.

DATED at Denver, Colorado,  
this 7th day of September, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE INVESTIGATION  
AND SUSPENSION OF TARIFFS OF THE  
TRENTMAN-MILNER COMPANY, DOING BUSI-  
NESS AS NORTH FEDERAL WATER SYSTEM.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 257

S T A T E M E N T

By the Commission:

Heretofore, this Commission issued its decisions, wherein certain tariffs filed by the Trentman-Milner Company, doing business as North Federal Water System, were suspended to September 14, 1946.

It now appears that said matter cannot be disposed of until a later date, and that the effective date of said tariffs should be further suspended for an additional 120 days, or to January 14, 1947.

O R D E R


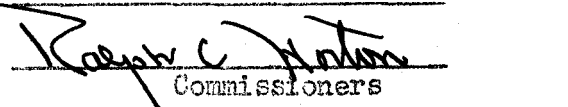
IT IS ORDERED:

That the effective date for the aforesaid tariffs so filed by Trentman-Milner Company, doing business as North Federal Water System, be suspended for an additional 120 days from September 14, 1946, or to January 14, 1947, unless otherwise ordered by this Commission.

That a copy of this order shall be filed with the proposed tariffs of the Trentman-Milner Company, doing business as North Federal Water System, and copies thereof be forthwith served on A. Milner, owner and manager of said North Federal Water System, 1735 Stout Street, Denver; John H. Gabriel and Clifford W. Mills, attorneys for complainants, C. A. Johnson Building, Denver; Elgie E. Fenimore, 6604 North Federal Blvd., Denver, for protestants; and P. S. Morris, Price Attorney, O. P. A., Kittredge Building, Denver.

DATED at Denver, Colorado,  
this 7th day of September, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JOHN J. TISONE, DON T. TISONE, ANTHONY )  
F. TISONE, AND WILLIAM T. BULLARD, ) APPLICATION NO. 7506  
DOING BUSINESS AS "PIONEER TRUCKING )  
COMPANY," BOULDER, COLORADO, FOR AN )  
EXTENSION OF PUC NO. 616. )  
-----

IN THE MATTER OF THE APPLICATION OF )  
ROY E. SANS AND FRANK W. BRISTOL, )  
DOING BUSINESS AS "SANS AND BRISTOL," ) APPLICATION NO. 7572  
BERTHOUD, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY. )  
-----

SUPPLEMENTAL ORDER

-----  
Sept. 5, 1946.  
-----

Appearances: T. A. Stockton, Jr., Esq., Denver,  
Colorado, and  
Marion F. Jones, Esq., Denver,  
Colorado, for Applicants;  
in Application No. 7506;  
North Allen, Esq., Denver,  
Colorado, for Applicants in  
Application No. 7572;  
Carl V. Borgman, Longmont,  
Colorado, for Borgmann Bros.;  
Marion F. Jones, Esq., Denver, and  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Adolph A. Bethke.

S T A T E M E N T

By the Commission:

In the above-entitled matters, the Commission, on August 17, 1946,  
entered its Decision No. 26391, granting a certificate of public convenience  
and necessity to Sans and Bristol in Application No. 7572, and denying appli-  
cation of Pioneer Trucking Company for an extension of its PUC No. 616 in  
Application No. 7506.

On August 24, 1946, Petition for Rehearing was filed by Pioneer  
Trucking Company.

The Commission has examined said petition, and is of the opinion

that the matters and things therein set forth are sufficient in law to justify and require the granting of a rehearing herein.

F I N D I N G S

THE COMMISSION FINDS:

That rehearing should be granted.

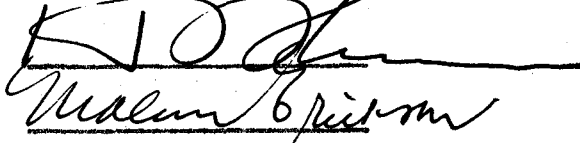
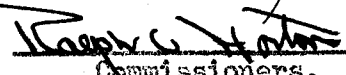
O R D E R

THE COMMISSION ORDERS:

That Decision No. 26391 be, and the same hereby is, vacated and set aside.

That said matter be, and the same hereby is, set for rehearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A. M., on the 27th day of September, A. D. 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD WILLIAMS OF 1410 W. )  
COLORADO AVENUE, COLORADO )  
SPRINGS, COLORADO ) PERMIT NO. B-3257  
)  
)  
)  
-----

-----  
September 12, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Harold Williams-----  
requesting that Permit No. B-3257-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3257-----, heretofore issued to-----  
Harold Williams-----be,  
and the same is hereby, declared cancelled effective July 1, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Lewis D. Shawan*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Horton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 12th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF)  
McPHERSON BROTHERS & ZIMMERMAN)  
OF BOX 603, CRAIG, COLORADO )

APPLICATION NO. 7429-PP

-----  
September 12, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from James E. McPherson, Roger A. McPherson and James L. Zimmerman, requesting that their Class "B" permit, granted in Application 7429-PP, Decision No. 25883, under date of April 26, 1946, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted James E. McPherson, Roger A. McPherson and James L. Zimmerman, in the above-numbered application, Decision No. 25883, under date of April 26, 1946, be, and the same hereby is, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Lewis D. Shouman*

*Malcolm Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
NEW ENGLAND GREYHOUND LINES, INC. )  
2600 HAMILTON AVENUE, CLEVELAND, ) PUC No. 1691-I  
OHIO )  
-----)

-----  
September 12, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the New England Greyhound Lines, Inc., of Cleveland, Ohio, requesting that their Certificate of Public Convenience and Necessity be cancelled.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS THEREFORE ORDERED, That PUC No. 1691-I heretofore issued to the New England Greyhound Lines, Inc., be, and the same is hereby, declared cancelled effective August 5, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Leury D. Shawan*  
*Malcom Erickson*  
*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

✻ ✻ ✻ ✻

RE MOTOR VEHICLE OPERATIONS OF )  
H. W. PURDOM OF 129 W. DAKOTA, )  
DENVER, 9, COLORADO )

PERMIT NO. B-3326

September 12, 1946

## S T A T E M E N T

**By the Commission:**

The Commission is in receipt of a communication from.....

H. W. Pardom

requesting that Permit No. B-3326 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

**O R D E R**

**THE COMMISSION ORDERS:**

That Permit No. .... B-3326 ....., heretofore issued to .....

H. W. Purdom ..... be

and the same is hereby, declared cancelled effective August 6, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

.....Malcom Erickson.....

Reuben C. Horton

**Commissioners**

Dated at Denver, Colorado,

this.....12th.....day of.....September....., 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ERNEST MASTRANGELO AND JOHN )  
WEBSTER OF 4760 RACE STREET, )  
DENVER, 16, COLORADO ) PERMIT NO. B-3383  
 )  
 )  
 )  
 )

-----  
September 12, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ernest Mastrangelo and John Webster  
requesting that Permit No. B-3383.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3383....., heretofore issued to.....  
Ernest Mastrangelo and John Webster.....be,  
and the same is hereby, declared cancelled effective August 14, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shouman*  
-----  
*Malcolm Erickson*  
-----  
*Ralph C. Johnson*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

✻ ✻ ✻ ✻

RE MOTOR VEHICLE OPERATIONS OF )  
HAROLD GROVES OF GOLDEN GATE )  
CANYON, GOLDEN, COLORADO )

PERMIT NO. B-3408

September 12, 1946

# STATEMENT

**By the Commission:**

**The Commission is in receipt of a communication from.....**

Harold Groves

requesting that Permit No. B-3408 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

That the request should be granted.

## ORDER

**THE COMMISSION ORDERS:**

That Permit No. B-3408, heretofore issued to \_\_\_\_\_

Harold Groves ..... be

and the same is hereby, declared cancelled effective August 9, 1946

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcom Erickson

Ralph C. Horton

**Commissioners**

**Dated at Denver, Colorado,**

this.....12th.....day of.....September....., 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BYRON H. GATES OF 801 SOUTH )  
CORONA STREET, DENVER 9, COLO. )  
 )  
 )  
 )

PERMIT NO. C-16360

September 12, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Byron H. Gates

requesting that Permit No. C-16360 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16360, heretofore issued to.....

Byron H. Gates be,

and the same is hereby, declared cancelled effective June 6, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Thompson*

*Malcom Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,

this 12th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
ARTHUR BAUER OF 3554 BRIGHTON )  
BLVD., DENVER, 5, COLORADO )

PERMIT NO. B-3262

September 12, 1946

## S T A T E M E N T

**By the Commission:**

The Commission is in receipt of a communication from.....

Arthur Bauer

requesting that Permit No. ....B-3262.....be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

**O R D E R**

**THE COMMISSION ORDERS:**

That Permit No. B-3262, heretofore issued to \_\_\_\_\_

Arthur Bauer ..... be

and the same is hereby, declared cancelled effective July 31, 1946.

~~THE PUBLIC UTILITIES COMMISSION~~  
~~OF THE STATE OF COLORADO~~

Malcom Erickson

Ralph C. Horton

**Commissioners**

Dated at Denver, Colorado,

this 12th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
CHRIS KOUTZ AND WAYNE T. JONES, ) APPLICATION NO. 7782  
CRAIG, COLORADO, FOR CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY. )  
O - - - - -

- - - - -  
Sept. 10, 1946.  
- - - - -

Appearances: Worth F. Shrimpton, Esq., Craig,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

This matter, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Craig, Colorado, August 20, 1946, and taken under advisement.

Applicants, Chris Koutz and Wayne T. Jones, co-partners, herein seek authority to operate as motor vehicle common carriers for hire for the transportation, on call and demand, of trash, garbage, sand, gravel, and fertilizer in and within a radius of six miles of the Town of Craig, Moffat County, Colorado.

It appeared from the testimony that Mr. Koutz has been City Scavenger in Craig for a period of fourteen years; that in addition to handling garbage, trash, ashes, and similar commodities, he has hauled sand, gravel, and fertilizer in and within said radius of six miles of Craig; that until recently, he has been using horse-drawn equipment; that on account of increase in business he has purchased a truck, and has added an assistant, in the person of his step-son, Wayne T. Jones; that they have organized a partnership on a fifty-fifty basis, that is, they will contribute equally to the capital and expenses of the operation, and divide the profits, if any, equally.

It also appeared that the town has been growing rapidly; that sanitation problems have definitely increased, and it is essential that an

adequate, dependable, continuous scavenger service be maintained. The Board of Trustees of the town have authorized Mr. Koutz and Mr. Jones to perform this service, and an ordinance has been introduced, fixing the rates for such hauling, and providing for the employment of a city scavenger, who will be the applicants.

Harry Hansen, a trustee of the town, testified in support of the application and to the need for the service and the authorization by the town of applicants to furnish the same.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That public convenience and necessity require the proposed operation of applicants, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the operation by applicants as common carriers, on call and demand, by motor vehicle for hire, for the transportation of trash, garbage, sand, gravel, and fertilizer in and within a radius of six miles of the Town of Craig, Moffat County, Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

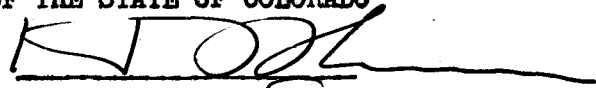


Applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date. .

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KENNETH A. THIEBOLT, WESTMINSTER, )  
COLORADO, FOR A CLASS "B" PERMIT TO ) APPLICATION NO. 7871-PP  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

-----  
Sept. 10, 1946.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to points within a radius of ten miles of Westminster, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Kenneth A. Thiebolt, Westminster, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for



hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to points within a radius of ten miles of Westminster, Colorado.


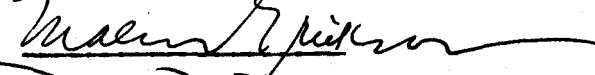
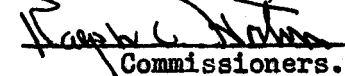
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JAMES F. HAMMOND, 1060 LOGAN STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7869-PP

-----  
Sept. 10, 1946.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That James F. Hammond, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making

up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

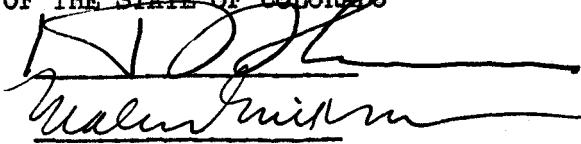
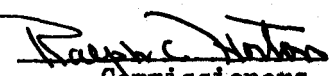
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
S. L. BROWN, FRASER, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 7870-PP

-----  
Sept. 10, 1946.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of fifteen miles of Fraser, Colorado, and from and to points in said area, to and from Denver, Colorado.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That S. L. Brown, Fraser, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of fifteen miles of Fraser, Colorado, and from and to points in said area, to and from Denver, Colorado.

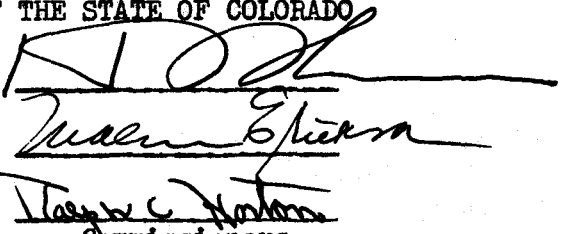
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 10th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
RALPH MILLER, OF 244 SOUTH ) PERMIT NO. B-2735  
QUITMAN, DENVER, 4, COLORADO )  
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-----  
September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2735, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Ralph Miller be, and he is hereby, authorized to suspend his operations under Permit No. B-2735, until February 14, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawman*

*Malcolm Erickson*

*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
W. H. WARNER, 833 ELATI STREET, ) PERMIT NO B-2962  
DENVER, COLORADO )  
-----)

-----  
September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit B-2962, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That W. H. Warner be, and he is hereby, authorized to suspend his operations under Permit B-2962, until December 5, 1946.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN SCHLEGEL, OF 10455 EAST ) PERMIT NO. B-3330  
COLFAX, AURORA, 8, COLORADO )  
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September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit B-3330, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That John Schlegel be, and he is hereby, authorized to suspend his operations under Permit B-3330, until December 5, 1946.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*

*Malcom Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
DURANGO OIL COMPANY, DURANGO, ) PERMIT A-3063  
COLORADO. )  
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-----  
September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit A-3063, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Durango Oil Company be, and they are hereby, authorized to suspend his operations under Permit A-3063, until December 9, 1946.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawan*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
EARL J. READY OF 915 SOUTH 3d ST., ) PERMIT NO. B-3041  
CANON CITY, COLORADO )  
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September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3041, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Earl J. Ready be, and he is hereby, authorized to suspend his operations under Permit B-3041, until November 3, 1946.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry R. Shouman*

*Malcolm Erickson*

*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN LEACH, 1047 KALAMATH STREET, ) PERMIT NO. B-1048  
DENVER, COLORADO )  
\* \* \* \* \*

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September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-1048 be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That John Leach be, and he is hereby, authorized to suspend his operations under Permit B-1048, until February 1, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawan*

*Malcolm Erickson*

*Ralph C. Horton*  
Commissioner

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
T. E. DOBBIE OF 1003 WEST ) PERMIT NO. B-916  
PIKES PEAK, COLORADO SPRINGS )  
COLORADO )  
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-----  
September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-916, be suspended for one year.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That T. E. Dobbie be, and he is hereby, authorized to suspend his operations under Permit No. B-916, until June 27, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawman*

*Malcolm Erickson*

*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
BILLIE J. WALL OF ROUTE 1, BOX ) APPLICATION NO. 6287-PP-BA  
15, SALIDA, COLORADO ) (Permit B-2959)  
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-----  
September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit B-2959, granted in Application No. 6287-PP-BA, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Billie J. Wall be, and he is hereby, authorized to suspend his operations under Permit B-2959, granted in Application No. 6287-PP-BA, until March 12, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Phowman*

*Malcolm Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
DENVER\*ALBUQUERQUE MOTOR TRANSPORT, )  
UNION NATIONAL BANK BUILDING, 100 )  
BROADWAY, DENVER, COLORADO )  
-----

P U C NO. 925-I

-----  
September 12, 1946  
-----

S T A T E M E N T

By the Commission:

On November 21, 1942, the Commission authorized Denver-Albuquerque Motor Transport to suspend operations under their Certificate of Public Convenience and Necessity No. 925-I, for the duration and six months thereafter from November 7, 1942.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate of Public Convenience and Necessity No. 925-I should be, and the same hereby is, reinstated as of September 12, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*

*Malcolm Erickson*

*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

S

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
WALTER C. HULL, 79 WASHINGTON ST., ) PERMIT NO. B-2521  
DENVER, COLORADO )  
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-----  
September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2521, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Walter C. Hull be, and he is hereby, authorized to suspend his operations under Permit No. B-2521, until January 19, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcolm Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado  
this 12th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
BYRON H. GATES OF 801 SOUTH ) PERMIT NO. B-3281  
CORONA STREET, DENVER 9, COLO. )  
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September 12, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above named permittee, requesting that Permit No. B-3281, be suspended for six months from June 6, 1946.

After careful consideration, the Commission is of the opinion, and so finds, that the request should be granted.

O R D E R

IT IS ORDERED:

That Byron H. Gates, of 801 S. Corona St., Denver, Colorado, be, and he is hereby authorized to suspend his operations under Permit B-3281 for six months from June 6, 1946.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcolm Erickson*

*Ralph C. Heston*  
Commissioners

Dated at Denver, Colorado,  
this 12th day of September, 1946.



1161NAH

(Decision No. 26704)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE RATE ON SUGAR FROM DELTA,  
COLORADO, TO DURANGO, COLO. }

CASE NO. 1585

-----  
September 10, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a petition from The Rio Grande Motor Way, Inc., by A. J. Tait, its Freight Traffic Manager, requesting authority to establish a rate of 52 cents per 100 pounds on sugar, minimum weight 30,000 pounds, from Delta, Colorado, to Durango, Colorado, not subject to any increase.

The petition states:

"Shipper advises that, under the present rate, shipments can be made more advantageously by privately owned trucks. In order to meet this competition, we respectfully request that the Commission will grant permission to publish the rate proposed above on less than statutory notice."

The present rate is 57 cents per 100 pounds subject to a minimum weight of 10,000 pounds.

The highway distance between Delta, Colorado, and Durango, Colorado, is 134 miles, and the earnings under the proposed rate would be 77.61 cents per ton mile and 116.41 cents per truck mile or 58.2 cents per truck mile on the basis of the round trip mileage.

The annual report of the Motor Way for the year 1945 shows that the average haul was 153.9 miles; the average freight revenue per ton mile was 7.43 cents and the average freight revenue per truck mile was 31.3 cents.

The earnings under the proposed rate appear to be just and reasonable.

Inasmuch as the Motor Way is the only authorized motor vehicle common carrier operating between the said points, we do not feel that a formal hearing is necessary.

#### Findings

The Commission finds that the request should be authorized and prescribed.

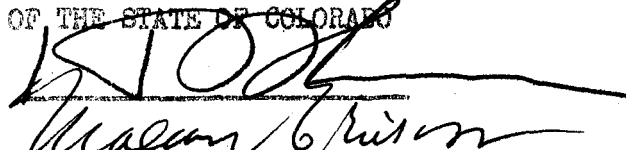
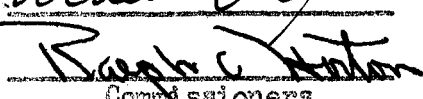
#### ORDER

IT IS ORDERED, That this order shall become effective forthwith; that a rate of 52 cents per 100 pounds on sugar in sacks, minimum weight 30,000 pounds, from Delta, Colorado, to Durango, Colorado, shall be published by the Rio Grande Motor Way, Inc., to become effective September 18, 1946, on notice to this Commission and the general public by not less than one (1) day's filing and posting in the manner prescribed in Section 46 of the Public Utilities Act; that on and after September 18, 1946, the Rio Grande Motor Way, Inc. shall cease and desist from demanding, charging and collecting rates and charges which shall be greater or less than the rate herein prescribed; that on and after September 18, 1946, private carriers by motor vehicle to the extent they are affected, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than the rate herein prescribed; that this order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of the Commission; that jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Dated at Denver, Colorado,  
this 10th day of September, 1946

JH

  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRED RUSSELL, 415 NORTH FOUNTAIN, )  
PUEBLO, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. A-411 TO JAMES )  
FRONEY AND PETE A. FRONEY, DOING )  
BUSINESS AS "FRED RUSSELL TRANSFER," )  
415 NORTH FOUNTAIN, PUEBLO, COLORADO. )

APPLICATION NO. 7884-PP  
(Transfer)

September 11, 1946

S T A T E M E N T

By the Commission:

On December 7, 1932, Fred Russell was authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

Freight between Pueblo and La Junta, Colorado.

On September 21, 1934, his authority was extended to include service:

Between Pueblo and Lamar, Colorado, and intermediate points, via U. S. Highway No. 50.

On January 15, 1937, his authority was extended to include the right to transport:

Newspapers, only, from Pueblo to Trinidad, via U. S. Highway No. 85, Pueblo to Salida via U. S. Highway No. 50, and Pueblo to Alamosa via U. S. Highway Nos. 85 and 160, with the right to serve all intermediate points.

On August 2, 1939, he was authorized to extend his operations to include the right to transport:

Newspapers and motion picture films, only, between Lamar and Eads, via Highway No. 59, and between Eads and Pueblo and all intermediate points, via Highway No. 96.

He now seeks authority to transfer said operating rights to James Froney and Pete A. Froney, doing business as "Fred Russell Transfer," Pueblo, Colorado.

From the application, it appears that transferees are co-partners, contributing equally to the capital of the partnership, and they are to share equally in the profits, if any.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to the account of transferees; that there are no outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are qualified to carry on the operations, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

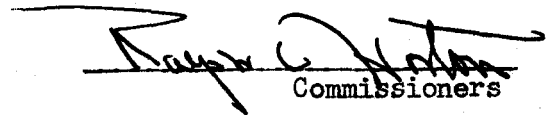
That Fred Russell, Pueblo, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-411 to James Froney and Pete A. Froney, doing business as "Fred Russell Transfer," Pueblo, Colorado.

That the tariff of rates, rules, and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit of transferor shall be transferred to the account of transferees.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 11th day of September, 1946.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MARTHA PETERSON, ADMINISTRATRIX OF )  
THE ESTATE OF OTTO PETERSON, DE- )  
CEASED, 1142 STEELE STREET, DENVER, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 89 TO DON C. PENNINGTON AND )  
MARY S. PENNINGTON, 768 SOUTH GRANT )  
STREET, DENVER, COLORADO. )

APPLICATION NO. 7774  
(Transfer)

September 12, 1946

Appearances: Clarence Werthan, Esq., Denver,  
Colorado, and  
Charles Osias, Esq., Denver,  
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

On May 17, 1928, by Decision No. 1771, Otto Peterson was authorized to operate a motor vehicle common carrier sightseeing service for the transportation of:

Passengers, over the following routes: Denver to Pikes Peak, Denver to Silver Plume, Denver to Denver Mountain Parks, Denver to Echo Lake and Denver to Mount Evans, with the provisos that he should not transport passengers to any intermediate points on the routes designated; that all service should be limited to sightseeing round-trip one-day operations; and that in performing the service authorized, he should be limited to the use of two automobiles.

Authority is sought by the above-styled application to transfer said operating rights to Don C. Pennington and Mary S. Pennington, Denver, Colorado, co-partners.

The matter was heard at Denver, Colorado, August 23, 1946, pursuant to prior setting and after appropriate notice to all parties in interest, and taken under advisement.

It there appeared that Otto Peterson died in Denver, Colorado, on April 5, 1946; that Martha Peterson, his widow, has been appointed administratrix of his estate by the County Court in and for the City and County of Denver, Colorado; that, with the consent of said Court, she has arranged a sale of said certificate to Don C. Pennington and Mary S. Pennington for the purchase price of Seven Hundred Dollars (\$700.00) in cash; that Mr. Peterson left no assets other than said certificate; that his operations under said certificate were continuous from time of issuance thereof until the war; that he did not operate during the period of hostilities, and did not resume operations in September, 1945, due to the short sightseeing season following the removal of O. D. T. restrictions; that petitioner, as administratrix, has not conducted any operations under said certificate because, as administratrix, she did not have funds to purchase the necessary equipment. She did not intend to abandon said operating rights, or any part thereof, but sought to procure a purchaser therefor, in view of the fact that she was employed, and, even though said operating rights were decreed to her by the Court, she would not be able to give the necessary time to that business.

Ten-mile tax deposit is to be transferred to the account of the transferees.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Martha Peterson, as administratrix of the estate of Otto Peterson, Deceased, Denver, Colorado, be, and she hereby is, authorized to transfer all her right, title, and interest in and to PUC No. 89 to

Don C. Pennington and Mary S. Pennington, co-partners, Denver, Colorado.

That the tariff of rates, rules, and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

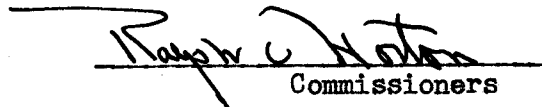
That ton-mile tax deposit be transferred to the account of transferees.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

DATED at Denver, Colorado,  
this 12th day of September, 1946.

EHC



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DENVER-SALT LAKE-PACIFIC STAGES, INC., )  
DENVER, COLORADO, FOR AUTHORITY TO )  
EXTEND OPERATIONS UNDER PUC NO. 761. )

APPLICATION NO. 3065-BB

IN THE MATTER OF THE APPLICATION OF )  
GEORGE A. BROWNING, DOING BUSINESS )  
AS "BROWNING BUS LINES," SALT LAKE )  
CITY, UTAH, FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY. )

APPLICATION NO. 7344

September 14, 1946

Appearances: Sid Pleasant, Esq., Craig, Colorado,  
for George A. Browning;  
T. A. White, Esq., Denver, Colorado,  
for Denver-Salt Lake-Pacific  
Stages, Inc.;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Comet Motor Express.

S T A T E M E N T

By the Commission:

By application filed March 5, 1946, Denver-Salt Lake-Pacific Stages, Inc., seeks to extend its operating authority under its certificate of public convenience (PUC No. 761) to include the right to transport passengers, baggage, mail, and express in intrastate and interstate commerce between Artesia, Colorado, and Rangely, Colorado, over Colorado State Highway No. 64, and/or over proposed cut-off extending from a point on U. S. Highway No. 40, about two miles east of "Pop's Place," (which is eight miles east of Artesia), south to Rangely, Colorado.

By application filed March 5, 1946, George A. Browning, doing business as "Browning Bus Lines," seeks authority to operate as a common carrier by motor vehicle for hire for the transportation, on schedule, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, between a point where the Utah-Colorado State

Line is intersected by U. S. Highway No. 40, and Rangely, Colorado, over U. S. Highway No. 40, between the State Line and Wiley's Resort, and State Highway No. 64 between Wiley's Resort and Rangely.

Said matters, pursuant to prior setting and after appropriate notice to all parties in interest, were heard at Craig, Colorado, April 9, 1946, and taken under advisement.

At the hearing, it appeared that Denver-Salt Lake-Pacific Stages, Inc., operates a bus line between Salt Lake City and Denver, Colorado, over U. S. Highway No. 40, and, in connection therewith, under certificate of public convenience and necessity from this Commission, transports passengers, baggage, mail, and express in intrastate commerce, between Denver, Colorado, and the Colorado-Utah State Line, via Craig, Colorado, serving all intermediate points, including Artesia; that, at the time of filing its application for service aforementioned, it applied to this Commission for authority to operate between Artesia and Rangely, pending disposition of its application herein.

It appeared that applicant, Denver-Salt Lake-Pacific Stages, Inc., as of date February 28, 1946, had gross assets of \$357,517.43; that, as of date of hearing, it was operating three schedules each way daily between Denver and Vernal, Utah, and four schedules daily between Vernal and Salt Lake City; that service, Denver to Salt Lake, is through service; that, when temporary service was inaugurated between Artesia and Rangely, four schedules were operated. One was discontinued, on account of inability to obtain storage space for bus or place where driver could be housed. Connection is made with interstate schedules at Artesia.

As of date March 19, 1946, the following time table was in effect:

*9	11	13	14	12	10
DLY	DLY	DLY	DLY	DLY	DLY
<u>AM</u>	<u>PM</u>	<u>PM</u>	<u>PM</u>	<u>PM</u>	<u>PM</u>

D 9:45 A s 2:30 P d 5:50 P Lv. Wiley's Resort Ar. a 8:00 P b 5:10 P a 1:15 P  
 10:45 A 3:30 P 6:50 P Ar. Rangely Lv. 7:00 P 4:10 P 12:15 P

- a - Delivers connections to Denver and intermediate points.
- b - Delivers connections to Salt Lake City and intermediate points.
- d - Receives connections from Denver and intermediate points.
- s - Receives connections from Salt Lake City and intermediate points."

Fare charged for the service is forty cents one way, seventy-five cents round trip. One hundred fifty passengers were handled during the first twenty days in March, on one hundred twenty trips.

Denver-Salt Lake-Pacific Stages has four 29-passenger A.C.F. busses, and two 29-passenger General Motor busses, but expects to use a 13-passenger Ford Pony Cruiser to conduct the operation until such time as larger equipment is needed. Trailers are maintained at Salt Lake City and Denver. Company is a member of the National Association of Bus Operators, and, through the National Bus Guide, all members of said organization throughout the United States will be made aware of the service between Rangely and Artesia, and can furnish connections from and to said points through connecting carriers at Salt Lake City and Denver. Busses operate out of said terminals from and to all points in the United States. Baggage, mail and express will be handled in the same vehicle with passengers. The same tariff for handling express will be in effect as is already in effect for express service over lines of applicant. U. S. Highway No. 40 is an oiled road in somewhat bad repair in spots. State Highway No. 64 is in very poor condition. It is very rough, due to the fact that it is inadequately surfaced, and has been subjected to general heavy traffic.

A number of witnesses testified to the extensive development program under way on the Rangely Structure, and in the community generally. Apparently, a large number of wells have been drilled on the structure, and approximately one hundred are being drilled. The structure appears to be a very large one, and drilling operation, uniformly, has been successful in obtaining oil. To time of hearing, no dry holes had been drilled. On account of inability to get lumber and other materials, it has been impossible to construct suitable housing facilities at Rangely and Artesia, so many oil workers live in Vernal and a large number of the workers employed at Rangely live at Artesia. Wiley's Resort, near the Utah Line - through which Denver-Salt Lake-Pacific operates from Artesia to Rangely, and reverse - is an old community. Some employees

of the oil companies also live there. In addition, Wiley's Resort boasts of a camp ground, a large night club and cocktail lounge, and other attractions.

Witnesses for Denver-Salt Lake-Pacific Stages, Inc., thought that connections should be made by bus operators with Denver-Salt Lake-Pacific busses at Wiley's Resort or at Artesia when the short-cut road is completed; that connecting service primarily is needed to Craig, on account of the fact that it is the chief supply point for the district and the nearest rail head, although some supplies are hauled in from Grand Junction, Salt Lake, and, to a minor extent, from Vernal. Numerous markets and restaurants are available in Vernal, and some residents of Rangely and Artesia go there to shop. Since January, interstate bus service operated under temporary authority from the I.C.C. has been operating between Vernal and Rangely,-- primarily to accommodate oil field workers and their families who reside at Vernal. No service was available between Craig and Rangely and Rangely service was inaugurated by Denver-Salt Lake-Pacific Stages, Inc., under temporary authority issued by the State Commission. Craig has a population of four thousand people, and bus service between Craig and Rangely definitely is needed for transportation of passengers, express, and mail. The passengers from and to the East can use the bus service of applicant between Denver and Craig, or train service over The Denver and Salt Lake Railway Company, which operates daily, seven days a week, and twice daily three times a week. Comet Motor Express operates a bus service between Craig and Grand Junction, and Clow operates a bus service between Rawlins, Wyoming, and Craig, Colorado. Also, connections can be made at Craig with said lines.

E. H. Weston, publisher of a newspaper at Rangely, C. A. Stoddard, newspaper publisher at Craig, Charles Gentry, manager of Cosgriff Hotel, A. L. Glasburn, merchant and Mayor of Craig, Ervin P. Beckett, wholesale distributor for Texas Company and Mayor-elect of Craig, all urged that the application of Denver-Salt Lake-Pacific Stages, Inc., be granted.

For George A. Browning, who seeks to serve between the State Line and Rangely, via Wiley's Resort, it appeared that he is a resident of Salt Lake City, Utah; that he entered the bus business in 1942, as operator of a bus line for the transportation of war workers between Salt Lake City and Ogden Arsenal Supply Depot; that he inaugurated operations between Vernal, Utah, and Rangely via Wiley's Resort, in January, 1946, under temporary authority expiring June 30, 1946, issued by the Interstate Commerce Commission, and obtained authority to operate in interstate and intrastate service under temporary letter from the Colorado Commission on January 7, 1946; that, primarily, he started the service to accommodate oil field workers and other people traveling between Rangely, Wiley's Resort, and Vernal; that, when the service was instituted, equipment still was very scarce and it was difficult for travelers to travel in privately-owned equipment; that he has two school-type busses,-- one a 22-passenger Ford, the other a 29-passenger Dodge; that he proposes to handle express, baggage, and newspapers if the authority sought is granted; that he has been handling express, interstate, from Vernal, Utah, to Dale's Market, Ace Cafe, Dinosaur Club, Slim's Cafe, and wells, located in Rangely, Wiley's Resort, or Artesia; that express is handled on only one schedule,-- that is, the schedule leaving Vernal at 1:30 p. m.; that he has been operating two schedules daily,-- one leaving Vernal at 6:30 a. m., arriving Rangely 7:30 a.m., the other leaving Vernal 1:30 p.m., arriving Rangely 3:00 p.m. In the reverse direction, schedules leave Rangely at 3:30 a.m. and 4:05 p.m., arriving Vernal, respectively, at 10:00 a. m. and 5:55 p.m. Vernal is 32 miles from Wiley's Resort, which is 23 miles from Rangely. Fares proposed are \$1.40 one way, Rangely to Vernal, with charge of \$2.50 for round trip. Rangely to Wiley's Resort or Artesia will be 65 cents one way, with a charge of \$1.15 for round trip. Thirty rides will be sold from Vernal to Rangely for \$17.50. Thirty rides from Rangely to Wiley's Resort or Artesia will be offered for \$10.00. Rates should not be frozen as it may be necessary, with further experience, to change the rates. Connections are made at Vernal

with Denver-Salt Lake-Pacific Stages, Inc., eastbound and westbound schedules. About fifty per cent of the persons patronizing the line are oil field workers. Report of Tickets Sold, which was Exhibit No. 1 at the hearing, showed the following:

\*January, 1946

	<u>One Way</u>	<u>Round Trip</u>	<u>Total Passenger Rides</u>
Vernal to Rangely	65	316	697
Artesia to Rangely	7		7

February, 1946

Vernal to Rangely	72	449	970
Artesia to Rangely	16		16

March, 1946

Vernal to Rangely	102	457	1016
Artesia to Rangely	19		19

Total passengers hauled between Vernal and Rangely  
for three months . . . . . 2683

Total passengers hauled between Artesia and Rangely  
for three months . . . . . 42 \*

Earning statement for the quarter, January 1 to March 31, 1946,  
being Exhibit No. 2 at the hearing, is as follows:

\*January

Passenger Income	\$522.96	
Express Income	<u>23.69</u>	
Total Income	\$546.65	
Expenses	<u>\$695.42</u>	
Loss		\$148.77

February

Passenger Income	\$688.42	
Express Income	<u>\$107.87</u>	
Total Income	\$796.29	
Expenses	<u>\$920.19</u>	
Loss		\$ 123.90

March

Passenger Income	\$729.84
Express Income	<u>123.38</u>

Total Income	\$853.22
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Expenses	<u>\$878.35</u>
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Loss	<u>\$ 25.13</u>
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Total Loss for Quarter . . . . . \$297.80 \*

Vane Robbins, of Vernal, Utah, testified that California Company men worked from 8:00 a. m. to 4:30 p.m.; that, on account of inability to find accommodations at Rangely, they were about to quit. Arrangements for living quarters were made at Vernal. California Company pays transportation charge for moving its men between Vernal and Rangely. About thirty employees of the company use the service, which was started at the request of E. G. Fritzler, Assistant Production Foreman for California Company. The two representatives of the California Company agreed that bus service for movement of men between Vernal and Rangely definitely is needed, and will be needed until such time as suitable living quarters are available at Rangely. It is possible that, even after such residences are constructed, large numbers of workers may desire to continue to reside in Vernal.

The Commission has just been informed that Mr. Browning, upon granting of authority for the interstate operation by the Interstate Commerce Commission, discontinued his operation between Vernal and Rangely, and does not intend to operate either interstate or intrastate. Therefore, it would seem that it is not necessary to pass on the question of whether public convenience and necessity do or do not require his operation, and that said application should be dismissed, without prejudice to his right to file a new application if he so desires.

F I N D I N G S

THE COMMISSION FINDS:

That application of George A. Browning, doing business as "Browning Bus Lines," Salt Lake City, Utah, should be dismissed, without

prejudice, and that public convenience and necessity require the proposed motor vehicle common carrier service of Denver-Salt Lake-Pacific Stages, Inc., as set forth in the Order following, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That the application of George Browning, doing business as "Browning Bus Lines," Salt Lake City, Utah, be, and the same hereby is, dismissed, without prejudice.

That public convenience and necessity require the extended motor vehicle common carrier service, on schedule, of Denver-Salt Lake-Pacific Stages, Inc., for the transportation of passengers, baggage, mail, and express, in intrastate and interstate commerce, between Artesia, Colorado, and Rangely, Colorado, over Colorado State Highway No. 64, and/or over proposed cut-off extending from a point on U. S. Highway No. 40 about two miles east of "Pop's Place," (which is eight miles east of Artesia), south to Rangely, Colorado; and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That the interstate authority hereby granted is subject to strict compliance by applicant with the provisions of the Federal Motor Carrier Act of 1935, as condition precedent to right to exercise said authority.

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

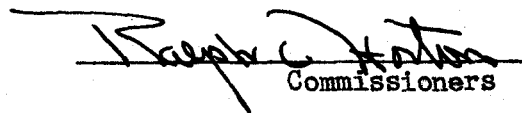
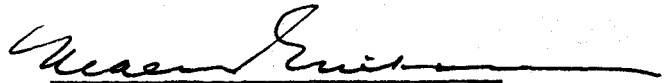
That applicant shall operate its carrier system according to the schedule filed except when prevented by Act of God, the public enemy, or extreme conditions.

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



Inasmuch as no carrier will be affected by said proposed operation, that this order be, and it hereby is, made effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 14th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CECIL MESTAS, 700 COMILLIOUS, )  
TRINIDAD, COLORADO, FOR A CLASS "A" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 7672-PP

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September 21, 1946  
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Appearances: Cecil Mestas, Trinidad, Colo-  
rado, pro se;  
Frank H. Hall, Esq., Trinidad,  
Colorado, for Pople Brothers.

S T A T E M E N T

By the Commission:

The above-styled matter was heard at Trinidad, Colorado,  
July 22, 1946, and taken under advisement.

Inasmuch as applicant has filed another application for similar  
service, the Commission is of the opinion, and finds, that the instant  
application should be dismissed.

O R D E R

THE COMMISSION ORDERS:

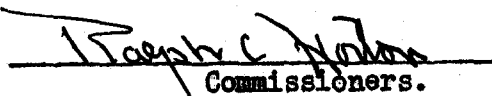
That the above-styled application should be, and the same  
hereby is dismissed.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of September, 1946.

mcw/

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DONALD W. TYNER, 222 GREENWOOD )  
AVENUE, SANON CITY, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A ) APPLICATION NO. 7770-PP  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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September 21, 1946.  
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Appearances: T. A. White, Esq., Denver,  
Colorado, Rio Grande Motor  
Way, Inc.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Colorado Springs, Colorado, August 15, 1946, at 10:00 o'clock A.M., due notice of the time and place of hearing being forwarded to parties in interest.

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

Thereupon, protestant, Rio Grande Motor Way, Inc., by its attorney, T. A. White, moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed for lack of prosecution.


O R D E R

THE COMMISSION ORDERS:


That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of September, 1946.

mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
FRANK J. MODICA, 1316 ARIZONA AVE., )  
TRINIDAD, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7671-PP

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September 21, 1946.  
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Appearances: Frank J. Modica, Trinidad,  
Colorado, pro se:  
Frank H. Hall, Esq., Trinidad,  
Colorado, for Pople Brothers  
Construction Company.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Trinidad, Colorado, July 22, 1946, and taken under advisement.

As limited by the testimony offered at the hearing, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of lumber from mills in the mountains west of Trinidad, to Trinidad and points in Las Animas County; coal from mines within a radius of ten miles of Trinidad to Trinidad and points in said area; wood from mills and forests west of Trinidad to Trinidad and points in said ten-mile radius; sand and gravel from supply points in Huerfano and Las Animas Counties to Trinidad; ashes and trash from Trinidad to dump grounds in the vicinity thereof.

At the hearing, it appeared that applicant, primarily, desires to haul lumber for a contractor, Roger Albo, from his sawmills in the mountains west of Trinidad, to Trinidad, for use in the contract operations of Albo. Sand and gravel also would be hauled to construction jobs in Trinidad, chiefly. Sand from Walsenburg would be river sand. Sand hauled from Trinidad might be river sand from the Purgatoire River,

or possibly some sand for hire from railheads, although applicant has been buying and selling the last-mentioned kind of sand.

Protestant stated that he did not have any particular objection to the granting of the authority sought if applicant would apply the rates prescribed for such service by the Commission. Otherwise, he believed the competition would be unfair and would tend to impair the common carrier service.

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

### F I N D I N G S

#### THE COMMISSION FINDS:

That said permit should issue, with the proviso that applicant, for the service to be performed thereunder, shall charge the rates prescribed by the Commission in all cases.

### O R D E R

#### THE COMMISSION ORDERS:

That ~~Frank~~ J. Modica, Trinidad, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of lumber from mills in the mountains west of Trinidad, to Trinidad and points in Las Animas County; coal from mines within a radius of ten miles of Trinidad, to Trinidad and points in said area; wood from mills and forests west of Trinidad, to Trinidad and points in said ten-mile radius; sand and gravel from supply points in Huerfano and Las Animas Counties, to Trinidad; ashes and trash from Trinidad to dump grounds in the vicinity thereof, applicant to charge the rates prescribed by the Commission in all cases.

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

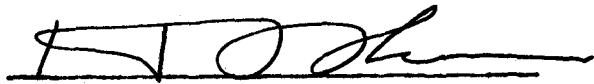
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers,

copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 21st day of September, 1946.

mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS )  
OF J. D. SIMMONS OF DOLORES, ) PERMIT B-1622  
COLORADO )  
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September 23, 1946  
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S T A T E M E N T

By the Commission:

On October 11, 1944, the Commission authorized J. D. Simmons to suspend operations under his permit B-1622 for the duration of the war and six months thereafter, from October 2, 1944.

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

F I N D I N G S

THE COMMISSION FINDS:

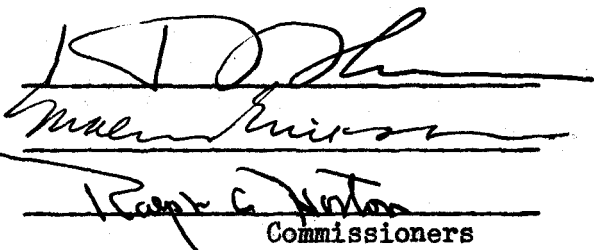
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-1622 should be, and the same hereby is, reinstated as of September 23, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado  
this 23d day of September, 1946.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
C. KEMPER OF 5549 SOUTH BROAD- ) PERMIT B-2412  
WAY, LITTLETON, COLORADO )  
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September 23, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2412, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. Kemper be, and he is hereby, authorized to suspend his operations under Permit B-2412, until January 26, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcolm Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado  
this 23d day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
ALFRED E. TURNER OF STEAMBOAT ) PERMIT NO. B-1636  
SPRINGS, COLORADO ) & B-1636-I  
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September 23, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-1636 and 1636-I, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.



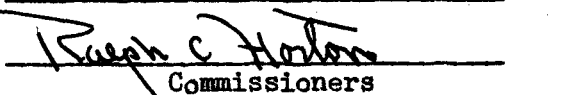
O R D E R

THE COMMISSION ORDERS:

That Alfred E. Turner be, and he is hereby, authorized to suspend his operations under Permit B-1636 and 1636-I, until February 8, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 23d day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
FRED J. KISSLER OF 1435 JAY ST., ) PERMIT B-2864  
DENVER 12, COLORADO )  
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September 23, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-2864, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.



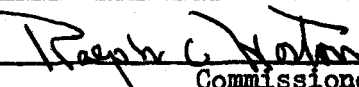
O R D E R

THE COMMISSION ORDERS:

That Fred J. Kissler be, and he is hereby, authorized to suspend his operations under Permit B-2864, until February 19, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
Commissioners

Dated at Denver, Colorado  
this 23d day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
IVAN B. MEEKS, 411 EAST 2ND, ) PERMIT NO. B-3097  
FLORENCE, COLORADO )  
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-----  
September 23, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3097, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.



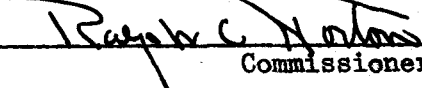
O R D E R

THE COMMISSION ORDERS:

That Ivan B. Meeks be, and he is hereby, authorized to suspend his operations under Permit B-3097, until February 25, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado  
this 23d day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
LILBURN MARVEL, 2255 INGALLS, ) PERMIT B-3240  
EDGEWATER, COLORADO )  
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September 23, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3240, be suspended for six months.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

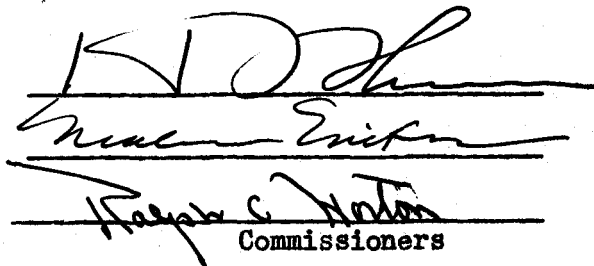
O R D E R

THE COMMISSION ORDERS:

That Lilburn Marvel be, and he is hereby, authorized to suspend his operations under Permit B-3240, until February 20, 1947.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado  
this 23d day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF )  
RUPERT BORDEN DOING BUSINESS AS )  
BORDEN TRANSPORTATION COMPANY, ) CERTIFICATE NO. 1384-I  
BOX 38, DURANGO, COLORADO )  
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September 23, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate holder, requesting that his Certificate of Public Convenience and Necessity, be suspended for six months from August 2, 1946.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

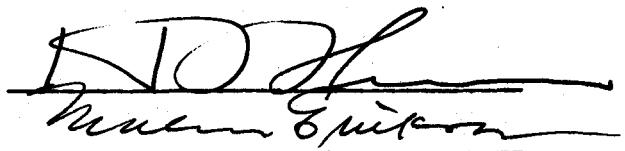

O R D E R

THE COMMISSION ORDERS:

That Rupert Borden doing business as Borden Transportation Company, be, and he is hereby, authorized to suspend his operations under Certificate of Public Convenience and Necessity No. 1384-I, until February 2, 1947.

That unless said Borden Transportation Company shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all rules and regulations of the Commission applicable to Common Carrier certificates, said certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
  
Commissioners

Dated at Denver, Colorado  
this 23d day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
ARTHUR E. GAINES, JR., DOING BUSINESS )  
AS "DENVER-FLAGLER TRUCK LINE," )  
FLAGLER, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY. )  
-----

APPLICATION NO. 7740

-----  
September 20, 1946.  
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Appearances: Truman A. Stockton, Jr., Esq., Denver,  
Colorado, for applicant;  
William V. Hodges, Esq., Denver,  
Colorado, for Chicago, Rock Island &  
Pacific Railway Company.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Denver, Colorado, August 23, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire for the transportation of general commodities, except livestock, between Denver, Colorado, on the one hand, and, on the other, Flagler, Colorado, and points in Kit Carson County within a radius of fifteen miles of Flagler, via U. S. Highways Nos. 40 and 24, and certain unnumbered highways from and to points in said fifteen-mile radius of Flagler, to and from U. S. Highway No. 24.

It appeared that applicant has a net worth of approximately \$13,000.00, including a 1941 Chevrolet truck, equipped with 13' body. In the event certificate issues, he expects to institute a three-times-weekly service between Flagler and Denver, leaving Denver in the evening on Mondays, Wednesdays, and Fridays, arriving Flagler in the morning on Tuesdays, Thursdays and Saturdays, and on the return trip, leaving Flagler about noon on Tuesdays, Thursdays, and Saturdays. It appeared that while Denver-Limon-

Burlington Transportation Company has authority to serve Flagler, said service has been furnished only intermittently, and sometimes long intervals occur between service; that the service is very unsatisfactory; that the Rock Island Railway, since removal of O.D.T. restrictions, has been furnishing l.c.l. service into Flagler out of Denver, and handles livestock from the area to Denver; that their operation probably will take some business from the railroad.

A large number of residents of Flagler testified in support of the application, and to the effect, generally, that the service is needed in said community.

J. A. Fruing, of Flagler, stated that he is a Chevrolet and implement dealer; that he had been in business twenty-two years; that when truck service is furnished, shipments from Denver frequently are carried by; that they often are badly damaged, and when left in Flagler, lay on the dock for a week before delivery is made; that it takes from three days to a week to get a shipment by truck from Denver; that the truck line refused to pay damage claims for concealed damage; that rail service is good, except it is slower than truck service; that he has known the applicant for twenty-five years, and has found him, in all respects, to be dependable and believes that he is qualified and able to carry on the operation.

Royal Kyle, of Flagler, a farmer who is manager of the Cooperative Gas, Oil, and Grease and Feed Store, Ted Riehan, manager of Colorado Lumber and Coal Yard of Flagler, Levi Miller, manager of Gamble Store in Flagler, which handles dry goods and hardware, James Bohm, a farmer who ships eggs from Flagler to Denver, N. C. Winterwood, who operates a grocery and meat market, Herbert L. Harris, a Blacksmith, Millard Peterson, a garage proprietor, Thomas E. Albert, in the grocery and meat business, M. P. Williams, who handles drugs and liquors, Leon Lavington, Jr., a Ford dealer, Mr. Brandenburg, a farmer, Mr. Hassacker, a farmer, Cecil E. Jackson, a grocery and hardware dealer, J. W. Shaw, who operates a Firestone Store - all residents, farmers,



and businessmen in Flagler and immediate vicinity - by stipulation, were registered as testifying in the same general way as Mr. Fruing. Mr. Brandenburg and Mr. Hassacker ship eggs by truck at times. They have found that they sometimes lay on the dock at Flagler for a week before being shipped to Denver.

Mr. Williams in the drug business, testified that he preferred to ship drugs and liquor by truck out of Denver, because it is a short haul and faster than rail service, and he has become accustomed to such service during the period of time that O.D.T. stopped local service by rail. The rail service out of Kansas City is much better than the rail service out of Denver, although Kansas City is much farther from Flagler than Denver.

Thomas D. Cell, City Freight Agent for the Chicago, Rock Island and Pacific, testified in opposition to the granting of the authority sought. He stated that freight for Flagler was handled out of Denver on a freight train, leaving at 6:30 P.M.; that at Limon it was transferred to another train, either No. 91 or No. 97, for Flagler; that freight service for Flagler was thrice weekly - Tuesdays, Thursdays and Saturdays; that freight was picked up at Flagler on Mondays, Wednesdays, and Fridays, by a local, and handled to Limon, train leaving about 4:30 A.M.; that at Limon it was picked up by another train and handled into Denver; that the railroad handles eggs, cream, and other commodities moving by express; that it is unable to handle perishables on account of the fact that the Railway Express service, which handles pickup and delivery service for the railroad in Denver, has been too busy to handle said commodities promptly. He thinks that the granting of the authority sought will take business from the railroad.

Upon the record made, we are unable to say that the common carrier service by rail or motor available between Denver and Flagler and points within a radius of fifteen miles of Flagler, is adequate, or can be made adequate under the direction of the Commission. The Denver-Limon-Burlington Line did not appear in opposition to the granting of the authority sought. If the service is as bad as represented by the witnesses, it is easy to

understand why they did not appear. So far as the record discloses, that service cannot be bettered.

The railroad, admittedly, is unable to handle perishable commodities which are needed by stores in Flagler and their customers. The people of Flagler, like other communities, are entitled to a complete carrier service. We cannot say that service thrice weekly by rail, as indicated, with the delay due to shifting of freight at Limon, is adequate. People have become accustomed to fast service. Most commodities are in short supply. When available, they can be obtained only in small quantities. Ordinarily, customers are waiting for them. The railroad could not be expected to increase its service by adding new schedules, or otherwise, to care for limited local service. Emphasis, naturally, must be placed on through service, but when that is done, the railroads must expect competition from truck service to all local points - at least, the people of Flagler are entitled to a choice of service.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That common carrier service now available in the territory applicant seeks to serve is not adequate, and cannot be made adequate under the direction of the Commission, and that public convenience and necessity require the granting of the authority sought.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the motor vehicle common carrier transportation service of applicant, on schedule, for the transportation of general commodities, except livestock, between Denver, Colorado, on the one hand, and, on the other, Flagler, Colorado, and points in Kit Carson County within a radius of fifteen miles of Flagler, via U. S. Highways Nos. 40 and 24, and certain unnumbered highways, from and to points in said fifteen-mile radius of Flagler, to and from points on U. S.

Highway No. 24, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

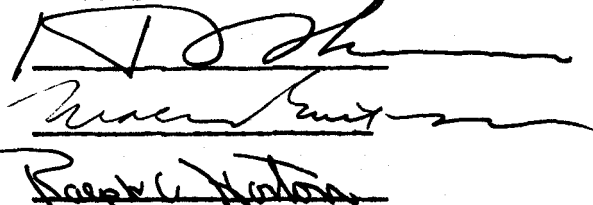
Applicant shall file tariffs or rates, rules and regulations and time and distance schedules, as required by the rules and regulations of this Commission within twenty days from date.

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

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
WALTER L. EMORY, 3147 WEST WALSH, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7747-PP

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Sept. 20, 1946.  
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Appearances: Myron H. Burnett, Esq., Denver,  
Colorado, for The Colorado  
Motor Carriers' Association;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado,  
Marion F. Jones, Esq., Denver, and  
E. A. Small, Jr., Esq., Denver,  
Colorado, for Comet Motor Express,  
Yuma County Transportation  
Company and Martin Stutheit.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Denver, Colorado, August 8, 1946, at 10:00 o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

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

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the motion of protestants should be granted and the application dismissed for lack of prosecution.

O R D E R

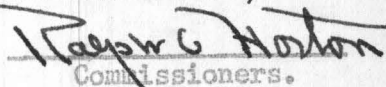
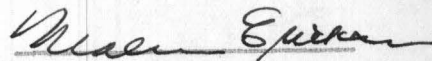
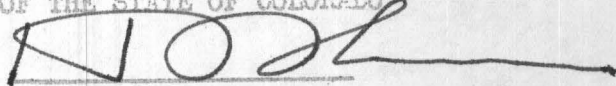
THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby

is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
PETE J. TRABUCCO, 804 WEST FOURTH )  
FLORENCE, COLORADO, FOR AN EXTENSION )  
OF PERMIT NO. B-3299. )  
----- )  
APPLICATION NO. 7767-PP  
Extension

-----  
Sept. 23, 1946.  
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Appearances: A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and  
Storage Company;  
Fred Hayden, Walsenburg, Colorado,  
for Hayden Transfer & Storage  
Company;  
A. L. Levy, Walsenburg, Colorado,  
for Levy's Transfer & Storage.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Walsenburg, Colorado, on August 12, 1946, at 9:30 A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the motion of protestants should be granted, and the application dismissed for lack of prosecution.

O R D E R

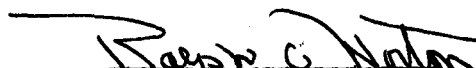

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is

dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of September, 1946.

BH



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
PHILLIP COZZIE, AGUILAR, COLORADO, )  
FOR A CLASS "A" PERMIT TO OPERATE AS ) APPLICATION NO. 7377-PP  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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September 21, 1946  
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Appearances: Phillip Cozzie, Aguilar, Colo-  
rado, pro se;  
L. M. Rhodes, Denver, Colorado,  
and  
A. J. Fregeau, Denver, Colorado  
for Weicker Transfer and  
Storage Company;  
Angelo Baudino, Aguilar, Colo-  
rado, for Baudino Transfer.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Trinidad, Colorado, April 17, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of beer between Trinidad and Aguilar and intermediate points, over U. S. Highway No. 85.

At the hearing, it appeared that applicant has been hauling beer for hire for a period of more than six months prior to the hearing, without authority; that he has not been charging the rate prescribed by the Commission for said service, but has been applying a rate, of twenty cents a case of forty-eight pounds; that the volume sometimes has amounted to one hundred cases.

✓ It appeared that two line-haul carriers operate between Trinidad and Aguilar — Baudino Transfer and Weicker Transfer and Storage Company.



Baudino makes three trips weekly. In addition, it is agent for Weicker, which operates two to three trucks daily between Trinidad and Aguilar. Ordinarily, Weicker trucks are empty, north-bound. The Brewery is contacted every morning before trucks leave, to get such business as may be available.

The testimony definitely showed that the granting of the authority sought will tend to impair the efficiency of the line-haul common carrier motor vehicle service of Weicker and Baudino, and for that reason the permit cannot be granted.

Moreover, we cannot consistently grant a permit to one who has, knowingly, persistently hauled for hire without obtaining the authority required by law.

#### FINDINGS

##### THE COMMISSION FINDS:

That the application should be denied.

#### ORDER

##### THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado  
this 21st day of September, 1946.

mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN D. SELLS, BOX 85, YAMPA, COLO- )  
RADO, FOR A CLASS "A" PERMIT TO OP- )  
ERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 7777-PP

-----  
September 21, 1946 .  
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Appearances: John D. Sells, Yampa, Colo-  
rado, pro se;  
Dan Lorenz, Esq., Steamboat Springs,  
Colorado, for R. E.  
Farrington and R.E.  
Farrington, Jr.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of logs and lumber from forests within a radius of twenty miles of Yampa, to Yampa, and lumber from sawmill in Yampa to Barr Lumber Yards in Denver, over Colorado Highway No. 131 and U. S. Highway No. 40.

Said application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Steamboat Springs, Colorado, August 19, 1946, and taken under advisement.

It there appeared that applicant, for some time, has been hauling logs from forests near Yampa over privately-owned roads to a mill in Yampa, operated by one "John Scavo," for the owner, The Standard Lumber Company of Denver; that it has not been necessary to have private carrier authority to perform such service, but sawing crews expect to move to new location within said twenty-mile radius soon, when it may be necessary to use county roads to get to the mill; that, occasionally, Brown, a private carrier who has been hauling lumber from Yampa to Denver for The Standard Lumber Company, is unable to handle the volume turned out by the mill; that on such occasions, if the weather happens to be such that he is unable to haul from the

forests, applicant wants to be in a position to haul a load to Denver.

Yampa Transfer, the common carrier, operated by Farringtons, with call and demand service in the area, does not have the equipment necessary to handle the business. Current haul is seven miles. It is necessary to make three to four round trips daily, six days out of the week.

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

Mr. Lorenz, who appeared as counsel for Farringtons, stated that he had been informed that they had two trucks, and could handle the business; that they do not have authority to haul lumber to Denver.

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

The testimony did not show that the service of Yampa Transfer is adequate, or that the granting of the authority sought will tend to impair the efficiency of such operation — whether it is or is not adequate. If the service is inadequate, permit should issue, whether the efficiency thereof is or is not impaired — and even though the service is adequate, permit should issue, unless the testimony develops and shows that the efficiency of the common carrier's public service will be impaired if the authority sought is granted.

#### FINDINGS

##### THE COMMISSION FINDS:

That the granting of the authority sought will not tend to impair the efficiency of service of any motor vehicle common carrier now serving the area, and that the application should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

The John D. Sells, Yampa, Colorado, be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of logs and lumber from forests within a radius of twenty miles of Yampa, to Yampa, and lumber from sawmill in Yampa to Barr Lumber Yards in Denver, over Colorado Highway No. 131

and U. S. Highway No. 40.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

A handwritten signature in dark ink, appearing to be "R. D. Sh...", written over a horizontal line.A handwritten signature in dark ink, appearing to be "Maurice Epstein", written over a horizontal line.A handwritten signature in dark ink, appearing to be "Ralph C. Norton", written over a horizontal line. Below the line, the word "Commissioners." is printed.

Dated at Denver, Colorado,  
this 21st day of September, 1946.

mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
ORANGE FELLOWS, 338 WEST SIXTH ST., )  
PALISADE, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 7555-PP

Sept. 20, 1946.

Appearances: E. B. Underhill, Esq., Grand  
Junction, Colorado, for applicant;  
T. A. White, Esq., and A. J. Tait,  
Denver, Colorado, for Rio Grande  
Motor Way, Inc.;  
Cecil S. Haynie, Esq., Grand Junction,  
Colorado, for W. R. Hall Transporta-  
tion Company and E. C. Pound;  
M. H. Burnett, Esq., Denver, Colorado,  
for the Common Carrier Division of  
The Colorado Motor Carriers  
Association and J. W. Hayden;  
J. P. Helman, Esq., Grand Junction,  
Colorado, for Gibson Brothers;  
Wayne Aspinall, Esq., Grand Junction,  
Colorado, for George Bunte.

S T A T E M E N T

By the Commission:

Orange Fellows, applicant herein, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm machinery, packed peaches, packed pears, packed cherries, packed apricots, box shoo, fruit baskets, barnyard fertilizer, fruit orchard and harvesting supplies, between points within a 35-mile radius of Palisade, Colorado, over Highways 24, 6 and 50, and connecting roads and highways.

The above application was set for hearing at Grand Junction, Colorado, on June 4, 1946, and there taken under advisement.

The evidence disclosed that applicant is the owner of a 1945 Diamond "T" 2½-ton truck, equipped with grain body, and has previously operated under a "C" permit. He now desires to haul for hire.

Applicant testified that he desired to haul fruits of all kinds from farms to packing sheds; coal from mines to his customers in Mesa County; farm machinery from farm to farm, and furniture from Palisade and from farm to farm in the Palisade area. He further stated that he would not perform any town to town service in competition with line-haul common carriers.

Applicant produced some witnesses, among whom were the following: James Quarey, a farmer living four miles from Palisade, who stated that service in the past was not adequate and he felt the service of applicant was needed. Edwin T. Roe, who operates a truck coal mine, stated that the service of applicant was needed in the delivery of coal, as coal delivery had not been entirely satisfactory in the past, and he felt there was a definite need for applicant's service. John R. Viedemeyer, who operates a farm some three miles south of Palisade, stated that he felt there were not sufficient trucks in the area to handle the business during the fruit season and that conditions for getting transportation had been bad in the past.

W. R. Hall, who holds Certificate No. 345, with authority in Mesa, Garfield and Delta Counties and who maintains a general cartage business, specializes in the hauling of fruit during the harvest season, and who further specializes in hauling furniture and farm machinery, also E. C. Pound who holds Certificate No. 1517, which authorizes the transportation of farm products within a 50-mile radius of Grand Junction, testified that the granting of the proposed application would impair their operations and they felt there were sufficient carriers to adequately take care of the business. Both witnesses stated that they were compelled to carry surplus equipment to take care of the rush season throughout the year.

D. H. Baker and A. J. Tait, of Rio Grande Motor Way, Inc., vigorously protested the granting of all authority except coal, stating that they had a large investment, ample equipment, and that their present operations were conducted at a loss; that if further authority were granted to other carriers, they would be forced to curtail their present service.

The Commission realizes that in the past, service by authorized

common carriers has not been maintained at a standard the Commission and the shipping public would like to see. This condition has been brought about largely by conditions over which the carrier has no control. He has faced shortages of equipment, especially tires, experienced labor has been difficult, if not impossible, to obtain. New trucks are now becoming available and experienced drivers are being discharged from the Army daily, and the service of motor vehicle common carriers in Colorado has likewise improved. Protestants are entitled to the opportunity to improve their service, the standard of which was lowered by conditions over which they had no control.

In view of the evidence submitted and the record made at the hearing, the Commission feels that applicant has failed to make the required showing justifying the granting of the authority he seeks, as he has failed to show that the service in the area sought to be served is not adequate, nor has he shown that his proposed service would not impair the efficiency of the presently authorized common carriers.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That applicant has failed to justify the granting of private carrier authority, as set out in the application herein, and further finds that said application should be denied.

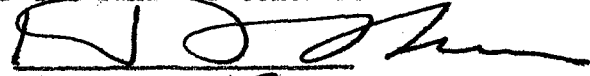
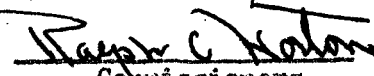
#### O R D E R

##### THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Warren Spickard  
  
Ralph C. Koton  
Commissioners.

Dated at Denver, Colorado,  
this 20th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
MERL W. FORNOFF, 2704 WEST WESTLEY, )  
DENVER, COLORADO, FOR AN EXTENSION )  
OF PERMIT NO. B-3323. )

APPLICATION NO. 7761-PF  
Extension

-----  
Sept. 23, 1946.  
-----

Appearances: Merl W. Fornoff, 2704 West Westley,  
Denver, Colorado, pro se;  
Lester Smith, Sterling, Colorado,  
pro se;  
H. C. Rorabaugh, Otis, Colorado,  
pro se;  
William Blankenbeckler, Sterling,  
Colorado, pro se;  
John L. Hartway, Peetz, Colorado,  
pro se;  
E. F. Anderson, Akron, Colorado,  
for Akron Truck Line;  
Paul Hickman, Yuma, Colorado,  
for Yuma County Transportation  
Company;  
Martin Wilshusen, Yuma, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

Applicant herein is authorized, under Permit B-3323, to operate as  
a Class "B" private carrier by motor vehicle for hire for the transportation of:

Sand, gravel, and other materials used in making up  
the surface of the roads, from pits and supply points  
in the state of Colorado to jobs within a radius of  
fifty miles of said pits and supply points, excluding  
service in Boulder, Clear Creek, and Gilpin Counties;  
coal from mines in the northern Colorado coal fields  
to Denver and to points within a radius of five miles  
of Denver.

He now asks for an extension of his authority to include the trans-  
portation of farm produce between points within a fifty-mile radius of Peetz,  
Colorado, and from and to points in said area to and from other points in the  
State of Colorado

The matter was set for hearing at Sterling, Colorado, on August 9,  
1946, and there taken under advisement.



Applicant testified that he is the owner of a 1939 1½-ton truck and desires to haul farm produce in the Peetz area. He stated there was a need for transportation of grain, and he would also like to haul livestock. He has no customer list filed and would like to serve anyone who might request his service. No shipper witnesses or customers testified as to the need for his service. Many protestants appeared in opposition to the granting of additional authority, stating that the granting of additional authority in the area sought to be served by applicant, would impair their present service.

Lester Smith, who operates PUC 1276 and resides at Sterling, Colorado, stated that he owns 4 pieces of equipment and that part of his equipment stands idle most of the year.

John L. Hartway, who operates PUC 870 and who resides at Peetz, Colorado, protested very vigorously, as the proposed authority would be in direct competition with his operation. He further stated that he was unable to keep his two pieces of equipment busy, and he felt the granting of this authority would definitely impair his service. Other witnesses testified, and applicant amended his application by eliminating some of the territory sought.

In considering the above application, the Commission cannot grant applications upon the desire of applicant to go into the trucking business. Some definite need for his service must be shown, and the authority so granted should not be such as would impair the efficiency of authorized motor vehicle service. It appears to the Commission that applicant has failed to meet the requirements of the statute for the granting of private carrier permits.

After careful consideration of the record and the evidence submitted, the Commission is of the opinion, and finds, that the above-entitled application should be denied.

#### ORDER

#### THE COMMISSION ORDERS:

That the above-entitled application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GORDON TEGELS, 11937 EAST COLFAX, )  
AURORA, COLORADO (Mailing Address, )  
Steamboat Springs, Colo., C/o Colo- )  
rado construction Co.), FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER FOR THE TRANSPORTATION OF )  
SAND, GRAVEL, AND OTHER ROAD SUR- )  
FACING MATERIALS FROM PITS AND )  
SUPPLY POINTS IN COLORADO TO ROAD )  
AND BUILDING CONSTRUCTION JOBS )  
WITHIN A RADIUS OF 50 MILES OF SAID )  
PITS AND SUPPLY POINTS, EXCLUDING )  
SERVICE IN BOULDER, CLEAR CREEK, )  
AND GILPIN COUNTIES; COAL FROM MINES )  
IN NORTHERN COLORADO COAL FIELDS TO )  
DENVER AND TO POINTS WITHIN A RADIUS )  
OF FIVE MILES OF DENVER; BRICK AND )  
CINDER BLOCKS FROM DENVER TO AURORA, )  
COLORADO. )

APPLICATION NO. 7697-PP

September 23, 1946

Appearances: A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer & St. Co.;  
Myron H. Burnett, Esq., Denver,  
Colorado, for Common Carriers'  
Division of CMCA, Orville  
Jenkins, and Cecil Foster;  
Harold Swena, Golden, Colorado,  
for Swena Transfer & Trucking Co.

S T A T E M E N T

By the Commission:

The above matter was re-set for hearing at Denver on August 30, 1946, having first been set for hearing at Denver on July 29, 1946.

The applicant did not appear, either at the first hearing or at the re-setting thereof, although duly notified thereof.

Mr. Myron H. Burnett moved that the application be dismissed for lack of prosecution, and stated that he had witnesses present who

were willing to testify in protest of the application. All other appearances joined in the motion.

Applicant has had two opportunities to appear in support of his application, and the Commission is of the opinion that he has been granted sufficient opportunity to present facts in support thereof.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the instant application should be dismissed for lack of prosecution.

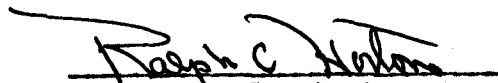
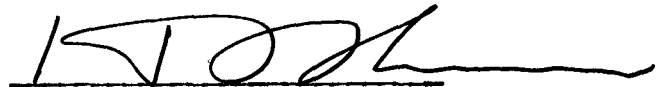
### O R D E R

#### THE COMMISSION ORDERS:

That Application No. 7697-PP of Gordon Tegels, Aurora, Colorado, is hereby dismissed for lack of prosecution.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 23d day of September, 1946

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE E. BROWN, 2816 WEST PLATTE )  
AVENUE, COLORADO SPRINGS, COLORADO )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 7776-PP

September 23, 1946

Appearances; George E. Brown, Colorado Springs,  
Colorado, pro se;  
Thomas M. Burgess, Esq., Colorado  
Springs, Colorado, for Midland  
Terminal Railway, Colorado  
Transfer and Trading Company.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Colorado Springs, Colorado, August 15, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, cement, cement blocks, lumber, coal, dirt, rock, and oil mix between points in El Paso County, and from and to points in said county, to and from points in Teller, Fremont, and Pueblo Counties.

At the hearing, it appeared that applicant proposes to transport sand, gravel, cement, dirt, rock, and oil mix between points in El Paso County, there being a demand on the part of his customers for the movement of said commodities in the Colorado Springs area and for highway in El Paso County. Cement blocks and lumber will move in Colorado Springs and El Paso County areas, only, but coal will move from Florence-Canon City Coal Fields to points in El Paso County. The requests for service in Teller and Fremont Counties were withdrawn at the hearing.

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

Objections were withdrawn by Mr. Burgess to the issuance of permit, as limited.

It did not appear that the proposed operation will impair the efficiency of any adequate common carrier service in El Paso County.

### F I N D I N G S

#### THE COMMISSION FINDS:

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

### O R D E R

#### THE COMMISSION ORDERS:

That George E. Brown, Colorado Springs, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, cement, cement blocks, lumber, coal, dirt, rock, and oil mix between points in El Paso County, and to and from points in said county from and to points in Pueblo County.

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

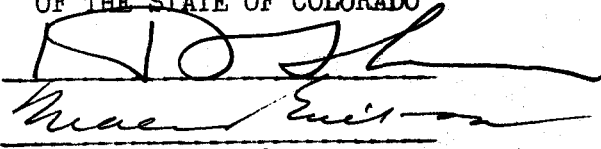
That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

That this order shall become effective twenty days from date.

DATED at Denver, Colorado,  
this 23d day of September, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Ralph C. Horton  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
NELSON YOUNG, 621 S. PERRY, DENVER, ) APPLICATION NO. 7763-PP  
COLORADO, FOR AN EXTENSION OF PERMIT ) Extension  
NO. B-3351. )  
-----

-----  
Sept. 23, 1946.  
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Appearances: Nelson Young, 621 S. Perry St.,  
Denver, Colorado, pro se;  
Martin Wilshusen, Yuma, Colorado,  
pro se;  
Lester Smith, Sterling, Colorado,  
pro se;  
H. C. Korabaugh, Otis, Colorado,  
pro se;  
Harry Atteberry, Akron, Colorado,  
pro se;  
E. F. Anderson, Akron, Colorado,  
for Akron Truck Line;  
Paul Hickman, Yuma, Colorado,  
for Yuma County Transportation  
Company.

S T A T E M E N T

By the Commission:

Applicant herein is the holder of Permit No. B-3351, and now seeks an extension of said permit to include the transportation of grain from farms to market and storage points in Kit Carson, Washington, Yuma, Phillips, Sedgwick and Logan Counties, during the harvest season, only.

The matter was set for hearing on August 9, 1946, at Sterling, Colorado, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is now located at Stratton and was issued temporary authority by the Commission to haul grain during the harvest season, only. It was further disclosed that he hauled grain in Kit Carson and the authorized four miles in Yuma County; that his services are needed for this hauling, and that the common carriers have not been able to take care of the rush season.

Protestants objected to the granting of any additional authority for the hauling of grain, admitting, however, that it had been impossible to

take care of the grain during the past two harvest seasons.

The Commission has granted, under protest, several private carrier permits for the hauling of grain from farms to market, feeling that this might be the proper method of handling the harvest of the grain crop.

In his application, applicant states that he desires this authority for the harvest season, only. This year he was given a letter of temporary authority for the grain harvest, and if the crop warrants it, next year, if we are to judge from the past two years, we will again give temporary authority, as we all realize that this grain must move.

Applicant presented no shipper witnesses. No showing was made as to the individual need for applicant's service. Applicant, in making his case, relied entirely upon the general assumption that trucks were needed during the harvest season. In view of the protests and statements made by protestants, we cannot see how the Commission is justified in granting private carrier permits on the showing made in the instant case. Protestants pointed out in their evidence that for the past two years they have had bumper crops, and in ordinary or bad years there are more common carriers than business. In view of the further fact that many private carriers have been authorized during the past few months by the Commission, we feel that unless a clear and definite need is shown, further authority should not be granted in this area.

After a careful consideration of the record and the evidence submitted, the Commission is of the opinion, and finds, that the proposed extension of applicant should be denied.

#### O R D E R

#### THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, denied.

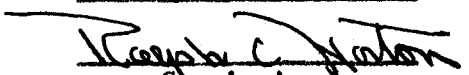


This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANCIS R. BOSLEY, ROUTE 1, BOX 85, )  
LAS ANIMAS, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 7835-PP

-----  
September 23, 1946  
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Appearances: Francis R. Bosley, Las  
Animas, Colorado, Pro se;  
Robert L. Harris, Las Animas,  
Colorado, for Las Animas  
Transfer;  
R. S. Thompson, Kim, Colorado,  
pro se, and for James  
Richardson;  
E. B. Evans, Esq., Denver,  
Colorado, for A. R. and  
R. F. Lee.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

As limited by the testimony offered at the hearing, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, except livestock and dairy products, between points within a radius of twenty-five miles of Las Animas, Colorado.

There was no objection to the issuance of authority sought, as limited.

It appeared that, primarily, applicant would haul hay to the alfalfa mills for processing, and to feeding yards from farms in the area. Small grain in bulk would move during harvest, chiefly, and corn will move during the corn-shelling season to markets, storage points and elevators in the area. Beets, melons, onions, and similar commodities will be handled from the farms to sheds, storage, and ship-

ping points.

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

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Francis R. Bosley, Las Animas, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, excluding livestock and dairy products, between points within a radius of twenty-five miles of Las Animas, Colorado.

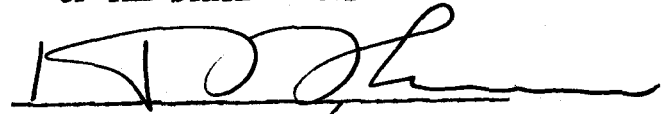

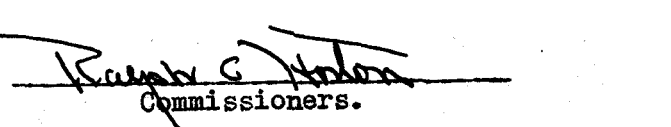
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN FEIK, ROUTE 2, LAS ANIMAS, )  
COLORADO FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7834-PP

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September 23, 1946  
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Appearances: John Feik, Las Animas, Colo-  
rado, pro se;  
Robert L. Harris, Las Animas,  
Colorado, for Las Animas  
Transfer;  
R. S. Thompson, Kim, Colorado,  
pro se, and for James  
Richardson;  
E. B. Evans, Esq., Denver,  
Colorado, for A. R. and  
R. F. Lee.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay — loose, baled, and ground — grain, beets, and beet pulp ( wet and dry) between points within a radius of forty miles of Las Animas, Colorado.

It appeared that, chiefly, his operation would be the handling of grain, during harvest and corn-shelling time, from fields to storage and feeding points in said area; that he would not handle sacked grain between points served by line-haul motor vehicle common carriers operating on schedule; that hay would move from fields to alfalfa mill at Lamar, Holly, and other points in the area; that ground hay would move from alfalfa mill to Lamar and to feeders in the district.

Beets would be hauled from fields to beet dumps.

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

There was no objection to the issuance of permit, as limited.

#### FINDINGS

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

That John Feik, Las Animas, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay — loose, baled and ground — grain in bulk, beets, and beet pulp (wet and dry) between points within a radius of forty miles of Las Animas, Colorado.

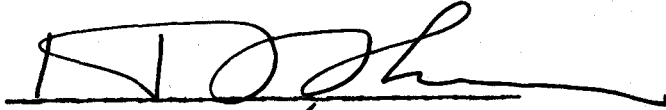
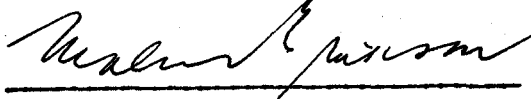
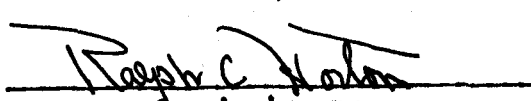
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 23rd day of September, 1946.

MCW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
C. KEMPER OF 5549 SOUTH BROAD- )  
WAY, DENVER, COLORADO )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-10082

-----  
September 25, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

C. Kemper

requesting that Permit No. C-10082 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-10082, heretofore issued to.....

C. Kemper

be,

and the same is hereby, declared cancelled effective July, 26, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawan*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 25th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
L. E. ZIMMERMAN OF HAYDEN, )  
COLORADO )  
)  
)  
)  
)  
)  
-----

PERMIT NO. B-3259

-----  
September 25, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

.....L. E. Zimmerman.....

requesting that Permit No. ....B-3259.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. ....B-3259....., heretofore issued to.....

.....L. E. Zimmerman.....be,

and the same is hereby, declared cancelled effective August 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawan*

*Malcom Erickson*

*Ralph C. Heston*  
Commissioners

Dated at Denver, Colorado,

this.....25th.....day of.....September....., 194 6

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MASON K. WILBUR, 4645 QUITMAN )  
STREET, DENVER 12, COLORADO )  
)  
)  
)

PERMIT NO. B-3265

-----  
September 25, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

-----  
Mason K. Wilbur  
-----

requesting that Permit No. B-3265 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3265, heretofore issued to-----

-----  
Mason K. Wilbur  
----- be,

and the same is hereby, declared cancelled effective September 7, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
*Henry D. Phoyman*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Horton*  
-----  
Commissioners

Dated at Denver, Colorado,

this 25th day of September, 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALFRED WASINGER OF 468 SOUTH )  
FRANKLIN STREET, DENVER 9, )  
COLORADO )  
 )  
 )  
 )

PERMIT NO. B-3289

-----  
September 25, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

.....  
Alfred Wasinger

requesting that Permit No. B-3289 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3289, heretofore issued to.....

.....  
Alfred Wasinger be,

and the same is hereby, declared cancelled effective August 14, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,

this 25th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
PATRICO O. GARCIA, 2605 CALIFORNIA, DENVER 5, COLORADO )

PERMIT NO. B-3437

September 25, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Patrico O. Garcia.....

requesting that Permit No. B-3437.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3437....., heretofore issued to.....

Patrico O. Garcia.....be,

and the same is hereby, declared cancelled effective September 5, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Levy D. Shaw*

*Malcom Erickson*

*Ralph C. Hinton*  
Commissioners

Dated at Denver, Colorado,

this 25th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
HENRY J. MEDINA, 3043 MARION, ) APPLICATION NO. 7581-PP  
DENVER 5, COLORADO )  
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-----  
September 25, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Henry J. Medina requesting that his Class "B" permit, granted in Application No. 7581-PP, Decision No. 26169, under date of June 22, 1946, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted Henry J. Medina, in the above-numbered application, Decision No. 26169, under date of June 22, 1946, be, and the same hereby is, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shuman*

*Malcolm Erickson*

*Ralph C. Norton*  
Commissioners

Dated at Denver, Colorado  
this 25th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
E. P. CLARK, 825 ELATI STREET, )  
DENVER 4, COLORADO )

APPLICATION NO. 7642-PP

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September 25, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. P. Clark, requesting that his Class "B" permit, granted in Application 7642-PP, Decision 26240, under date of July 10, 1946, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted E. P. Clark, in the above-numbered application, Decision No. 26240, under date of July 10, 1946, be, and the same hereby is, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shouman  
Malcom Erickson  
Ralph C. [Signature]  
Commissioners

Dated at Denver, Colorado  
this 25th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GARRY E. STITES, GENERAL DELIVERY, ) APPLICATION NO. 7683-PP  
DENVER 1, COLORADO )  
-----)

-----  
September 25, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Garry E. Stites, requesting that his Class "B" permit, granted in Application No. 7683-PP, Decision 26449, under date of August 23, 1946, be cancelled

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted Garry E. Stites, in the above-numbered application, Decision 26449, under date of August 23, 1946, be, and the same hereby is, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado  
this 25th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
JOHN LOPEZ 3522 JASON STREET, ) APPLICATION NO. 7482-PP  
DENVER 11, COLORADO )  
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-----  
September 25, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John Lopez, requesting that his Class "B" permit, granted in Application 7482-PP, Decision No. 26129, under date of June 14, 1946, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted John Lopez, in the above-numbered application, Decision 26129, under date of June 14, 1946 be, and the same hereby is, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shawman*

*Malcolm Erickson*

*Ralph C. Hart*  
Commissioners

Dated at Denver, Colorado  
this 25th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM BUTTS, 2965 SOUTH ) APPLICATION NO. 7677-PP  
STATE, SALT LAKE CITY, UTAH )  
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-----  
September 25, 1946  
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By the Commission:

The Commission is in receipt of a communication from William Butts requesting that his Class "B" permit, granted in Application No. 7677-PP, Decision 26359, under the date of August 13, 1946, be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit, granted William Butts in the above-numbered application, Decision 26359, under date of August 13, 1946 be, and the same hereby is, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Sherman*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado  
this 25th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PAUL WINFREY, ROUTE 1, BOX 045, STOCK- )  
YARDS STATION, DENVER 16, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE FOR THE TRANSPORTATION OF )  
SAND, GRAVEL, AND OTHER ROAD SURFACING )  
MATERIALS FROM PITS AND SUPPLY POINTS )  
WITHIN A RADIUS OF FIFTY MILES OF )  
DENVER, TO ROAD AND BUILDING CONSTRU- )  
TION JOBS WITHIN SAID AREA, EXCLUDING )  
SERVICE IN BOULDER, CLEAR CREEK, AND )  
GILPIN COUNTIES; AND COAL FROM MINES )  
IN THE NORTHERN COLORADO COAL FIELDS )  
TO POINTS WITHIN A RADIUS OF FIVE )  
MILES OF DENVER AND POINTS EAST AND )  
NORTH OF DENVER LYING BETWEEN THE AREA )  
EAST OF U.S. 287 AND NORTH OF U.S. 40 )  
WHICH IS WITHIN 25-MILE RADIUS OF )  
DENVER; FARM PRODUCTS, FARM SUPPLIES, )  
AND FARM EQUIPMENT BETWEEN FARMS AND )  
MARKET AND STORAGE POINTS LOCATED )  
WITHIN A RADIUS OF TWENTY-FIVE MILES )  
OF DENVER. )

APPLICATION NO. 7841-PP

September 23, 1946

Appearances: Paul Winfrey, Route 1, Box 045,  
Stockyards Station, Denver 16,  
Colorado, pro se;  
Marion F. Jones, Esq., Denver,  
Colorado, for David Small;  
Harold Swena, Golden, Colorado,  
for Swena Transfer & Exp. Co.;  
Myron H. Burnett, Esq., for the  
Common Carriers Division,  
C.M.C.A., and G. O. Anderson,  
Dba Castle Rock Transfer;  
Ronald P. Rogers, Strasburg,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, on August 29, 1946.

The applicant seeks authority to operate as an intrastate



Class "E" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other road surfacing materials from pits and supply points within a radius of fifty miles of Denver to road and building construction jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; and coal from mines in the Northern Colorado coal fields to points within a radius of five miles of Denver and points east and north of Denver lying between the area east of U.S. 287 and north of U.S. 40 which is within a 25-mile radius of Denver; farm products, farm supplies, and farm equipment between farms and market and storage points located within a radius of 25 miles of Denver.

Applicant has had seven years' trucking experience, owns a 1942 Chevrolet  $1\frac{1}{2}$ -ton truck, and has a net worth of approximately \$3500.00.

At the hearing, applicant stated that he would limit his request for the transportation of sand, gravel, and other road surfacing materials from pits and supply points within a radius of fifty miles of Denver to road construction jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; and the transportation of sand and gravel to building construction jobs within a radius of ten miles of Denver; with the express limitation that, as to service west of Denver, it would be confined to service for the Rio Grande Fuel Company, only.

Applicant further stated that he would limit the transportation of farm products to an area fifteen miles east and twenty-five miles north of Denver. Applicant stated that he had had requests for the proposed service, as limited.

There was considerable testimony and discussion between applicant and protestants as to the transportation of building materials for Rio Grande Fuel Company and others. However, the application does not seek transportation of any building materials except sand and gravel; hence it is unnecessary to discuss the same.

There was no testimony as to requests for the transportation of farm supplies or farm equipment on behalf of applicant, nor was it shown that such service would be in the public interest.

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

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the within application, as hereinafter limited, should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Paul Winfrey, Denver, Colorado, applicant herein, is hereby granted authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

Sand, gravel, and other road surfacing materials from pits and supply points within a radius of 50 miles of Denver, Colorado, to road construction jobs within said area; excepting, however, service in Boulder, Clear Creek, and Gilpin Counties; sand and gravel from pits and supply points within a radius of 50 miles of Denver to building construction jobs within a radius of ten miles of Denver; coal from mines in the Northern Colorado coal fields to points within a radius of five miles of Denver and points east and north of Denver lying between the area east of U. S. 287 and north of U. S. 40 which is within a 25-mile radius of Denver; farm products between farms and markets and storage points within an area fifteen miles east of Denver and north of U. S. Highway No. 40, and twenty-five miles north of Denver and east of U. S. Highway No. 287.

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

That this order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
HENRY S. SHERMAN

  
ROBERT W. HOFFMAN  
Commissioners

DATED at Denver, Colorado,  
this 23d day of September, 1946.

( S E A L )

ATTEST: A TRUE COPY

  
F. E. Pollock  
Secretary

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HAROLD H. BYERS, OF DERBY, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE FOR THE TRANSPORTATION OF FARM )  
PRODUCE, FARM SUPPLIES AND EQUIPMENT, )  
BETWEEN POINTS IN ADAMS COUNTY AND )  
FROM AND TO POINTS IN ADAMS COUNTY TO )  
AND FROM POINTS WITHIN A 50-MILE )  
RADIUS OF DERBY; NO TOWN TO TOWN SER- )  
VICE EXCEPT TO DERBY, COLORADO. )

APPLICATION NO. 7844-PP

September 23, 1946

Appearances: Harold H. Byers, Derby, Colorado,  
pro se;  
Myron H. Burnett, Esq., Midland  
Savings Bldg., Denver, Colorado,  
for Common Carrier Division,  
C.M.C.A., and G. O. Anderson,  
DBA Castle Rock Transfer Co.;  
Ronald P. Rogers, Strasburg, Colo-  
rado, for Rogers Truck Line;  
Langford & Tuxhorn, Byers, Colorado,  
pro se;  
Harold F. Swena, Golden, Colorado,  
for Swena Transfer & Express Co.

S T A T E M E N T

By the Commission:

The above matter was heard at Denver, Colorado, on August 29, 1946.

Applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm products, farm supplies, and equipment between points in Adams County, and from points within a 50-mile radius of Derby, Colorado; no town to town service except to Derby, Colorado.

Applicant owns a 1-1/2-ton Chevrolet truck, with stake body, and has had experience in the trucking business. His net worth is approximately \$500.00 in cash and his truck is clear of debt.

Applicant, in support of his application, testified that he had received no requests for service, and that there were plenty of trucks without his, the farmers having their own trucks. He stated that he is in the repair business and desires a "E" permit to supplement his income. He said that farmers in the vicinity were friends of his and would help him out.

Applicant was unable to make any showing whatsoever as to the need for his proposed service, and, from his testimony, no one had even requested service from him. He made no showing whatsoever as to the inadequacy of the common carrier service, nor did he make any showing that, if authority were granted to him, it would not impair the efficiency of the common carrier service now serving that territory.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the instant application should be denied.

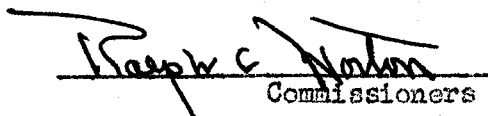
#### O R D E R

##### THE COMMISSION ORDERS:

That the instant application is hereby denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 23d day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RALPH H. LANGDON, LAS ANIMAS, COLO- )  
RADO, FOR REISSUANCE OF PERMIT NO. )  
B-2522. )  
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APPLICATION NO. 7838-PP

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September 25, 1946.  
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Appearances: Ralph H. Langdon, Las Animas,  
Colorado, pro se;  
Robert L. Harris, Las Animas,  
Colorado, for Las Animas  
Transfer;  
R. S. Thompson, Kim, Colorado,  
pro se, and for James  
Richardson;  
E. B. Evans, Esq., Denver,  
Colorado, for A. R. and  
R. F. Lee.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay — loose, baled, and ground — grain, beets, and beet pulp (wet and dry) between points within a radius of forty miles of Las Animas, Colorado.

It appeared that, chiefly, his operation would be the handling of grain in bulk, during harvest and corn-shelling time, from fields to storage and feeding points in said area; that he would not handle sacked grain between points served by line-haul motor vehicle common carriers operating on schedule.

There was no objection to the issuance of permit, as limited.

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

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted; that permit, when issued, shall bear the number "B-2522," being the number of a permit formerly held by applicant.

O R D E R

THE COMMISSION ORDERS:

That Ralph H. Langdon, Las Animas, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay — loose, baled, and ground — grain in bulk, beets, and beet pulp (wet and dry) between points within a radius of forty miles of Las Animas, Colorado, said permit to bear the number "B-2522."

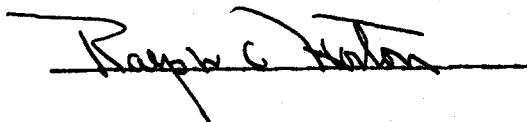
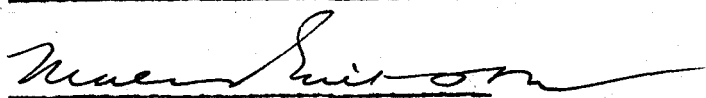
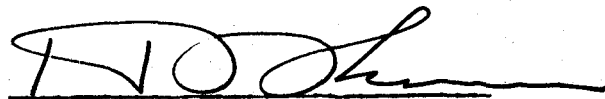
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Dated at Denver, Colorado,  
this 25th day of September, 1946.  
mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WALLACE S. MORELAND, ROUTE 2, LAS )  
ANIMAS, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7840-PP

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September 25, 1946.  
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Appearances: Wallace S. Moreland, Las  
Animas, Colorado, Pro se;  
Robert L. Harris, Las Animas,  
Colorado, for Las Animas  
Transfer;

R. S. Thompson, Kim, Colorado,  
pro se, and for James  
Richardson;  
E. B. Evans, Esq., Denver,  
Colorado, for A. R. and  
R. F. Lee.

S T A T E M E N T

BY the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

As limited by the testimony of applicant at the hearing, he herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay — bulk, baled, or ground — grain in bulk, and beets, between points within a radius of twenty-five miles of Las Animas, Colorado and livestock between points in the same radius.

The testimony showed that, primarily, hay would move from farms to alfalfa mills and to feeders in said area. Grain will be handled chiefly during harvest from fields to storage and shipping points. Beets will move from fields to beet dumps at rail heads.



Applicant stated that he did not intend to engage extensively in livestock transportation, and would be willing to limit his equipment to the use of one one and one-half-ton truck, similar in type to the 1936 Chevrolet equipped with a stock rack which he now owns; that he is engaged in ranching, and usually makes the sales in La Junta; that, occasionally, a neighbor has asked him to move a few head of stock — never in excess of six — to the sale, and at times, after the sale, he has been asked to haul some stock to a neighbor's place from the sale. Frequently they have been unable to conveniently locate anyone willing to handle small shipments. He does not expect to handle the trucking business as a side line, because he employs a hired man at the farm who will tend to the farm work while he will handle the trucking.

Protestant Harris objected to that part of the authority sought by applicant which involves transportation of grains and livestock. He is not interested in handling hay.

The call and demand authority of Las Animas Transfer Company is somewhat limited. Under the authority, he has:

point to point service within a radius of fifteen miles of Las Animas, and from and to points in the area, to and from points in the State of Colorado, except the transportation of household goods.

✓ Such commodity can be handled only on his line-haul service between Las Animas and Pueblo, with the right to serve intermediate points only within said fifteen-mile-radius.

Mr. Harris has made somewhat extensive provisions to care for movement of livestock. He has four International trucks, equipped with stake beds and stock racks, and also has a pick-up, equipped with stock rack to handle small shipments from farms to town, or farm to farm. One of the trucks is equipped with a 16' rack.. He employs six drivers at a weekly salary of thirty dollars per week for six days' work. In addition, he pays road expense. Drivers are paid, whether they are or are not busy. Most of the livestock service is to Pueblo and Denver, and he has been handling only one or two loads weekly. In fact, he has handled only two loads to the La Junta Sales Ring since he took over the operation. He holds himself out as willing and able to handle all livestock

movements — big or small — between points in the area he serves, and from and to points in said area, to and from any point in the State of Colorado, and especially solicits business from and to sales rings at Lamar and La Junta. His investment is a considerable one. His expenses, besides salaries of drivers — such as insurance, maintenance, depreciation, etc. — are high. Necessarily, if he is to maintain this equipment in order to serve the public on call, he must have enough business to not only cover the expense, but to make a profit, as well. Applicant, as a private carrier, would be required to, and under the law could, serve only contract customers. Under the statutes, we cannot grant a private carrier permit where it will tend to impair the efficiency of adequate common carrier service.

From the testimony, we are unable to say that the common carrier service for the transportation of hay and grain is adequate. Protestant Harris does not want to handle hay. During the harvest season, admittedly, there is insufficient common carrier equipment to handle the grain.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the service of Las Animas Transfer, and service of other common carriers handling livestock in the area, is adequate; that the granting of the authority sought for the transportation of livestock would tend to impair the efficiency of said common carrier service of Las Animas Transfer, and should be denied; that the granting of a private carrier permit, limited to the transportation of farm produce other than livestock, as sought by applicant, will not tend to impair the efficiency of said adequate common carrier service, and should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Wallace S. Moreland, Las Animas, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay — bulk, baled, or ground — grain in bulk, and beets, between points within a radius

of twenty-five miles of Las Animas, Colorado.

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

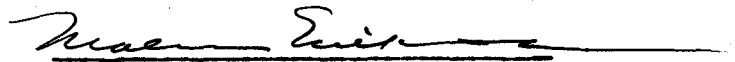
The order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

That said application, in all other respects, should be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 25th day of September 1946.

mcw.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ADAM MILLER, WILLIAM MILLER, AND )  
JOHN MILLER, DOING BUSINESS AS )  
"MILLER BROTHERS," ROUTE 2, LAS )  
ANIMAS, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS PRIVATE )  
CARRIERS BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7836-PP

-----  
September 25, 1946.  
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Appearances: John Miller, Las Animas, Colo-  
rado, for applicants;  
Robert L. Harris, Las Animas,  
Colorado, for Las Animas  
Transfer;  
R. S. Thompson, Kim, Colorado,  
pro se, and for James Richard-  
son;  
E. B. Evans, Esq., Denver, Colo-  
rado, for A. R. and R. F. Lee.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La-Junta, Colorado, August 28, 1946, and taken under advisement.

As limited by the testimony offered at the hearing, applicants herein seeks authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of hay — loose, baled, and ground — grain, beets, and beet pulp — wet and dry — and other farm products, except livestock and dairy products, between points within a radius of forty miles of Las Animas, Colorado, and from and to points in said area, to and from points within a radius of seventy-five miles thereof, except service in competition with service of R. S. Thompson (PUC No. 853), James Richardson (PUC No. 1249), or A. R. and R. F. Lee (PUC No. 1434).

Primarily, applicants' proposed service will involve transportation of farm produce from farms to storage points, elevators, shipping sheds, and beet dumps during harvest season. However, there will be

some movement of hay and grain and beet pulp to feeders and transportation of grain to elevators during the winter season from farm storage. They do not propose to furnish any town to town service in competition with line-haul carriers.

They, however, have one or more customers in or near Fowler to whom they want to haul grain in bulk and feed from farms in their area during feeding season.

Mr. Harris, for Las Animas Transfer, objected to said service, suggesting that it would furnish him a back-haul under his Class "A" permit.

This objection cannot be entertained or considered, because Mr. Harris, in serving under his Class "A" permit, is not in a position to object under the statute. He, under his common carrier authority, is limited to transportation of freight on call and demand between points in a portion of Bent County. Under his line-haul service between Las Animas and Pueblo, he cannot serve any intermediate points except those within a radius of fifteen miles of Las Animas.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Adam Miller, William Miller, and John Miller, doing business as "Miller Brothers," Las Animas, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of hay — loose, baled, and ground — grain, beets, and beet pulp — wet and dry — and other farm products, except livestock and dairy products, between points within a radius of forty miles of Las Animas, Colorado, and from and to points in said area, to and from points within a radius of seventy-five miles thereof, except service in competition with service of R. S. Thompson (PUC No. 853), James Richardson (PUC No. 1249), or A. R. and R. F. Lee, (PUC No. 1434).

All operations hereunder shall be strictly contract operations,

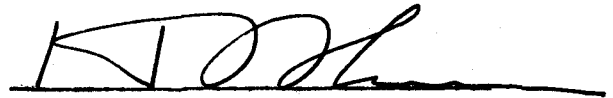
the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 25th day of September, 1946.

Mcw/

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM A. EIDEN, ROUTE 1, )  
GRAND JUNCTION, COLORADO )  
 )  
 )  
 )  
 )

PERMIT NO. C-17340

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

.....  
William E. Eiden

requesting that Permit No. C-17340.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17340....., heretofore issued to.....

.....  
William E. Eiden.....be,

and the same is hereby, declared cancelled effective July 1, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Levy D. Shaw*

*Malcom Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
WILLIAM E. DeSHAZER, ROUTE 3, )  
BOX 157, GOLDEN, COLORADO )  
 )  
 )  
 )

PERMIT NO. C-17464

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

William E. DeShazer

requesting that Permit No. C-17464 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17464, heretofore issued to.....

William E. DeShazer be,

and the same is hereby, declared cancelled effective August 27, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*W. C. Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
GERALD M. MADSEN, 2762 SOUTH )  
PENNSYLVANIA ST., ENGLEWOOD, )  
COLORADO )  
)  
)  
)

PERMIT NO. C-17472

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Gerald M. Madsen

requesting that Permit No. C-17472.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17472....., heretofore issued to.....

Gerald M. Madsen.....be,

and the same is hereby, declared cancelled effective August 2, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Johnson*

*Malcom Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
F. H. MELCHER OF CORTEZ, )  
COLORADO )  
 )  
 )  
 )  
 )  
 )  
-----

PERMIT NO. C-17489

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

F. H. Melcher

requesting that Permit No. C-17489.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17489....., heretofore issued to.....

F. H. Melcher.....be,

and the same is hereby, declared cancelled effective August 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Brown*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
R. J. MENKE OF STRATTON, )  
COLORADO )

PERMIT NO. C-17517

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

R. J. Menke

requesting that Permit No. C-17517 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17517, heretofore issued to.....

R. J. Menke be,

and the same is hereby, declared cancelled effective August 26, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Morrison*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE A. MANERBINO OF 4201 )  
TEJON STREET, DENVER, COLORADO )  
)  
)  
)

PERMIT NO. C-17667

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

George A. Manerbino.....

requesting that Permit No. C-17667.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17667....., heretofore issued to.....

George A. Manerbino.....be,

and the same is hereby, declared cancelled effective July 13, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcom Erickson*

*Ralph C. Heston*

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FLOYD GEPHART OF ROUTE 2, )  
HIGHWAY 24, COLORADO SPRINGS, )  
COLORADO ) PERMIT NO. C-17858  
 )  
 )  
 )  
----- )

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Floyd Gephart-----  
requesting that Permit No. C-17858-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17858-----, heretofore issued to-----  
Floyd Gephart-----be,  
and the same is hereby, declared cancelled effective July 30, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Lewis D. Morrison*  
-----  
*Malcolm Erickson*  
-----  
*Ralph C. Horton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this.....27th.....day of.....September....., 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
MASON K. WILBUR CARE OF GEORGE )  
MOSSBRUCKER, 132 WEST MAPLE, )  
DENVER 9, COLORADO )  
)  
)  
)

B-3265 &  
PERMIT NO. C-16215

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Mason K. Wilbur.....  
requesting that Permit No. C-16215 & B-3265 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

C-16215 &  
That Permit No. B-3265, heretofore issued to.....  
Mason K. Wilbur.....be,  
and the same is hereby, declared cancelled effective September 7, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Henry D. Shaw*  
*Malcom Erickson*  
*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ETTORE BELLIO, 5750 NORTH )  
WASHINGTON STREET, DENVER 16, )  
COLORADO )  
 )  
 )  
 )

PERMIT NO. C-16187

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

-----  
ETTORE BELLIO  
-----

requesting that Permit No. C-16187 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16187, heretofore issued to-----

-----  
Ettore Bellio  
----- be,

and the same is hereby, declared cancelled effective August 10, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Lewis D. Johnson*  
-----

*Malcolm Erickson*  
-----

*Ralph C. Horton*  
-----  
Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
A. J. KESELING, 1400 - 17th ST.)  
DENVER 2, COLORADO )

PERMIT NO. C-16201

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

A. J. Keseling

requesting that Permit No. C-16201 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16201, heretofore issued to.....

A. J. Keseling.....be,

and the same is hereby, declared cancelled effective August 15, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Henry D. Shuman  
Malcolm Erickson  
Ralph C. Horton  
Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DAVID D. RUSCH, 4670 FILLMORE, )  
DENVER 16, COLORADO )

PERMIT NO. C-16232

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

David D. Rusch

requesting that Permit No. C-16232 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16232, heretofore issued to.....

David D. Rusch

be,

and the same is hereby, declared cancelled effective August 11, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Anderson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

✻ ✻ ✻ ✻

RE MOTOR VEHICLE OPERATIONS OF )  
RAY MARIS, BOX 1106, )  
DURANGO, COLORADO )

PERMIT NO. C-16311

September 27, 1946

# STATEMENT

**By the Commission:**

The Commission is in receipt of a communication from.....

Ray Maris

requesting that Permit No. C-16311.....be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

**O R D E R**

**THE COMMISSION ORDERS:**

That Permit No. C-16311, heretofore issued to.....

Ray Maris ..... be

and the same is hereby, declared cancelled effective August 23, 1946.

~~THE PUBLIC UTILITIES COMMISSION~~  
~~OF THE STATE OF COLORADO~~

Malcom Emerson

Ralph C. Horton

**Commissioners**

**Dated at Denver, Colorado,**

this.....27th....day of....September....., 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
FELIX SANCHEZ, 2042 WEST 11th )  
AVENUE., DENVER 4, COLORADO )  
)  
)  
)  
)

PERMIT NO. C-16358

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

.....  
Felix Sanchez  
.....

requesting that Permit No. C-16358 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16358, heretofore issued to.....

.....  
Felix Sanchez  
.....be,

and the same is hereby, declared cancelled effective August 4, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcom Erickson*

*Ralph C. Hooten*  
Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALFRED WASINGER, 468 SOUTH )  
FRANKLIN STREET, DENVER 9, )  
COLORADO )  
)  
)  
)

PERMIT NO. C-16460

-----

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Alfred Wasinger.....  
requesting that Permit No. C-16460.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16460, heretofore issued to.....  
.....be,  
and the same is hereby, declared cancelled effective August 14, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO  
*Lewy D. Shawman*  
-----  
*Malcom Erickson*  
-----  
*Ralph C. Norton*  
-----  
Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
RUEBN ROMERO OF LaGARITA, )  
COLORADO )  
 )  
 )  
 )

PERMIT NO. C-16547

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Ruben Romero.....  
requesting that Permit No. C-16547.....be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16547....., heretofore issued to.....  
Ruben Romero.....be,  
and the same is hereby, declared cancelled effective August 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Thorman*  
.....  
*Malcom Erickson*  
.....  
*Ralph C. Norton*  
.....  
Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946  
S

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
VALLEY MOBILE REPAIR SERVICE )  
508 WASHINGTON STREET, MONTE )  
VISTA, COLORADO ) PERMIT NO. C-16994  
 )  
 )  
 )

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----  
Valley Mobile Repair Service-----  
requesting that Permit No. C-16994-----be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16994-----, heretofore issued to-----  
Valley Mobile Repair Service-----be,  
and the same is hereby, declared cancelled effective September 3, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry P. Shuman*

*Malcolm Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
CHARLES T. BELLEW, LEEDS, )  
NORTH DAKOTA )

PERMIT NO. C-17005

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Charles T. Bellew

requesting that Permit No. C-17005 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17005, heretofore issued to.....

Charles T. Bellew be,

and the same is hereby, declared cancelled effective August 14, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Lewy D. Shuman*

*Malcom Erickson*

*Ralph C. Horton*

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
ALONZO N. LANGDON, ROUTE 3, )  
LA JUNTA, COLORADO )

PERMIT NO. C-17020

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Alonzo N. Langdon

requesting that Permit No. C-17020 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17020, heretofore issued to.....

Alonzo N. Langdon be,

and the same is hereby, declared cancelled effective September 6, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*Malcolm Erickson*

*Ralph C. Horton*  
Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
LEO JEFFERS, 1318 EAST A ST., )  
McCOOK, NEBRASKA )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-17112

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....  
Leo. Jeffers  
requesting that Permit No. C-17112 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17112, heretofore issued to.....  
Leo Jeffers.....be,  
and the same is hereby, declared cancelled effective August 12, 1946

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Levy D. Thomson*

*Malcom Erickson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
DARREL O. ELSTON, 2120 BLUFF ST. )  
BOULDER, COLORADO )

PERMIT NO. C-17222

September 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....

Darrel O. Elston

requesting that Permit No. C-17222 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-17222, heretofore issued to.....

Darrel O. Elston be,

and the same is hereby, declared cancelled effective July 8, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

◆ ◆ ◆ ◆

RE MOTOR VEHICLE OPERATIONS OF )  
DOMINIC VENTO, 214 NORTH 4th, )  
CANON CITY, COLORADO )

PERMIT NO. C-17336

September 27, 1946

## S T A T E M E N T

**By the Commission:**

**The Commission is in receipt of a communication from.**

Dominic Vento

requesting that Permit No. C-17336 be cancelled.

## FINDINGS

**THE COMMISSION FINDS:**

**That the request should be granted.**

**O R D E R**

**THE COMMISSION ORDERS:**

That Permit No. C-17336, heretofore issued to

Dominic Vento ..... be.

and the same is hereby, declared cancelled effective April 30, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

**Commissioners**

**Dated at Denver, Colorado,**

this 27th day of September, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
THERON E. McSAY, ORCHARD, )  
COLORADO )  
)  
)  
)  
)  
)  
-----

PERMIT NO. C-16522

-----  
September 27, 1946  
-----

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----

Theron E. McSay  
-----

requesting that Permit No. C-16522 be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. C-16522, heretofore issued to-----

Theron E. McSay-----be,

and the same is hereby, declared cancelled effective August 23, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

-----  
Malcolm Erickson  
-----  
Ralph C. Norton  
-----  
Commissioners

Dated at Denver, Colorado,

this 27th day of September, 194 6



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HENRY HAYHURST, DOING BUSINESS AS )  
"LAS ANIMAS TRANSFER COMPANY," LAS )  
ANIMAS, COLORADO, FOR AUTHORITY TO )  
TRANSFER PERMIT NO. A-833 TO ROBERT )  
L. HARRIS, DOING BUSINESS AS "LAS )  
ANIMAS TRANSFER COMPANY," 637 BENT )  
AVENUE, LAS ANIMAS, COLORADO. )  
-----

APPLICATION NO. 7796-PP-Transfer

-----  
September 26, 1946.  
-----

S T A T E M E N T

By the Commission:

Heretofore, Henry Hayhurst, doing business as "Las Animas Transfer Company," Las Animas, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire.

Said Henry Hayhurst now seeks authority to transfer said operating rights (Permit No. A-833) to Robert L. Harris, doing business as "Las Animas Transfer Company," Las Animas, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit has not been cancelled; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

ORDER

THE COMMISSION ORDERS:

That Henry Hayhurst, doing business as "Las Animas Transfer Company," Las Animas, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-833 to Robert L. Harris, doing business as "Las Animas Transfer Company," Las Animas, Colorado, subject to the right reserved to the Commission to cancel said permit, or any part thereof, for violation of our rules and regulations, abandonment, non-user, etc., by transferor, or any other reason sufficient in law to justify such action.

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.

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

That ton-mile tax deposit shall be transferred to account of transferee.

Operations under said permit shall not be joined or consolidated in any manner with operations under PUC No. 254.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 26th day of September, 1946.

mw





trunks, and attending to small hauling jobs in the community; that, occasionally, he has hauled groceries from retail stores to the customers thereof, and more rarely has moved household goods from house to house in the town. One James L. Hoyt has been assisting him.

It appeared that there has been some demand for transportation of grain from farms to stores in the town, and occasionally to some farmer who desires the feed; that service, chiefly, will be required within a radius of five miles of Oak Creek, which is the trade area of the town -- although it will be necessary to go to a farming area located about ten miles northwest of town, in order to get grain. The population of Oak Creek is about 1800. Applicant has two trucks -- a 1941 Ford Truck, and a 1944 International. He also cleans ash pits and hauls ashes and trash from points in the town to the town dump. This service he has been furnishing since 1940, without objection by anyone. No certificated carrier, during that period of time, has operated in Oak Creek.

No testimony was offered in opposition to the granting of the authority sought.

Oak Creek is within the twenty-five-mile radius Farringtons are authorized to serve. They, however, never have maintained an agent at Oak Creek.

Mr. Lorenz did not know whether Mr. Farrington did or did not want to go to Oak Creek to establish a package delivery and general cartage business.

Yampa, the headquarters of Mr. Farrington, is located about ten miles south or southeast of Oak Creek. Apparently it has been impractical for the Farringtons to furnish a cartage service in Oak Creek -- at least they have not established such service to date.

Generally speaking, all communities the size of Oak Creek are entitled to the service of a for-hire carrier who can handle the delivery and transfer work of the community. A mere statement of the service which applicant has rendered under the impression that he had the right to so do, is sufficient to show its need in the community.

The operating experience and pecuniary responsibility of appli-

cant were established to the satisfaction of the Commission.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the proposed common carrier motor vehicle service of applicant, as limited in the Order following, and that certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle common carrier service of applicant, on call and demand, for the conduct of a general transfer and cartage business within and between points within a radius of five miles of the Town of Oak Creek, and for the transportation of grain from points within a radius of ten miles thereof, to said Oak Creek area, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity.

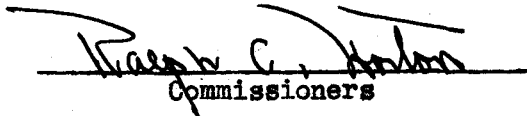
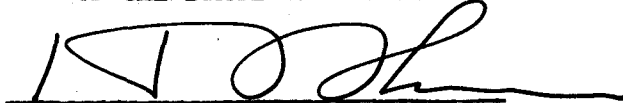
The applicant shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

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

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 26th day of September, 1946.

2  
original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JACK PERRY AND CLAUDIA ZIEGLER )  
PERRY, AS ADMINISTRATRIX OF THE )  
ESTATE OF J. D. PERRY, DECEASED, )  
DENVER, COLORADO, TO MERGE OR CON- )  
SOLIDATE CERTAIN PORTIONS OF PER- )  
MITS NOS. A-1, A-16, A-693, AND )  
A-779. )  
-----

APPLICATION NO. 6963

-----  
September 26, 1946.  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants;  
H. D. Flower, Buena Vista, Colo-  
rado, for Eveready Freight  
Service;  
T. A. White, Esq., Denver, Colo-  
rado, for Rio Grande Motor  
Way, Inc.

S T A T E M E N T

By the Commission:

Applicants, Jack Perry and Hall Motor Freight Company, a Colo-  
rado corporation, and J. D. Perry, severally owned certain private carrier  
permits which they herein seek to divide and merge in part, and thereafter  
to conduct separate operations under said permits, with operating rights  
as set forth in said petition.

Said matter, pursuant to prior setting and after appropriate  
notice to all parties in interest, was heard at Denver, Colorado, June 7,  
1945, and taken under advisement.

Hall Motor Freight Company is a corporation whose stock is  
owned by Jack Perry, J. D. Perry, and M. E. Clinton. Since the application  
was heard and taken under advisement, J. D. Perry died, and Claudia Ziegler  
Perry, his widow and sole heir-at-law, who was appointed administratrix of  
his estate, has been substituted as one of parties applicant, instead of  
J. D. Perry.

From the petition on file, and testimony taken at the hearing, it appeared that:

J. D. Perry, in his lifetime, was the owner of Private Carrier Permit No. A-1, which authorizes:

"transportation of freight between Denver and Trinidad, via U. S. Highway No. 85, with the right to serve intermediate points of Colorado Springs and Pueblo,"

and Private Carrier Permit No. A-693 (now under lease to Hall Motor Freight Company, a corporation), which authorizes:

"transportation of freight between Denver and Grand Junction and intermediate points, via U. S. Highway No. 85 Denver to Colorado Springs, U. S. Highway No. 24 Colorado Springs to Buena Vista, U. S. Highway No. 650 (285 now) Buena Vista to Salida, and U. S. Highway No. 50 Salida to Grand Junction, and/or via Divide from U. S. Highway No. 24 over Colorado Highway No. 67 to Cripple Creek, Victor and Florence, thence from Florence via U. S. Highway No. 50 to Salida, with the right to serve all intermediate points."

Jack Perry is the owner of Private Carrier Permit No. A-16 (which also is under lease to Hall Motor Freight Company), which authorizes:

"transportation of freight between Denver and Pueblo and intermediate points, and the transportation of freight from and to said points, to and from Lamar, Greeley, Fort Collins and Gunnison, over U. S. Highway No. 85 and State Highway No. 5, between Severance and Denver, Colorado; on unnumbered highway and Colorado Highway No. 14, Severance to Fort Collins; U. S. Highway No. 87, Fort Collins to Denver; U. S. Highway No. 50, Pueblo to Gunnison, and U. S. Highway No. 50, Pueblo to Lamar."

Hall Motor Freight Company, a corporation, is the owner of Private Carrier Permit No. A-779, which authorizes:

"transportation of freight between Pueblo and Fort Collins and intermediate points, via U. S. Highway No. 87, and between Pueblo and Greeley and intermediate points, via U. S. Highway No. 85; between Pueblo and Holly and all intermediate points, via U. S. Highway No. 50, and between Colorado Springs and Grand Junction and all intermediate points, via U. S. Highway No. 24."

Applicants herein propose that:

All operating privileges enjoyed by applicants severally under their private carrier authority under Permits Nos. A-1, A-16, A-693, and A-779 west of U. S. Highway No. 85 be consolidated in one permit under the

2

number "A-693," with the right to transport:

freight between Denver, Colorado Springs and Pueblo on the one hand, and, on the other, Grand Junction and all points intermediate west of U. S. Highway No. 85 on and over routes U. S. Highway No. 85 from Denver to Pueblo, U. S. Highway No. 24 from Colorado Springs to Grand Junction, U. S. Highway No. 50 from Pueblo to Grand Junction, Colorado Highway No. 67 from Divide to Florence, U. S. Highway No. 25 from Salida to Buena Vista, without the right to perform any local service on U. S. Highway No. 85 between Denver and Pueblo and points intermediate, Denver to Pueblo;

that authority under Permits Nos. A-779 and A-16, except for the elimination of operating rights west of U. S. Highway No. 85, remain as is; that authority under Permit No. A-1 shall continue to be:

transportation of freight between Denver and Trinidad, over U. S. Highway No. 85, with service to the intermediate points now covered by the permit,

it being represented that Hall Motor Freight Company has contracted to sell its operating rights enjoyed under Permit No. A-779, except the authority west of Colorado Springs, to Santa Fe Trails Company, and J. D. Perry has contracted to sell Permit No. A-1 to the same transferee -- both sales to be contingent upon approval of transfer of certain interstate operating rights enjoyed under said permits to said company by the Interstate Commerce Commission.

Applicants suggested in the petition and at the hearing that if and when the contemplated sale and purchase arrangement with Santa Fe Trails is consummated, they will ask for consolidation in some respects of their operations along U. S. Highways Nos. 85 and 37, and in compliance with agreement with Santa Fe Trails, will seek to cancel their operating rights over U. S. Highway No. 50 between Pueblo and Holly. The Order which follows herein is based upon the showing made at the hearing with respect to operations west of U. S. Highway No. 85, and should not be construed as in any way disposing of the situation as respects operations on and east of U. S. Highway No. 85, or be construed as a precedent for action to be taken thereon or on any other similar application.

Applicants stated that consolidation primarily is sought to simplify

their bookkeeping operations; that they have no desire to add to their authority.

Protestant Rio Grande Motor Way, Inc., stated that it had no objection to the proposed action -- provided Order entered does not, in effect, grant additional authority. It called attention to some of the matters hereinafter discussed.

A careful check of operating rights aforesaid shows that while applicants now have authority under their separate permits to serve all points they seek to serve, each permit does not cover all origin or all destination points. However, the operations proposed by applicants under the contemplated consolidation do not, in effect, grant additional operating rights -- except as to service between Pueblo on the one hand, and, on the other, Victor, Cripple Creek, and points on U. S. Highway No. 50 west of, but not including, Gunnison, as far as, but not including, Grand Junction. These points can be served by applicant J. D. Perry under Permit No. A-693 out of Denver and Colorado Springs, but they cannot be served out of Pueblo under Permits Nos. A-779 or A-16 in through service, although Grand Junction can be served under Permit No. A-693 and Permit No. A-779. It would be necessary to interchange freight from Pueblo at Colorado Springs between Permit No. A-779 and one of petitioners' other permits, which is not permitted under our rules and regulations. However, Rio Grande Motor Way does not serve points on State Highway No. 67, except Florence. In fact -- except for Cripple Creek and Victor, which have common carrier service out of Colorado Springs -- points on said Highway No. 67, except Florence, do not have common carrier service. Therefore, there would seem to be no objection to permitting service as contemplated over said road in connection with service over U. S. Highway No. 50 and U. S. Highway No. 24. Points west of Buena Vista on U. S. Highway No. 50 can be served under Permit No. A-779, which does not cover route Salida to Buena Vista. Permit No. A-693, however, authorizes service to points on U. S. Highway No. 285 and U. S. Highway No. 50 west to Grand Junction, and since there are no points to be served between Buena Vista and Salida, use of route between said towns as a connecting line, or alternate route,

should not tend to impair service of common carrier. It did not appear that service of common carrier Rio Grande Motor Way out of Pueblo is inadequate, or that its service would not be impaired by authorizing service out of Pueblo to points on U. S. Highway No. 50 and State Highway No. 67 named, and in view of applicants' statement that they have no desire to extend their authority, we think they should not be authorized to perform such service under the proposed consolidation -- especially in view of the fact that ordinarily we do not permit consolidations of or transfers of portions of, private carrier permits. However, in view of attitude of Rio Grande Motor Way, as expressed at the hearing, and the fact that operations of petitioners would be simplified and the service to their customers would not be less satisfactory, and the effect of consolidation would be to eliminate some now-authorized duplicating services, we think petition, subject to modification suggested and hereinafter set forth, should be granted.

### FINDINGS

#### THE COMMISSION FINDS:

That petition, subject to the modifications set forth in the Order following, which by reference is made a part hereof, should be granted.

### ORDER

#### THE COMMISSION ORDERS:

That the division, merger, and consolidation of Permits Nos. A-1, A-16, A-693, and A-779, in part, as proposed by Applicants Jack Perry, Hall Motor Freight Company, a corporation, and Glandia Zieger Perry, as Administratrix of the Estate of J. D. Perry, Deceased, be, and it hereby is, approved, with authority as follows:

That J. D. Perry, under Permit No. A-693, subject to lease rights of Hall Motor Freight Company, a corporation, be, and he hereby is, authorized to transport;

freight between Denver, Colorado Springs, and Pueblo, on the one hand, and, on the other, Grand Junction and all points intermediate west of U. S. Highway No. 85, on and over routes U. S. Highway No. 85 from Denver to Pueblo, U. S. Highway No. 24 from Colorado Springs to Grand Junction, U. S. Highway No. 50 from Pueblo to Grand Junction, Colorado

Highway No. 67 from Divide to Florence, U. S.  
Highway No. 285 from Salida to Buena Vista,  
without the right to perform any local ser-  
vice on U. S. Highway No. 85 between Denver  
and Pueblo and points intermediate, and with-  
out the right to serve points on U. S. High-  
way No. 50 west of, but not including, Gunnin-  
son, as far as, but not including, Grand  
Junction, out of Pueblo.

That hereafter Jack Perry, subject to lease rights of Hall Motor  
Freight Company, a corporation, under Permit No. A-16, shall be authorized  
to transport:

freight between Denver and Pueblo and inter-  
mediate points, over U. S. Highway No. 85,  
and from and to said points, to and from Lamar,  
Greeley, and Fort Collins, over U. S. Highway  
No. 85 and State Highway No. 5 between Severance  
and Denver, on unnumbered highway and Colorado  
Highway No. 14, Severance to Fort Collins, U. S.  
Highway No. 87, Fort Collins to Denver, U. S.  
Highway No. 50, Pueblo to Lamar.

That Claudia Zieger Perry, as Administratrix of the Estate of  
J. D. Perry, Deceased, shall be authorized, under Permit No. A-1, to trans-  
port:

freight between Denver and Trinidad, via U. S.  
Highway No. 85, with right to serve inter-  
mediate points now covered by said permit,  
only.

That Hall Motor Freight Company, a corporation, under its Permit  
No. A-779, shall be authorized to transport:

freight between Pueblo and Fort Collins and inter-  
mediate points, via U. S. Highway No. 87, and be-  
tween Pueblo and Greeley and intermediate points,  
via U. S. Highway No. 85, and between Pueblo and  
Holly and all intermediate points, via U. S. High-  
way No. 50.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 26th day of September, 1946.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
DUANE KINDRED, STRATTON, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )  
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APPLICATION NO. 7273-PP  
SUPPLEMENTAL ORDER

-----  
September 27, 1946.  
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Appearances: Duane Kindred, Stratton, Colo-  
rado, pro se;  
Earl Wingren, Esq., Denver,  
Colorado, for Paul Zimmerman,  
M. K. McElfresh;  
W. H. Holstine, Kirk, Colorado,  
pro se;  
E. L. Motsinger, Kirk, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

On June 11, 1946, the Commission entered its Order and Deci-  
sion No. 27080.

An examination of the Findings and Order therein show that,  
inadvertently, the language which should have been incorporated therein,  
to-wit, "the transportation of livestock," was omitted from the Findings  
and from the Order; that said language should have appeared after the  
words "south, and" and ahead of the words "from and" in the sixth line  
of the Findings on Page 4, and after the words "south, and" and "from and"  
in the fifth line of the Order, on Page 5 of said decision.

F I N D I N G S

THE COMMISSION FINDS:

That said decision should be amended, nunc pro tunc, as of the  
11th day of June, 1946, by the insertion of said language.

O R D E R

THE COMMISSION ORDERS:

That said Decision No. 27080, of date June 11, 1946, be, and

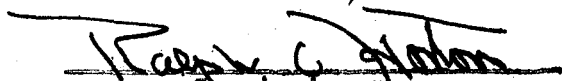
the same is hereby, amended, nunc pro tunc, as of the 11th day of June, 1946, by inserting the language "the transportation of livestock" after the words "south, and" and ahead of the words "from and" in the sixth line of the Findings on Page 4, and between the words "south, and" and "from and" in the fifth line of the Order on Page 5 of said decision, so that said first paragraph of said Order, as amended, will read:

"THE COMMISSION ORDERS:

"That Duane Kindred, Stratton, Colorado, be, and he hereby is, authorized to operate as a Class 'B' private carrier by motor vehicle for hire for the transportation of grain, coal, machinery, and lumber, between points within the area extending ten miles east, ten miles west, eleven miles north of Stratton, and to the Cheyenne-Kit Carson County Line on the south, and the transportation of livestock from and to points in said area, to and from Burlington Sales Ring."

That said Decision No. 27080, except as herein amended, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SOUTHEAST COLORADO POWER ASSOCIA- )  
TION, LA JUNTA, COLORADO, FOR A CER- )  
TIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY. )  
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APPLICATION NO. 6976  
SUPPLEMENTAL ORDER

-----  
September 27, 1946.  
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Appearances: Wilkie Ham, Esq., Lamar, Colo-  
rado,  
L. L. Bean, Boatman's Bank  
Building, St. Louis, Missouri,  
and  
William Hedges Robinson, Esq.,  
Denver, Colorado, for applicant;  
Lee Shaw, and McGreery, Esqs.,  
Denver, Colorado, and  
J. W. Hawley, Esq., Trinidad,  
Colorado, for The Trinidad  
Electric Transmission, Railway  
and Gas Company;  
Ralph T. Hunter, Esq., Trinidad,  
Colorado, for LaVeta Light,  
Heat, and Power Association.

S T A T E M E N T

By the Commission:

On August 9, 1946, the Commission entered its Order and Deci-  
sion No. 26349 in the above-entitled matter.

On August 23, 1946, applicant filed its petition with the Com-  
mission, asking that said Order be amended, by striking therefrom the  
third and second paragraphs from the end of the Order contained in said  
Decision.

Inasmuch as the certificate granted to petitioner herein ap-  
parently was not a certificate of public convenience and necessity, but  
merely a certificate issued by the Commission authorizing Southeast  
Colorado Power Association, a cooperative, to furnish service in the  
absence of a desire on the part of the utility having the right, if it

so elected, to furnish service in area, not to so do, it would seem that said Order should be so amended.

And the Commission, The Trinidad Electric Transmission Railway and Gas Company consenting thereto, so finds.

### O R D E R

#### THE COMMISSION ORDERS:

That said Decision No. 26349, of date August 9, 1946, be, and the same hereby is, amended, nunc pro tunc, as of the 9th day of August, 1946, by striking therefrom the third from the last paragraph and the second from the last paragraph thereof -- that is, the paragraphs reading as follows:

"Applicant shall file its rate schedules, rules and regulations, set up its books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices as to testing, consumers' deposits and operations, records of meters, transformers and complaints into compliance with the Commission's requirements, within twenty days from date."




and:

"Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order."

That said Order and Decision No. 26349, in all other respects, shall remain in full force and effect.

That amending of said Order, as heretofore set forth, shall not be construed as a finding that Southeast Colorado Power Association, in its operations as heretofore, and now, conducted, is or is not a public utility -- that question being reserved for future determination, in the event it is necessary.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
VERNIE SWARM, BOX 174, FOUNTAIN,  
COLORADO, FOR A CERTIFICATE OF PUB-  
LIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 7451

September 27, 1946.

Appearances: Robert H. LaGrange, Esq.,  
Colorado Springs, Colorado,  
for applicant;  
A. J. Fregeau, Denver, Colo-  
rado, and  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for  
Weicker Transfer and Stor-  
age Company;  
Merion F. Jones, Esq., Denver,  
Colorado, and  
T. A. Stockton, Jr., Esq.,  
Denver, Colorado, for  
Carroll Line;  
J. S. Wright, Pueblo, Colo-  
rado, pro se;  
Myron H. Burnett, Esq., Denver,  
Colorado, for the Common  
Carrier Division of The  
Colorado Motor Carriers'  
Association, Southwestern  
Transportation Company,  
A. S. Harms, J. M. Williams.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Colorado Springs, Colorado, May 13, 1946, and taken under advisement.

It there appeared that Vernie Swarm, for eight years -- except for the period of time that he was in the Navy -- has been a resident of Fountain, Colorado; that he has one truck -- a 1935 Ford equipped with a stake body; that he is able to, and will, purchase more equipment if and when the authority sought is granted; that he proposes to operate as a common carrier by motor vehicle for hire for the transportation of farm

Products, including livestock and excluding dairy products, farm supplies, and coal; that farm products and livestock would be picked up at farms and ranches within a radius of fifteen miles of Fountain, and would move to Denver, Pueblo, and Colorado Springs -- livestock, primarily, going to the Denver market and sales rings at or near Pueblo and Colorado Springs; farm supplies, chiefly, would consist of new and used machinery, fencing, sacked feed, grain, coal, etc., and would move from supply points of Fountain, Pueblo, and Colorado Springs to the farms in said area. There would also be some transportation of livestock, hay and grain between farms in the area. There would be no back-haul from town to town, except the transportation of coal to Fountain and from Fountain and said area.

It appeared that Fountain is located on U. S. Highway No. 35, about 15 miles from Colorado Springs; that it is a local trading point for a rather extensive farming and ranching area in the vicinity; that it is without the service of a resident common carrier; that certificate, a number of years ago, was granted for the area, but the applicant did not qualify; that the only local service is that of A. S. Harms, a private carrier, who, primarily, is engaged in hauling milk over a route; that he does not have authority to serve the area sought to be served by applicant in intrastate commerce; that his service, insofar as it is available to residents of the area, has been good; that also is true of the service of J. M. Williams, a common carrier who resides at Colorado Springs, and who does not maintain a local agent at Fountain, except during the rush season, when Williams is unable to serve adequately.

Williams, under his certificate, is authorized to transport:

livestock, from point to point within the area described as beginning at Ellicott, thence east to a point fifty miles east of Colorado Springs, thence south 35 miles, thence west 100 miles, thence north to a point due west of Larkspur, thence east to Cherry Creek, thence south to a point 3 miles south of Falcon, thence east to a point 3 miles due north of Ellicott, thence south to Ellicott, and from and to points in said area, to and from all points within the State of Colorado, excluding the right to transport livestock in competition with the service then authorized to be performed under certificate of Verne S. Perrine.

He specializes in movement of livestock, and does very little hauling of other products in the community.

A number of witnesses, including Messrs. Paige, McMann, and Cain, testified in support of the application. Mr. Paige resides south of Fountain on a ranch which he has operated since 1915, and produces cattle, hay, beets, and grain. He has a truck, and does some hauling himself. He sells about 150 head of cattle yearly. He stated that, for five years, the service of for-hire carriers has been wholly inadequate; that during the haying season of 1945, he suffered a loss of approximately \$1,000.00 on account of inability to get hay handled; that farmers in the area require year-round service, although the principal demand is during the summer and fall; that the truck was purchased by him because he was unable to get for-hire service -- especially for movement of small lots; that all for-hire carriers seemingly will not serve unless they can get a large load; that he has not sought the service of Williams, and chiefly has relied upon Harms and Pueblo County carriers.

McMann operates a ranch, consisting of 10,000 acres, lying in El Paso County and in Pueblo County. He stated that the only commodity requiring for-hire service which he produces is livestock; that for that operation, he has employed Yockey, Blakley, and Williams; that Williams has done most of the hauling; that he has been very well satisfied with their service, although during the war it was somewhat difficult to get haulers on short notice, on account of the fact that "everyone wants to go when the market is good;" that most of the livestock in the county is handled by Williams.

Mr. Cain is a rancher, and produces livestock, hay, grain, and other farm products. He, like Mr. Paige and Mr. McMann, has had some difficulty in getting coal. He stated that his livestock moves to Denver, Pueblo, and La Junta; that his place is located about two miles east of Fountain; that livestock is shipped by truck and rail -- trucks, preferably, when such service is available; that he found it very difficult to get truck service during the six months preceding the hearing, although he had contacted Williams, Harms, and Carroll; that he has not

done any large-scale hauling for a year.

J. M. Williams, a common carrier operating under PUC No. 1431, A. S. Harms, a private carrier operating under Permit No. A-671, Mr. Zanotill, of Fountain, and Mr. Roy Danovell, of Fountain, testified in opposition. Mr. Zanotill stated that the service of the common carriers -- and especially that of Williams -- and the service of Mr. Harms, has been very good; that he has not heard any of his neighbors complain about the service; that he and they are satisfied.

Mr. Danovell, who has a ranch near Fountain, stated that he, too, had regularly used the Williams and Harms service; that during the war, he had some difficulty getting service from Harms promptly under his contract with him -- Harms not being a common carrier -- but carrier service at time of hearing was excellent, and cattle were moving without delay.

J. M. Williams testified that he has five trucks, including 12', 14', and 16' bob tails. He stated that, in his opinion, common carrier service for the movement of livestock and farm supplies in the area is adequate; that Fountain is in El Paso County and is only a short distance from Colorado Springs; that he maintains a telephone and accepts collect calls; that, except on Mondays, Tuesdays and Wednesdays, -- being the days when practically all ranchers want to go to market with their cattle -- he is able to satisfy livestock calls on short notice; that on these days -- if he is given a few hours' advance notice -- he handles the livestock personally, or arranges with other common carriers for service; that if the demand increases, he will purchase more equipment. In other words, he will make the service adequate. In order to meet overhead and maintain the fleet of trucks he now has, and to provide service which, in his opinion, is good, it is necessary that he have considerable business. He stated that the granting of the authority sought would tend to impair the efficiency of his operation, and he would be less able to furnish prompt service, for it would be necessary to decrease the amount of equipment he has.

While Harms is not a common carrier, he has been in business as a private carrier for ten years. Chiefly, he handles a milk run, but has three trucks and has been able to care for the livestock and hay hauling



requirements of his customers ordinarily -- livestock and hay being the chief commodities produced in the area. During the war, it was sometimes difficult to get drivers and to keep equipment running. Drivers are now available, and new equipment can be obtained more promptly. He has a truck equipped with a 12' rack, with which he handles small loads of livestock. In his opinion, the common carrier service is adequate.

The Commission cannot grant a certificate for a competitive service where the common carrier service then authorized is adequate, or can be made adequate under the direction of the Commission.

In re H. P. Lahe (Application No. 2621, Decision No. 6846, of date November 26, 1935), the Commission said:

"The Commission on a number of occasions has held that an applicant, in order to secure a certificate of public convenience and necessity, must affirmatively show that the public convenience and necessity, as distinguished from his personal desires, requires his proposed operation, and that before a certificate of public convenience and necessity will issue for an operation which will virtually parallel existing common carrier service, a clear and affirmative showing must be made that the existing transportation facilities are inadequate or unsatisfactory, and that there is no prospect of such service being made better under the orders of the Commission."

Upon the record here made, we cannot say that the common carrier service is inadequate. It is true that during the war period some delays in service were experienced. This was not due to any neglect or fault of the carrier. All carriers were overworked. They were unable to get new equipment or to obtain repairs and parts and tires for the equipment they had. The situation has improved, and even though the service were inadequate, under the laws, the carriers should have an opportunity to correct the situation before a new certificate should be granted. Mr. Williams is an experienced and able livestock hauler. All witnesses agreed that his service is good, except for a few days in getting it. Apparently such delays were not substantial, because very little effort seems to have been made to get the service of Carroll or Wright or other common carriers of livestock and other commodities having authority to

serve the territory.

## FINDINGS

### THE COMMISSION FINDS:

That common carrier service in the area sought to be served by applicant is adequate; that the granting of additional authority would tend to impair said adequate service; that public convenience and necessity do not require the proposed operation of applicant, and that his application should be denied.

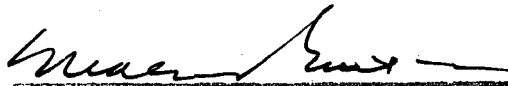
## ORDER

### THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, denied.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF  
GEORGE W. CROSS AND WAYNE E. CROSS,  
JOES, COLORADO, FOR A CLASS "B" PERMIT  
TO OPERATE AS A PRIVATE CARRIER BY  
MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 7737-PP

-----  
Sept. 27, 1946.  
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Appearances: George W. Cross and Wayne E. Cross,  
Joel, Colorado, pro se;  
Edward C. Hastings, Esq., Eads,  
Colorado, and  
J. J. Lefferdink, Esq., Eads,  
Colorado, and  
John J. Vandemoede, Esq., Cheyenne  
Wells, Colorado, for Harold L. Covey,  
Frank Vitera and Denver-Limon-  
Burlington Transportation Company;  
Earl F. Wingren, Esq., Denver, Colorado,  
for M. K. McElfresh, Paul Zimmerman,  
and Van Goodwin & Sons;  
E. B. Evans, Esq., Denver, Colorado,  
for C. C. Snyder, W. A. Holstine,  
M. E. Stutheit, Elmo Motsinger  
and Martin Wilshusen.

S T A T E M E N T

By the Commission:

Applicants herein filed their application for a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of farm produce and farm supplies between points within a 15-mile radius of Joes, Colorado, and from and to points in said area to and from points within a 150-mile radius of Joes, Colorado, all service to originate or terminate on farms.

At the hearing, which was held on August 2, 1946, at Burlington, Colorado, the application was taken under advisement.

It appeared from the evidence given at the hearing that applicants are the owners of a 1942 1½-ton truck and live at Joes, Colorado. They testified that they had several customers in the Joes area who had requested their service hauling grain and livestock; that the operation will be carried

on by Wayne Cross, the owner; that they would like to render a service to their neighbors who have had difficulty in getting service; that they feel if they were granted authority, they could get some business.

Mr. Edward Pruchek, who recently lived near applicants and who has sold his farm, stated he had difficulty in getting service; that he called W. A. Holstine, of Kirk, and other carriers and they had been unable to give service. He further stated that he had sold his farm and would not need service in the immediate future.

C. C. Snyder, of Joes, who holds PUC 414, with authority for the transportation of farm produce, including livestock, farm supplies and equipment, in the area covered by the instant application, protested the granting of any authority to applicants, stating he maintained two trucks at Joes, Colorado, and it would impair his service if further authority is granted.

Mr. Paul Hickman, who holds PUC 1066, testified that he operated four straight trucks, and that his territory covered most of Yuma County. He felt that the granting of any additional authority in the territory would take business from his operation, thereby definitely impairing his service.

Messrs. Stutheit, Wilshusen, Motsinger, McElfresh, Zimmerman and Buss Goodwin, all holding certificate which would be affected if this application is granted, stated that they felt the proposed operation was not needed; that they had ample equipment to take care of all requests for service, and that the granting of further authority would impair the efficiency of their service.

It appears to the Commission that the applicant has not made the necessary showing to justify the granting of private carrier authority; that he has filed no customer list, stating that he would get his customers after the authority is granted. Complaints of improper service are not, in themselves, sufficient to justify the granting of private carrier authority. Applicants have to establish that the service they intend to render is needed by his customers, and that common carrier service will not be impaired by the

granting of same. Applicants, in their case before the Commission, have failed to meet this requirement.

After careful consideration of the record and the evidence submitted, the Commission is of the opinion, and finds, that the above-entitled application should be denied.

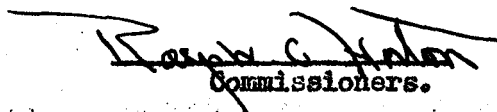
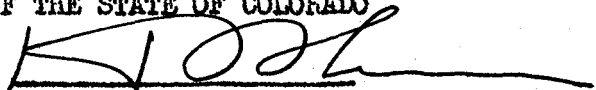
O R D E R

THE COMMISSION ORDERS:

That the above-entitled application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
RUSSELL S. HENRY, CROOK, COLORADO, )  
FOR A CERTIFICATE OF PUBLIC CON- )  
VENIENCE AND NECESSITY TO OPERATE )  
THE CROOK TELEPHONE EXCHANGE AND )  
FOR A TRANSFER OF RIGHTS EXISTING )  
THEREUNDER. )

APPLICATION NO. 7765

-----  
Sept. 27, 1946.  
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Appearances: Brock, Akolt, Campbell and Myers, Esqs.,  
Denver, Colorado, and  
John R. Turnquist, Esq., Denver, Colorado,  
for The Mountain States Telephone  
and Telegraph Company;  
Raymond N. Sandhouse, Esq., and  
Earl A. Wolvington, Esq.,  
Sterling, Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application seeking a certificate of public convenience and necessity authorizing telephone utility service both within and without the Town of Crook, Logan County, Colorado, or for a certificate of public convenience and necessity for the area now served by applicant.

The evidence disclosed that applicant and his predecessors in interest now are, and for many years last past, have been rendering telephone service to the general public within the limits of the Town of Crook and the territory extending through the following area:

Sections One (1) to Twelve (12) inclusive, Township Ten (10) North, Range Forty-eight (48) West of the Sixth (6th) Principal Meridian; all Thirty-six (36) Sections in Township Eleven (11) North, Range Forty-eight (48) West of the Sixth (6th) Principal Meridian; Sections One (1) to Twenty-four (24) inclusive in Township Ten (10) North, Range Forty-nine (49) West of the Sixth (5th) Principal Meridian; all Thirty-six (36) Sections in Township Eleven (11) North, Range Forty-nine (49) West of the Sixth (6th) Principal Meridian; Sections One (1), Two (2), Eleven (11), Twelve (12), Twenty-four (24) in Township Ten (10) North, Range Fifty (50) West of the Sixth (6th) Principal Meridian, and Sections Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Thirty-five (35) and Thirty-six (36) in Township Eleven (11) North, Range Fifty (50) West of the Sixth (6th) Principal Meridian in Logan County, Colorado;

that on April 1, 1946, Ordinance No. 41 was passed by the Town of Crook, granting to Russell S. Henry, applicant herein, the right to construct, operate and maintain lines of telephone upon, along, over, and under the streets and highways of the Town of Crook, Logan County, Colorado, and the right to maintain in said town all necessary offices and equipment for a period of twenty (20) years from and after the passage of the above-referred-to ordinance.

It was further disclosed that the original cost of the system was approximately \$5,000.00, and it has a present-day value of \$800.00, and applicant states that he expects to spend approximately \$10,000.00 in rebuilding, extending, and renewing the entire system, making the estimated value of the system \$10,800.00. However, the fixing of this figure and its adoption by the Commission for the purpose of determining fee for issuance of certificate herein, shall not preclude the Commission from adopting a different value should the question of valuation arise in a rate hearing or any subsequent proceeding where valuation may be an issue.

The exchange now has approximately fifty subscribers, and applicant hopes and expects to increase this number materially. The exchange has been operating for many years without having formally applied for a certificate. The service was initially inaugurated by M. G. Johnson. Subsequently, Johnson conveyed all his right in the exchange to Raymond T. Fortner, who operated the exchange for a time, but eventually turned over operation of the exchange to Mrs. Eva Todd, while retaining ownership therein; Mrs. Eva Todd operated the exchange for a period of over three years until applicant became the owner of the exchange, as more particularly set out in the statements of M. G. Johnson, Raymond T. Fortner and Mrs. Eva Todd attached to the application.

No other company is now serving in the area in question, except the Mountain States Telephone and Telegraph Company, and a stipulation, signed by attorneys for applicant and attorneys for Mountain States Telephone and Telegraph Company covering the respective rights of the parties hereto in the matter involved, was filed with the Commission and made a part of the instant record.

No one appeared protesting the granting of the authority sought, and statements were received from the Town of Crook recommending that the certificate be granted.

After careful consideration of the record, the Commission is of the opinion, and finds, that the present and future public convenience and necessity require the exercise by applicant of the franchise rights granted by the Town of Crook on April 1, 1946, by Ordinance No. 41, together with the right to furnish telephone service to the rural population without the limits of the Town of Crook, more particularly described in the order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That the present and future public convenience and necessity require the exercise by applicant of the franchise rights granted to him on April 1, 1946, by the Town of Crook, Colorado, in Ordinance No. 41, including the right to furnish public utility telephone service to the rural population without the limits of the Town of Crook more particularly described as follows:

Sections One(1) to Twelve (12) inclusive, Township Ten (10) North, Range Forty-eight (48) West of the Sixth (6th) Principal Meridian; all Thirty-six (36) Sections in Township Eleven (11) North, Range Forty-eight (48) West of the Sixth (6th) Principal Meridian; Sections One (1) to Twenty-four (24) inclusive, in Township Ten (10) North, Range Forty-nine (49) West of the Sixth (6th) Principal Meridian; all Thirty-six (36) Sections in Township Eleven (11) North, Range Forty-nine (49) West of the Sixth (6th) Principal Meridian; Sections One (1), Two (2), Eleven (11), Twelve (12), Twenty-four (24) in Township Ten (10) North, Range Fifty (50) West of the Sixth (6th) Principal Meridian, and Sections Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Thirty-five (35) and Thirty-six (36) in Township Eleven (11) North, Range Fifty (50) West of the Sixth (6th) Principal Meridian, in Logan County, Colorado,

subject to the terms and conditions of the stipulation on file herein between applicant and The Mountain States Telephone and Telegraph Company, and the reservations hereinafter expressed, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

IT IS FURTHER ORDERED, That the certificate of public convenience



and necessity herein granted shall be subject to the following provisions and restrictions:


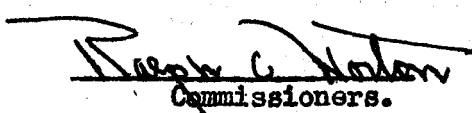
That nothing contained in this certificate of public convenience and necessity shall be construed as permitting or authorizing the applicant, his heirs, executors, administrators, successors or assigns, to extend his lines or service into the territory now served by The Mountain States Telephone and Telegraph Company, except the territory in and around the Town of Crook, Colorado, nor shall it be construed to operate as excluding the present operations of The Mountain States Telephone and Telegraph Company in said territory or any extension of said present operations of the Mountain States Telephone and Telegraph Company in non-competitive territory.

That applicant shall file his rate schedules, rules and regulations, and set up his books and accounts in agreement with the Uniform Classification of Accounts, and in all respects bring his practices into compliance with the Commission's requirements, within thirty days from date.

Failure of applicant to comply as ordered within said specified period shall nullify and automatically revoke, at the end of said period, the authorization herein granted, but subject to any further action or modification the Commission may order in the premises.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
FRANK LEROY YOUNG, BOX 261, OTIS, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 7762-PP

-----  
Sept. 27, 1946.  
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Appearances: J. C. Street, Esq., Denver, Colorado,  
for Chicago, Burlington & Quincy  
Railroad Company;  
Paul Hickman, Yuma, Colorado,  
for Yuma County Transportation  
Company;  
Martin Wilshusen, Yuma, Colorado,  
pro se;  
Lester Smith, Box 43, Sterling,  
Colorado, pro se;  
William Blankenbeckler, Sterling,  
Colorado, pro se;  
E. F. Anderson, Akron, Colorado,  
for Akron Truck Line.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Denver, Colorado, on August 6, 1946, at 10:00 o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

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

Thereupon, protestants moved that said application be dismissed for lack of prosecution.

The files were made a part of the record, and the matter was taken under advisement.

F I N D I N G

THE COMMISSION FINDS:

That the instant application should be dismissed for lack of prosecution.

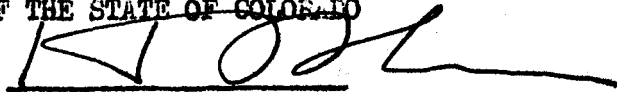
O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, dismissed  
for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JAMES T. HAMM, ROUTE 6, BOX 458, )  
DENVER, COLORADO, FOR AN EXTENSION )  
OF PERMIT NO. B-3164. )  
-----

APPLICATION NO. 7746  
Extension

-----  
Sept. 27, 1946.  
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Appearances: Myron H. Burnett, Esq., Denver,  
Colorado, for The Motor Truck  
Common Carriers Association, and  
Tiller Cash Coal & Feed Company;  
Harold Swena, Golden, Colorado,  
for Swena Transfer;  
T. A. Stockton, Jr., Esq.,  
Marion F. Jones, Esq., and  
A. E. Small, Jr., Denver, Colorado,  
for Rogers Truck Line, Britt  
Truck Service and Sorenson  
Truck Line.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Denver,  
Colorado, on August 6, 1946, at 10:00 o'clock A. M., due notice of the time and  
place of hearing being forwarded to all parties in interest.

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

Thereupon, protestants moved that said application be dismissed for  
lack of prosecution.

The files were made a part of the record, and the matter was taken  
under advisement.

F I N D I N G

THE COMMISSION FINDS:

That the instant application should be dismissed for lack of  
prosecution.


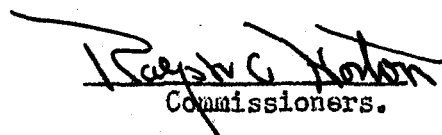
O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, dismissed  
for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

BH

Original

(Decision No. 26778)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )	
CARL BAESSLER, JR., 1150 HAVANA, )	
AURORA, COLORADO, FOR REISSUANCE OF )	
PERMIT B-2855 with the following )	APPLICATION NO. 7748-PP
authority: TRANSPORTATION OF GRAIN )	Reissuance of Permit B-2855
AND LIVESTOCK FROM FARMS TO STORAGE )	
AND MARKETS WITHIN A RADIUS OF 75 )	
MILES OF BYERS, COLORADO. )	

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-----  
Sept. 27, 1946.  
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Appearances: Myron H. Burnett, Esq., Denver,  
Colorado, for The Motor Truck  
Common Carriers Association and  
Tiller Cash Coal and Feed Co.;  
T. A. Stockton, Jr., Esq.,  
Marion F. Jones, Esq., and  
A. E. Small, Denver, Colorado,  
for T. H. Armknecht, Yuma  
County Transportation. Comet  
Motor Express, Deertrail Truck Line;  
Harold Swena, Golden, Colorado,  
for Swena Truck Line.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Denver,  
Colorado, August 8, 1946, at 10:00 o'clock A. M., due notice of the time  
and place of hearing being forwarded to all parties in interest.

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

Thereupon, protestants moved that said application be dismissed for  
lack of prosecution.

The matter was taken under advisement.

F I N D I N G

THE COMMISSION FINDS:

That the motion of protestants should be granted and the instant  
application dismissed for lack of prosecution.

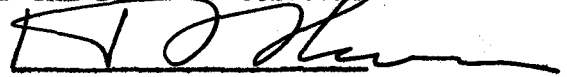
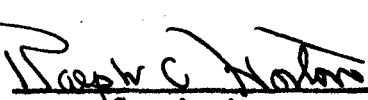
O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, dismissed  
for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES E. HALL, JR., 513 SANTA FE, )  
LA JUNTA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7839-PP

-----  
September 27, 1946  
-----

Appearances: R. S. Thompson, Kim, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at La Junta, Colorado, August 28, 1946, at 9:30 o'clock A.M., due notice of the time and place of hearing being forwarded to parties in interest.

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

Thereupon, protestant, R. S. Thompson, moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed for lack of prosecution.

O R D E R

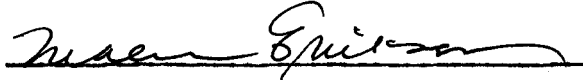

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.



This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

Mcw.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARLEY M. MILLER, ROUTE 2, LA JUNTA, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7837-PP

-----  
September 27, 1946  
-----

Appearances: Robert L. Harris, Las Animas,  
Colorado, for Las Animas  
Transfer Company.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at La Junta, Colorado, August 28, 1946, at 9:30 o'clock A.M., due notice of the time and place of hearing being forwarded to parties in interest.

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

Thereupon, protestant, Robert L. Harris, moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said application, should be dismissed for lack of prosecution.

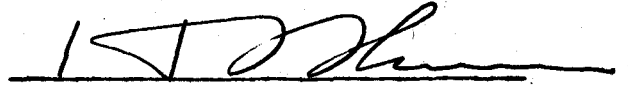
O R D E R

THE COMMISSION ORDERS:

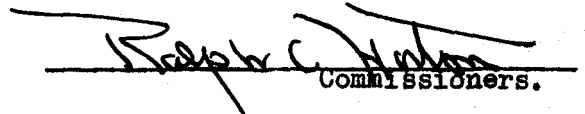
That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

• This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HUBERT L. GILLISPIE, ROUTE 1, LA )  
JUNTA, COLORADO, FOR A CLASS "B" ) APPLICATION NO. 7833-PP  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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-----  
September 27, 1946  
-----

Appearances: Hubert L. Gillispie, La Junta,  
Colorado, pro se;  
R. S. Thompson, Kim, Colorado,  
pro se, and for James Richardson.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

Applicant, who resides near Swink, Colorado, herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of livestock between points within a radius of fifty miles of La Junta, Colorado, except service from or to points in the territory around Kim, Tobe, and Villa Green, which R. S. Thompson and James Richardson are authorized to serve under their certificates, respectively, Nos. 853 and 1249.

The elimination of the territory which is served by Thompson, Warner, and Richardson was generally described by Thompson as the "country from the hill, on," which description Applicant Gillispie seemed to recognize, was made at the suggestion of applicant after Mr. Thompson testified in detail as to the service available in that territory, and the fact that he and the other common carriers

serving found it difficult to keep their one-truck operations going.

Applicant stated that he was not planning to "intrude on other fellows;" that, primarily, he was engaged in farming and wanted to be in a position, when he was not too busy with the farming operations, to handle his stock and an occasional animal or two for his neighbors any place within the area; that, frequently, his neighbors had been unable to get service from the sales yards to their homes. He was agreeable to placing a limitation upon his equipment of one one and one-half ton truck.

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

There was no objection to the issuance of permit, as limited.

#### FINDINGS

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

That Hubert L. Gillispie, La Junta, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of livestock between points within a radius of fifty miles of La Junta, Colorado, excluding service from or to points in the territory around Kim, Tobe, and Villa Green, which R. S. Thompson and James Richardson (PUC Nos. 853 and 1249) are authorized to serve.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

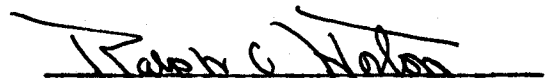
The right of applicant to operate hereunder shall depend

upon his compliance with all present and future laws and rules and regulations of the Commission.

That in conducting said operations, applicant shall be limited to the use of one truck of one and one-half-ton capacity.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF )  
WALTER W. BAUER AND NORMAN W. )  
BAUER, DOING BUSINESS AS "NORWALD )  
SERVICE STATION," LAMAR, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS PRIVATE CARRIERS BY MOTOR VE- )  
HICLE FOR HIRE. )  
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APPLICATION NO. 7830-PP

-----  
September 27, 1946  
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Appearances: Norman W. Bauer, Lamar, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

Applicants, Walter W. Bauer and Norman W. Bauer, Co-partners, doing business as "Norwald Service Station," herein seek authority to operate as private carriers by motor vehicle for hire for the transportation of sand, gravel, building supplies, hay, grain, and farm products, generally, and farm supplies, between points within a radius of twenty-five miles of Lamar, Colorado.

The testimony showed that applicants are co-partners; that they have contributed equally to the capital, and expect to share the profits and expenses equally; that they operate a service station, and have two trucks; that they want to furnish a farm service for a number of their neighbors; that, primarily, they will haul hay from farms to mills and processing, and to dairy and feed lots for feed, and occasionally, from farm to farm. Grain and other feed crops will also be handled to dairies, feed lots, and farms. They have a combine and corn-sheller, and want to be in a position to haul the grain from the combine and the corn from the sheller to storage and shipping points, and to markets. Farm supplies will consist largely of commodities ordinarily used

by farmers, and building supplies, which will be handled from supply points to the farms.

No one appeared in opposition to the granting of the authority sought, and it did not appear that the proposed operation will tend to impair the efficiency of any adequate common carrier service with which applicants will compete.

Their pecuniary responsibility and operating experience were established to the satisfaction of the Commission.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Walter W. Bauer and Norman W. Bauer, doing business as "Norwald Service Station," Lamar, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of Sand, Gravel, building supplies, hay, grain, and farm products, generally, and farm supplies from far to farm, town to farm, farm to town, and farms to feed lots, loading point and elevators, within a radius of twenty-five miles of Lamar, Colorado.

All operations hereunder shall be strictly contrant operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

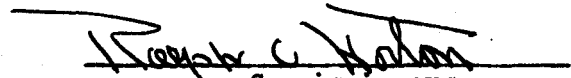


This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 27th, day of September, 1946.

MCW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GORDON E. LARSON, 409 SOUTH SIXTH )  
STREET, LAMAR, COLORADO, FOR A CLASS )  
"B" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7825-PP

-----  
September 27, 1946  
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Appearances: E. B. Evans, Esq., Denver,  
Colorado, for A. R. and  
R. F. Lee.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at La Junta, Colorado, August 28, 1946, due notice of the time and place of hearing being forwarded to parties in interest.

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

Thereupon, E. B. Evans, attorney for A. R. and R. F. Lee, moved that said application be dismissed for lack of prosecution.

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That said matter should be dismissed for lack of prosecution.

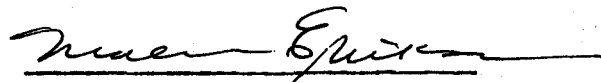

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 27th day of September, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. W. DAVIS, SPRINGFIELD, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )

APPLICATION NO. 7832-PP

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September 27, 1946  
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Appearances: J. W. Davis, Springfield, Colo-  
rado, pro se;  
E. B. Evans, Esq., Denver, Colo-  
rado, for A. R. and R. F. Lee.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of grain and broom corn from farms within a radius of thirty-five miles of Springfield, to Springfield, Walsh, Vilas, and ~~Two~~ Buttes -- applicant eliminating the request contained in the application to haul said commodities to Pritchett, at the suggestion of protestants.

Applicant also agreed not to engage in any for-hire service in competition with the service offered by A. R. Lee and R. F. Lee to Pritchett, under their PUC No. 1434, which authorizes the transportation of:

grain, livestock, wool in grease, broom corn, and other farm products, between farms and ranches within the area extending east to a line drawn north and south four miles east of Pritchett, to the State Line on the south, to the County Line on the west, and to a line on the north drawn east and west through a point twenty-five miles north of Pritchett, on the one hand, and Pritchett and other markets, loading, and storage points in said area, on the other hand.

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

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. M. Davis, Springfield, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of grain and broom corn from farms within a radius of thirty-five miles of Springfield, to Springfield, Walsh, Vilas, and Two Buttes — applicant not to perform any service in competition with that offered by A. R. Lee and R. F. Lee under their PUC No. 1434.

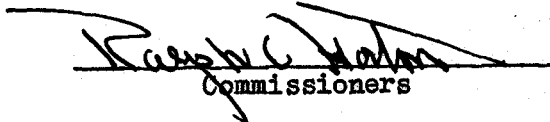
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado  
this 27th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. W. JONES, BOX 105 CISNE, ILLINOIS, )  
FOR A CLASS "B" PERMIT TO OPERATE AS )  
A PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7340-PP

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September 27, 1946.  
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Appearances: R. W. Jones, Cisne, Illinois,  
pro se;  
Marion F. Jones, Esq., Denver,  
Colorado, for Earl F. Siler,  
Dawson-Corbett, Nelson Brothers;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Mildred Watson,  
Comet Motor Express, Weicker  
Transfer and Storage Company;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company;  
T. A. White, Esq., Denver, Colorado,  
for Larson Transportation  
Company.

S T A T E M E N T

By the Commission:

Applicant, R. W. Jones, herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation, in irregular service, of machinery, materials, equipment, supplies, and facilities used in or incidental to, or in connection with: (a) the discovery, development, production, and preservation of natural gas and petroleum; (b) the construction, dismantling, repair, servicing, and maintenance of pipe lines; the construction, operation, repair, servicing, dismantling, and maintenance of facilities for the storage of natural gas, gasoline, and petroleum; and (c) the construction, operation, repair, servicing, processing, repressuring, and blending of gasoline, natural gas, and petroleum, between points within a radius of fifty miles of Artesia, Colorado, and from and to points in said area, to and from Craig, Colorado.

Said matter, pursuant to prior setting and after appropriate

notice to all parties in interest, was heard at Craig, Colorado, April 9, 1946, and taken under advisement.

At the hearing, it appeared that applicant has been a resident of Cisne, Illinois, where, prior to the time that he became a member of the Armed Forces, he was associated with his father in doing the type of hauling which he now seeks authority to perform.

The testimony showed that he has two trucks -- one being a 1944 model, the other a 1942 model; that they are equipped with winches and other special equipment used in the oil fields, and have a carrying capacity of approximately 10,000 pounds; that he proposes to maintain an office at Artesia, and will erect two buildings to store his equipment and trucks; that they will be completed by fall; that he has a net worth of approximately \$10,000.00; that while he does not have contract arrangements as yet with any shippers for service, he has contacted a number of operators in the field who have requested his service.

The demand, generally, for service of the character he expects to furnish was established by a number of witnesses appearing for other applicants in a consolidated hearing, the Jones Application being one of those so heard.

Arther Burgess, appearing for Nelson Brothers, testified generally as to the service available in the territory -- particularly in opposition to the granting of authority to Parco Garage. He contended that the service in the field is adequate, but did not indicate that the granting of private carrier authority to Jones would tend to impair the efficiency of such adequate common carrier service. Very little, if any, opposition developed to granting of authority here sought.

#### FINDINGS

##### THE COMMISSION FINDS:

That the granting of the authority sought will not tend to impair the efficiency of any adequate common carrier service in the territory sought to be served by applicant, and that the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That R. W. Jones, Cisne, Illinois, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation, in irregular service, of machinery, materials, equipment, supplies, and facilities used in or incidental to, or in connection with: (a) the discovery, development, production, and preservation of natural gas and petroleum; (b) the construction, dismantling, repair, servicing, and maintenance of pipe lines; the construction, operation, repair, servicing, dismantling, and maintenance of facilities for the storage of natural gas, gasoline, and petroleum; and (c) the construction, operation, repair, servicing, processing, repressuring, and blending of gasoline, natural gas, and petroleum, between points within a radius of fifty miles of Artesia, Colorado, and from and to points in said area, to and from Craig, Colorado.

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

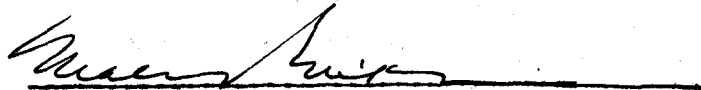
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado  
this 27th day of September, 1946.

Mcw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CECIL MESTAS, 700 CAMILLA, TRINIDAD, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )

APPLICATION NO. 7829-PP

-----  
September 27, 1946.  
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Appearances: Cecil Mestas, Trinidad, Colo-  
rado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Trinidad, Colorado, August 26, 1946, and taken under advisement.

It there appeared that applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, cement, coal, ashes, trash — sand, gravel, and cement to be transported between points within the City of Trinidad; coal from coal mines in Las Animas County to Trinidad and points within a radius of five miles thereof; ashes and trash from Trinidad to dump grounds within a radius of five miles thereof.

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

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

It did not appear that the proposed operation will tend to impair the adequacy of any common carrier service with whom applicant will compete.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Cecil Mestas, Trinidad, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel and cement between points within the City of Trinidad, Colorado; coal from coal mines in Las Animas County to Trinidad and points within a radius of five miles thereof; ashes and trash from Trinidad to dump grounds within a radius of five miles thereof.

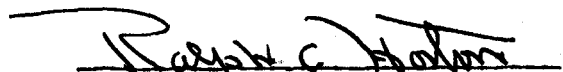
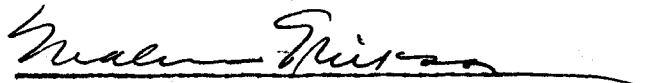
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
ART CARNAHAN, OF 2050 EMPORIA, AURORA, )  
Colorado, for a CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE FOR THE TRANSPORTATION )  
OF FARM PRODUCE FROM FARMS WITHIN A )  
50-MILE RADIUS OF AURORA TO MARKETS AND )  
STORAGE POINTS IN SAID AREA, AND FARM )  
SUPPLIES AND EQUIPMENT FROM AURORA TO )  
FARMS WITHIN SAID AREA: AND GRAIN FROM )  
FIELDS TO STORAGE AND LOADING POINTS IN )  
EASTERN COLORADO DURING HARVEST SEASON )  
ONLY. )

APPLICATION NO. 7845-PP

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September 27, 1946.  
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Appearances: Art Carnahan, Aurora, Colorado,  
                  pro se;  
                  Myron H. Burnett, Esq., Denver,  
                  Colorado, for Common Carrier  
                  Division of The Colorado Motor  
                  Carriers Association, and  
                  G. O. Anderson, doing business  
                  as Castle Rock Transfer;  
                  Marion F. Jones, Esq., Denver,  
                  Colorado, for David Small;  
                  Harold F. Swena, Golden, Colorado,  
                  for Swena Transfer;  
                  Langford and Tuxhorn, Byers,  
                  Colorado, pro se;  
                  Ronald P. Rogers, Strasburg, Colo-  
                  rado, for Rogers Truck Line.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, on August 29, 1946.

Applicant seeks authority to operate as a Class "B" intrastate  
private carrier by motor vehicle for hire for the transportation of:

Farm produce from farms within a 50-mile radius of  
Aurora to markets and storage points in said area,  
and farm supplies and equipment from Aurora to  
farms within said area; and grain from fields to  
storage and loading points in Eastern Colorado  
during the harvest season, only.

Applicant has a 1935 Dodge 1½-ton truck, and possesses a net worth of  
approximately \$2,000.00. His operating experience and financial reliability

were established to the satisfaction of the Commission.

At the hearing, the applicant agreed to restrict his radius on farm produce to ten miles from Aurora and on the hauling of grain to a 25-mile radius of Anton, Colorado, to storage and loading points during the months of July and August, only.

Upon such statements of restriction, protestants withdrew their protests.

Applicant testified he had received calls from farmers daily for the proposed service.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the application, as hereinafter limited, should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That applicant is hereby granted a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of:

Farm produce from farms within a 10-mile radius of Aurora, Colorado, to markets and storage points in said area, and farm supplies and equipment from Aurora to farms within said area; and grain from fields within a 20-mile radius of Anton, Colorado, to storage and loading points during the months of July and August of each year, only.

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

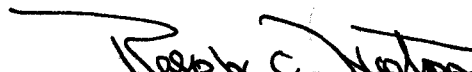
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

The application is, in all other respects, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 27th day of September, 1946.

BH

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN TRANSPORTATION COMPANY, )  
CANON CITY, COLORADO, AND RIO GRANDE ) APPLICATION NO. 6584  
MOTOR WAY, INC., DENVER, COLORADO, ) SUPPLEMENTAL ORDER  
FOR AUTHORITY TO TRANSFER OPERATING )  
RIGHTS. )  
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Sept. 30, 1946.  
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Appearances: Truman A. Stockton, Jr., Esq., Denver,  
Colorado, for Southwestern Trans-  
portation Company;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transportation Company.

S T A T E M E N T

By the Commission:

By Decision No. 21722, of date December 20, 1943, at the request of Southwestern Transportation Company, the authority granted to it to transport:

Livestock and hay under their certificate of public convenience and necessity (PUC No. 268)

was eliminated and stricken.

Subsequently, to-wit, on March 30, 1944, by Decision No. 22126, Southwestern Transportation Company was authorized to transfer to Rio Grande Motor Way, Inc., certain operating rights, specifically described in said Order, including the right to transport livestock and hay, the applicants therein, when they filed their application for transfer of operating rights of Southwestern Transportation Company, having overlooked the fact that said authority had been deleted or eliminated from the operating rights of Southwestern Transportation Company, without prejudice to the right of Southwestern Transportation Company to apply for certificate of public convenience and necessity in the future for the same service, should it desire to so do.

Said cancellation of operating right to transport livestock and hay was made at the request of Southwestern Transportation Company, by agreement

with one John Dilley, who was operating a farm for-hire service in the same area served by Southwestern Transportation Company.

Rio Grande Motor Way has been contacted, and informed of the fact that said Order, Decision No. 22126, should be amended, and has indicated that it does not object to such an amendment.

#### FINDINGS

##### THE COMMISSION FINDS:

That its Order, of date March 30, 1944, contained in Decision No. 22126, should be amended, nunc pro tunc, as of the 30th day of March, 1944, by striking the word "livestock" from the 10th line of Sub-paragraph (c), on Page 5 of said Order, and adding the words "except livestock and hay," after the word "timber" and before the word "from" in the 12th line of said Sub-paragraph (c).

#### ORDER

##### THE COMMISSION ORDERS:

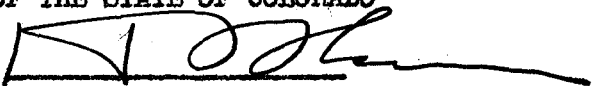
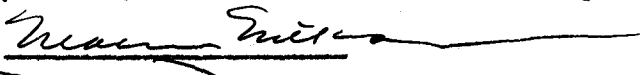

That Decision No. 22126, of date March 30, 1944, be, and it hereby is, amended, nunc pro tunc, as of said 30th day of March, 1944, by striking the word "livestock" from the 10th line of Sub-paragraph (a), on Page 5 of said Order, and adding the words "except livestock and hay," after the word "timber" and before the word "from" in the 12th line of said Sub-paragraph (a), said Sub-paragraph (a), as amended, to read as follows:

"(a) That Southwestern Transportation Company, a corporation, be, and it hereby is, authorized to transfer to Rio Grande Motor Way, Inc., out of its common carrier operating rights granted in the several applications mentioned in the Statement preceding, the right to transport property in intrastate commerce as a common carrier by motor vehicle between Denver, Colorado Springs, Pueblo, Portland, Florence and Canon City on the one hand, and Salida, Colorado, and points intermediate between Canon City and Salida, Colorado, on the other hand, together with a ten-mile radius of Salida, Colorado, for pick-up and delivery, and also the transportation, not on schedule, of farm products, including vegetables, fish, household goods, mining and milling machinery, farm supplies, stone, and timber, except livestock and hay, from point to point within a radius of thirty-five miles of Salida (excluding from

said territory that portion lying west of the Continental divide), and to and from points in said area, from and to points outside thereof, excluding service between points now served by scheduled common carriers, and the transportation of ore and concentrates from mines within a radius of five miles of Bonanza, Colorado, to railroad loading points at Villa Grove and Salida, Colorado, and to the smelter at Malta, Colorado."

That said Order, in all other respects, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of September, 1946.

BH



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF )  
GEORGE V. HOWARD, SALIDA, COLORADO, ) CASE NO. 36066-Ins.  
PERMIT NO. C-6834. )  
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October 1, 1946.  
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S T A T E M E N T

By the Commission:

On August 19, 1946, by Decision No. 36066-Ins., Permit No. C-6834 was revoked and cancelled for failure to keep effective insurance on file.

It now appears that proper insurance was in effect, but was not posted awaiting verification of address. Address has now been corrected and permit stands in order, and we have been requested to set aside our order of revocation.

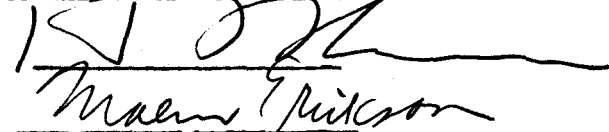
After careful consideration of the record, the Commission is of the opinion, and finds, that our Decision No. 36606-Ins. should be set aside, and Permit C-6834 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That our Decision No. 36066-Ins., be, and the same hereby is, set aside and cancelled, and Permit No. C-6834 be restored to its former status, effective as of August 19, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Ralph C. Norton  
Commissioners.

Dated at Denver, Colorado,  
this 1st day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
CLYDE O. MACKEY AND TOM McKEE, )  
589 SOUTH GRANT ST., DENVER, )  
COLORADO. )  
-----

CASE NO. 36039-Ins.  
PERMIT C-1781

-----  
Sept. 30, 1946.  
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S T A T E M E N T

By the Commission:

On August 19, 1946, by Decision No. 36039-Ins., Permit No. C-1781 was revoked and cancelled for failure to keep effective insurance on file with the Commission.

However, it now appears that effective insurance was in effect, but due to failure of the insurance agent to file same, permit was cancelled.

Since effective insurance is now on file and there was no lapse in coverage, we are requested to reinstate said permit.

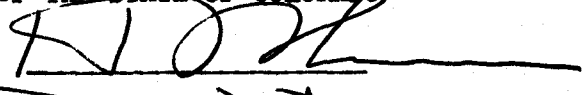
After careful consideration of the record, the Commission is of the opinion, and finds, that our Decision No. 36039-Ins., should be set aside and cancelled, and Permit C-1781 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That our Decision No. 36039-Ins., be, and the same hereby is, set aside and cancelled, and Permit No. C-1781 restored to its former status, effective as of August 19, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Ralph C. Norton  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

RE MOTOR VEHICLE OPERATIONS OF )  
F. S. NOLAN, CHEYENNE WELLS, )  
COLORADO, PERMIT C-10818. )  
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CASE NO. 36031-Ins.

-----  
Sept. 30, 1946.  
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S T A T E M E N T

By the Commission:

On August 19, 1946, by Decision 36031-Ins., Permit No. C-10818 was cancelled and revoked for failure to keep effective insurance on file with the Commission.

We are now in receipt of a letter from the insurance agent, stating that insurance was in effect, but for some reason was not filed. The insurance certificate has now been filed, and we are requested to reinstate said permit and set aside said Decision No. 36031-Ins.



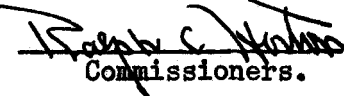
After careful consideration of the record, the Commission is of the opinion, and finds, that our Decision No. 36031-Ins. should be set aside and cancelled, and Permit No. C-10818 restored to its former status.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 36031-Ins., be, and it hereby is, set aside and cancelled, and Permit No. C-10818 restored to its former status, effective as of August 19, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of September, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE R. BENNETT, DOING BUSINESS )  
AS "BENNETT DELIVERY SERVICE," 518 ) APPLICATION NO. 7772  
SOUTH PROSPECT STREET, COLORADO )  
SPRINGS, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY. )  
-----

-----  
September 30, 1946.  
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Appearances: Mary Jane Williams, Esq., Colorado  
Springs, Colorado, for applicant.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Colorado Springs, Colorado, August 15, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a common carrier by motor vehicle for hire for the transportation, on call and demand, of drugs, drug supplies, and surgical supplies ordinarily sold by retail druggists, only, from drugstores in Colorado Springs, to Broadmoor, Manitou Springs, Ivywild, Cascade, and other points and places within a radius of six miles of Colorado Springs Post Office.

It appeared that Mr. Bennett has been operating a delivery service in Colorado Springs, delivering groceries, drugs, and similar commodities from stores to their customers in Colorado Springs; that he desires to extend his service for drugstores, only, into the area contiguous to Colorado Springs heretofore mentioned; that he has a city license to operate in the City of Colorado Springs, and has a 1935 panel Chevrolet truck, which represents an investment of about \$300.00.

It appeared that the proposed service not only is convenient, but at times is a very essential service.

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

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

#### F I N D I N G S

##### THE COMMISSION FINDS:

That public convenience and necessity require the motor vehicle common carrier for-hire transportation service of applicant, on call and demand, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the motor vehicle common carrier for-hire transportation service of applicant, on call and demand, for the transportation of drugs, drug supplies and surgical supplies ordinarily sold by retail druggists, only, from drugstores in Colorado Springs, to Broadmoor, Manitou Springs, Ivywild, Cascade, and other points and places within a radius of six miles of Colorado Springs Post Office, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

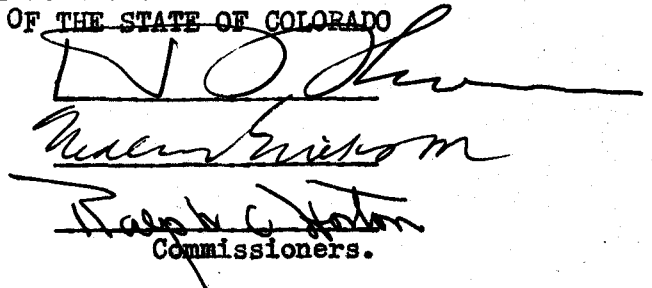
Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

This order is subject to compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of September, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
FRANK SMITH AND C. M. MARQUISS, )  
4765 GAYLORD STREET, DENVER, COLO- )  
RADO, FOR A CLASS "B" PERMIT TO OP- )  
ERATE AS PRIVATE CARRIERS BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 7896-PP

-----  
September 30, 1946  
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S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points; excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Frank Smith and C. M. Marquiss, Denver, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire, for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction

jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicants to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 30th day of September, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT E. KERSHAW, 207 SOUTH )  
DECATUR STREET, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR VE- )  
HICLE FOR HIRE. )

APPLICATION NO. 7894-PP

-----  
IN THE MATTER OF THE APPLICATION OF )  
ORVILLE A OSKSA, 1120 XINCA COURT, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7895-PP

-----  
September 30, 1946  
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S T A T E M E N T

By the Commission:

The above-styled applicants, and each of them, herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver and to points within a radius of five miles of Denver.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matters, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the applications should be granted.



O R D E R

THE COMMISSION ORDERS:

That Robert E. Kershaw and Orville A. Osksa, both of Denver, Colorado, and each of them, should be, and they hereby are, authorized to operate severally as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver and to points within a radius of five miles of Denver, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

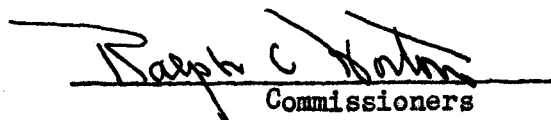
The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 30th day of September, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
LA VERNE E. ANDERSON, 539 RALEIGH )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 7893-PP

-----  
September 30, 1946.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That LaVerne E. Anderson, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle

for hire for the transportation of sand, gravel, dirt, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

All operations herunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 30th day of September, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
VIVIAN APODACA, 4004 NAVAJO STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7892-PP

-----  
September 30, 1946  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted, permit, when issued, to bear the number "B-2963," being the number of a permit formerly held by applicant.

O R D E R

THE COMMISSION ORDERS:

That Vivian Apodaca, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado, said permit to bear the number "B-2963."

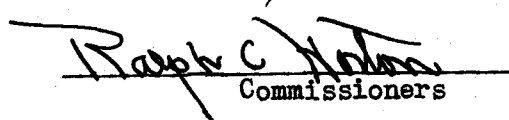
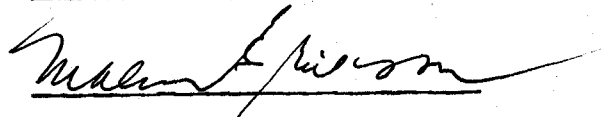
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado  
this 30th, day of September, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF )  
JAKE GONZALES AND HENRY GONZALES, )  
STARKVILLE, COLORADO, FOR AUTHORITY )  
TO OPERATE AS CLASS "B" PRIVATE )  
CARRIERS BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7889-PP

-----  
September 30, 1946.  
-----

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B"  
p private carriers by motor vehicle for hire for the transportation of  
sand, gravel, cinders, dirt, and other materials used in making up  
the surface of the roads, from pits and supply points in the State  
of Colorado to jobs within a radius of fifty miles of said pits and  
supply points, excluding service in Boulder, Clear Creek, and Gilpin  
Counties.

Inasmuch as the motor carrier associations, heretofore, have  
indicated they have no objection to the granting of permits, limited to  
the service herein sought to be performed by applicants, the Commission  
determined to hear, and has heard, said matter, forthwith, without formal  
notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jake Gonzales and Henry Gonzales, Starkville, Colorado, be,  
and they hereby are, authorized to operate as Class "B" private carriers  
by motor vehicle for hire for the transportation of sand, gravel, cinders,  
dirt, and other materials used in making up the surface of the roads, from  
pits and supply points in the State of Colorado to jobs within a radius

of fifty miles from said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

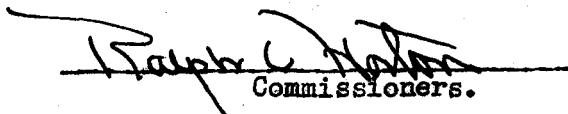
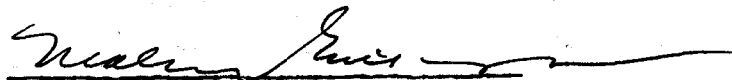

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of September, 1946.

McW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EDWARD C. FOWLER, BOX 266, KREMML- )  
ING, COLORADO, FOR A CLASS "B" PER- )  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7890-PP

-----  
September 30, 1946.  
-----

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of lumber and logs from a point one mile west of Kremmling to sawmill one-half mile east of Kremmling, via U. S. Highway No. 40.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Edward C. Fowler, Kremmling, Colorado, Be, and he hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of lumber and logs from a point one mile west of Kremmling to sawmill one-half mile east of Kremmling, via U. S. Highway No. 40.



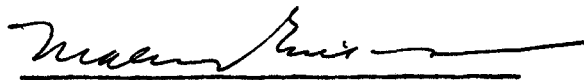
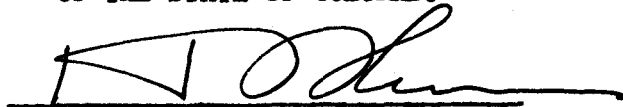
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 30th day of September, 1946.

mcw.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
KING G. WHITE AND FRED PETTY, 3610 )  
STUART STREET, DENVER, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS PRIVATE CARRIERS BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 7891-PP

-----  
September 30, 1946  
-----

S T A T E M E N T

By the Commission:

Applicants herein seeks authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver to road and building construction jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado Coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That king G. White and Fred Petty, Denver, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by

motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver to road and building construction jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

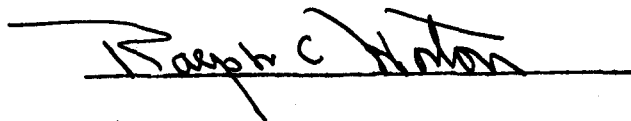
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



Dated at Denver, Colorado,  
this 30th day of September, 1946.

mcw.

167W44

(Decision No. 26800)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

RE RATES ON CEMENT FROM PORTLAND, )  
COLORADO, TO PEYTON AND CALHAN, )  
COLORADO, SUBJECT TO A MINIMUM ) CASE NO. 1585  
WEIGHT OF 30,000 POUNDS: ALSO TO )  
PROVIDE A BASIS FOR RATES TO COVER )  
SERVICE OF SPECIAL CLOSED VAN )  
TRAILER MOVEMENTS OF LIVESTOCK. )  
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-----  
September 28, 1946  
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S T A T E M E N T

By the Commission:

The Commission is in receipt of two petitions from The Motor Truck Common Carriers' Association, as Agent, for and on behalf of Ethel E. Sorenson, doing business as Sorenson Truck Line and G. Barnhill, doing business as Barnhill Truck Line, hereinafter referred to as Sorenson and Barnhill. Also a request from James B. Garrison, attorney-at-law, representing George N. Harlan, Cortez, Colorado, for authority to set aside the Commission's prescribed rates in rendering a drayage service in the town of Cortez, Colorado, and between points within a radius of five miles of Cortez, Colorado.

The Sorenson petition seeks authority to publish the following:

"Charges for Closed Van Trailer:

"Where service of special closed van trailer, so constructed as to provide separate quarters for each animal, is requested by the shipper, such equipment will be furnished, subject to the following charges:

<u>"When Number of</u> <u>Animals is:</u>	<u>Charge will be for:</u>
5 and under . . . . .	10,000 pounds at the L.T.L. distance rates
6 . . . . .	11,000 " " " " " "
7 . . . . .	12,000 " " " " " "
8 . . . . .	13,000 " " " " " "
9 (Maximum load) . . . . .	14,000 " " " " " "

"In the event the animals are of a size which will permit two or more being loaded into one compartment, the entire number contained in each compartment (but not exceeding 1,000 pounds in weight) will be considered one animal.

"Equipment may be held at point of destination not more than three (3) twenty-four (24) hour days at a charge of \$1.25 per hour, then same cargo as was originally shipped in may be returned to first point of origin on basis of sixty (60) per cent of the original charge."

The Barnhill petition seeks authority to publish a rate of 13 cents per 100 pounds, subject to the six (6) and ten (10) per cent increases, on cement, minimum weight 30,000 pounds, from Portland, Colorado, to Peyton and Calhan, Colorado.

The Sorenson petition sets forth the following reasons in support of its request.

"The Sorenson Truck Line has constructed a closed van type trailer, divided into nine compartments so as to provide separate quarters for each animal, to be used at the request of shippers of show, breeding or racing stock, or any other shipper desiring special accommodations for his livestock.

"Inasmuch as the maximum load is nine animals, the presently prescribed schedule of distance rates will not produce sufficient revenue to enable the carrier to profitably provide this special service to those desiring same. After considerable deliberation, carrier has reached the conclusion that the above schedule of charges must be assessed in connection with shipments being transported in this special equipment in order that it may equitably perform the service."

In Decision No. 26570, dated September 3, 1946, the record shows that 97 per cent of Sorenson's livestock traffic was under 50 loaded miles; that on the basis of her annual report for 1945 her truck mile costs were 21.62 cents.

Under the proposed adjustment the truck mile earnings would be as follows:

Distance Miles	Minimum Weight				
	10,000	11,000	12,000	13,000	14,000
25 -	68¢	74.8¢	81.6¢	88.4¢	95.2
35(Longmont-Denver)	57.1¢	62.85¢	68.57¢	74.3¢	80.0¢
100	34.	37.4	40.8	44.2	47.6
153(Longmont-Boulder)	32.03	35.23	38.43	41.63	44.84

The earnings in comparison with the 1945 costs appear to be extremely high especially on the shorter movements. However, the proposed service is a specialized one which a shipper would not be compelled to use unless he so desired. Lower rates being available for non-specialized service.

The Barnhill petition sets forth the following reasons in support of its request:

"At the present time, Item No. 675, M.T.C.C.A. Tariff Colo. P.U.C. No. 5, provides a rate of 15¢ per 100 pounds (13¢ plus the 6% and 10% increases), minimum weight 30,000 pounds, to apply on shipment of cement from Portland, Colorado, to Matheson, Ramah and Simla, Colorado, while the presently effective rates to the intermediate points of Calhan and Peyton are 21¢ and 18¢, respectively, subject to a minimum weight of 20,000 pounds.

"Carrier is anticipating the movement of cement in lots of 30,000 pounds or more from Portland to Calhan and Peyton, and feels that he cannot justify charging the higher rate at intermediate points.

"The proposed rate produces a truck mile revenue of 40.5¢ to Calhan, and 45¢ to Peyton, based on the loaded miles. This revenue appears to be considerably above the cost of operation as shown on the carrier's annual statement on file with this Commission."

The underscored words and figures have been added by us.

The carrier's costs per truck mile are not shown in its annual reports, nor does it show the total truck miles operated, as required in the blanks furnished by the Commission.

In regard to the Harlan request, it is pointed out that it is not practical to weigh each shipment in conducting a drayage service such as involved herein, which would have to be done if the prescribed rates were to be applied.

The Commission has heretofore eliminated its prescribed rates 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. Also on traffic (with a few exceptions) transported locally between Denver, Colorado, and points located within a radius of five miles of Denver, or between points located within said area.

In the opinion of the Commission no purpose would be served in assigning these matters for a public hearing, or nothing further added than what is now before us in support of the proposals. Each proposal seems to be in the interest of the public.

### Findings

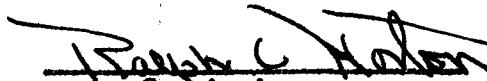
The Commission finds that the requests should be authorized and that same will result in just, fair, and reasonable maximum and minimum rates, and just, reasonable and proper rules and regulations for motor vehicle common carriers to the extent they are affected, and minimum rates, rules and regulations for private carriers by motor vehicle when competing with duly authorized motor vehicle common carriers for substantially the same or similar service.

### O R D E R

IT IS ORDERED, That this order shall become effective forthwith; that the above statement and findings are made a part hereof; that all motor vehicle common carriers and all private carriers by motor vehicle operating in intrastate commerce in the State of Colorado, to the extent they are affected, be, and they hereby are, notified and required to cancel all schedules in conflict with the rates and regulations set forth in the aforesaid statement on October 15, 1946, upon notice to this Commission and to the general public by not less than ten (10) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931, as amended; that the rates and regulations prescribed and approved in the aforesaid statement shall be published by all motor vehicle common carriers, and private carriers by motor vehicle, operating in intrastate commerce in Colorado, to the extent they are affected, to become effective October 15, 1946, on notice to this Commission and the general public by not less than ten (10) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of Colorado, 1931, as amended; that on and after said date, all motor vehicle common carriers, to the extent they are affected, shall cease and desist from demanding, charging, and collecting rates and charges which shall be greater or less than the basis of rates and charges herein prescribed; that on and after said date all private carriers by motor vehicle, to the extent they are affected, shall cease and desist from demanding, charging, and collecting rates and charges which shall be less than those herein prescribed; that on and after October 15, 1946, the rates, rules and regulations prescribed in Case

No. 1585 will not apply on local drayage transported within a five (5) mile radius of Cortez, Colorado; that this order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of this Commission; that jurisdiction is retained to make such further order or orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 28th day of September, 1946

Commissioner Erickson absent.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. E. FARRINGTON AND R. E. FARRING- )  
TON, JR., DOING BUSINESS AS "YAMPA )  
TRANSFER," YAMPA, COLORADO, FOR AN )  
EXTENSION OF PUC NO. 881. )

APPLICATION NO. 2827-BAB

-----  
October 4th, 1946  
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Appearances: Dan Lorenz, Esq., Steamboat  
Springs, Colorado, and  
John P. Beck, Esq., Denver,  
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By Application No. 2827-BAB, R. E. Farrington and R. E. Farrington, Jr., doing business as "Yampa Transfer," seek authority to extend their operations under said PUC No. 881 to include the right to transport general commodities between the Town of Yampa, Colorado, and an area of twenty-five miles thereof on the one hand, and on the other, Denver, Colorado.

Operating rights under said PUC.881 are as follows:

Transportation of freight, including farm products, from ranches within a radius of 25 miles of Yampa, to shipping points in said area, and grain to mill and elevator at Steamboat Springs, with back-haul of farm supplies, including feed, coal, lumber and timber; farm equipment and used household goods from point to point within said area; livestock from point to point within said area and from points in said area in less than carload lots, to Denver; and breeding stock in less than carload lots, from and to points in said area, to and from all points in the State of Colorado, as required by customers residing in the area; livestock only in less than carload lots from and to points within a radius of 25 miles of Yampa, to and from points in the State of Colorado.

Said ~~matter~~ was heard in Steamboat Springs, Colorado,  
pursuant to prior setting and after appropriate notice to all parties

in interest, on April 10, 1946, and taken under advisement.

It there appeared that R. E. Farrington and R. E. Farrington, Jr., have three trucks -- a G.M.C., Chevrolet, and Dodge; that in addition to the call and demand service maintained, with headquarters at Yampa, which is located about thirty miles south of Steamboat Springs, on State Highway No. 131, said Yampa and points intermediate between Denver and Yampa are served by Larson Transportation Company, a line-haul carrier operating on schedule, with headquarters at Steamboat Springs and Denver, one "Brown," a private carrier operating south from Yampa, over State Highway No. 131 as far as Toponas, and thence via State Highway No. 84 and U. S. Highway No. 40 into Denver; that Larson Transportation Company has authority to operate over the same route, but, as a general rule, instead of operating via Gore Pass, operates over U. S. Highway No. 40 between Steamboat Springs and Denver, with a stub, or shuttle service, from Steamboat Springs south to Toponas through Haybro, Oak Creek, Phippsburg, and Yampa from Steamboat Springs.

R. E. Farrington testified that Brown's customers did not get very good service from him; that he operated about once weekly between Yampa and Denver; that while Larson Transportation Company service into Steamboat Springs is excellent, service between Steamboat Springs and Yampa is not as good; that applicants desire to serve only the Towns of Yampa and Toponas; that these towns -- besides being served by Larson -- are served by Denver and Salt Lake Railway Company, which operates a regular line-haul service between Craig and Denver; that merchants in Toponas and Yampa ordinarily telephone orders into Denver or use the mail for the same purpose for direct delivery via railroad or Larson; that Larson's service is slower than that of the railroad, and ordinarily means a day's delay; that applicants want the extension in order to have a back-haul out of Denver; that they will haul livestock, lumber, or possibly some other commodities into Denver, and will haul merchandise back to the stores;

that he thinks the merchants will get better service, because he will call on those living in Yampa before leaving, get their orders, and upon arriving in Denver will contact the Denver wholesalers, have the orders filled, and pick up the merchandise before returning to Yampa; that he expects to maintain a truck in Denver; that he believes he can deliver in ten hours after pick-up in Denver, and will travel via Gore Pass; that Larson leaves Denver in the evening, arrives at Steamboat Springs during the night, and delivers the next day -- sometimes in the afternoon; that applicants need the revenue because with the 12' and 14' racks they use to handle livestock, they cannot make money on the presently effective rates; that Larson does not maintain an agent in Yampa; that Yampa has a population of four hundred, four stores, four garages, a liquor store, and one drug store; that Toponas -- which is ten miles distant from Yampa, where Farrington lives -- has a store and a vegetable-packing shed; that this shed is operated by one Jack Holden, who, at times, has to have a truckload of shock from Denver in emergencies; that ranchers living in the neighborhood of these towns also want some supplies hauled in from Denver.

Howard F. Allen, operator of M. and A. Market in Yampa, and Mr. Jones, operator of a garage in Yampa, testified in support of the application. Mr. Allen stated that the proposed service would save time in emergencies; that railroad operated a mixed train, handling freight and express, three days weekly -- although it operated another freight train daily, which ordinarily did not handle local freight; that meat which is handled by Larson Transportation Company frequently is bruised; that Larson readily pays the claims for damages, but "that doesn't get him the meat;" that he thinks Farringtons will furnish "a little quicker service;" that orders are made by letter or through salesman who contact the merchants; that, occasionally, telephone is used; He admitted that if he were compelled to rely solely upon Farringtons' service, which would be operated as a call and demand service in connection with their transportation of livestock, lumber, etc., on call and demand to Denver, Larson's service frequently might be quicker and more dependable than Farringtons' service.

He stated that when Farrington is in Denver, "He could call Farrington and he would run around and pick it up;" that railroad does not have a pick-up and delivery service; that trucks deliver at the door; that he would not want to pay 120% of the line-haul rate, which necessarily would be charged by the Farringtons if they compete with line-haul carriers for the same transportation service that is furnished by the railroad or Larson Transportation Company.

Mr. Jones, who operates a garage at Yampa, thought it would be desirable to be able to "call Farrington at his hotel in Denver when Farrington happened to be there," and arrange for him to pick up some merchandise. He thought Farringtons' service would be "an emergency service," and it would be "handier to have someone right there." He stated that, at times, he encountered some delay in having a motor sent to Denver, rebuilt, and returned. When attention was directed to the fact that Farrington might not be going when the motor was ready to be sent to Denver, he thought he could arrange to have the motor taken down when Farrington was going; that it was necessary to "adjust your business to the transportation facilities." He stated that the rail rate is 62¢, plus 10¢ drayage, and the truck rate is 71¢, delivered.

An examination of Mr. Farrington's road reports for a period of one year prior to the hearing shows that he made trips to Denver as follows:

April, 1945	-	No hauling done.
May,	"	- No trips to Denver.
June,	"	- 1 trip, Yampa to Denver.
July,	"	- 6 trips, Yampa to Denver.
August,	"	- 9 trips, Yampa to Denver.
Sept.,	"	- 9 trips, Yampa to Denver.
Oct.,	"	- 10 trips, Yampa to Denver.
Nov.,	"	- 7 trips, Yampa to Denver.
Dec.,	"	- 7 trips, Yampa to Denver.
Jan., 1946	-	8 trips, Yampa to Denver.
Feb.,	"	- 3 trips, Yampa to Denver.
Mar.,	"	- 3 trips, Yampa to Denver.
Apr.,	"	- 1 trip, Yampa to Denver.
May,	"	- 2 trips, Yampa to Denver.
		1 trip, Oak Creek to Denver.
June,	"	- 3 trips Yampa to Denver.
July,	"	- 10 trips, Yampa to Denver.

For Larson Transportation Company, it appeared that Larson has line-haul authority between Denver, Yampa and Toponas, and can operate via either U. S. Highway No. 40 or via Gore Pass, over State Highway No. 84; that, ordinarily, service is via U. S. Highway No. 40, Denver to

Steamboat Springs, with a stub freight service from Steamboat Springs to points on State Highway No. 131 south of Steamboat Springs; that an international two-ton van is used for this service; that it is loaded from the road truck at Steamboat Springs and serves Oak Creek, Phippsburg, Haybro, Toponas, and Yampa; that business has been very light and frequently is insufficient in volume to cover the cost of the operation; that truck is not operated as far as Toponas unless business is available at said point; that Larson does not carry orders to Denver to be filled, on account of the fact that such service is in violation of Postal Regulations, and also is an extra service which is not authorized under its certificate of public convenience and necessity, and which would not be available, generally, to all shippers and receivers of freight, and is not covered by the tariff; that service out of Denver is daily, except Sunday; that trips are made every other day, or oftener, to Yampa, depending upon whether freight is or is not available; that loss of business probably would necessitate curtailment of service.

Fred H. Booth, Assistant to the Traffic Manager for The Denver and Salt Lake Railway Company, stated that, in his opinion, rail and line-haul truck service to Toponas and Yampa is adequate; that truck and rail service is coordinated; that railroad maintains daily freight service between Denver and the points applicants seek to serve; that mixed train service is furnished thrice weekly -- leaving Denver at night, arriving Yampa and Toponas early the next morning; that, on other days, a regular freight train is operated out of Denver at night, arriving the same points the following morning; that the mixed train handled passengers, baggage, express, and freight; that it has not been paying; that the merchandise tonnage is needed to keep the mixed train in service, and that loss of traffic probably will make it necessary to discontinue the mixed train service -- which already has been reduced from daily service to three times a week service; that tonnage, i.e.l. to Yampa in 1945 amounted to 204,609 pounds; that Toponas tonnage was 52,348 pounds, and to Trapper, 2,217 pounds were hauled; that fourth class rate to Yampa is 62¢; that drayage charge is 10¢; that anyone in Yampa can get

delivery service at that rate; that truck service is 71¢, as stated by previous witness.

Considering the small volume of merchandise that moves to the points applicants seek to serve, it definitely would appear that the volume does not justify the institution of another carrier service. The small volume of business available is now being divided between two carriers. Mr. Farrington shares in the livestock business. Primarily, it would seem that the reason for filing the application is for his convenience, rather than the convenience of the shipping public. They now have service by rail that is fast and dependable. It is true that the mixed train service is only three times weekly, but Farrington's service — unless the business shown to have been enjoyed by him during the year preceding the hearing is greatly increased — will be very infrequent. Larson's service may not be all that is desired, due to re-handling of merchandise in Steamboat Springs. But that cannot easily be avoided, on account of the small volume of freight moving from Steamboat Springs to points south. Larson would not be justified in operating a through truck daily. Neither would Mr. Farrington. Apparently Brown does not have enough business to justify such operation, because, according to witness, he serves Yampa only once a week. The granting of additional authority, in the end, probably would mean less service for the public. Farrington, under the proposed service, would not be able to furnish service that is as good as that furnished by Brown, the railroad, and Larson Transportation Company together — in fact, the witness referred to it as "an emergency service." If the emergency ~~service~~ took enough business to increase the losses now incurred by Larson Transportation Company and the railroad, it might mean elimination of said service.

While some service — such as the transportation of lumber to Denver from the points in the area — might be desirable, there was no testimony as to the need for service from points on State Highway No. 131 to Denver, except suggestion from the Jones Garage that Mr.

Farrington would be able to handle a motor to Denver for repairs. We apprehend that other carriers now available can handle the motors satisfactorily.

Definitely, on account of the objections pointed out by witness and Larson Transportation Company, we cannot consider the messenger service which would be furnished by Mr. Farrington. Such service could not be authorized by the Commission, and, in some particulars, would be contrary to the Postal Regulations.

Under the law, the Commission cannot grant a certificate of public convenience and necessity where the service is adequate, or if not adequate, carriers, under the direction of the Commission, are willing to, and will, make said service adequate.

In re H. P. Lahe (Application No. 2621, Decision No. 6846, of date November 26, 1935), the Commission said:

"The Commission on a number of occasions has held that an applicant, in order to secure a certificate of public convenience and necessity, must affirmatively show that the public convenience and necessity, as distinguished from his personal desires, requires his proposed operation, and that before a certificate of public convenience and necessity will issue for an operation which will virtually parallel existing common carrier service, a clear and affirmative showing must be made that the existing transportation facilities are inadequate or unsatisfactory, and that there is no prospect of such service being made better under the orders of the Commission."

#### FINDINGS

##### THE COMMISSION FINDS:

Upon consideration of the record, as made, that public convenience and necessity do not require the proposed extended common carrier service of applicants; that the common carrier service presently authorized is adequate; that said application for extension should be denied.

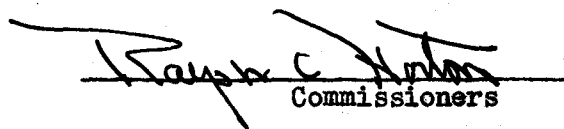
O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 4th day of October, 1946.

Mcw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
SHIELDS EICHELBERGER, OLNEY SPRINGS, )  
COLORADO, FOR EXTENSION OF AUTHORITY )  
GRANTED BY DECISION NO. 25546. )  
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APPLICATION NO. 7831-PP-Extension

-----  
October 4th, 1946.  
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Appearances: Shields Eichelberger, Olney  
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at La Junta, Colorado, August 28, 1946, and taken under advisement.

On February 19, 1946, by Decision No. 25546, Shields Eichelberger, Olney Springs, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

livestock from points within the area described as: Pueblo County Line on the west, Crowley-El Paso County Line on the north, and a line extending east and west through a point five miles south of his home, in Section 3, Township 20-South, Range 59-West, 6 P.M., and a line extending north and south through a point ten miles east of his home, to sales rings in La Junta and Pueblo, and to the Lincoln Packing Company Plant, near Pueblo; farm produce from farms in the same area to railroad shipping points and loading sheds in Pueblo County, and to Crowley, Ordway, and La Junta, with back-haul of farm supplies from said towns, equipment used, or to be used, by applicant, to be limited to one truck of one and one-half-ton rated capacity.

By application filed on August 8, 1946, he seeks authority to extend his operations under said permit to include the right to

transport livestock from destination points named in said Order to the origin territory as authorized to serve, as a back-haul — that is, the transportation of livestock from La Junta and Pueblo to the points in the area described as :

Pueblo County Line on the west, Crowley-El Paso County Line on the north, and a line extending east and west through a point five miles south of his home, in Section 3, Township 20-South, Range 59-West, 6 P.M., and a line extending north and south through a point ten miles west of his home.

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

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

It appeared that frequently applicant, after taking a load of cattle to the sales rings at Pueblo and La Junta or to the Lincoln Packing Company Plant in or near Pueblo, he is requested to back-haul livestock for a customer to the area around his home which he is authorized to serve; that said service would satisfy the needs and convenience of his customers, and would cut his operating expenses.

#### FINDINGS

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### ORDER

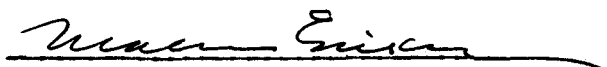
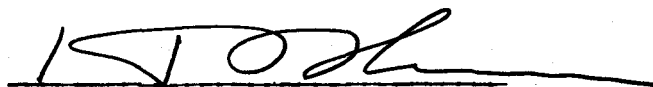
##### THE COMMISSION ORDERS:

That Shields Eichelberger, Olney Springs, Colorado, be, and he hereby is, authorized to extend his operations under the authority granted him by Decision No. 25546 to include the right to transport livestock from sales rings in La Junta, Pueblo, and the Lincoln Packing Company Plant, near Pueblo, to points within the area described as: Pueblo County Line on the west, Crowley-El Paso County Line on the north, and a line extending east and west through a point five miles

south of his home, in Section 3, Township 20-South, Range 59-West,  
6 P. M., and a line extending north and south through a point ten  
miles east of his home.

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

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of October, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES FERGUSON, 4932 OSCEOLA ST., )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7887-PP

IN THE MATTER OF THE APPLICATION OF )  
CARL S. ANDERSON, SR., 744 SOUTH )  
RACE STREET, DENVER, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7888-PP

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October 4, 1946.  
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S T A T E M E N T

By the Commission:

The above-sytled applicants, and each of them, herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matters, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authorities sought should be granted.

O V R D E R

THE COMMISSION ORDERS:

That James Ferguson, and Carl S. Anderson, both of Denver, Colorado, and each of ~~them~~, should be, and they hereby are, authorized to operate, severally, as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to these permits deemed advisable.

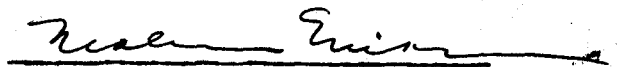
This order is the permits herein provided for, but they shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

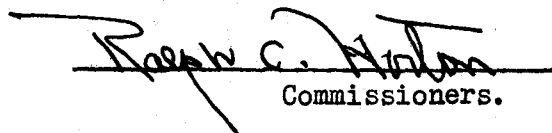
The right of applicants to operate hereunder shall depend upon his compliance with all present and ~~future~~ laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
LA VERNE EARL DALTON, PALMER LAKE, )  
COLORADO, TO ASSIGN PUC NO. 1134 )  
TO THE EXCHANGE NATIONAL BANK OF )  
COLORADO SPRINGS, COLORADO. )  
-----

APPLICATION 4021-AAA-B-AA  
P.U.C. NO. 1134

-----  
October 4, 1946.  
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Appearances: LaVerne Earl Dalton, Palmer Lake,  
Colorado, pro se;  
George L. Beardsley, Colorado Springs,  
Colorado, for Exchange National Bank,  
Colorado Springs, Colorado.

S T A T E M E N T

By the Commission:

LaVerne Earl Dalton, owner and operator of PUC 1134, herein seeks authority to assign his operating rights as described in our Decision No. 25853, and other assets of said operation, to the Exchange National Bank of Colorado Springs, Colorado, a corporation, to secure payment of a note dated January 29, 1946, in the sum of \$1657.80, payable in five years with interest.

It appears that said loan is made under the provisions of the Servicemen's Readjustment Act of 1944, as amended. In conformity with the regulations of the Veterans' Administration, the Exchange National Bank took the assignment and request is now made for approval of same by this Commission.

It appears from said application that no useful purpose would be served by setting said matter for formal hearing; that the authority sought should be granted, and the Commission so finds.

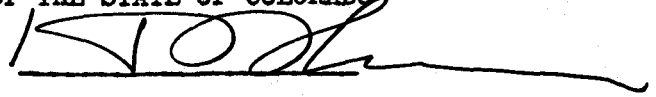
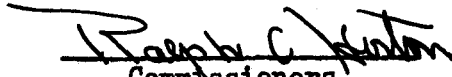
O R D E R

The COMMISSION ORDERS:

That LaVerne Earl Dalton, of Palmer Lake, Colorado, be, and he hereby is, authorized to assign his operating rights, acquired pursuant to Decision No. 25853, to the Exchange National Bank, of Colorado Springs, Colorado, to secure

the payment of a note in the sum of \$1657.80, and interest, as provided in the assignment, a copy of which has been filed herein.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

A handwritten signature in dark ink, appearing to be "R. C. Kinton", written over a horizontal line.A handwritten signature in dark ink, appearing to be "R. C. Kinton", written over a horizontal line.  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
HARRY HATFIELD, STRATTON, COLORADO,  
FOR A CLASS "B" PERMIT TO OPERATE  
AS A PRIVATE CARRIER BY MOTOR VE-  
HICLE FOR HIRE.

APPLICATION NO. 7731-FP

October 4, 1946.

Appearances: Harry Hatfield, Stratton, Colorado,  
pro se;  
Earl Wingren, Esq., Denver, Colorado,  
for Wm. K. McElfresh, Paul  
Zimmerman and Van Goodwin & Sons;  
E. B. Evans, Esq., Denver, Colorado,  
for C. C. Snyder, W. H. Holstine,  
M. E. Stutheit, Elmo Motsinger;  
Edward C. Hastings, Esq., and  
J. J. Lefferdink, Esq., Fads, Colorado, &  
John J. Vandemoer, Esq., Cheyenne Wells,  
Colorado, for Harold Covey, Frank  
E. Vitera, and Denver-Limon-Burlington  
Transportation Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm machinery between points within a radius of ten miles of Stratton; farm products between points in said area, and from points in said area to elevators at Yuma, Burlington and Seibert; livestock within, into, and out of, said area to and from all points in the State of Colorado.

The matter was set for hearing, and heard, in Burlington, Colorado, on August 2, 1946, and at that time taken under advisement.

Applicant, testifying in his own behalf, stated that he is the owner of a 1939 Ford 1½-ton truck equipped with grain bed and a 14-foot stock rack; that he had verbal contracts with several farmers for hauling in the Stratton area, especially hauling livestock to and from salesring of Chris Seale; that he felt the service was needed, as there was no local carrier in that area. He furtherstated that he had had several years' experience in trucking, and if



authority is granted, he will obey the rules and regulations of the Commission.

Mr. Chris Seale, who operates a salesring at Stratton, Colorado, stated that a local service was needed; that presently authorized carriers at Burlington were 18 miles away, truckers at Flagler were 26 miles distant, and truckers located at Eads, Akron and Wray are in excess of 50 miles distant. He also stated that while truckers from distant points did some trucking in the area, a local service for short hauls was needed, and that in the transportation of grain, outside truckers did most of the hauling.

Malvin Hill, a farmer residing in the Stratton area, also testified that they needed a local trucker to care for their needs, and he felt the farmers and stockmen living around Stratton, were entitled to a local carrier.

J. R. Zurcher, Stratton, a farmer, corroborated the testimony of Hill.

Several protestants testified as to the service they rendered, equipment operated and territory served, but none of the protestants maintain equipment at Stratton, and the closest carrier maintains his headquarters 18 miles distant and the other carriers from 25 to 50 miles distant.

It appears to the Commission that a local service is needed in the Stratton area, and that a community the size of Stratton is entitled to a local service. Outside carriers may give a service, but the average shipper of Stratton is entitled to service closer to his home. We cannot see that the granting of limited authority will impair the efficiency of any common carrier operation, while, on the other hand, the shippers in this area are entitled to a more complete service.

After careful consideration of the record and the evidence submitted at the hearing, the Commission finds that applicant should be granted limited authority as hereinafter set out.

#### ORDER

#### THE COMMISSION ORDERS:

That Harry Hatfield, of Stratton, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire

for the transportation of farm machinery and farm produce, including livestock, between points within a radius of ten miles of Stratton, Colorado, and from points in said area to and from points within a radius of 35 miles of Stratton, Colorado.

That in all other respects the application should be, and hereby is, denied.

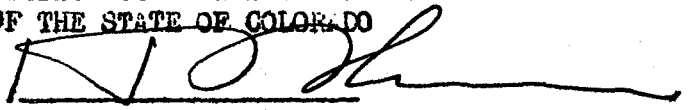
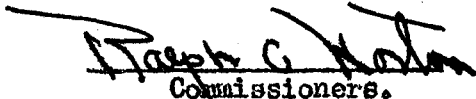
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of October, 1946.

BH

Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
ROY A. RUNYON, AKRON, COLORADO, FOR  
A CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE  
FOR HIRE.

APPLICATION NO. 7764-PP

October 4, 1946.

Appearances: Roy A. Runyon, Akron, Colorado,  
pro se;  
J. C. Street, Esq., Denver, Colorado,  
for Chicago Burlington & Quincy  
Railroad;  
E. F. Anderson, Yuma, Colorado,  
for Yuma County Transportation  
Company;  
Harry Atteberry, Akron, Colorado,  
pro se;  
Lester E. Smith, Sterling, Colorado,  
pro se;  
Martin Wilshusen, Yuma, Colorado,  
pro se;  
Ralph Armstrong, Otis, Colorado,  
pro se;  
H. C. Rorabaugh, Otis, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce between points within a 40-mile radius of Akron, Colorado, and from and to points in said area to and from Denver - no town to town service.

The matter was set for hearing at Sterling, Colorado, on August 9, 1946, and there taken under advisement.

Applicant, testifying in his own behalf, stated that he is the owner of a 1945 V-8 truck, equipped with a 13-foot stock rack and grain bed; that he would like to serve in the area extending ten miles west, 20 miles south, 10 miles north, and 15 miles east of Akron, and would like to haul grain and cattle to Denver. Applicant produced no shipper-witnesses to testify as to the need for his service.

He stated, however, that he had numerous requests to haul grain and livestock.

E. F. Anderson, of the Akron Truck Line, H. C. Rozabaugh, of Otis, Colorado, who operates under PUC 1628, and Ralph Armstrong, all protested the granting of the proposed authority. Other protestants withdrew their protests when applicant stated that he would be willing to confine his operation to one 1½-ton truck. Protestants stated, that in their opinion they were giving satisfactory service, and the granting of any additional authority would impair their operations.

The Commission cannot grant applications on the showing made by applicant. The only testimony showing need of his service is his own testimony. He had no shipper-witnesses who needed his service who appeared before the Commission, while on the other hand, many authorized carriers appeared and maintained they were giving adequate service and that the granting of any further authority would impair their efficiency to serve the public.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be denied for the reasons hereinbefore set forth.


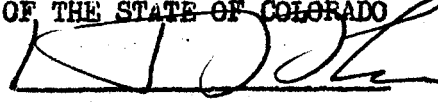
#### ORDER

#### THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF  
GUIDO P. DEL PONTE, ROUTE 1,  
LITTLETON, COLORADO, FOR A CLASS "B"  
PERMIT TO OPERATE AS A PRIVATE CAR-  
RIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 7749-PP

October 4, 1946.

Appearances: Guido P. Del Ponte, Route 1, Littleton,  
Colorado, pro se;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Storage  
Company;  
M. H. Burnett, Esq., Denver, Colorado,  
for Tiller Cash Coal and Feed Company;  
T. A. Stockton, Jr., Esq.,  
Marion F. Jones, Esq., and  
A. E. Small, Denver, Colorado,  
for Willard F. Britt.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay, grain, beets, and building materials, sand, gravel, and coal, between points within a radius of twenty-five miles of Littleton, Colorado. The matter was set for hearing in Denver, Colorado, on August 8, 1946, and there taken under advisement.

Applicant, testifying in his own behalf, stated that he is the owner of a Chevrolet  $1\frac{1}{2}$ -ton truck and has a net worth of approximately \$1500.00; that he has had five years' experience in operating trucks; that he would like to haul all products applied for; that he had no customers' list filed with the Commission, but would like to haul for Robinson Lumber Company and farmers in the area; that he would like to serve as far north as Adams City and south to Castle Rock.

Weicker Transfer and Storage Company protested the hauling of building materials. Tiller and Armstrong protested the granting of any authority that would be in competition with them, while Mr. Britt, of Boulder, and Sorenson of

Longmont, protested the granting of any authority that would be in competition with their common carrier service.

Upon applicant rests the duty and responsibility of establishing his case. No authority to operate as a private carrier by motor vehicle in intrastate commerce will be granted as a matter of course, nor will authority be granted if the evidence shows that the granting of same would impair the efficient service of any duly authorized common carrier serving the territory.

After careful consideration of the record, the Commission is of the opinion, and finds, that for the reasons above set forth, the instant application should be denied, as we cannot, from the evidence and record before us, say that service of the duly authorized common carriers will not be impaired.

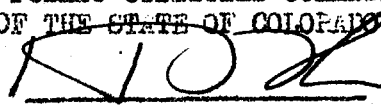
#### ORDER

#### THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 4th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
JAMES A. SCHAEFFER, DOING BUSINESS  
AS SCHAEFFER TRUCK LINE, TO TRANSFER  
A PORTION OF CERTIFICATE 1195 TO  
JOHN O'CONNELL, LEADVILLE, COLORADO.

APPLICATION NO. 7846  
(Transfer)

October 5, 1946

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for Applicants;  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Foxall Transpor-  
tation Company.

S T A T E M E N T

By the Commission:

The above matter was called for hearing at Denver, Colorado,  
on August 29, 1946.

Mr. Marion F. Jones, attorney for the proposed transferee, as  
well as for the transferor, stated that he had just received word from  
the transferee, asking that the application be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That, in view of the statement made by the attorney for trans-  
feree, the above application should be dismissed.

O R D E R

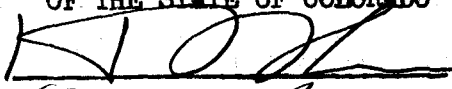


THE COMMISSION ORDERS:

That Application No. 7846-PP is hereby dismissed, forthwith.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

DATED at Denver, Colorado,  
this 5th day of October, 1946

  
  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
PHILIP SANDOVAL, 602 ADAMS STREET, )  
TRINIDAD, COLORADO, FOR AUTHORITY )  
TO EXTEND HIS OPERATIONS UNDER PUC )  
NO. 708. )

APPLICATION NO. 7824

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October 5, 1946

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Appearances: Philip Sandoval, Trinidad,  
Colorado, pro se;  
Albert Fouret, Trinidad, Colo-  
rado, for Fouret Brothers.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Trinidad, Colorado, August 26, 1946, and taken under advisement.

Philip Sandoval, under his certificate of public convenience and necessity (PUC No. 708) is authorized to operate as a motor vehicle carrier, for the transportation of:

Freight, on schedule, between Trinidad and Tercio, Colorado, with the right to serve all intermediate points along his route, to-wit, State Highway No. 112, Weston to Stonewall Junction (Pickett Wire Camp) and Highway No. 111, Stonewall Junction to Tercio, including points within one mile on either side of said highways, and the transportation of hay and grain from points within a radius of ten miles of Hoehne, Colorado, to Morley, Valdez, and Weston, Colorado, and coal from Morley to points upon and along his said line-haul service.

He now seeks authority to extend his operating rights under said certificate to include the right to transport passengers and their baggage and light parcels and express matter, newspapers, milk and cream, (baggage, parcels, express, milk and cream to be handled in the same vehicle with passengers), on schedule, between Trinidad, Colorado, and Tercio, Colorado, and all intermediate points, via State Highways Nos.



12 and 111, including the off-route points of Sopris and Cokedale, over State Highway No. 238 from junction thereof with Highway No. 12, with return by the same route, or via unnumbered county road from Sopris to the point where it intersects State Highway No. 12 at Sopris Plaza, over State Highway No. 238 from junction of said road with Highway No. 12, Valdez from junction of unnumbered county highway with said Highway No. 12 near Segundo, and Stonewall Country Club, over said Highway No. 111 from junction thereof with State Highway No. 12 at Pickett Wire Camp.

No one objected to the granting of the authority sought.

At the hearing, it appeared that applicant has been operating a line-haul motor vehicle freight service since the year 1934; that, for a number of years, in connection therewith, he handled a mail contract between Trinidad and Tercio and the points named; that he lost said contract a number of years ago but, on July 1, 1946, he again was awarded the mail contract for a period of four years; that, for the handling of mail, he now uses a Ford Pickup, but has ordered a panel truck which should be delivered soon; that his mail contract required operation of truck out of Trinidad daily except Sunday, leaving at 8:00 a. m., arriving Weston 10:00 a. m., Stonewall 10:20 a. m., Tercio 11:30 a. m., and on the return trip, leaving Tercio 12:30 p. m., Weston 1:15 p. m., arriving Trinidad 4:00 p.m.; that considerable light freight, including repair parts, drugs, meats, and other perishables cannot be expeditiously handled on his freight operation; that stores along his route want perishables handled promptly in order to assure arrival at destination in good order; that considerable milk is produced in the area extending from Segundo to Tercio, which can be more conveniently and better handled on the mail truck; that a number of farmers and other people who live along the route repeatedly have requested applicant to haul them to or from Trinidad. He apprehends that he will have from four to five passengers daily each way. He does not expect to arrange his schedules in any manner other than as indicated to care for workers who may be going on or off shifts at coal mines, because such operation would not be profitable. If it were not for the mail revenue, he could not maintain the proposed passenger and express service.

He tentatively suggested rates as follows:

Trinidad to Jansen, 25¢; to Sopris, 25¢; to  
Valdez or Segundo, 75¢; to Weston, \$1.00;  
to Stonewall, \$1.50; to Tercio, \$1.75;

but stated that he would fix rates which, while compensatory, would be reasonable and without discrimination.

For Fouret Brothers, Albert Fouret stated that he had no objection to the granting of the authority sought so long as the service was on schedule, in connection with the operation of a Star Mail Route, and with the understanding that applicant would not furnish any not-on-schedule special service in the nature of charter, taxi, or sightseeing service. Applicant stated that he had no desire to furnish such service and agreed to said restriction.

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

#### F I N D I N G S

##### THE COMMISSION FINDS:

That public convenience and necessity require the proposed motor vehicle common carrier service of applicant, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier service of applicant, on schedule, daily except Sunday, for the transportation of passengers and their baggage and light parcels and express matter, newspapers, milk and cream, (baggage, parcels, express, milk and cream to be handled in the same vehicle with passengers), between Trinidad, Colorado, and Tercio, Colorado, and all intermediate points, via State Highways Nos. 12 and 111, including the off-route points of Sopris and Cokedale, over State Highway No. 238 from junction thereof with Highway No. 12, with return by the same route, or via unnumbered county road from Sopris to the point where it intersects State Highway

No. 12 at Sopris Plaza, over State Highway No. 238 from junction of said road with Highway No. 12, Valdez from junction to unnumbered county highway with said Highway No. 12 near Segundo, and Stonewall Country Club, over said Highway No. 111 from junction thereof with State Highway No. 12 at Pickett Wire Camp; and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor; provided that, under said extension, applicant shall not furnish any "not-on-schedule" special service in the nature of charter, taxi, or sight-seeing service in competition with Fouret Brothers under their PUC No. 29.

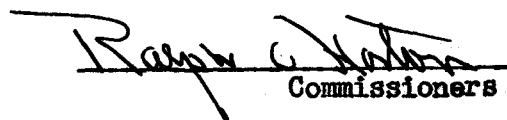
That applicant shall file tariffs of rates, rules, and regulations and time and distance schedules, as required by the rules and regulations of this Commission, within twenty days from date.

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

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

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 5th day of October, 1946.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
ALFRED G. MCCOY, OF 222½ SO. WASHING- )  
TON AVE., LOVELAND, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )

APPLICATION NO. 7881-PP

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October 9, 1946.  
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Appearances: Alfred G. McCoy, Loveland, Colorado,  
pro se;  
Marion F. Jones, Esq., Truman A. Stockton,  
Jr., Esq., and A. E. Small, Denver,  
Colorado, for Sorenson Truck Service,  
Yockey Truck Line and Britt Truck  
Service.  
Guy Hart, Longmont, Colorado,  
for Farm Hauling Service.

S T A T E M E N T

By the Commission:

The above-entitled matter was set for hearing, and heard, at Fort Collins, Colorado, September 17, 1946, and there taken under advisement.

Applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, including livestock, between points within a radius of twenty miles of Loveland, and from and to points in said area to and from Denver, Colorado.

Applicant, testifying in his own behalf, stated that he is the owner of a 1936 Ford V-8 1½-ton truck, equipped with 12-foot grain and stock rack, and has in the past operated under a "C" permit. He further stated that he was willing to restrict his grain operation from farms to elevators within a ten-mile radius of Loveland, and his hauling of livestock to points within a radius of twenty miles of Loveland, with no service to Denver, and would be willing to limit his operations to use of one truck of 1½-ton capacity.

The evidence of applicant further disclosed that he would like to serve salesrings in his area - that is, if someone wished delivery of a few head of cattle, he would be in a position to render that service.

Ralph Yockey, of Yockey Transportation Company, who holds a certificate

from this Commission to serve this area, stated he was interested particularly in the livestock haul; that his company presently maintained equipment, including small pickup trucks, for service from salesrings in the area, and he felt they were giving excellent service. He further stated that they had ample equipment and were able to handle all the business offered; that he felt the granting of additional authority, and especially the proposed operation, would impair the service rendered under his certificate.

Guy Hart, of Longmont, Colorado, who operates Farm Hauling Service, corroborated the testimony of Yockey, and stated that he was also interested in the grain haul and felt the service was not needed in the area proposed.

The question was next raised by A. E. Small, who stated that applicant's proposed service is that of a common carrier and asked that the application be dismissed.

In considering the application, it appears that applicant wishes to serve the general public. In other words, when someone wishes his service, he would like to serve them indiscriminately, and that, we feel, is the service of a common carrier. Applicant has no contracts with any shipper, and no shipper-witnesses appeared testifying as to the need for his service.

After careful consideration of the record, the Commission is of the opinion, and finds, that the instant application should be denied for the reasons above set forth.

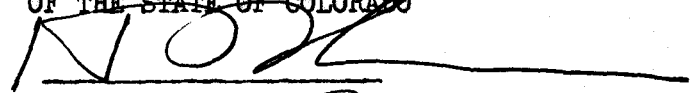
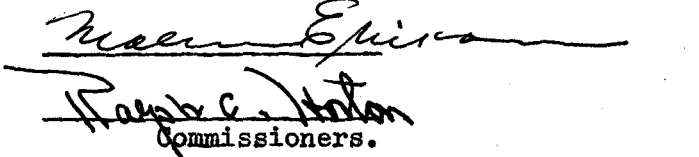
#### O R D E R

#### THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
ALVIN L. MILLER, 126 PEARL STREET, )  
FORT COLLINS, COLORADO, FOR CERTIFI- ) APPLICATION NO. 7880  
CATE OF PUBLIC CONVENIENCE AND )  
NECESSITY. )  
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October 9, 1946.  
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Appearances: Alvin L. Miller, 126 Pearl St.  
Fort Collins, Colorado, pro se;

S T A T E M E N T

By the Commission:

The above-styled matter was set for hearing, and heard, in Fort Collins, Colorado, on September 17, 1946, and there taken under advisement.

This is an application for a certificate of public convenience and necessity, wherein applicant now is the holder of a private carrier permit No. A-179, with authority to transport milk in the following territory:

Starting at Fort Collins, north on section line between Sections 1 and 2, Township 7 North, Range 69 West of the 6th P.M.; North to the Northeast corner of Section 11, Township 8 North, Range 69 West of the 6th P.M.; West to the Northwest corner of Section 11, Township 8 North, Range 70 West, thence south to the Southeast corner of Section 26, Township 7 North, Range 70 West, thence East to the Southeast corner of Section 27, Township 7 North, Range 69 West, thence North 2 miles to Northeast corner of Section 22, Township 7 North, Range 69 West, thence east to Southeast corner of Section 14, Township 7 North, Range 69 West, thence North into Fort Collins, via U. S. Highway Number 87.

He now seeks authority to have his present private carrier authority enlarged into a certificate of public convenience and necessity.

Applicant testified at the hearing that no other truckline or common carriers are operating over the territory for the purpose of picking up milk and delivering it into Fort Collins, Colorado, and he feels that the service he is now rendering can be more efficiently handled by common carrier authority; that the service he is requested to render is that of a common carrier, as he

is asked to deliver milk for all dairymen in the area he served.

No one appeared in opposition to the granting of the application.

It appears to the Commission that demand for applicant's service has developed into that of a common carrier and that such a service is needed in the territory sought to be served.

After careful consideration of the record, the Commission is of the opinion, and finds, that the public convenience and necessity requires the proposed motor vehicle common carrier service of applicant, and that certificate of public convenience and necessity should issue therefor.

#### O R D E R

##### THE COMMISSION ORDERS:

That the public convenience and necessity require the proposed common carrier motor vehicle service of applicant for the transportation of milk in the following territory:

Starting at Fort Collins, North on section line between Sections 1 and 2, Township 7 North, Range 69 West of the 6th P.M.; North to the Northeast corner of Section 11, Township 8 North, Range 69 West of the 6th P.M.; West to the Northwest corner of Section 11, Township 8 North, Range 70 West, thence South to the Southeast corner of Section 26, Township 7 North, Range 70 West, thence East to the Southeast corner of Section 27, Township 7 North, Range 69 West, thence North 2 miles to the Northeast corner of Section 22, Township 7 North, Range 69 West, thence East to Southeast corner of Section 14, Township 7 North, Range 69 West, thence North into Fort Collins, via U. S. Highway No. 87,

and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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

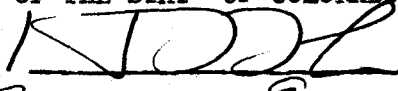
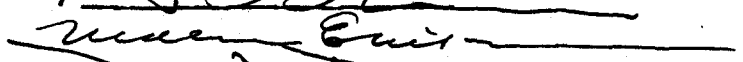

Applicant shall operate his carrier system according to the schedule files except when prevented by Act of God, the public enemy or extreme conditions.

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

IT IS FURTHER ORDERED, That Private Carrier Permit No. A-179,  
heretofore issued to applicant, should be, and the same hereby is, cancelled.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 9th day of October, 1946.

BH



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
LEO LETEY, OF BASALT, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
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APPLICATION NO. 7853-PP

-----  
October 3, 1946.  
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Appearances: Leo Letey, Basalt, Colorado,  
pro se;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a private carrier by motor vehicle for hire for the transportation of hay, grain, potatoes, lumber and farm supplies, between points within a radius of 25 miles of Basalt, Colorado.

The matter was set for hearing, and heard, at Glenwood Springs, Colorado, on September 4, 1946, and there taken under advisement.

Applicant stated that he lived at Basalt, Colorado, and was the owner of a 1942 Chevrolet 2-ton truck, and desires to render a farm service to the farmers in his area. He further stated that he had a net worth of approximately \$2,000.00, and had had 11½ years' experience in operating trucks; that the bulk of his hauling would be on Highway No. 82, transporting farm produce to market and farm supplies to farms from rail heads, and that he did not wish to perform any service on U. S. 84.

Walter Howard Hyrub, Kelley Cerise, and Rene Durox, all farmers living in the area applicant desires to serve, stated that they needed applicant's service, and that his service is needed by other farmers in the area. No witnesses appeared protesting the application.

At the conclusion of the hearing, applicant asked to have his application

changed to that of a common carrier authority instead of a permit. This was taken under advisement.

The Commission has considered this request seriously. It appears from the evidence before the Commission that common carrier authority is needed, but this application is for a private carrier authority, and there are some carriers in this territory who are not here protesting who might be if this application were for a common carrier certificate.

The situation appears to the Commission, after hearing the evidence, that since there are farmers and stockmen in this area who desire applicant's service and as there is no evidence before the Commission that applicant's service would impair the efficiency of any common carrier service, the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That Leo Letey, of Basalt, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of hay, grain, potatoes, lumber and farm supplies, between points within a 25-mile radius of Basalt, Colorado, without the right to engage in town to town service in competition with line-haul motor vehicle common carriers.

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


This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his

compliance with all present and future laws and rules and regulations of  
the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

A handwritten signature in dark ink, appearing to be "R. D. H.", written over a horizontal line.A handwritten signature in dark ink, appearing to be "Ralph C. Horton", written over a horizontal line.  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
BENSON AND BENSON, RED CLIFF, COLORADO, )  
FOR A CLASS "A" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE FOR )  
HIRE. )  
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APPLICATION NO. 7854-PP

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October 5, 1946.  
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Appearances: Alfred Benson, Red Cliff, Colorado,  
for applicants;  
Truman A. Stockton, Jr., Esq., Denver,  
Colorado, for Foxall Transportation  
Company;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of lumber from Red Cliff to Glenwood Springs, to Leadville, and points intermediate. The matter was set for hearing at Glenwood Springs on September 4, 1946, and there taken under advisement.

Applicant stated that he desired to haul lumber for the Smith Lumber Company and J. F. Fleming & Company from sawmills located near Minturn, Colorado. He further stated that he had no contracts, but thought he could get business from the above-named firms; that he had a net worth of approximately \$10,000.00 and had secured insurance covering his proposed operation.

R. H. Turano, Assistant Traffic Manager of Rio Grande Motor Way, Inc., testified that his company operated in this area and handled lumber hauls from Minturn to Glenwood Springs and Leadville, also intermediate points; that they maintain a line haul operation and presently were operating at a loss; that in order to maintain their present operation, it is necessary to hold the business in the area, and the granting of this authority, in his judgment, would further

increase their losses and ultimately would result in forcing them to curtail their service, thereby impairing their present operation.

Sidney E. Omorhunde, of the Foxall Transportation Company, of Leadville, Colorado, protested the granting of the proposed authority, stating that he operates five pieces of equipment; that he has not been able to keep them busy. He feels that the present service is adequate and the granting of additional authority would affect and impair his present operations.

Applicant produced no shipper-witnesses to testify that they would use his service. The Commission cannot say, after considering the evidence before them, that the granting of the proposed authority would not impair the presently authorized common carrier service.

After careful consideration of the record and the evidence submitted at the hearing, the Commission is of the opinion, and finds, that said application should be denied.

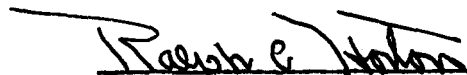
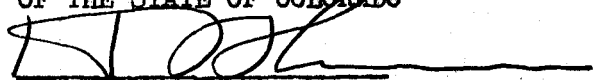
O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION

OF

STONEWALL ELECTRIC COMPANY FOR AUTHORITY  
TO TRANSFER TO MONUMENT ELECTRIC COMPANY  
ITS CERTIFICATE OF CONVENIENCE AND NECES-  
SITY TO TRANSMIT AND DISTRIBUTE ELECTRIC  
ENERGY IN THE SEGUNDO-WESTON-MONUMENT  
LAKE RURAL AREA, LAS ANIMAS COUNTY,  
COLORADO.

APPLICATION NO. 7921  
(Transfer)

October 5, 1946

S T A T E M E N T

By the Commission:

By order of the Commission of date July 19, 1939, applicant was granted a certificate of public convenience and necessity to transmit and distribute electric energy in the Segundo-Weston-Monument Lake Rural Area of Las Animas County Colorado. The property of applicant in the area covered by said certificate consists of rural electric transmission and distribution facilities which are interconnected with and operated as an integral part of the electric system of Frontier Power Company (formerly The Trinidad Electric Transmission, Railway and Gas Company) under lease from the applicant and under an outstanding option by the applicant to Frontier Power Company to buy said facilities.

The electric facilities of the applicant were constructed with the proceeds of a loan from the Rural Electrification Administration, which loan is represented by a mortgage note dated April 20, 1939, in the original principal amount of \$39,000.00, the unpaid balance of which is \$26,627.89, secured by mortgage on the property of applicant.

Applicant proposes to transfer, convey, and assign all of its property in Colorado, including said certificate of public convenience

and necessity, to Monument Electric Company, a Colorado corporation, organized as a subsidiary of Frontier Power Company to acquire said property, pursuant to an agreement of date August 20, 1946, between applicant, Monument Electric Company, Frontier Power Company, and the United States of America, acting through the Administrator of the Rural Electrification Administration. A copy of said agreement was filed in connection with the application and is adopted as a part of this order.

It appears that the proposed transferee, pecuniarily and otherwise, is qualified to carry on the operation and to fully comply with all of the requirements imposed upon it by the agreement referred to. It does not appear that any useful purpose would be served by setting said matter for formal hearing, inasmuch as the area involved is not served by a public utility other than the parties to said agreement. It appears that the proposed assignment is in the public interest.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the public convenience and necessity require the proposed transfer and sale by applicant, Stonewall Electric Company, to Monument Electric Company, a Colorado corporation, of its certificate of public convenience and necessity to transmit and distribute electric energy in the Segundo-Weston-Monument Lake Rural Area, Las Animas County, Colorado, and of the other properties described in the application herein.

#### O R D E R

##### THE COMMISSION ORDERS:

That the public convenience and necessity require the transfer and sale to Monument Electric Company, a Colorado corporation, by Stonewall Electric Company, of its certificate of public convenience and necessity and of its other properties mentioned in the petition herein and the preceding statement which, by reference, are made a part hereof, for the consideration mutually agreed upon by them, and subject to the agreement on file herein between Stonewall Electric Company, Monument Electric

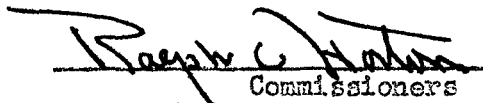
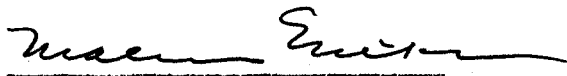
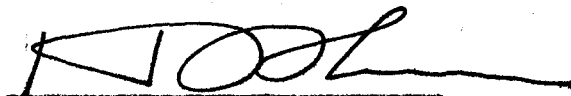
Company, Frontier Power Company, and United States of America, and all the provisions thereof, and that the assignment, transfer, and sale be, and the same hereby are, authorized and approved.

That jurisdiction hereof be, and the same hereby is, retained, to the end that such further order or orders deemed necessary may be entered by this Commission.

That transferee shall forthwith file its adoption of the rate schedules heretofore filed with the Commission by Stonewall Electric Company.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 5th day of October, 1946

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
LUCAS GALLEGOS, 1126 SOUTH 9th ST., )  
GRAND JUNCTION, COLORADO, FOR A CLASS ) APPLICATION NO. 7858-PP  
"A" PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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October 5, 1946.  
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Appearances: T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

The above-entitled application was regularly set for hearing on Thursday, September 5, 1946, at the Court House in Grand Junction, Colorado, due notice of the time and place of hearing being forwarded to all parties in interest.

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

Thereupon, protestant moved that said application be dismissed for lack of prosecution.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be dismissed for lack of prosecution.


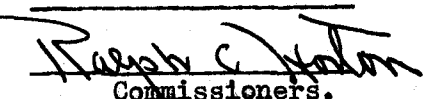
O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, dismissed for lack of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 5th day of October, 1946.  
BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
AUGUST DEEPE, OF PARKER, COLORADO, )  
TO TRANSFER TO HOWARD W. GEORGE AND ) APPLICATION NO. 7868  
PAULINE R. GEORGE, PARKER, COLORADO, ) Transfer  
THE CHERRY CREEK TELEPHONE COMPANY. )  
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Oct. 11, 1946.  
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Appearances: August Deepe, Parker, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

This is an application asking that August Deepe, who operates a telephone exchange consisting of switchboard and lines, in the following described territory:

All of Township Six (6) and the North Half of Township Seven (7) South, Range Sixty-five (65) West of the Sixth Principal Meridian; all of Township Six (6) South, and Sections One (1) to Sixteen (16) inclusive, in Township Seven (7) South, Range Sixty-six (66) West of the Sixth Principal Meridian; all of Township Six (6) South, except Sections Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-eight (28), Twenty-Nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) and Thirty-three (33), Range Sixty-seven (67) West of the Sixth Principal Meridian;

be permitted to transfer said system to Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company," Parker, Colorado, and that a certificate of public convenience and necessity be granted to Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company."

The matter was set for hearing in Denver, Colorado, on Wednesday, September 11, 1946, and there taken under advisement.

At the hearing, August Deepe testified that the telephone exchange was established in 1912 by a mutual company; that in 1919 he acquired the exchange and has operated the same since that date; that he has never obtained a certificate of public convenience and necessity from the Public Utilities Commission, but has made annual reports to the Commission. He further stated

that he understood he was not to file for a certificate because his operation was begun before the Public Utilities Act became a law. He now seeks permission to transfer said telephone exchange and his rights thereunder. He states, under oath, that there are no outstanding unpaid obligations, and that he is selling the telephone exchange, including switchboard, lines, and building where office and switchboard are located, for a consideration of \$10,000.00; that \$4,000.00 has been paid in cash, and the balance of \$6,000.00 is represented by a promissory note secured by a trust deed, a copy of which is in the Commission's files, said note drawing interest at the rate of four per cent (4%) per annum and to be paid in semi-annual installments of \$500.00, the first installment to become due and payable on the 29th day of October, 1946, and succeeding installments semi-annually thereafter.

It further appears that the exchange has approximately eighty (80) customers and the lines and equipment are in excellent condition; that transferee, Howard W. George, has had considerable experience in the Army in installing and maintaining telephones, and is well-qualified by experience to take over this exchange; that he has a net worth of approximately \$5,000.00. The system has a present-day value of approximately \$10,000.00. However, the fixing of this figure and its adoption by the Commission for the purpose of determining fee for issuance of certificate herein, shall not preclude the Commission from adopting a different valuation should the question of valuation arise in a rate hearing or any subsequent proceeding where the question of valuation may be an issue.

No objection to the transfer or to the granting of a certificate was made to the Commission, and it appears that no other company is serving in the territory sought to be served by applicant.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That August Deepe should be authorized to transfer his right to furnish telephone service in the area hereinafter described in the order following, to Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company," of Parker, Colorado, said transferees to secure payment of balance

due on purchase price by promissory note and Deed of Trust on his certificate and telephone installations.

That at the time of the enactment of The Public Utilities Act of the State of Colorado, applicant, or his predecessor in interest, was a public utility engaged in furnishing telephone service to the territory he now seeks a certificate to serve, and that the present and future public convenience and necessity require the right to furnish telephone service in the area described in the Order following.

#### O R D E R

##### THE COMMISSION ORDERS:

That August Deepe, of Parker, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in his right to furnish telephone service in the following described territory:

All of Township Six (6) and the North Half of Township Seven (7) South, Range Sixty-five (65) West of the Sixth Principal Meridian; all of Township Six (6) South, and Sections One (1) to Sixteen (16) inclusive, in Township Seven (7) South, Range Sixty-six (66) West of the Sixth Principal Meridian; all of Township Six (6) South, except Sections Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) and Thirty-three (33), Range Sixty-seven (67) West of the Sixth Principal Meridian;

to Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company," said transferees to secure payment of balance of purchase price by giving a promissory note and Deed of Trust on his certificate and telephone system installations.

That the present and future public convenience and necessity require the operation by applicants, Howard W. George and Pauline R. George, doing business as "Cherry Creek Telephone Company," of a public utility telephone service to the present and future inhabitants of the area known and described as,-

All of Township Six (6) and the North Half of Township Seven (7) South, Range Sixty-five (65) West of the Sixth Principal Meridian; all of Township Six (6) South, and Sections One (1) to Sixteen (16) inclusive, in Township Seven (7) South, Range Sixty-six (66) West of the Sixth Principal Meridian; all of Township Six (6) South, except Sections Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Sixteen (16) Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32) and Thirty-three (33), Range Sixty-seven (67) West of the Sixth Principal Meridian;

and this order shall be taken, deemed and held to be a certificate of public

convenience and necessity therefor.

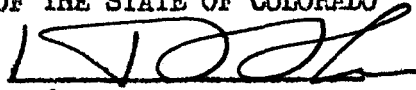
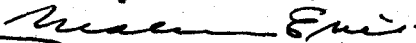
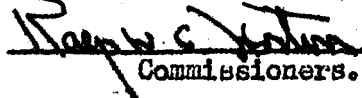
That applicants should be, and hereby are, authorized to extend their lines and system from time to time within said area, as needs of the residents thereof may require.

Applicants shall file their rate schedules, rules and regulations, set up their books and accounts in agreement with the Uniform Classification of Accounts, and bring all its practices into compliance with the Commission's requirements, within twenty days from date.

Failure of applicants to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, but subject to any further action or modification the Commission may order.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ARTHUR E. GAINES, JR., DOING BUSINESS )  
AS "DENVER-FLAGLER TRUCK LINE," )  
FLAGLER, COLORADO, FOR A CERTIFICATE )  
OF PUBLIC CONVENIENCE AND NECESSITY. )  
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APPLICATION NO. 7740  
SUPPLEMENTAL ORDER

-----  
October 5, 1946  
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Appearances: Truman A. Stockton, Jr., Esq.,  
Denver, Colorado, for applicant;  
William V. Hodges, Esq., Denver,  
Colorado, for Chicago, Rock  
Island and Pacific Railroad  
Company.

S T A T E M E N T

By the Commission:

Since the entry of Decision No. 26718, it has been called to  
the attention of the Commission that the application in said matter  
requested only:

transportation of general commodities, except live-  
stock, between Flagler, Colorado, and points in  
Kit Carson County within a radius of 15 miles of  
Flagler, and Denver, Colorado, via U. S. Highways  
Nos. 40 and 24.

F I N D I N G S

THE COMMISSION FINDS:

That the Order contained in said Decision No. 26718 should be  
amended to read as hereinafter set forth.

O R D E R

THE COMMISSION ORDERS:

That the first paragraph of the Order contained in Decision No.  
26718 is hereby amended, nunc pro tunc, as of the 20th day of September,  
A. D., 1946, to read as follows;

"That public convenience and necessity require the motor vehicle common carrier transportation service of applicant, for the transportation of general commodities, except livestock, between Flagler, Colorado, and points in Kit Carson County within a radius of fifteen miles of Flagler, and Denver, Colorado, via U. S. Highways Nos. 40 and 24, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor."

That said Decision No. 26718, except as herein amended, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 5th day of October, 1946.

(Decision No. 26818)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF  
MORRIS E. COOK, DOING BUSINESS AS  
"COTTON'S CAB," CANON CITY, COLORADO,  
FOR AN EXTENSION OF AUTHORITY UNDER  
PUC NO. 1524.

APPLICATION NO. 7618-  
Extension

IN THE MATTER OF THE APPLICATION OF  
DUSKY B. NICHOLAS, DOING BUSINESS AS  
"EL RIO HOTEL TAXI," CANON CITY,  
COLORADO, FOR AUTHORITY TO EXTEND  
TAXICAB FACILITIES UNDER P.U.C. NO.  
1525 WITHIN THE TERRITORY NOW SERVED.

APPLICATION NO. 7619-  
Extension

October 3, 1946

S T A T E M E N T

By the Commissions:

On July 24, 1946, under Decision No. 26284, under a consolidated hearing, the Commission granted certificates of public convenience and necessity to the above named applicants authorizing the "operation of separate taxicab and sightseeing services between points within a fifteen-mile radius of Canon City, Colorado; operation of separate taxi and sightseeing services between points and places within a 15-mile radius of Canon City, Colorado, on the one hand, and, on the other hand, points and places within a fifty-mile radius of Canon City, subject to the following restrictions:

1. That service be confined to cars of a capacity of not to exceed six, and carrying no more than such seated capacity.
2. Rates for taxi service shall be 40 cents per car mile (loaded movement), with a minimum charge of 35 cents.
3. Service shall be limited to the use of two cars for taxi and sightseeing operations by each applicant, and this order shall be taken, deemed and held to be certificate of public convenience and necessity therefor."

On September 25, 1946, the Commission received a letter from Morris E. Cook stating in part the following:



"Since I have a contract to carry the air mail from the Canon City post office to the airport, a distance of about nine (9) miles, the city council and the Chamber of Commerce have asked me to make a rate of one (\$1.00) dollar per passenger, to or from my stand, to the airport. They and I agree that such a rate will aid, not handicap, the progress of the city and the new airline. I will greatly appreciate the Commission's special permission to establish this rate. Hoping you will give this your consideration."

On the same date the Commission received a letter from the Chamber of Commerce, Canon City, Colorado, by Milton H. Andrus, its Secretary, supporting the request of Cook.

We think any modified order should run to both applicants.

#### F i n d i n g s

The Commission finds that Applications Nos. 7618-Extension and 7619-Extension should be re-opened for the purpose of modifying its order of July 24, 1946, Decision No. 26284, to the extent of including in its restrictions a further condition whereby a fare of \$1.00 per passenger between the taxi-cab stands of the applicants in Canon City and the Canon City airport may be established.

#### O R D E R

##### IT IS ORDERED:


That Applications Nos. 7618-Extension and 7619-Extension, be, and the same are hereby, reopened; that the order entered in the above numbered applications under Decision No. 26284, dated July 24, 1946, be, and the same is hereby, modified in the following respects:

2. Except as otherwise herein provided for the rates for taxi service shall be 40 cents per car-mile (loaded movement), with a minimum charge of 35 cents.
4. The passenger fare between the taxi-cab stands of the applicants in Canon City, Colorado, and the Canon City airport shall be \$1.00 per passenger.

That this order shall become effective forthwith; that applicants shall publish the above provisions and fare to become effective October 8, 1946, on notice to this Commission and the general public by not less

than one (1) day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act; that the order entered in the above applications on July 24, 1946, as herein amended shall continue in force until the further order of this Commission.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of October, 1946 (Commissioner Erickson absent.)

JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
GEORGE C. LEBECK, DOING BUSINESS AS )  
"LOS ANGELES-ALBUQUERQUE EXPRESS, )  
1450 HOOPER AVENUE, LOS ANGELES, )  
CALIFORNIA, FOR AUTHORITY TO TRANS- )  
FER INTERSTATE OPERATING RIGHTS TO )  
LOS ANGELES-ALBUQUERQUE EXPRESS, )  
INC., 2950 BLAKE STREET, DENVER, )  
COLORADO. )  
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P.U.C. NO. 695-I

-----  
October 8, 1946.  
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S T A T E M E N T

By the Commission:

Heretofore, George C. Lebeck, doing business as "Los Angeles-Albuquerque Express," Los Angeles, California, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 695-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Los Angeles-Albuquerque Express, Inc., a Colorado corporation, Denver, Colorado.

The records and files of the Commission fail to disclose any reason why said transfer should not be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

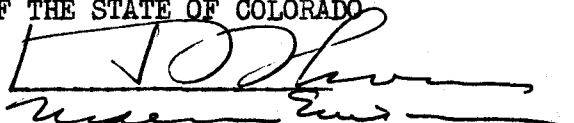
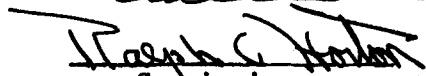
That George C. Lebeck, doing business as "Los Angeles-Albuquerque Express," Los Angeles, California, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 695-I to Los Angeles-Albuquerque

Express, Inc., a Colorado corporation, Denver, Colorado, said transfer to be subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferor shall be transferred to the account of transferee.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
JOE G. RIVERA, VALDEZ, COLORADO, FOR )  
A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
-----

APPLICATION NO. 7823

-----  
October 8, 1946.  
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Appearances: Joe G. Rivera, Valdez, Colorado,  
                  pro se;  
                  Philip Sandoval, Trinidad, Colorado,  
                          for Sandoval Truck Line;  
                  Albert Fouret, Trinidad, Colorado,  
                          for Fouret Brothers.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting, and after appropriate notice to all parties in interest, was heard at Trinidad, Colorado, August 26, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a motor vehicle common carrier for hire for the transportation of passengers, on schedule, between Trinidad and Monument Lake and the off-route point of Valdez, Colorado.

The testimony showed that Monument Lake is a recreational or resort place, located about 32 miles from Trinidad in the mountain area; that, ordinarily, it has guests and sojourners in cabins located there for a few months in the summer, only.

State Highway No. 120, which extends from Trinidad to Stonewall, connecting with State Highway No. 111 between Stonewall and Monument Lake, is located in the Purgatoire River Valley. A few farms and ranches are located on the river. A number of small towns, inhabited by retired people, coal miners, and timber workers, are also located on this highway.

Applicant expects his line to be patronized by farmers and ranchers going to Trinidad from their homes and return on business, individuals seeking

recreation at Monument Lake, and miners who may want to travel from Trinidad to the mines at Valdez. He proposes two schedules - leaving Trinidad at 6:00 A.M. and 5:00 P.M., and leaving Monument Lake at 9:00 A.M. and 8:00 P.M.

He does not have any equipment, but expects to acquire a twenty-six passenger school bus with borrowed money. He drove a truck for Ilfeld, at Las Vegas, and Lovato, at Valdez, for a short period of time, but outside of said employment, has not had any experience in the for-hire transportation service.

Apparently Mr. Rivera is under the impression that his principal business will be derived from the transportation of tourists - notwithstanding the evidence shows there will be little, if any, business available during a period of at least nine months out of the year. It is even doubtful that many people will be seeking that service during the tourist season, because most of the visitors in that district and the townspeople in Trinidad own cars which they use for the purpose of recreation. Schedules definitely are not arranged to handle the miners from and to work. The mine at Valdez ordinarily works two or three shifts. If a service is to be provided for the miners, who now travel in groups in privately-owned automobiles, it will be necessary to arrange the schedules so as to meet the different shifts.

Applicant suggested a rate of forty cents a round trip for transporting miners. Valdez is fourteen miles from Trinidad. He said he would have to establish that rate, because the miners now are contributing that amount to the owners of cars in which they ride as a contribution on a share-expense basis. This net cost service probably explains why previous certificates issued for motor services to handle miners between Trinidad and Valdez have not been able to continue their service. The rate is not compensatory, and no one can operate on that basis.

There was no opposition to the granting of the authority sought.

Nevertheless, the Commission is of the opinion that a certificate should not issue. Definitely, the operation, in our opinion, will not pay, and we should not issue a certificate unless it appears that there is some chance of ultimate success.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity do not require the proposed motor vehicle common carrier service of applicant, and that application should be denied.


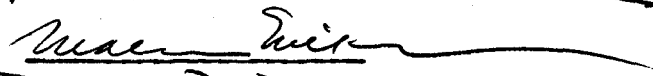
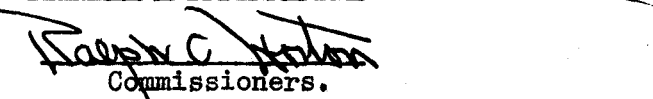
O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 8th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
THE COLORADO SPRINGS TRANSIT COMPANY, )  
COLORADO SPRINGS, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
-----

APPLICATION NO. 7771

IN THE MATTER OF THE APPLICATION OF )  
THE COLORADO SPRINGS TRANSIT COMPANY, )  
COLORADO SPRINGS, COLORADO, FOR AN )  
EXTENSION OF PUC NO. 631. )  
-----

APPLICATION NO. 7793-Extension

IN THE MATTER OF THE APPLICATION OF )  
THE COLORADO SPRINGS TRANSIT COMPANY, )  
COLORADO SPRINGS, COLORADO, FOR AN )  
EXTENSION OF PUC NO. 631. )  
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APPLICATION NO. 7794-Extension

-----  
October 8, 1946  
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Appearances: Strachan and Horn, Esqs., Colo-  
rado Springs, Colorado, for  
applicant;  
Walter M. Colburn, Colorado  
Springs, Colorado, for Colburn  
Motor Tours;  
T. A. White, Esq., Denver, Colo-  
rado, for Denver-Colorado Springs-  
Pueblo Motor Way, Inc.;  
J. G. Hodges, Esq., Denver, Colorado,  
for Rocky Mountain Motors.

STATEMENT

By the Commission:

The above-styled applications, pursuant to prior setting and  
after appropriate notice to all parties in interest, were heard at Colo-  
rado Springs, Colorado, August 15, 1946, and taken under advisement.

By Decision No. 25271, of date December 15, 1945, Colorado  
Springs Transit Company, a Colorado corporation, was permitted to, and  
pursuant thereto, did, acquire from Colorado Springs Bus Company, its  
certificate of public convenience and necessity which authorized it to



operate as a common carrier by motor vehicle for hire for the transportation of:

passengers to and from the City of Colorado Springs, from and to the Town of Manitou Springs, Cheyenne Canon and Broadmoor, on schedule, over certain routes described in the application for said authority -- being Application No. 1963, Decision No. 4140, of date April 6, 1932, reference to which is hereby made,

except the so-called shuttle bus operation, extending from Cresta Road to Stratton Park and Cheyenne Canon, described in said application, and:

transportation of passengers, baggage, mail, express, and newspapers, on schedule, between Colorado Springs and the U. S. Army Cantonment, located on the Corley Ranch, approximately six and two-thirds miles south of Colorado Springs, over the routes described as "Routes Nos. 3 and 4 in the application for said service, which was granted by Decision No. 18342, of date February 13, 1942,

and,

passengers between Colorado Springs and the Government Air Base, located at the City Airport, about eight miles east of the City of Colorado Springs.

By application filed May 31, 1946, Colorado Springs Transit Company seeks authority to transport passengers in charter service by motor vehicle coaches from points in the Pikes Peak Region in El Paso County, Colorado, to other points in the State of Colorado, and return.

By Application No. 7793, filed June 17, 1946, applicant seeks authority to extend its operations to include the right to extend its operations from the City of Colorado Springs to the Alexander Industries and Aircraft Mechanics and points intermediate along U. S. Highway No. 85 between said points.

By Application No. 7794, filed July 11, 1946, authority is sought to operate a shuttle service between the end of its line in Manitou Springs and the cog road depot for the transportation of passengers.

The two last-mentioned operations are to be conducted in connection with the bus operations of applicant in the Town of Manitou Springs, Colorado, Colorado Springs, Colorado, and its other operations heretofore referred to.

The matters were consolidated for hearing.

Mr. Irl Foard, District Attorney of Colorado Springs, and District Deputy of the Elks' Lodge for the district embracing lodges at Canon City, Cripple Creek, Victor, Denver, Idaho Springs, Central City, Florence, and Colorado Springs, Garnet Monk, President of the Colorado Springs Junior Chamber of Commerce, Howard M. Yates, Secretary-Manager of the Colorado Springs Chamber of Commerce, Dan F. Santry, Secretary and Business Manager of Colorado Springs Public Schools, and Mr. Poe, testified in support of the application, and to the fact that such service would be in the public interest for the transportation of parties, organizations, and groups to lodge meetings, athletic contests, music festivals, luncheon group gatherings, sessions of Chambers of Commerce, good-will tours, etc.

George A. Martin, Vice-President-General Manager of the companies since 1945, described the equipment available for charter bus service, the improvements company expected to make in such equipment to fit the equipment for long-distance travel, the maintenance and garaging facilities of the company, the number of employees serving, general necessity for charter service, and the extensions of local service sought, in connection with its operations in Colorado Springs, Manitou Springs, Broadmoor, Ivywild, Cascade, Woodland Park, Ute Pass, Camp Carson, and Army installations, and expressed the willingness of the company to refrain from engaging in sightseeing or taxicab service, to use bus equipment only of the type and capacity now in use, and to operate its charter service at the rates and subject to the limitations set forth in the decisions of the Commission numbered 9967, 10634, 9389, 1717, 1757.

It appeared that substantial industries have been established at the so-called "Alexander Industries" and Aircraft Mechanics Plants, about one mile north of the City Limits of Colorado Springs on U. S. Highway No. 85.

With the consent of the Commission, applicant operated service to said plants from the end of its Tejon Street line in Colorado Springs between March 7, 1946, and the time of hearing. Business -- especially

during the peak periods when men are changing shifts -- has steadily increased. A housing project, located about five blocks distant, recently has been furnishing some business for the line, and applicant believes that it can be profitably conducted. It is contemplated that such operation will be conducted as a shuttle service; that transfers will issue to and from its Colorado Springs busses at Tejon.

As to the cog road extension, it appeared that for years the Broadmoor Hotel Company, which owns the cog road, has furnished service by bus from the end of the Transit Company's lines to the cog road depot. This service, until the abandonment of streetcar lines in Colorado Springs, has been furnished by the streetcar system. The Broadmoor recently asked the Transit Company to furnish service by bus. A charge of five cents each way, without transfer, is to be made. Coupons sold by Broadmoor Hotel Company will be honored by the company for the trip. Operation is to be seasonal, only -- that is, during the period of time out of each year that cog road is being operated from the cog road depot, near Manitou Springs, to Pikes Peak.

Protestants, in view of the limitations to be placed on charter service certificate, if issued, withdrew objections to the granting of authority sought.

### FINDINGS

#### THE COMMISSION FINDS:

That public convenience and necessity require the proposed motor vehicle common carrier service of applicant, as described in the aforementioned extension applications, subject to the conditions and limitations expressed in the Order following, which, by reference, is made a part hereof, and that certificate of public convenience and necessity should issue therefor.

### ORDER

#### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier call and demand motor vehicle operations of applicant for occasional motor coach service by special charter for the transportation

of passengers from points in the "Pikes Peak Region" to points in the State of Colorado, subject to the terms and conditions following, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

Conditions:

(a) That applicant herein, in the handling of charter business, the point of origin of the same being within territory served by the holder of a certificate of public convenience and necessity for regular motor carrier passenger operations intrastate, shall give to such certificate-holder the first opportunity of rendering the charter service, if such local certificate-holder is authorized by the Commission to handle charter business, and also if such local certificate-holder is able to perform the service required; but if such certificate-holder has no certificate for handling charter parties or is unable to comply with the necessary requirements or specifications of the charter party, then applicant may solicit such charter business freely, and may render the service desired from the point of origin to destination, regardless of the fact that there may be other local certificate-holders operating in the territory into which the charter party is destined.

(b) That any controversy arising in connection with the provisions of this order shall be determined at once upon presentation by the carriers interested to this Commission.

(c) That the applicant shall not engage in any sightseeing service of a direct competitive character in the Denver and Rocky Mountain Parks Areas served by Rocky Mountain Motor Company (PUC No. 55), and other sightseeing operators, the Pikes Peak Region now being served by the Pikes Peak Automobile Company (PUC No. 116), Pikes Peak Auto Livery (PUC No. 140), and Broadmoor Hotel Garage (PUC No. 275), and other authorized sightseeing operators with rights to serve the region; the San Isabel Forest, now served by the San Isabel Forest Tours Company (PUC No. 313) with sightseeing rights to serve the area; the Cedaredge Grand Mesa area now being served by V. A. Phillips under PUC No. 258, with sightseeing rights cover-

ing the Mesa; and other like scenic areas in the State now being served by local authorized sightseeing operators.

(d) In performing said occasional charter coach service, applicant shall be, and hereby is, required to maintain and apply to and for the transportation of charter parties, the rules and regulations and fares and charges which shall not be greater or less than the fares and charges, and in accord with the rules and regulations fixed and prescribed by the Commission for occasional charter coach service in its Decision No. 9967, of date May 10, 1937, as amended by Decision No. 10634, of date September 27, 1937, and it is hereby ordered, directed, and required to establish said rules, regulations, fares and charges, and make the same effective upon notice to the Commission and the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act, said rules, regulation, fares, and charges being as follows:

#### RULES AND REGULATIONS

Rule  
No.

1. APPLICATION OF RULES AND REGULATIONS:
  - (a) Charges shown herein are in dollars and cents and are payable in United States money.
  - (b) No agent or other employee shall have the authority to change or deviate from, the charges or rules and regulations contained herein.
2. APPLICATION OF CHARGES:
  - (a) Charges shown herein apply on trips over first-class roads, such as paved, oiled, macadam or roads over which the equipment can be operated, at the time of charter, without undue wear.
  - (b) All quotations are subject to carrier being able to supply equipment. Charges shown herein apply only when proper arrangements have been made for the furnishing of equipment.
  - (c) If during trip, party or parties chartering coach desire to change routing or arrangements, additional charges will be assessed and collected therefor on the basis of rates and charges provided for in this tariff.
3. COMPUTING MILEAGE:

Mileage shall be computed from the current Official State Highway Map.
4. BAGGAGE:

Baggage will not be checked in charter coach service and will be handled only at passenger's own risk. The carrier assumes no responsibility for baggage or property transported on coaches in charter coach service.

5. **EQUIPMENT AT CARRIERS' CONVENIENCE:**

When carrier at its own convenience furnishes bus of larger capacity, or one in higher classification than requested or contracted for, charge will be based on capacity of coach ordered. This will be done only when carrier is unable to furnish coach of capacity ordered.

6. **REFUND OF CHARGES:**

If movement is curtailed, either by request of passengers, contractor with carriers, or carrier, the difference between the amount paid, or charged, and the amount assessable as shown herein, will be paid or credited by carrier. Such refund or credit will be made only through the General Office of the carriers.

7. **PAYMENT:**

- (a) All charges (less deposit) for charter movements are payable in advance unless credit is established with carrier.
- (b) On extended movements contracting party may make advance payment to cover movement for a specified period or number of miles. Payment in such case must be made to carrier at end of each period or trip before carrier will continue movement. When such arrangements are made, carrier may, at its option, demand deposit to cover deadhead mileage of coach back to originating point in case movement is discontinued before completion. If movement is completed, deposit will be applied on last payment.
- (c) All charges for a chartered trip must be assessed against and/or collected from the person or organization ordering the chartered coach, and will not be prorated and collected as fares from the individuals.

8. **CLAIMS:**

- (a) Carriers parties to this tariff will not be liable for delays caused by accidents, breakdowns, bad conditions of the road, snow storms and other conditions beyond their control, and do not guarantee to arrive at or depart from any point at a specific time. Carrier will endeavor to maintain the schedule submitted by its agent or employee, but same is not guaranteed.
- (b) All claims for damages of whatever character must be filed in writing within nine months at the nearest office or agency of the carriers.
- (c) If conditions over which carrier has no control, such as weather, road conditions, or acts of God, make it, in the opinion of the carrier, inadvisable to operate charter, either from point of origin or at any point en route, the carriers party to this tariff shall not be liable therefor, or be caused to be held for damage for any reason whatsoever.

9. **OBJECTIONABLE PERSONS:**

Carriers parties to this tariff reserve the right to refuse to transport a person or persons under the influence of intoxicating liquor or drugs, or who is incapable of taking care of himself or herself, or show conduct which is such, or is likely to be such as to make him or her objectionable to other passengers.

**EXCEPTION:** The above rule does not apply to persons who are ill and accompanied by an attendant or nurse.

10. **ANIMALS:**

Dogs, cats, and other animals or birds will, on charter movements, be carried at the option of carrier or understanding with contracting party or parties, carrier will not be responsible or liable for acts or actions of such animals.

11. POINTS BETWEEN WHICH TARIFF APPLIES:  
(To be set forth by carrier filing tariff).

12. DEFINITIONS:

Charter Coach:

A unit of motor passenger equipment assigned to the exclusive use of a party or persons for its or their transportation.

Charter Trip:

Transportation and incidental service furnished by carriers party to this tariff for traffic moving in a chartered coach between points authorized herein.

Day:

A twenty-four (24) hour period beginning at 12:01 A. M., constitutes a day as used herein.

Deadhead Mileage:

(a) "Deadhead Mileage" as used herein means the mileage traversed in moving coach from a point at which available equipment is maintained, to the starting point of trip and from final destination of trip back to originating point of equipment and such other movements of equipment unoccupied by passengers as may be necessary to provide the kind of tour party desires.

(b) Carriers shall file with Commission, as part of tariff, a list of stations or points where available equipment is kept for charter party movements, and no "deadhead mileage" charge shall be made for charter party movements originating at these points or within five miles thereof, charges for "deadhead mileage" as provided in subdivision (a) of Item 2 under heading "Charges," however, to be applicable for all "deadhead mileage" except as indicated.

Section 2.

Charges

Item No.

1. Subject to the provisions of Rules 1 to 12 inclusive, and Item 2, the following mileage rates will be applied in computing the charges for a charter trip as defined in this tariff:

CAPACITY OF COACH	Charges Per Mile
12 seats and less	15¢
20 " " over 12 seats	20¢
25 " " " 20 "	25¢
29 " " " 25 "	30¢
35 " " " 29 "	35¢
Over 35 seats	40¢

2. In addition to charges provided for in Item 1, the following charges will apply:

(a) Deadhead mileage in excess of five (5) miles will be assessed as follows:

CAPACITY OF COACH	DEADHEAD CHARGES PER MILE
12 seats and less	12½¢
25 " " over 12 seats	15 ¢
29 " " " 25 seats	17½¢
Over 29 seats	20 ¢

(b) Minimum charges:

- I. Charter movements to a point outside of the corporate limits of a city or town are subject to a minimum charge of ten dollars (\$10.00) per coach furnished.
- II. Charter movements for a period of seven (7) hours or less are subject to a minimum charge of three dollars and fifty cents (\$3.50) per each hour or fraction thereof.
- III. Charter movements for a period of more than seven (7) hours are subject to a minimum charge of twenty-four dollars and fifty cents (\$24.50) for each day or fraction thereof exceeding seven (7) hours.

(c) Overnight stopovers will be charged for at five dollars (\$5.00) per night.

(d) For each day chartered coach is retained for service and is not operated, there will be a charge of fifteen dollars (\$15.00).

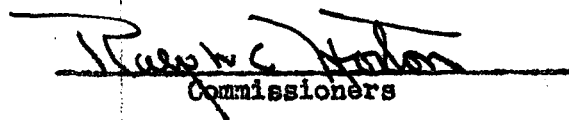
The applicant shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

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

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

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1946.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
A. R. LEE AND R. F. LEE, PRITCHETT, )  
COLORADO, FOR CLARIFICATION OR EX- ) APPLICATION NO. 7886  
TENSION OF PUC NO. 1434. )  
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October 8, 1946  
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Appearances: E. B. Evans, Esq., Denver,  
Colorado, for applicants.

S T A T E M E N T

By the Commission:

The above-styled application was heard at La Junta, Colorado,  
August 28, 1946, and taken under advisement.

At the hearing, it appeared that apparently notices had not  
been served upon the carriers who were to have been served, but never-  
theless, in view of the fact that applicants, with their counsel, were  
present, the matter was heard, with the understanding that copies of  
the Order to be entered in said matter would be sent to the parties on  
"Competition List," who would have been served, for comment, and in the  
event substantial objections thereto were filed, would again be set for  
hearing.

Applicants, under their certificate of public convenience and  
necessity, are authorized to operate as call and demand motor vehicle  
common carriers for the transportation of:

grain, livestock, wool in grease, broom corn,  
and other farm products, between farms and  
ranches within the area extending east to a  
line drawn north and south four miles east  
of Pritchett, to the State Line on the south,  
to the County Line on the west, and to a line  
on the north drawn east and west through a  
point twenty-five miles north of Pritchett,  
on the one hand, and Pritchett and other mar-  
kets, loading, and storage points in said area,  
on the other hand.

The certificate issued on May 22, 1941. Since that time, applicants appear to be under the impression that they have in and out authority, and have handled said commodities in and out of their area until recently, when they were informed that they did not have such authority.

They, however, stated that they would not say that they had asked for in and out service when the original application was heard.

By the instant application, they ask that said authority be extended to include the transportation of household goods and used farm machinery, and that the authority be clarified and extended to include the transportation of the commodities listed in their present authority from and to points within their origin territory, to and from points in the State of Colorado.

However, at the hearing, it developed that applicants, primarily, will expect to devote their activities to local service. Chiefly, they expect to haul livestock to Lamar and La Junta. It appeared that they have never been asked to haul livestock to Denver, and only on a few occasions have been asked to haul livestock to Pueblo. Transportation of used household goods and used farm machinery will be limited to movements for farmers, and ordinarily will occur only when a farmer, with all his possessions, is moved from one farm to another in that area. Used farm machinery -- such as tractors, combines, etc. -- may be hauled from point to point locally, although to date they have had very few calls to handle such movements. They agreed that they would not, under the extended service, compete with service of R. S. Thompson, PUC No. 853, who, by Decision No. 2928, was authorized to transport:

general freight, including livestock and dairy products, on call and demand, from point to point within the territory bounded by Las Animas County Lines on the north and south, and lines drawn through points located respectively twenty-five miles east and twenty-five miles west of Kim, to and from points in said area, from and to Branson, Trinidad, Pritchett, Springfield, Lamar, La Junta, the Colorado-Kansas State and the Colorado-Oklahoma State Line, and livestock and farm products from and to points in said area, to and from Denver and Pueblo, provided, however, that applicant

shall not establish a line-haul carrier service in competition with the service of Springfield-Lamar Truck Line between Lamar and Springfield, or Harry T. Warner, between Branson and Trinidad, or intermediate points,

which authority, by Decision No. 22883, of date November 18, 1944, was amended by striking therefrom the right to transport:

general freight, except livestock, grain, and beans, from and to Kim, to and from Trinidad, Pritchett, Lamar, Springfield, and La Junta, Colorado.

It appeared from the testimony of supporting witnesses that there is a need for the extended service locally, and for the transportation of livestock from and to sales rings at La Junta and Lamar.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the extended service, as hereinafter limited, of applicants, for the transportation of used household goods and used farm machinery, and the proposed in and out service of applicants, as restricted in the Order following, and that certificate of public convenience and necessity should issue therefor.

### O R D E R

#### THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended common carrier motor vehicle service of applicants, on call and demand, over irregular routes, for the transportation of used household goods and farm machinery between points within the area extending east to a line drawn north and south four miles east of Pritchett, to the State Line on the south, to the County Line on the west, and to a line on the north drawn east and west through a point twenty-five miles north of Pritchett, and from and to points in said area, to and from points in Bent, Baca, and Prowers Counties south of U. S. Highway No. 50, and the transportation of grain, livestock, wool in grease, broom corn, and other farm products from and to points in the aforescribed area, to and from points in Baca, Bent, Prowers, and Otero Counties, without the right to engage in any service under the extension aforesaid in competition with the service of R. S. Thompson, under his PUC No. 853, and this order shall be taken, deemed,

and held to be a certificate of public convenience and necessity therefor.

The applicants shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

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

This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

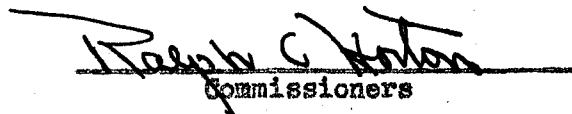
The Commission has elected to, and does hereby, retain jurisdiction of the instant application to make such further orders herein as to it may seem desirable or proper in the premises.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
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Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
ALEXANDER GRIFFIN, 1908 DALLAS ST.,  
AURORA, COLORADO, FOR A CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 7851

October 8, 1946

Appearances: John V. Condon, Esq., Aurora,  
Colorado, for Applicant;  
Myron H. Burnett, Esq., Denver,  
Colorado, for the Common  
Carriers' Division of CMCA  
and Orville Jenkins;  
Harold D. Torgan, Esq., Denver,  
Colorado, for Colorado Trans-  
fer and Warehousemen's Assn.;  
A. J. Fregeau, Denver, Colorado,  
for Welcker Transfer & Stor-  
age Company;  
Ronald P. Rogers, Strasburg, Colo-  
rado, for Rogers Truck Line;  
T. J. Dial, 5635 North Federal  
Blvd., Denver, Colorado, pro se.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, on August 30, 1946.

Applicant, by his original application and amended application,  
seeks a certificate of public convenience and necessity for the trans-  
portation of:

"Baggage, small freight and other like merchandise  
within a radius of ten (10) miles outgoing and  
outbound from Aurora, Colorado, i. e., applicant  
is desirous of hauling merchandise, etc., for the  
residents or business firms of Aurora, Colorado,  
and also desires to pick up and haul any goods or  
merchandise aforesaid may have at terminals in  
Denver or other places within ten (10) miles, but  
applicant in no way intends to solicit or carry  
goods or merchandise from Denver or other termi-  
nals unless said goods are the property of resi-  
dents or business firms in Aurora, Colorado."

Applicant testified that he has procured one 5-ton truck from  
the Government and can procure two smaller trucks. He also stated that

the Bank of Aurora promised to finance him in procuring additional trucks, and that it loaned him \$1400.00 on the present truck.

Applicant has had sufficient operating experience to efficiently conduct the proposed operation.

Applicant stated that he had been called several times each day for the proposed service, and that business men of Aurora had promised him that they would use his services. He proposes to haul only suitcases and grips, light freight such as single items of furniture, stoves, refrigerators, etc., for the business men and residents of Aurora. However, he desires to pick up merchandise from wholesalers in Denver and take it to Aurora for such residents and business men. He said that business men had reported they have to wait for a few days to a week for merchandise from Denver wholesalers. He also said that auto courts near Aurora had suitcases and baggage which they desired transported to the Union Station in Denver and other places. He agreed that, if a certificate were granted, he would charge, as minimum rates, twenty per cent more than the prescribed rates in competition with line haul common carriers. He had not discussed the matter of rates with his customers, however, and did not know whether they would be willing to pay such increased rates. He also stated that he knew that the Package Delivery Service, a common carrier, had authority to deliver packages to Aurora and vicinity.

Ralph W. Henderson, manager of the Aurora Liquor Store, testified that the service was needed; that a great many times he could not get merchandise out of Denver without waiting two or three days. He said that, in a great many instances, he would be willing to pay a twenty per cent additional rate for immediate service. He admitted, however, that he had never requested Foster Truck Line, an authorized common carrier to Aurora, to transport any commodities for him.

Frank E. Bowser, of Aurora, another witness for applicant, testified that he was an employee of Gamble Stores; that the proposed service was needed, but that he had never called on existing authorized common carriers.

There was no showing, aside from the meager testimony of applicant himself, that the service of existing authorized carriers was not adequate, nor was there any testimony that it could not be made adequate. There was not sufficient showing at the hearing of any public convenience and necessity for the proposed service. Applicant admitted that he had received only two actual requests for the proposed service from citizens of Aurora. On the other hand, Cecil Foster, owner of Certificate of Public Convenience and Necessity No. 72, testified that he maintains scheduled service from Denver to Aurora, leaving Denver at ten a. m., daily. He said that, if calls were received from Denver wholesalers by nine a. m., the merchandise would go out the same day; otherwise, the next day. He had had no complaints from the citizens of Aurora. He said that, sometimes, Foster Truck Line ran three unscheduled services to Aurora daily, in addition to the scheduled service, when the same were required. He stated that Foster Truck Line owned four semi-trailers, three tractors, and five  $1\frac{1}{2}$ -ton trucks, and that the trucks were not always loaded between Denver and Aurora.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the instant application should be denied.

#### O R D E R

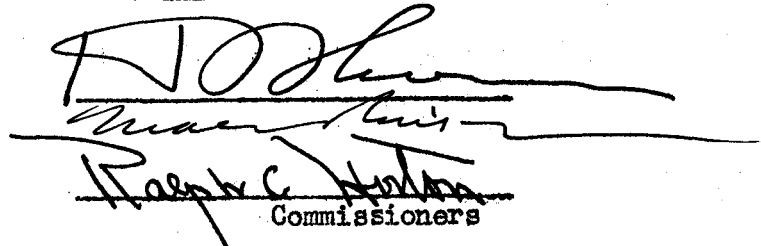
##### THE COMMISSION ORDERS:

That the application of Alexander Griffin, Aurora, Colorado, for a certificate of public convenience and necessity is hereby denied.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

DATED at Denver, Colorado,  
this 8th day of October, 1946.

  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE MOTOR VEHICLE OPERATIONS OF )  
D. H. LUCERO, DOING BUSINESS AS )  
"RED CLIFF TRANSPORTATION CO.," )  
RED CLIFF, COLORADO. )

PUC NO. 697

October 8, 1946

S T A T E M E N T

By the Commission:

D. H. Lucero, doing business as "Red Cliff Transportation Co.,"  
Red Cliff, Colorado, by letter of date August 26, 1946, requested the  
Commission to suspend that portion of his certificate which authorizes  
the transportation of:

Commodities, generally, between railroad depot  
near Red Cliff, Colorado, and the Town of Red  
Cliff.

F I N D I N G S

THE COMMISSION FINDS:

Being now sufficiently informed in the premises, that the  
request should be granted.

O R D E R

THE COMMISSION ORDERS:

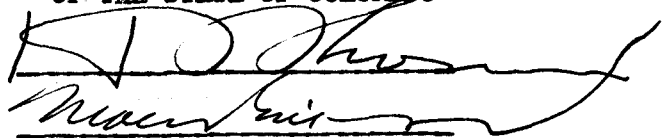
That D. H. Lucero, doing business as "Red Cliff Transportation  
Co.," be, and he hereby is, permitted to suspend his operations under  
his certificate, PUC No. 697, for a period of six months from the date  
hereof, in so far as they involve the transportation of:

General commodities between the railroad depot  
near Red Cliff, Colorado, and the Town of Red  
Cliff.

That said authority under said certificate, in all other  
respects, shall remain in full force and effect.

DATED at Denver, Colorado,  
this 8th day of October, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO



  
Commissioners



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES O. ROTEN, 1054 KALAMATH ST., )  
DENVER, COLORADO, FOR AN EXTENSION )  
OF PERMIT B-3445 TO INCLUDE THE )  
TRANSPORTATION OF BUILDING MATERIALS )  
BETWEEN ALL POINTS IN ARAPAHOE COUNTY )

APPLICATION NO. 7848-PP  
(Extension)

October 8, 1946

Appearances: James O. Roten, Denver, Colo-  
rado, pro se;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer & Sto. Co.;  
Myron H. Burnett, Esq., for the  
Common Carriers' Division of  
CMCA and Foster Truck Line;  
Ronald P. Rogers, Strasburg,  
Colorado, for Rogers Truck Line.

S T A T E M E N T

By the Commission:

The above matter was heard on August 30, 1946, at Denver.

Applicant seeks an extension of his Class "B" Permit No. B-3445 to operate as a private carrier by motor vehicle for hire for the transportation of building materials between all points in Arapahoe County.

At the hearing, applicant testified that his cousin, S. F. Kelly, of Westwood, Colorado, manufactures cinder blocks and cement, and desires him to transport same from point of manufacture in Westwood to all points in Arapahoe County. He stated that he would limit his operations under such extension of permit, if granted, to cement and cinder blocks for S. F. Kelly, only, and that he was willing that his permit be restricted to the one customer, with the provision that he would not seek to add additional customers.

In view of the statement of applicant, protestants withdrew their protests.

F I N D I N G S

THE COMMISSION FINDS:

That the application, as hereinafter limited, should be granted.

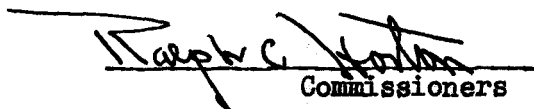
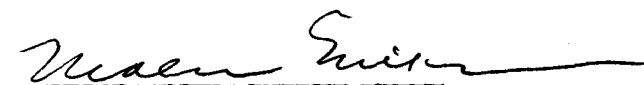
O R D E R

THE COMMISSION ORDERS:

That applicant is hereby granted an extension of his present permit No. B-3445 to include the transportation of cement and cinder blocks, only, for S. F. Kelly, of Westwood, Colorado, only, from the manufacturing plant of said S. F. Kelly to all points in Arapahoe County.

That this order is made a part of the permit granted to applicant, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 8th day of October, 1946.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WALTER COLBURN, 20 WEST PIKES PEAK )  
AVE., COLORADO SPRINGS, COLORADO, FOR )  
AUTHORITY TO TRANSFER PUC NO. 1265 TO )  
COLBURN MOTOR TOURS, INC., A COLORADO )  
CORPORATION, 20 WEST PIKES PEAK AVE., )  
COLORADO SPRINGS, COLORADO. )

APPLICATION NO. 7885

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October 8, 1946

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S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 13031, of date February 15, 1939, Walter Colburn acquired certain "motor vehicle carrier" operating rights granted by the Commission in Applications Nos. 615, 637, 668, 670, 939, and 1168, his operations thereunder being conducted under PUC No. 1265.

By Decision No. 15525, of date June 13, 1940, the operating rights of said Walter Colburn under his certificate of public convenience and necessity were extended to include certain auto livery rights, subject to conditions set forth in said order, and certain amendments thereto, made upon rehearing, as set forth in Decision No. 17012, of date April 18, 1941.

By Decision No. 14163, of date October 13, 1939, the Commission approved the leasing by Rio Grande Motor Way, Inc., of its right to operate a motor vehicle carrier system for the transportation of:

sightseeing passengers between Canon City, Colorado Springs, and Parkdale, Colorado, over and upon the highways between said points, including the Skyline Drive, and over and upon the highways connecting said points, and each of them, with the Royal Gorge Park of Canon City and the Suspension Bridge over the Royal Gorge of the Arkansas River, in sightseeing and tourist service,-

which authority was granted in Application No. 1452.

By Decision No. 25902, of date May 7, 1946, the Commission approved the leasing by Denver-Colorado Springs-Pueblo Motor Way, Inc., of the operating rights granted to it in Decisions Nos. 2370 in Application No. 688-A, Decision No. 2403 in Application No. 568-A, and Decision No. 10174 in Application No. 3064-B, to Walter Colburn.

Said leases are still in full force and effect.

Said Walter Colburn herein seeks authority to transfer the operating rights granted to him as aforesaid, and the operating rights enjoyed by him by virtue of the leases aforesaid, from Rio Grande Motor Way, Inc., and Denver-Colorado Springs-Pueblo Motor Way, Inc., to Colburn Motor Tours, Inc., a corporation.

Denver-Colorado Springs-Pueblo Motor Way, Inc., and Rio Grande Motor Way, Inc., have consented to the assignment by Colburn of his lease rights to Colburn Motor Tours, Inc.

Attached to the application is a certified copy of the Articles of Incorporation of transferee, which shows that it was duly incorporated under the laws of the State of Colorado. It appears from the application that stockholders of said corporation are Walter Colburn, Helen M. Colburn, and Marie M. Colburn. Operating will be conducted under the management of Mr. Colburn, who has had many years' experience in the operation of sightseeing, taxicab, and other motor transportation services. Transferee is adequately financed, and otherwise is able and qualified to carry on the operation.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that passenger-mile tax has been paid; that passenger-mile tax deposit is to be transferred to the account of transferee; that there are no outstanding unpaid operating obligations against said certificate; it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, in so far as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

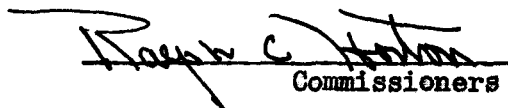
That Walter Colburn, Colorado Springs, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1265 to Colburn Motor Tours, Inc., a Colorado corporation, Colorado Springs, Colorado.

That the tariff of rates, rules, and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That passenger-mile tax deposit of transferor shall be transferred to the account of transferee.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED this 8th day of October,  
1946, at Denver, Colorado.

EHC

( Decision No. 26827 )

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
EDMOND E. ECKELS, FOR A CERTIFICATE  
OF PUBLIC CONVENIENCE AND NECESSITY.

APPLICATION NO. 7878

October 8, 1946

Appearances: Worth Allen, Esq., Denver,  
Colorado, for applicant;  
Clay R. Apple, Esq., Greeley,  
Colorado, for Clyde Shupe.

S T A T E M E N T

By the Commission:

This matter was heard at Greeley, Colorado, September 17, 1946.

Since the hearing, the Commission is in receipt of a letter from applicant, dated September 18, 1946, and filed with the Commission September 19, 1946, which reads as follows:

"Greeley, Colorado  
September 18, 1946

"P. U. C.  
Denver, Colorado

"Dear Sirs:

"In regard to my hearing which we held in Greeley yesterday, and after the hearing while in Denver I learned of conditions which I didn't think could exist.

"So I fully made up my mind that I do not want any part of a franchise or have anything to do with a bus line, as long as the present administration exists.

"Just forget the whole thing, and as it is Mr. Shoupe's baby, let him take care of it.

"Thanking you for your part of the deal, I am,

Resp. yours,

/s/ E. E. Eckels."

In view of the request of applicant, the Commission is of the opinion that the application should be dismissed.

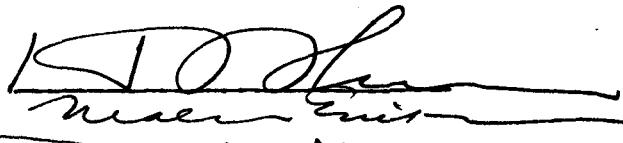
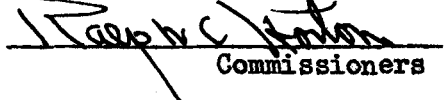
O R D E R

THE COMMISSION ORDERS:

That the above application is hereby dismissed.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

DATED at Denver, Colorado,  
this 8th day of October, 1946.

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THOMAS G. TAYLOR, 1788 SOUTH SHER- )  
MAN STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
-----

APPLICATION NO. 7910-PP

IN THE MATTER OF THE APPLICATION OF )  
GEORGE L. WOLF, 2758 WEST HILLSIDE, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7913-PP

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October 8, 1946.  
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S T A T E M E N T

By the Commission:

The above-styled applicants, and each of them, herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado,

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matters, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the applications should be granted.

O R D E R

THE COMMISSION ORDERS:

That Thomas G. Taylor and George L. Wolf, of Denver, Colorado,



and each of them, should be, and they hereby are, authorized to severally operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

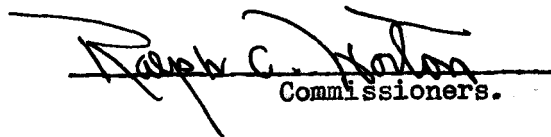
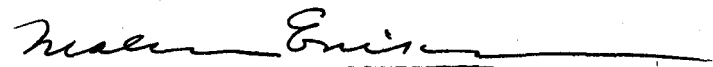
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to these permits deemed advisable.

This order is these permits herein provided for, but ~~they~~ shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado  
This 8th day, of October, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GUY HODGES, 251 NEWTON STREET, DEN- )  
VER, COLORADO, FOR A CLASS "B" PER- ) APPLICATION NO. 7912-PP  
MIT TO OPERATE AS A PRIVATE CARRIER )  
BY MOTOR VEHICLE FOR HIRE. )  
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October 8, 1946.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver to jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Guy Hodges, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for

hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points within a radius of fifty miles of Denver to jobs within said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1946.

Mcw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
D. H. LIEURANCE, ROUTE 2, DEERTRAIL, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-3475 TO BOB J. SMALL, )  
BENNETT, COLORADO. )

APPLICATION NO. 7908-PP

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October 8, 1946.  
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S T A T E M E N T

By the Commission:

By Decision No. 26121, of date June 14, 1946, D. H. Lieurance, Deertrail, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

milk and cream to Denver from points within the area bounded on the west of Wolf Creek, on the East by Wilson Creek, on the south by Highway No. 86, and on the north by a line drawn two miles north of, and parallel with, the Arapahoe-Elbert County line, with back-haul of empty cans.

D. H. Lieurance herein seeks authority to transfer said operating rights (Permit No. B-3475) to Bob J. Small, Bennett, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting

said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That D. H. Lieurance, Deertrail, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3475 to Bob J. Small, Bennett, Colorado.

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.

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

That ten-mile tax deposit of transferor shall be transferred to the account of transferee.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Wm. E. Egan

Ralph C. Watson  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1946.

Mc

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN F. HUMPHREYS, 2433 WEST 27th )  
AVENUE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 7909-PP

-----  
IN THE MATTER OF THE APPLICATION OF )  
WILLIAM H. PURDOM, 4511 EAST COLFAX )  
AVENUE, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 7911-PP

-----  
October 8, 1946.  
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S T A T E M E N T

By the Commission:

The above-styled applicants, and each of them, herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the applications should be granted.

O R D E R

THE COMMISSION ORDERS:

That John F. Humphreys and William H. Purdom, Denver, Colorado, and each of them, should be, and they hereby are, authorized to severally operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

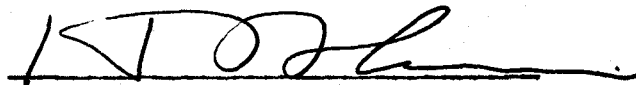
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to these permits deemed advisable.

This order is the permits herein provided for, but they shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioner

Dated at Denver, Colorado,  
this 8th day of October, 1946.

McW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARRY E. SMITH AND MARY I. SMITH, )  
DOING BUSINESS AS "SKYLINE AUTO )  
LIVERY," LEADVILLE, COLORADO, FOR )  
AUTHORITY TO EXTEND THEIR OPERA- )  
TIONS UNDER PUC NO. 1586. )  
-----

APPLICATION NO. 6373-AB

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October 9, 1946  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants;  
John Boyle, Esq., Salida, Colo-  
rado, for Sam Hunnicutt.

S T A T E M E N T

By the Commission:

By Decision No. 22332, Harry E. Smith, doing business as "Sky  
Line Auto Livery," acquired from William F. Molloy and Harry E. Smith  
the right to operate a motor vehicle common carrier call and demand  
transportation service in scenic and sightseeing operations:

between Leadville, on the one hand, and, on  
the other, points and places of scenic interest  
within a radius of forty miles of Leadville  
(and certain taxi rights now cancelled).

By his second amended application, filed on January 5, 1946,  
as amended at the hearing, applicants herein seek authority to extend  
operations to include the right to transport passengers in sightseeing  
service between points within a radius of forty miles of Leadville, on  
the one hand, and, on the other, points of scenic interest in the State  
of Colorado, and the transportation of passengers and their baggage, in  
round trip auto livery service (without the right to furnish taxicab ser-  
vice) between points within a radius of forty miles of Leadville, and  
between points within a radius of thirty miles of Leadville on the one  
hand, and, on the other, points in the State of Colorado.



3

The matter was heard in Leadville, Colorado, pursuant to prior setting and after appropriate notice to all concerned, on the 15th day of June, 1946, and taken under advisement.

At the hearing, applicant stated that he did not desire to perform taxicab service under the authority to be granted; that all sightseeing service would be round trip service; that by "auto livery service," he meant "charter service;" that it, too, would be round trip service, only; that under the auto livery or charter service, he proposed to transport people from some point within the thirty-mile radius mentioned to another point in the forty-mile radius and back — said service, primarily, being in demand by fishing, hunting, skiing, skating, and sightseeing parties. Illustrative of the places to which groups would desire to travel, he mentioned Sylvan Lake Lodge, Twin Lakes, Redcliff, and Cooper Hill Ski Tow.

Michael Ryan, a long-time resident of Leadville, and Dr. O'Brien, a resident of Leadville for thirty-two years, testified in support of the application. Besides following his vocation as an assayer in Leadville, Mr. Ryan is an enthusiastic fisherman. He stated that he had fished in more than two hundred lakes within the area mentioned; that in addition, many lakes with extensive fishing possibilities could be reached by short pack trips from points which could be reached by the equipment which applicant proposes to use, consisting of an eight-passenger automobile with roll-away top, a 1940 Chrysler Sedan, and a 1935 Cadillac.

Dr. O'Brien operates a dude ranch and raises trout. He mentioned the many tourist attractions that were available, and thought that Leadville, with sufficient advertising, would become a tourist center.

### F I N D I N G S

#### THE COMMISSION FINDS:

That public convenience and necessity require the proposed common carrier call and demand motor vehicle operation of applicant, for the conduct of a sightseeing service and auto livery service, and that certificate of public convenience and necessity should issue therefor.

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O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier call and demand motor vehicle transportation service of applicants for the conduct of a round-trip sightseeing and auto livery (charter) service, between points within a radius of forty miles of Leadville, and from and to points within a radius of thirty miles of Leadville on the one hand, and, on the other, points in the State of Colorado, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

The applicants shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

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

This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

Such service shall be furnished only in passenger cars of the type ordinarily used by sightseeing operators of not to exceed seven passengers and the driver.

For trips over ten one-way miles, the rate shall be twenty cents per mile, based on the round trip mileage for one to five passengers, inclusive, and twenty-five cents per round trip mile for six or seven passengers, with an additional charge of three dollars per hour for all time consumed in waiting after thirty minutes delay at any point on the trip, or a charge of thirty dollars per car per eight-hour day may be used in lieu of the mileage basis; provided, however, that such a charge must in all cases produce a higher charge than the charge would be if computed on the mileage basis.

For trips of ten one-way miles or under, the rates to be charged shall be twenty cents per mile, without regard to whether one or seven passengers are carried, or a proportional charge of three dollars per

hour may be made, and where a waiting time of over ten minutes is involved on any trips taken on a mileage basis, the waiting time charge shall be one dollar per hour or portion thereof for fractions of an hour for the full waiting period.

It is further provided that all said rates are minimum rates for both over and under ten one-way miles, and shall be based upon round trip mileage.

Service hereunder is expressly limited to sightseeing and auto livery (charter) round trip service, and applicants, under the authority here granted, shall not operate a taxicab service.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

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Original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF }  
G. A. KRISER, 2227 EIGHTH AVENUE, }  
GREELEY, COLORADO, FOR AN EXTENSION }  
OF PUC NO. 774. }  
-----

APPLICATION NO. 7502-Extension

-----  
October 9, 1946  
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Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicant;  
Sylvester C. Horn, Esq., Denver,  
Colorado, for Blakley and  
Blakley, Dewey Bibbey, Vernon  
Dotson, J. J. Stroh, F. R.  
Lamb, Ray Reed;  
Ralph Yockey, Fort Collins, Colo-  
rado, for Yockey Truck Company.

STATEMENT

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Fort Collins, Colorado, May 23, 1946, and taken under advisement.

By application filed March 3, 1946, applicant herein seeks authority to operate as a common carrier by motor vehicle for hire for the transportation, on call and demand, over irregular routes, of live-stock between points within a radius of fifteen miles of Kersey, Colo-rado, and between points in said area on the one hand, and points in the State of Colorado on the other, he being the owner of PUC No. 774 ac-quired from Howard G. Thompson, of Greeley, which authorizes the trans- portation of:

livestock from point to point within a radius of fifteen miles of Kersey, and the transpor- tation of livestock from auction sales pavilions in and around Greeley, Colorado, over u. S. Highway No. 85 from Greeley to Denver, and from Denver, over U. S. Highway No. 85, to points within a radius of fifteen miles of Kersey, and the right to use State Highway No. 37 from Kersey to point of intersection

with U. S. Highway No. 6, (three miles east of Hudson) and Highway No. 6 from said point of intersection to Denver, and return, in addition to the right to use U. S. Highway No. 85 for his operations between the Kersey radius and Denver and return.

At the hearing, it developed that an application for somewhat larger authority -- that is, for the transportation of livestock between points within a radius of twenty miles of Kersey, and between points in said area on the one hand, and points in the State of Colorado on the other -- was filed by Mr. Thompson before he transferred the certificate to Mr. Keiser, and was denied by our Decision No. 24864 on August 23, 1945, reference to which is hereby made.

At the hearing on the instant application, it appeared that Keiser has been a resident of Greeley for thirteen years; that he bought the Thompson Certificate in January, 1946, and seeks in and out service, so as to "round out his service to customers;" that, primarily, his customers want their stock transported from feed lots in the Kersey area to pastures distant sometimes as far as sixty miles from Kersey, with return in the Fall or Winter to feed lots, cattle from sales rings in Greeley to feed lots in the Kersey area, and the transportation from feed lots in the Kersey area to points in the State of Colorado.

Upon cross-examination, he admitted that common carriers -- Reed, Bibbey, Dotson, Blakley, Stroh, and Yockey -- have authority to furnish the service mentioned, but stated that some of them -- Blakley in particular -- with headquarters in Denver -- do not want to go to the Kersey area and furnish short-haul service for movement of livestock.

It did not appear that applicant has, or can obtain, the equipment necessary to carry on the extended service. However, for the purpose of disposition of this case, the Commission will assume that he is qualified and able -- pecuniarily and otherwise -- to carry on the operation.

A number of witnesses, including G. A. Stenhoff, Philip W. Whitesel, George Hatch, Carl Loeffler, Pete Keiser, and E. V. Brown, testified in support of the application.

Mr. Stenhoff's ranch is located about sixteen miles from Kersey. He there feeds, during the season, from five hundred to six

hundred head of cattle, which ordinarily move from and to the sales ring at Greeley, to and from feed lots in the Kersey area. He stated that he never has been served by applicant; that Bibbey, Reed, Stroh, and Lamb frequently have hauled livestock satisfactorily for him; that "I am not registering any complaint. These boys are o.k. They haven't fallen down. I just think this boy should be given a chance."

Philip W. Whitesel, who operates at Briggsdale, and who lives forty miles northeast of Kersey and handles one thousand to twelve hundred head of cattle yearly, his ranch being located eleven miles east and three and one-half miles south of Briggsdale, stated that it is necessary to move his cattle from grass in the Fall to market -- ordinarily, to Greeley; that in the Spring, he moves cattle to pasture; that sales days at Greeley are Wednesdays, Thursdays, and Fridays; that last Fall, he moved 241 head of cattle; that they were to go a distance of thirteen miles to Briggsdale to be loaded into rail cars for shipment to Greeley; that he contacted Bibbey, Stroh, and another cartier, but they were not willing to move his cattle with their trucks, on account of the weather; that it was necessary to return the cattle to pasture for a week before he could get truck service.

Upon cross-examination, he admitted that notice to the carriers had been rather short; that he had been very well pleased with service furnished by carriers when he could get it; that Stroh and Bibbey were very good, and had done all that they could to provide service; that he would give them the first chance to serve -- even though the certificate were granted -- and if they could not serve, would seek the service of Keiser; that he never has contacted, and doesn't know, Lamb, Dotson, or Reed; that "people have been pretty well take care of;" that Bibbey and Stroh have used trucks of other carriers, on occasions, and in his opinion, could borrow the Keiser equipment, if needed.

George Hatch, who has operated a stock ranch for fifty years, about nine miles northeast of New Raymer, stated that he handles five hundred to one thousand head of cattle yearly, which move from and to his ranch, to and from points within a radius of fifteen miles of Kersey;

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that truck service was good until labor shortage developed; that the Fall of 1945 was the worst; that he experienced a serious delay only once, and that was for movement of four hundred head of sheep; that at that time he contacted Bates at Longmont, and Thompson; that he never has sought service from Elakley, Bibbey, Dotson, Reed, or Lamb.

Carl Loeffler, a feeder operating four and one-half miles west of Lucerne, which is within fifteen miles of Kersey, for twenty-one years, feeds about four hundred head of cattle yearly. He stated that they must move to and from grass, which is located about forty or fifty miles from his ranch; that he has found all carriers that he contacted to be good operators, but had been unable to get them at all times on short notice; that Keiser is very gentle in handling stock; that he drives carefully, and he prefers him, because he is an Ex-Service man, and has a right to get started in business.

Pete Keiser, father of applicant, has been a livestock dealer for twenty-three years, and has operated an auction barn in Greeley for thirteen years. He stated that Bibbey, Dotson, Yockey, Groves, Simpkins, Wilhelm, Bates, and New Raymer Truck Line have furnished service from and to his barn; that sometimes he has been unable to get their service, on account of other engagements; that they all operate large trucks, and while some of them may have small trucks, he does not think they are interested in small jobs when it storms; that he thinks service of small trucks is needed, and that it would be desirable to have another "close-in carrier;" that "I am surprised to meet opposition (of the carriers), considering the business I am in, and think the boy has a right to make a living after four years in the Service."

It was stipulated by E. B. Brown, a feeder who resides at La Salle, about five miles south of Greeley, Jack Winter, a feeder at Windsor, twenty-three miles from Greeley, Hugh McCarty, and Bill Lord, ranchers living about fifteen miles from Greeley, and Hank Keiser, of Greeley, that they would testify similarly to the witnesses whose testimony has been discussed, if they were called.

Vernon Dotson, F. R. Lamb, Jake Stroh, and Dewey Bibbey, common

carriers authorized to serve in the area sought to be served by applicant, testified in opposition to the granting of the authority sought.

Mr. Dotson headquarters at Baton; Mr. Lamb, at Ault; Mr. Stroh and Mr. Bibbey, at Greeley.

In addition, Yockey Brothers maintain offices in Denver, Fort Collins, and Boulder.

Mr. Dotson has been trucking for fifteen years. He has two tractors, two semi-trailers, and one straight job. During the forepart of the week, his three units are in service. During the latter part of the week, frequently they are not busy. He stated that he is always able to furnish service personally, or through loan equipment, if given reasonable notice. He admitted that he would not be able to furnish a complete, adequate service to his customers, if he did not have in and out authority.

Mr. Lamb operates under PUC No. 1048. He stated that he has a 40' semi-trailer, and a 20½' straight job; that the trailer was recently acquired, and since he obtained it, he has been able to satisfy all demands for service; that he never has received any requests to handle business from Pete Keiser at Greeley, or from customers of that sales ring; that his trucks are busy only one-third of the time, and he could handle more business, if requested to do so.

Jake Stroh, Manager of J. J. Stroh Truck Line, operating under PUC No. 518, stated that the service was established twenty-two years prior to the hearing by his father, J. J. Stroh; that he has assisted in the operation for eighteen years, except for a period of approximately nine months, when he was in the Armed Forces, as a pilot; that since April, 1945, they have operated four trucks -- with 22', 30', 40', and 47½' trailers, and would add more equipment, if needed; that the two large trailers were acquired in April, 1945; that at all times they have been in a position to, and would, serve, Stembhoff, Whitesel, Loeffler, Hatch, Brown, Winter, McCarty, Lord, and the other witnesses who testified for applicant; that frequently, in times of shortage before they acquired the new trucks, they have borrowed equipment from Blakley and Blakley; that now, ordinarily, one or two trucks are available at any time; that some-



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times they are booked solidly for a week, but have always been able to get equipment from other carriers.

Dewey Bibbey stated that he has two one and one-half-ton Chevrolts, a 1944 G.M.C. six-ton truck, and a 23' and 24' trailer; that, on occasions, all trucks are fully occupied; that other times there is practically no business; that at all times he has been able to respond on a few hours' notice; that on one occasion, he turned down Arthur Keiser for service because he was called late in the evening to go to Longmont immediately; that he had just returned from Denver, and his drivers had gone for the night; that he would have been able to serve the following morning, and so informed Mr. Keiser, which was not satisfactory.

Roy Reed testified that he had the same authority as Bibbey, but less equipment; that his son-in-law assisted him in conducting the operation, and that while, at times, he was booked three days ahead, he was always able to take care of business, if given reasonable notice; that, on occasions, Pete Keiser's requests for service had been denied, because he wanted immediate service.

For a number of years, it has been generally recognized that Greeley area, so-called, has the best for-hire livestock carrier service in the State of Colorado. At this hearing, witnesses testifying for applicant -- almost unanimously -- agreed that the carriers provide excellent service. There have been some delays which have not been due to carriers' fault. It appeared that they have been acquiring large units recently, and no doubt will be able to serve on short notice at all times, although the Commission recognizes the fact that they are not required, under their certificates, to do so, but are entitled to reasonable notice. Naturally, they strive to serve adequately and to satisfy their customers' demands, although they, at times, may be unreasonable. We doubt that the granting of authority to applicant would materially expedite the handling of livestock in cases of so-called "emergencies," which largely occur when some shipper has overlooked the making of arrangements to have his stock moved, or decides that he wants them moved at times on account of an apparently favorable market. After all, if a certificate were to be granted

because the applicant is not able to furnish a complete service to those who want to patronize him, it would be necessary to give every line-haul and call and demand carrier in the State of Colorado unlimited authority. Otherwise, someone will always be seeking service which the carrier is unable to perform. This situation definitely would not be satisfactory from the standpoint of the carrier, or from the position of the public. In the end, service would deteriorate, and the shipping public would not be as well off. We appreciate the desire of applicant to increase his business — which feeling naturally is shared by his father, who operates a sales ring. This, too, cannot be a controlling factor. After all, every carrier would like to have more business. It is not the interests of the individual carrier which determines the question of public convenience and necessity, but it is the interest of the public.

We believe that the common carrier service in the Kersey area, and from and to points in that area, to and from points in the State of Colorado, is adequate, and that the application should be denied.

In re H. P. Lahe (Application No. 2621, Decision No. 6846, of date November 26, 1935,) the Commission said:

"The Commission on a number of occasions has held that an applicant, in order to secure a certificate of public convenience and necessity, must affirmatively show that the public convenience and necessity, as distinguished from his personal desires, requires his proposed operation, and that before a certificate of public convenience and necessity will issue for an operation which will virtually parallel existing common carrier service, a clear and affirmative showing must be made that the existing transportation facilities are inadequate or unsatisfactory, and that there is no prospect of such service being made better under the orders of the Commission."

#### FINDINGS

##### THE COMMISSION FINDS:

That public convenience and necessity do not require the proposed extended common carrier service of applicant, and that said application should be denied.

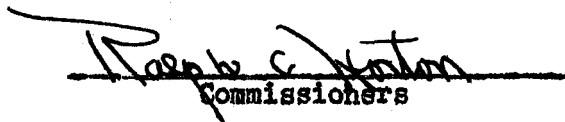
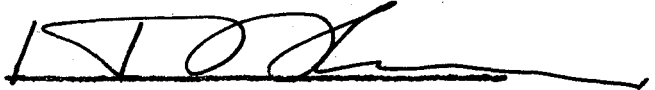
O R D E R

IT IS ORDERED:

That the above-styled application be, and the same hereby is,  
denied.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
DON GROGAN, PIERCE, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7500-PP

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October 9, 1946  
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Appearances: Don Grogan, Pierce, Colorado,  
pro se;  
Marion F. Jones, Esq., Den-  
ver, Colorado, for Capron  
Truck Line, Union Delivery;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
J. G. Wood, Denver, Colorado,  
for Gallagher Transporta-  
tion Company;  
Sylvester C. Horn, Esq., Denver,  
Colorado, for Blakley and  
Blakley, Roy Reed, Dewey  
Bibbey, Vernon Dotson, J. J.  
Stroh, F. R. Lamb;  
Ralph Yockey, Fort Collins,  
Colorado, for Yockey Brothers.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and after appropriate notice to all parties in interest, was heard at Fort Collins, Colorado, May 23, 1946, and taken under advisement.

Don Grogan, Pierce, Colorado, herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of heavy farm machinery and road machinery, livestock, farm produce, and farm supplies, between points within a radius of twenty-five miles of Pierce, Colorado, and from and to points in said area, to and from Denver, Colorado.

At the hearing, it appeared that Mr. Grogan resides sixteen miles north of Greeley; that he has a one and one-half-ton Dodge, equipped

with stock rack, and proposes to get land-leveling machinery, caterpillars, carry-alls, bull dozers, and other machinery to do ditch work, land leveling, etc.; that one Marvin Giebe also operates a dragline and bull dozer in the area, which, at times, must be moved from point to point therein, and occasionally some part of said machinery, or a part of a machine, must be hauled to Denver for repairs, and return. This service recently was required by Giebe, and it was necessary for him to get someone in Denver to do the job. Applicant was under the impression that there had been some delay in handling. This service, for equipment other than the dragline, is about once every six months or every year. At the time of hearing, applicant did not have the necessary equipment to move bull dozers, carry-alls, draglines, etc. He expected to expend \$3400.00 for a trailer, and \$3,000.00 for a tractor. He has net assets of about \$12,000.00, and presently is engaged in farming, as a renter. He operates a thrasher, and thinks such equipment may be called "farm machinery."

Most of the land in the area he seeks to serve is non-irrigated.

J. G. Wood, appearing for Gallagher Transportation Company, which operates under PUC No. 725, stated that Gallagher chiefly is engaged in heavy hauling; that it has heavy-hauling equipment, consisting of winch truck tractors, flat beds, carry-alls, etc., representing an investment of \$100,000.00; that while it has headquarters in Denver, it operates in the area applicant seeks authority to serve; that Company would not object to service proposed by applicant if it were limited to farm to farm service north of Greeley; that definitely, Company is regularly engaged in furnishing service to or from Denver, from or to points south of Greeley, including Kersey; that it is necessary that protestant have more business requiring use of heavy-hauling equipment, if it is to continue to hold itself out as willing to perform such service; that the equipment, most of the time, is idle; that protestant can serve on short notice.

A. J. Fregeau, General Manager of Weicker Transfer and Storage Company, which operates under PUC No. 8, stated that his company had

39 pieces of equipment, representing an investment of \$243,000.00, available for transportation of so-called heavy commodities; that on order, it has two 40-T low beds and two 5-T tractors, which are being purchased for anticipated highway work; that apparently this business is not going to develop, and they will be available for any kind of heavy hauling; that his company does not object to the granting of the authority sought, if service is limited to an area extending fifteen miles north, east, and west of Pierce, and fifteen miles south thereof, so as to eliminate service from and to Greeley and Kersey, to and from Denver; that the granting of the authority as sought would tend to jeopardize the ability of his company to continue to furnish the type of service required by the public, generally.

G. H. Capron, who operates under PUC No. 336, stated that while his company does not have equipment to handle bull dozers, carry-alls, draglines, etc., it does have trucks equipped with hoists, and which handle land-levelers and similar machinery.

Vernon Dotson, with headquarters at Eaton, operating under PUC No. 1371, F. R. Lamb, with headquarters at Ault, operating under PUC No. 1048, J. J. Stroh Truck Line, and Dewey Bibbey, of Greeley, respectively, operating under PUC Nos. 518 and 535, Roy Reed, with headquarters at Greeley, operating under PUC No. 520, and Yockey Truck Line, all engaged in livestock hauling, opposed the granting of the authority to haul livestock. They testified at length to the adequacy of their authority, and the affect the granting of the authority to haul livestock would have on their respective operations.

In addition, Jake Stroh objected to the granting of the authority to haul beet pulp, and all carriers protested the granting of the authority to haul farm supplies.

The testimony has been extensively reviewed in decision entered in Application No. 7502-Extension, Decision No. 26833 (G. A. Keiser), denying said application, reference to which is hereby made.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That said applicant should be authorized to operate as a Class

Class "B" private carrier by motor vehicle for hire for the transportation of heavy farm machinery and road machinery, between points within the area extending twenty-five miles north, twenty-five miles west, twenty-five miles east, and fifteen miles south of Pierce, Colorado, and the transportation of farm produce, except livestock, between points in said area; that the granting of authority to haul heavy commodities, which include heavy farm machinery and heavy road machinery, from and to points within a radius of twenty-five miles of Pierce, to and from Denver, and between points within the area extending ten miles south of the aforescribed area, and the transportation of livestock and farm supplies from and to points within a radius of twenty-five miles of Pierce, and from and to points in said area, to and from Denver, would tend to impair the efficiency of the common carrier service now furnished by authorized common carriers operating in said territory, and should be denied.

#### ORDER

##### THE COMMISSION ORDERS:

That Don Grogan, Pierce, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of heavy farm machinery and road machinery between points within the area extending twenty-five miles north, twenty-five miles west, twenty-five miles east, and fifteen miles south of Pierce, Colorado, and the transportation of farm produce, except livestock, between points in said area.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations

of the Commission.

That said application, in all other respects, should be, and the same hereby is, denied.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

HW



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE INCREASE IN THE RATES ON MILK  
ON THE LINE OF CHARLES PETERSON AND  
ON EXTRA CHARGE ON SPECIAL TRIPS  
IN CONNECTION WITH THE FOSTER TRUCK  
LINE.  
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CASE NO. 1585

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October 5, 1946  
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Appearances: H. M. Floyd for Foster Truck Line,  
713-23rd Street, Denver, Colorado;  
Ray Smith, Esq., Colorado Motor Carriers  
Association, Denham Bldg., Denver,  
Colorado.;  
W. W. Anderson, for Dorr Company,  
Cooper Building, Denver, Colorado;  
J. C. Niemeyer, for General Iron Works,  
600 W. Bates Avenue, Englewood,  
Colorado;  
Mrs. Elsie Peterson, for Peterson Truck  
Line, 4501 South Broadway, Englewood,  
Colorado;  
T. S. Wood, Rate Expert, Public Utilities  
Commission.

S T A T E M E N T

By the Commission:

This proceeding is before the Commission upon a petition from Cecil  
A. Foster, doing business as Foster Truck Line, for authority to publish  
the following rule:

"Special trips:

In the event consignor or consignee requests that  
carrier transport shipments weighing less than  
4,000 pounds on other than regularly scheduled trips,  
such service will be performed, and will be charged  
for at the applicable rate plus \$5.00 per trip."

Also a petition from Charles Peterson, 4501 South Broadway, Englewood,  
Colorado, requesting authority to publish a rate of 15 cents per five-  
gallon can and 25 cents per ten-gallon can, on milk from his auth-  
orized territory to Denver, Colorado.

These matters were heard on September 13, 1946, at the hearing room of the Commission, Denver, Colorado.

Mr. H. M. Floyd, Secretary-Treasurer, Foster Truck Lines, testified that requests are frequently made for special trips to deliver rush shipments weighing less than 4,000 pounds; that at the present time they are performing such service at the applicable line haul rate; that, in performing such extra service the costs exceed the revenue; that local drayage companies performing a similar service in Denver and the vicinity thereof make a charge on an hourly basis, resulting in a greater revenue than that received by his company; that before the special-trip charge would be assessed a request would have to be made for such special trip.

Mr. J. C. Niemeyer, Traffic Manager, General Iron Works, a manufacturing plant for Stearns-Rogers, Dorr Company, Colorado Iron Works, Mine and Smelter Supply Company and Vulcan Iron Works located just outside of the city limits of Denver in Englewood, testified that inasmuch as shipments consigned to Denver would receive free pick-up and delivery in the city of Denver, the proposed charge of \$5.00 for an additional two-blocks haul was entirely too high and would result in an unreasonable charge for such service; that on local movements between the plant of the General Iron Works and points in the city of Denver, the service was performed by Weicker Transfer and Storage Company.

The charge by Weicker as shown in a tariff on file with the Commission is as follows:

"Cartage between plant of General Iron Works, Englewood, Colorado, and points in the city of Denver shall be charged for at a rate of ten cents per 100 pounds with a minimum per trip of \$1.50 and subject to an additional charge of fifty cents per stop for all deliveries after the first stop."

The record does not disclose what the cost to the carrier is or would be in performing the extra or special trips. It is obvious that its expense for a trip of six miles would not be as great as that for a trip of eleven or more miles, and yet it does not propose to differentiate in its charge even though the distance may vary from a few miles to 50 miles.

The lessthan truckload class rates and those subject to a minimum weight of 5,000 pounds for a distance of ten miles and over five miles (General Iron Works and Littleton) are as follows:

	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>
L.T.L.	45	38	33	24
5000#	33	27	23	18

The first class L.T.L. equalizes with the 5,000-pound rate at 3,666 pounds; second class at 3,552 pounds; third class, at 3,484 pounds, and fourth class at 3,750 pounds. In other words, a shipment weighing more than these respective weights would be assessed on the basis of 5,000 pounds at the 5,000 pounds rate rather than the actual weight at the L.T.L. rate.

The truck -mile earnings computed on the basis of 5,000 pounds at the applicable class rate plus \$5.00, General Iron Works vs. Littleton produces the following:

	<u>G. I. Works</u>	<u>Littleton</u>
1st Class	\$3.58	\$1.95
2nd Class	3.08	1.68
3rd Class	2.75	1.50
4th Class	2.33	1.27.

If \$2.00 is added instead of \$5.00 on movements from or to the General Iron Works the truck mile earnings would be:

1st Class	\$3.08
2nd Class	2.58
3rd Class	2.25
4th Class	1.83.

Assuming that the movement was subject to the minimum charge of 50 cents and a \$2.00 charge was added for the special service, the

truck mile earnings would be 41.66 cents; which appears ample for the equipment which would be required in making such a delivery.

We believe a carrier is entitled to a reasonable charge over and above its line haul rates where special trips are requested by the shippers, and the shippers should be willing to pay for such special service.

Charles Peterson operates a milk route east and south of Englewood, Colorado, extending into Douglas County three (3) miles. His rates on file with the Commission under his tariff Colo. P.U.C. No. 2, effective April 16, 1932, show a rate of ten (10) cents per five (5) gallon can and sixteen (16) cents per ten (10) gallon can, from his authorized territory to Denver, Colorado.

Mrs. Elsie Peterson testified that the above rates were now being charged for the transportation; that the cost of operation had increased so much, an increase in rates was the only relief in sight if they were to continue the operation; that the route covers approximately 50 miles; that they operate a 1937, V-8 Ford truck; that they transport approximately 50 cans per day, consisting of approximately six (6) five (5) gallon cans and the balance ten (10) gallon cans; that they have contacted their shippers relative to the proposed increase, and received no objection.

Witness Glen Page, a farmer and milk producer and one of Peterson's customers, testified that the distance involved from his farm to the creamery was about seven (7) miles; that most of shipments were in ten (10) gallon cans; that at the present time he is shipping three (3) cans; that he had been paying 20 cents per can on ten (10) gallon cans and ten (10) cents per can on five (5) gallon cans for some time; that the last couple of settlements (which would mean one month's time) he paid twenty-five (25) cents on the tens and fifteen (15) cents on the fives; that he felt that Peterson was entitled to some increase to offset the increase in the cost of operation, but the 25 cents was rather a sharp increase to the producer.

The testimony of Page was in direct opposition to that of Mrs. Peterson, who attempted to explain it by stating they understood from a letter from the Commission that they were authorized to make the 25 and 15 cents charge. However, in her direct testimony she stated she was charging 16 cents and 10 cents. No letter was written by the Commission from which such an impression could be gathered.

Findings

The Commission finds that on special trips with shipments weighing less than 4,000 pounds made on request of the consignor or consignee in connection with the Foster Truck Line and other motor vehicle common carriers in competition with the Foster Truck Line the following charges:

5 miles and less . . . . .	\$2.00
10 " " over 5 miles . . . . .	2.50
15 " " " 10 miles . . . . .	3.00
20 " " " 15 miles . . . . .	3.50
25 " " " 20 miles . . . . .	4.00
30 " " " 25 miles . . . . .	4.50
Over 30 miles . . . . .	5.00

will be just, fair, reasonable and sufficient maximum and minimum charges, and minimum charges for private carriers by motor vehicle when competing with the said Foster Truck Line, for substantially the same or similar service; that a rate of 22 cents per ten (10) gallon can, and 11 cents per five (5) gallon can on milk in shipping cans from points in the authorized territory of Charles Peterson to Denver, Colorado, will be just, fair, reasonable and sufficient maximum and minimum rates for said Charles Peterson and minimum rates for private carriers by motor vehicle when competing with Charles Peterson and rendering substantially the same or similar service.

ORDER

IT IS ORDERED, That this order shall become effective forthwith; that the above statement and findings are made a part hereof; that all motor vehicle common carriers and all private carriers by motor vehicle operating in intrastate commerce in the State of Colorado to the extent they are affected, be, and they hereby are, notified and required to cancel all schedules in conflict with the rates and regulations set forth in the aforesaid statement and findings on October 16, 1946, upon notice to this Commission and to the general

public by not less than five (5) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of 1931, as amended; that the rates and regulations prescribed and approved in the said statement and findings shall be published by all motor vehicle common carriers, and private carriers by motor vehicle, operating in intrastate commerce in Colorado, to the extent they are affected, to become effective October 16, 1946, on notice to this Commission and the general public by not less than five (5) days' filing and posting in the manner prescribed in Section 16 of the Public Utilities Act and Section 10, Chapter 120, Session Laws of Colorado, 1931, as amended; that on and after said date, all motor vehicle common carriers, to the extent they are affected, shall cease and desist from demanding, charging, and collecting rates and charges which shall be greater or less than the rates and charges herein prescribed; that on and after said date all private carriers by motor vehicle, to the extent they are affected, shall cease and desist from demanding, charging, and collecting rates and charges which shall be less than those herein prescribed; that this order shall not be construed so as to compel a private carrier by motor vehicle to be or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws or liability applicable to a motor vehicle common carrier; that the order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force until the further order of this Commission; 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 5th day of October, 1946.

JH

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*\*

IN THE MATTER OF THE APPLICATION OF  
WAYNE H. CAIN, ECKLEY, COLORADO,  
FOR AUTHORITY TO TRANSFER PERMIT  
NO. A-647 TO JAY COFFMAN, ECKLEY,  
COLORADO.

APPLICATION NO. 7903-PP

October 9, 1946.

STATEMENT

By the Commission:

Pursuant to authority contained in Decision No. 25973, of date  
May 23, 1946, Wayne H. Cain acquired from Russell L. Salter, Permit No. A-647,  
authorizing the transportation of:

Freight between Denver and Holyoke and intermediate  
points, via U. S. Highways Nos. 38 and 6 to Greeley, and  
U. S. Highway No. 83 to Denver, or via short-cut Colorado  
81 (now U. S. Highway No. 6), and between Holyoke and  
Idalia and intermediate points, via Colorado Highway  
No. 51, and between Colorado-Kansas Line and Denver, via  
Colorado Highway No. 54 and U. S. Highway No. 85, or  
short cut via Colorado Highway No. 81 (now U. S. Highway  
No. 6), and between Idalia and Denver and intermediate  
points, via U. S. Highways Nos. 36 and 40.

Said permit-holder now seeks authority to transfer said operating  
rights to Jay Coffman, Eckley, Colorado.

Inasmuch as the files of the Commission and the application herein  
show that said permit is in good standing; that road tax has been paid;  
that ton-mile tax deposit is to be transferred to the account of transferee;  
that there are no outstanding unpaid operating obligations against said  
permit; that transferee, pecuniarily and otherwise, is qualified to carry on  
the operation, and it does not appear that any useful purpose would be  
served by setting said matter for formal hearing, there being no one, inso-  
far as the files disclose, who would desire to be heard in opposition to the  
transfer of said permit, the Commission determined to hear, and has heard,  
said matter, forthwith, without formal notice, upon the records and files  
herein.

FINDINGS

THE COMMISSION FINDS:

That the authority sought should be granted.

ORDER

THE COMMISSION ORDERS:

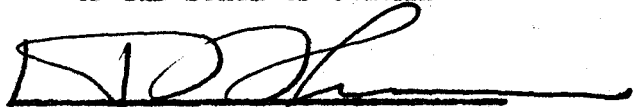
That Wayne H. Cain, Eckley, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-647 to Jay Coffman, Eckley, Colorado.

That ten-mile tax deposit of transferor shall be transferred to the account of transferee.

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.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

R



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF  
MORTON FISHER, 1625 JASMINE STREET,  
DENVER, COLORADO, FOR A CLASS "B"  
PERMIT TO OPERATE AS A PRIVATE CARRIER  
BY MOTOR VEHICLE FOR HIRE FOR THE  
TRANSPORTATION OF FRESH AND CURED MEAT,  
FOR THE ARVADA PACKING COMPANY, ONLY,  
FROM ITS PLANT LOCATED IN ARVADA, COLO-  
RADO, TO POINTS WITHIN A 25-MILE RADIUS  
OF DENVER, COLORADO.

APPLICATION NO. 7849-PP

-----  
October 9, 1946  
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Appearances: Myron H. Burnett, Denver, Colorado,  
for Common Carriers' Division of the  
Colorado Motor Carriers' Association,  
Orville Jenkins, and Foster Truck  
Line;  
Harold Swena, Golden, Colorado, for  
Swena Transfer & Express;  
A. J. Fregean, Denver, Colorado, for  
Weicker Transfer & Storage Company.

**S T A T E M E N T**

By the Commission:

The above matter was set for hearing at Denver, Colorado, on  
August 30, 1946.

Applicant, although duly notified, did not appear at the hearing.

Mr. Myron H. Burnett, appearing for protestants, moved that  
the application be dismissed for want of prosecution. He stated that the  
protestants had witnesses present to testify that there was sufficient  
service and that the permit, if granted, would impair the efficient operation  
of the presently authorized common carriers. All protestants joined in the  
motion for dismissal.

**F I N D I N G S**

THE COMMISSION FINDS:

That the instant application should be dismissed.

original

ORDER

THE COMMISSION ORDERS:

That Application No. 7849-PP, of Morton Fisher, Denver, Colorado, be dismissed for want of prosecution.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ELMER H. ROBERTS, OF CASTLE ROCK, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE FOR THE TRANSPORTATION )  
OF FOREST AND SAWMILL PRODUCTS BETWEEN )  
POINTS WITHIN A RADIUS OF 35 MILES OF )  
DEVILS HEAD (LOCATED SOUTHWEST OF CASTLE )  
ROCK); AND COAL FROM MINES IN THE )  
FLORENCE COAL FIELDS TO POINTS IN SAID )  
35-MILE RADIUS OF DEVILS HEAD. NO TOWN )  
TO TOWN SERVICE. )

APPLICATION NO. 7842-PP

October 9, 1946

Appearances: Elmer H. Roberts, Castle Rock, Colorado,  
pro se.

S T A T E M E N T

By the Commission:

The above matter was heard at Denver, Colorado, on August 29, 1946.

Applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of 35 miles of Devil's Head (located southwest of Castle Rock), and coal from mines in the Florence coal fields to points in said 35-mile radius of Devil's Head, with no town to town service.

Applicant has had several years of trucking experience and owns a 1944 Ford Truck with pole trailer. His net worth is approximately \$3,000.00.

Applicant testified that the Hughes Native Lumber Company, of Castle Rock, requested the proposed service.

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

F I N D I N G S

THE COMMISSION FINDS:

That, as hereinafter limited, the application should be granted.

## ORDER

### THE COMMISSION ORDERS:

That the applicant herein is hereby granted a Class "B" permit to operate as an intrastate private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of 35 miles of Devil's Head (located southwest of Castle Rock); and coal from mines in the Florence coal fields to points in said 35-mile radius of Devil's Head; with no town to town service.


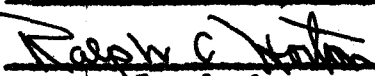
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Macon Epstein  
  
\_\_\_\_\_  
Ralph C. Hutton  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
IVAN E. PIERCE, ROUTE 3, BOX 63, )  
GOLDEN, COLORADO, FOR A CLASS "B" PERMIT )  
TO OPERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE FOR THE TRANSPORTATION )  
OF COAL FROM MINES IN THE NORTHERN COLORADO )  
COAL FIELDS TO POINTS WITHIN A RADIUS OF )  
EIGHT MILES OF GOLDEN; FIRE WOOD FROM )  
FORESTS WITHIN A RADIUS OF 35 MILES OF )  
GOLDEN; SAND, GRAVEL, BETWEEN POINTS )  
WITHIN A RADIUS OF 15 MILES OF GOLDEN; )  
LUMBER BETWEEN POINTS WITHIN A RADIUS OF )  
12 MILES OF GOLDEN. )

APPLICATION NO. 7696-PP

October 9, 1946

Appearances: Ivan E. Pierce, Route 3, Box 63,  
Golden, Colorado, pro se;  
Harold Swena, Golden, Colorado, for  
Swena Transfer & Express;  
Myron H. Burnett, Denver, Colorado,  
for Common Carriers' Division of  
the Colorado Motor Carriers Associa-  
tion, and Orville Jenkins.

S T A T E M E N T

By the Commission:

The above matter was heard at Denver, Colorado, on August 30, 1946.

Applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Northern Colorado coal fields to points within a radius of eight miles of Golden; fire wood from forests within a 35-mile radius of Golden to said eight-mile radius of Golden; sand and gravel between points within a 15-mile radius of Golden; and lumber between points within a radius of 12 miles of Golden.

At the hearing, applicant testified that he and his father are engaged in constructing houses, and that he desires only to transport sand, gravel, and lumber for use in the building of such houses as his father and he construct. He stated that he did not desire the other authority requested in the application.

In view of the self-imposed restrictions, protestants withdrew their protests.

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

## FINDINGS

### THE COMMISSION FINDS:

That the application, as hereinafter limited, should be granted.

## ORDER

### THE COMMISSION ORDERS:

That the applicant, Ivan E. Pierce, Golden, Colorado, is hereby authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

Sand and gravel between points within a 15-mile radius of Golden, Colorado, and lumber between points within a 12-mile radius of Golden; all of said commodities, however, to be limited to those transported for the use of applicant and his father in houses constructed or to be constructed by them in said area.

The application is, in all other respects, denied.

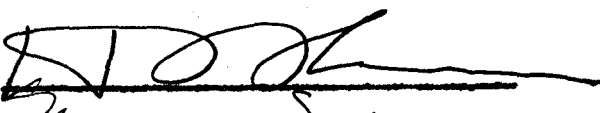
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

original

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
WAYNE H. CAIN, ECKLEY, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. ) APPLICATION NO. 7904-PP  
B-1503 TO JAY COFFMAN, ECKLEY, COLO- )  
RADO. )  
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October 9, 1946  
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STATEMENT

By the Commission:

Heretofore, pursuant to authority contained in Decision No. 25972, of date May 23, 1946, Wayne H. Cain acquired from Russell L. Salter, Permit No. B-1503, authorizing the transportation of:

livestock, grain, feed, farm supplies, including household furniture, farm machinery, and coal from point to point within the area described as 20 miles south, 25 miles north, 8 miles east, and 7 miles west of Eckley, and the transportation of livestock from and to points in said area, to and from sales yards in Yuma and Wray; grain between points in that area around Eckley extending 20 miles south, 25 miles north, 8 miles east, and 7 miles west thereof, and Yuma, Wray and Paoli.

Said permit-holder herein seeks authority to transfer said operating rights to Jay Coffman, Eckley, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to the account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified and able to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein..

original  
7904

## FINDINGS

### THE COMMISSION FINDS:

That the authority sought should be granted.

## ORDER

### THE COMMISSION ORDERS:

That Wayne H. Cain, Eckley, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-1503 to Jay Coffman, Eckley, Colorado.

That ten-mile tax deposit of transferor shall be transferred to the account of transferee.

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.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

R



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION )  
OF L. A. BILLINGS AND M. M. BILLINGS, )  
DOING BUSINESS AS "BILL'S CITY TAXI," ) APPLICATION NO. 7769  
BOULDER, COLORADO, FOR EXTENSION OF )  
PUC NO. 177. )  
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October 9, 1946  
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Appearances: E. B. Evans, Esq., Denver, Colorado,  
for applicants;  
Frank L. Moorehead, Esq., Boulder, Colo-  
rado, for Armstead Scenic Company;  
Hodges, Vidal, and Goree, Esqs., Denver,  
Colorado, for Rocky Mountain Motor  
Company;  
Harold Taft King, Esq., Denver, Colorado,  
for Golden Cab Company;  
William O. DeSouchet, Esq., Boulder, Colo-  
rado, for De Luxe Cab Company.

S T A T E M E N T

By the Commission:

This matter was heard at Boulder, Colorado, August 14, 1946.

Applicants, owners of PUC No. 177, authorizing, among other things,  
the operation of a taxicab service as common carriers within a nine-mile  
radius of the City of Boulder, Colorado, seek by this application an ex-  
tension of such taxicab service to include the operation of a taxicab service  
only, from and to points in the City of Boulder and points within a radius of  
thirty-five miles thereof.

Rocky Mountain Motor Company, through itself, associated companies,  
or subsidiaries, by Decision No. 4320, dated May 20, 1932, is authorized:

"to operate and engage in taxicab motor car and motor  
bus operations for the transportation of passengers  
and their personal baggage to and from Denver, Greeley,  
Fort Collins, Loveland, Longmont, Boulder, Estes Park,  
Lyons, and Idaho Springs, Colorado, from and to any  
and all other counties, cities, towns, and points within  
the State of Colorado, the service to be in the nature  
of a special taxicab and bus service."

W. P. Rees, doing business as "DeLuxe Cab Company," is authorized  
(PUC No. 1198) by Decision No. 22615 and stipulation, dated October 2, 1944,

among other things, to conduct:

"the operation of a taxicab service" \*\*\* for "the transportation of one-way passengers and their baggage between Boulder, Colorado, on the one hand, and, on the other, points on the Glacier Route, including Stapp's Lake Lodge and excepting Blanchard's Lodge, and the transportation of one-way passengers between said points on the Glacier Route, including Stapp's Lake Lodge and excepting Blanchard's Lodge, with the proviso that cars used in the said operation should not have a passenger capacity in excess of four," and that "in the operation of the taxicab service," \*\*\* "the said W. P. Rees shall not pick up or discharge any passengers at any points between the Alps Lodge and the Power Plant, located on Highway No. 119."

George W. Ryder, doing business as Lookout Mountain Transportation Company," by Decision No. 27017, dated July 5, 1946, was authorized:

to conduct a taxicab service for the transportation of passengers and their hand baggage between certain points in the area of Golden, Colorado, limited on the north insofar as the applicability of his certificate is concerned with the present proposed operation, to a line drawn east and west through a point eight miles north of Golden.

At the time applicants acquired their present authority, on January 10, 1945, they had a net worth of in excess of \$95,000.00. Through the transfer to them of this authority, they acquired a 1937 Chrysler, a 1938 Chrysler, and a 1940 Nash. Applicants' net worth is now approximately \$170,000.00, and they have invested approximately \$10,000.00 in new equipment, having additional equipment on order. At the institution of their operations, they did \$400.00 to \$500.00 per month gross business, which has now increased to between \$2500.00 and \$3,000.00.

Applicant L. A. Billings and his daughter, Alean M. Hanson, then and now Manager of the operation, drove the taxicabs personally. They now have ten drivers and two dispatchers.

It is unnecessary to review the evidence in detail, but it is sufficient to say that there was abundant testimony from responsible witnesses in Boulder, including the Secretary of the Chamber of Commerce, two bankers, drivers for the applicants, L. A. Billings, one of the applicants, Alean M.

Hanson, Manager of the operation, that public convenience and necessity require the extension of applicants' authority for the operation of a taxicab service from and to points in the City of Boulder and points within a radius of thirty-five miles thereof, subject to the limitations hereinafter set forth. This testimony disclosed that there is an abundant need for taxicab service from Boulder to trains, and particularly the airport, in Denver, to Longmont, Lyons, Estes Park, Golden, Brighton, points in the mountains west of Boulder as hereinafter limited and to and from farms and ranches in the Boulder area for emergency purposes, and to Denver and Boulder hospitals for emergency purposes for the transportation of the sick and disabled, and other points within said thirty-five-mile radius of Boulder. Scheduled service performed by Rocky Mountain Motor Company, its associated companies and subsidiaries, was not shown to be adequate to fulfill the special needs of a taxicab service which serves when scheduled operations are off time or when scheduled operations are not satisfactory to the customer, or to serve the convenience of sick or elderly people, or to serve in occasions of personal emergency, nor could it be made adequate to serve the needs of the public as proposed by applicants. Operations of George W. Ryder, doing business as "Golden Cab Company," are not adequate, nor can they be made adequate under his certificate to serve the needs of the public as proposed by applicants, insofar as operations originating or terminating in the City of Boulder are concerned.

Roy Armstead, doing business as "Armstead Scenic Company," through his attorney, Frank L. Moorehead, stated that he had no objection to taxi authority being granted, so long as no sightseeing authority was granted or extended.

Protestant, De Luxe Cab Company, through its counsel, William O. DeSouchet, pointed out that there had not been sufficient showing of inadequacy of service as to points served by DeLuxe Cab Company. This point is well taken.

## FINDINGS

### THE COMMISSION FINDS:

That public convenience and necessity require the extension of PUC No. 177 as hereinafter set forth, for the reasons above set forth.

## ORDER

### THE COMMISSION ORDERS:

That applicants, L. A. Billings and M. M. Billings, doing business as "Bill's City Taxi," Boulder, Colorado, are hereby granted an extension of authority under PUC No. 177 to include:

The transportation of passengers and baggage in taxicab service, only, from and to points in the city of Boulder, Colorado, from and to points within a radius of 35 miles thereof, subject to the following limitations:

1. All transportation under the authorized extension shall originate or terminate in the city of Boulder, except that no service originating in Denver shall be performed.
2. No service shall be performed to or from Rocky Mountain National Park, Grand Lake, or points south of Grand Lake on U. S. Highway No. 34 to Granby, or points on U. S. Highway No. 40 between Granby and Denver, or points south of U. S. No. 40 between Granby and Denver.
3. No sightseeing service under this extension shall be performed.
4. No service shall be performed in competition with the authority of W. P. Rees, doing business as "De Luxe Cab Company," under its Certificate No. 1198.
5. All service to be performed shall be call and demand service, and not on schedule.
6. Rates to be charged for taxicab service under the authorized extension shall be twenty-seven cents (27¢) per mile, one way, with fare and one-half for round trip, for the first two passengers, and fifteen cents (15¢) per mile extra for each additional passenger, either one way or round trip, and \$2.00 per hour waiting time; except that no charge shall be made for transportation of children under six years of age when accompanied by a paying passenger, and children between the ages of six and twelve years, when accompanied by a paying passenger, shall be charged half fare, only,

and this order shall be taken, deemed, and held to be a certificate of public

original  
7769

convenience and necessity therefor.


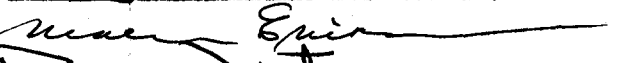

The applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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

This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
L. H. ANDERSON, LOVELAND, COLORADO, )  
FOR AUTHORITY TO TRANSFER INTER- )  
STATE OPERATING RIGHTS TO C. R. )  
BROWN AND TED NELSON, CO-PARTNERS, )  
DOING BUSINESS AS "BROWN AND NELSON," )  
BOX 151, MC FADDEN, WYOMING. )  
-----

PUC NO. 901-I

-----  
October 11, 1946  
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S T A T E M E N T

By the Commission:

Heretofore, L. H. Anderson, Loveland, Colorado, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 901-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights (PUC No. 901-I) to C. R. Brown and Ted Nelson, co-partners, doing business as "Brown and Nelson," McFadden, Wyoming.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That L. H. Anderson, Loveland, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 901-I to C. R. Brown and Ted Nelson, co-partners, doing business as "Brown and Nelson," McFadden, Wyoming, said transfer to be subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit of transferor shall be transferred  
to the account of transferees.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of October, 1946.

RW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
THOMAS W. BALDREY, MONTROSE, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. B-1330 TO MORRIS R. )  
CHRISTIE, RURAL ROUTE 1, BOX 76, )  
MONTROSE, COLORADO. )  
-----

APPLICATION NO. 7901-PF-Transfer

-----  
October 11, 1946  
-----

S T A T E M E N T

By the Commission:

By authority of this Commission (Permit No. B-1330), Thomas W. Baldrey, Montrose, Colorado, is authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

farm products, including livestock, from point to point within a radius of 50 miles of Montrose, with the right to extend his operations to a radius of 100 miles of Montrose for the purpose of picking up said farm products and livestock for delivery to points within said 50-mile radius, provided, however, that applicant is not permitted to transport freight between towns within said above-described areas in competition with any established motor vehicle common carrier service; sand, gravel, logs, rough lumber, and coal, from point to point within a radius of 100 miles of Montrose; farm produce between points within a radius of 50 miles of Montrose, provided that transportation of farm produce shall only be conducted between August 15 and December 1 of each year.

Said permit-holder now seeks authority to transfer said operating rights to Morris R. Christie, Montrose, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ten-mile tax deposit is to be refunded to transferor; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served



be setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### ORDER

#### THE COMMISSION ORDERS:

That Thomas W. Balgrey, Montrose, Colorado, do, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-1330 to Morris R. Christie, Montrose, Colorado.

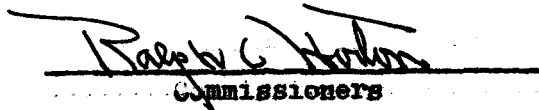
The right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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

That ten-mile tax deposit of transferor shall be refunded to him.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of October, 1946.w

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GEORGE STOLTE, WALSENBURG, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1688 TO GEORGE W. THEIL AND CHARLES )  
WEEMS, DOING BUSINESS AS "WALSENBURG )  
TAXICAB COMPANY," KLEIN HOTEL, WAL- )  
SENBURG, COLORADO. )  
-----

APPLICATION NO. 7900-Transfer

-----  
October 11, 1946  
-----

S T A T E M E N T

By the Commission:

George Stolte, who, under PUC No. 1688, is authorized to transport:

passengers and their baggage, on call and demand, between points within a radius of fifty miles of Walsenburg, subject to the following conditions: (a) that in the conduct of said operation, applicant's equipment shall be limited to six-passenger automobiles; (b) for the transportation of passengers between points served by line-haul motor vehicle common carriers, on schedule, rates shall be on the basis of 25¢ per mile one way, with fare and a half for round trip for one passenger, with one-half fare extra for each passenger in addition to a single passenger, either one way or round trip, and \$2.00 per hour waiting time,

herein seeks authority to transfer said operating rights to George W.

Theil and Charles Weems, co-partners, doing business as "Walsenburg Taxicab Company," Walsenburg, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that passenger-mile tax deposit is to be transferred to the account of transferees; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission

determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That George Stolte, Walsenburg, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1688 to George W. Theil and Charles Weems, co-partners, doing business as "Walsenburg Taxicab Company," Walsenburg, Colo.

The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees, until changed according to law and the rules and regulations of this Commission.

That passenger-mile tax deposit shall be transferred to the account of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of October, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
EARL PETERSON AND GEORGE A. PETER- )  
SON, 229 NORTH LOOMIS, FORT COLLINS, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 1472 to ED ACKERMAN, 617 )  
SOUTH HOWES, FORT COLLINS, COLORADO. )  
-----

APPLICATION NO. 7899-Transfer

-----  
October 11, 1946  
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S T A T E M E N T

By the Commission:

Pursuant to the authority contained in Decision No. 19131, of date June 26, 1942, as amended by Decision No. 22318, of date May 17, 1944, Earl Peterson and George A. Peterson, Fort Collins, Colorado, are authorized to operate as common carriers by motor vehicle for hire for the transportation of:

"farm products, including livestock, farm supplies and equipment between points included in the area described as that part of Larimer County north of a point 6 miles south of Fort Collins, and from and to points in that area, to and from points in the State of Colorado, subject to the following restrictions: (a) applicant shall not transport livestock from Denver to points in the afore-described area, "except as a back-haul when going in loaded;" (b) applicant, in the event it shall be necessary to lease emergency equipment, shall not lease equipment from carriers other than Yockey Brothers and Hauser and Harbison, unless said carriers do not have equipment available at the time the emergency arises."

By Decision No. 26308, of date July 30, 1946, Earl Peterson and George A. Peterson were authorized to suspend operations under said authority (PUC No. 1472) until January 22, 1947.

Said certificate-holders now ask that said certificate be reinstated, and that they be authorized to transfer same to Ed Ackerman, Fort Collins, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has

been paid; that ten-mile tax deposit is to be refunded to transferors; that there are not any outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That PUC No. 1472 should be reinstated, and that authority sought to transfer said certificate should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That PUC No. 1472 should be, and the same hereby is, reinstated.

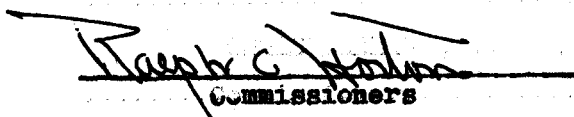
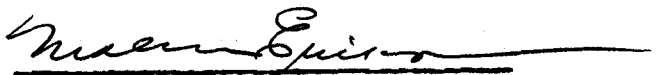
That Earl Peterson and George A. Peterson, Fort Collins, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1472 to Ed Ackerman, Fort Collins, Colorado.

The tariff of rates, rules and regulations of the transferors shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That ten-mile tax deposit shall be refunded to transferors.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ROY R. SHULTS, P O BOX 346, DELTA, )  
COLORADO, FOR AUTHORITY TO TRANSFER )  
PUC NO. 1346 TO JOHN A. DOYLE, DELTA, )  
COLORADO, AND W. A. HAMILTON, CEDAR- )  
EDGE, COLORADO. )  
.....

APPLICATION NO. 7898-Transfer

.....  
October 11, 1946  
.....

**STATEMENT**

By the Commission:

By Decision No. 15105, of date March 23, 1940, Redford Wear was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

livestock and farm produce between all points within a radius of 20 miles of Delta, Colorado, and from and to points within said radius, to and from all points within the State of Colorado.

By Decision No. 16732, of date February 28, 1941, said certificate-holder was authorized to transfer said operating rights, being PUC No. 1346, to Roy R. Shults, who, by Decision No. 23080, of date January 3, 1945, was authorized to extend his operations to include the right to transport:

- (1) farm products, including livestock and wool in grease, between points within the area extending 20 miles north, 20 miles south, 20 miles west, and 50 miles east of Delta, and from and to points in said area, to and from points in the State of Colorado;
- (2) used furniture and household goods, and used farm machinery and farm equipment and supplies, between points within the area extending 20 miles north, on the south to an imaginary line drawn east and west through Olathe; 15 miles west and 20 miles east of Delta;
- (3) poles and posts from and to points within a radius of 50 miles of Delta, to and from points in the State of Colorado;
- (4) stock feeds and farm machinery to farms within the area described in subdivision (1) from points in the State of Colorado.

By the instant application, Roy R. Shults seeks authority to transfer PUC No. 1346 to John A. Doyle, Delta, Colorado, and W. A. Hamilton, Cedaredge, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to the account of transferees; that transferees, pecuniarily and otherwise, are qualified to carry on the operation; that there are no outstanding unpaid operating obligations against said certificate, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said operating rights, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### FINDINGS

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### ORDER

##### THE COMMISSION ORDERS:

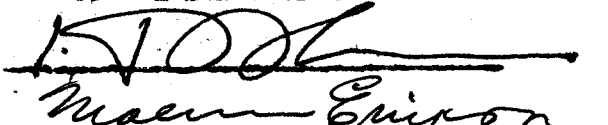
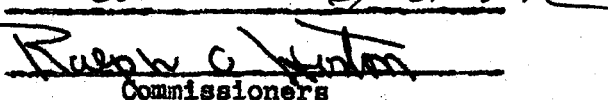
That Roy R. Shults, Delta, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1346 to John A. Doyle, Delta, Colorado, and W. A. Hamilton, Cedaredge, Colorado.

The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit shall be transferred to the account of transferees.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Maer Erixon  
  
Ruben C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 11th day of October, 1946.

mw

*original*

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
R. A. COOK, COLORADO SPRINGS, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUC )  
NO. 1642 TO W. L. FULLER, DOING )  
BUSINESS AS "COLORADO SCENIC TOURS," )  
716 PASEO, COLORADO SPRINGS, COLO- )  
RADO. )  
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APPLICATION NO. 7897-Transfer

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October 11, 1946.  
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STATEMENT

By the Commission:

R. A. Cook, owner of PUC No. 1642 -- being the right to transport passengers in sightseeing and auto livery service in the Pikes Peak Region, limited to the use of one car -- herein seeks authority to transfer said operating rights to W. L. Fuller, doing business as "Colorado Scenic Tours," Colorado Springs, Colorado.

The consideration for the transfer of said PUC No. 1642 and one 1938 seven-passenger Packard Limousine, is the sum of Three Thousand Dollars (\$3,000.00).

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that passenger-mile tax deposit is to be transferred to the account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.



Transferee requests that, for the purpose of reporting and paying road tax, said operations under PUC No. 1642 be consolidated with PUC No. 106.

### FINDINGS

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### ORDER

#### THE COMMISSION ORDERS:


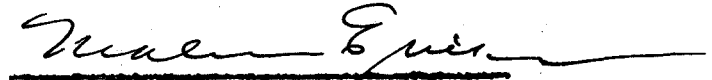
That R. A. Cook, Colorado Springs, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1642 to W. L. Fuller, doing business as "Colorado Scenic Tours," Colorado Springs, Colorado, operations thereunder, for purpose of reporting, to be consolidated with operations under PUC No. 106, reports to be filed under PUC No. 106.

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

That passenger-mile tax deposit shall be transferred to account of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
THE CRYSTAL RIVER LODGE, INC., OF )  
REDSTONE, COLORADO, FOR A CLASS "A" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7852-PP

-----  
October 11, 1946.  
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Appearances: H. R. Hendrie, Esq., U. S. National  
Bank Bldg., Denver, Colorado,  
for applicant;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a private carrier by motor vehicle for hire for the transportation of its own guests, only, on scenic trips within the area bounded by the following named towns or cities: Glenwood Springs, Rifle, Grand Junction, Delta, Montrose, Gunnison and Aspen, such trips to originate and terminate at the Lodge of applicant. These operations will be carried on over Colorado Highways 65, 82, 92, 130, 133, 135, 187, 306, 327, 330, 332, 335, 337, 339, 340, 341, 345, 346, and 347, U. S. Highways 6, 24, 50, and miscellaneous unnumbered county roads located within the area above described and more particularly set out in the map attached to the application, as amended.

The matter was set for hearing, and heard, at Glenwood Springs, Colorado, on September 4, 1946, and at that time taken under advisement.

Applicant herein, The Crystal River Lodge, Inc., Redstone, Colorado, is operating a hotel and guest lodge, and maintains facilities for approximately thirty guests. Its guests are picked from the tour agency in advance, and spend from one to two weeks at the lodge.

The evidence disclosed that approximately 35% of the guests who arrive by train desire a motor or sightseeing trip through the area asked for by applicant, and applicant desires to be in a position to render this service for his guests.

It further appears that applicant is a corporation, which corporation has assets of approximately \$75,000.00, and they plan to operate a 7-passenger sedan and have an army carrier truck at present for the transportation of their guests.

Applicant stated that they did not wish a common carrier service, as they only wish to take care of their guests at the hotel.

There was no opposition to the granting of the authority sought.

It appears to the Commission that applicant's service is necessary, and that the proposed service will not impair the efficient operation of any authorized common carrier service.

At the hearing, the question arose as to how the customer lists will be filed with the Commission before they go on their scenic trips. Witness for applicant stated that they had a list of their guests sent to them prior to their arrival, and this list would be furnished to the Commission. They feel that this is a satisfactory solution of the matter. They insisted that they did not want a common carrier certificate, as they did not wish to serve the general public, and the service offered would be for their guests, only.

After careful consideration of the record, the Commission is of the opinion, and finds, that the above application should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

That The Crystal River Lodge, a corporation, with offices and headquarters at Redstone, Colorado, be, and it hereby is, authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of its own guests, only, on scenic trips within the area bounded on the north by U. S. Highway No. 24, from Glenwood Springs to Grand Junction, via Rifle; on the west by U. S. Highway No. 50 from Grand Junction to Montrose via Delta; on the south by U. S. Highway No. 50 from Montrose to Gunnison, and on the east by an imaginary line from Gunnison to Aspen, via Taylor Park Reservoir, and then via Highway No. 82 from Aspen to Glenwood Springs, the place of beginning, such trips to originate

and terminate at the lodge of applicant at Redstone, Colorado, said operations to be carried on over Colorado Highways, U. S. Highways, and County roads, all within the area above described.

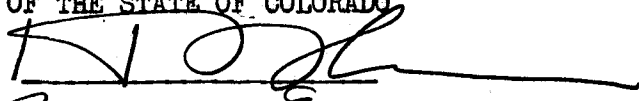
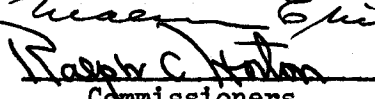
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
H. B. BLOMGREN, BOX 1182, NEW CASTLE, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )

APPLICATION NO. 7855-PP

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October 11, 1946.  
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Appearances: H. B. Blomgren, Box 1182, New Castle,  
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was called for hearing at Glenwood Springs, Colorado, on September 4, 1946, pursuant to prior setting. At the hearing, applicant stated that he no longer desired the permit and requested that the application be dismissed without prejudice.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed without prejudice.

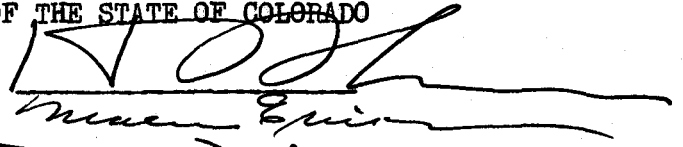
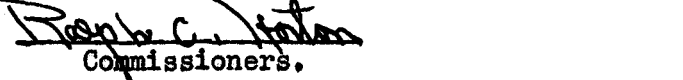
O R D E R

THE COMMISSION ORDERS:

That the above-entitled application be, and the same hereby is, dismissed without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
C. E. BARNES AND C. C. BARNES, DOING )  
BUSINESS AS "THE BARNES TRUCK CO.," )  
RIVERTON, WYOMING, FOR AUTHORITY TO ) PUC NO. 745-I  
TRANSFER INTERSTATE OPERATING RIGHTS )  
TO C. C. BARNES AND C. C. SIMONSON, DO- )  
ING BUSINESS AS "THE BARNES TRUCK CO.," )  
RIVERTON, WYOMING. )  
-----

-----  
October 11, 1946.  
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S T A T E M E N T

By the Commission:

Heretofore, C. E. Barnes and C. C. Barnes, co-partners, doing business as "The Barnes Truck Co.," Riverton, Wyoming, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as common carriers by motor vehicle for hire in interstate commerce, and PUC No. 745-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to C. C. Barnes and C. C. Simonson, co-partners, doing business as "The Barnes Truck Co.," Riverton, Wyoming, and also request that operations under said PUC No. 745-I be suspended until March 31, 1947.

The records and files of the Commission fail to disclose any reason why said requests should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. E. Barnes and C. C. Barnes, co-partners, doing business as "The Barnes Truck Co.," Riverton, Wyoming, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 745-I to C. C. Barnes and C. C. Simonson, co-partners, doing business as "The Barnes Truck Co.,"

Riverton, Wyoming, said transfer to be subject to the provisions of the Federal Motor Carrier Act of 1935.

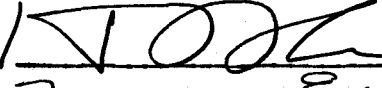
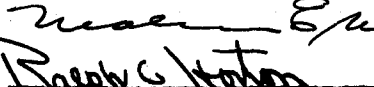
That ton-mile tax deposit of transferors shall be transferred to the account of transferees.

That C. C. Barnes and C. C. Simonson, doing business as "The Barnes Truck Co.," Riverton, Wyoming, be, and they hereby are, allowed to suspend their operations under PUC No. 745-I until March 31, 1947.

That unless said certificate-holders shall, prior to expiration of said suspension period, reinstate said certificate by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall stand revoked, without right to reinstate.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF	)	
JAMES N. CRAWFORD, 420 WEST EIGHTH	)	
STREET, LOVELAND, COLORADO, FOR	)	<u>APPLICATION NO. 7922-PP</u>
AUTHORITY TO TRANSFER PERMIT NO.	)	Transfer.
A-117 TO RAY E. SANS AND FRANK W.	)	
BRISTOL, CO-PARTNERS, DOING BUSINESS	)	
AS "SANS & BRISTOL," BERTHOUD, COLORADO.	)	
-----		

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October 11, 1946.  
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S T A T E M E N T

By the Commission:

Heretofore, Permit No. A-117 was issued to James N. Crawford, Loveland, Colorado, who herein seeks authority to transfer said operating rights to Ray E. Sans and Frank W. Bristol, co-partners, doing business as "Sans & Bristol," Berthoud, Colorado.

Said permit authorizes the transportation of:

Milk to Loveland and Johnstown from the following described territory: Commencing at a point from Loveland south to a point 1 mile south of Colorado Highway No. 16; thence south to a point 1 mile north of Berthoud on Highway No. 87, thence east to Johnstown.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that transferees agree to assume and pay any outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the granting of the authority sought, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.



F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:



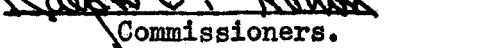
That James N. Crawford, Loveland, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-117 to Ray E. Sans and Frank W. Bristol, co-partners, doing business as "Sans & Bristol," Berthoud, Colorado.

That ton-mile tax deposit of transferor shall be transferred to the account of transferees.

The right of transferees to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH

Original

(Decision No. 26852)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
THE PLATEAU VALLEY STAGE LINE FOR )  
AN EXTENSION OF ITS CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY )  
NO. 212. )

APPLICATION NO. 7859  
Extension

October 11, 1946.

Appearances: Helman & Young, Esqs., Grand Junction,  
Colorado, for applicant;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicant herein is the present holder of PUC No. 212, which authorizes the following:

Transportation of freight and express between Grand Junction and Collbran via Plateau City and intermediate points; no service between Grand Junction and Palisade, or from Palisade to Grand Junction, and intermediate points.  
Dec. 6734 extended authority to include transportation of freight to and from the town of Mesa to and from above described territory.  
Dec. 8134 extended further to include transportation of passengers and baggage in intrastate commerce between Grand Junction and Collbran and intermediate points over U. S. 24 and Colo. 65, except local service between Grand Junction and Palisade and points intermediate thereto.  
Decision 21325 authorized pickup and delivery of freight to the rural areas beyond the line haul points at Mesa, Moline, Plateau City and Collbran to include the following described territory: From a point five miles west of Mesa, Colorado, thence east along Plateau Valley, including all the water shed drained by Plateau Creek and Buzzard Creek and their tributaries, and including also the right to extend their operations under said certificates to include the hauling of livestock between points in the above-described territory, and from said area to the towns of Silt and Rifle, Colorado.

Applicant now asks for an extension of its authority for the transportation of passengers, express and freight to the Mesa Lakes Resort located on Grand Mesa, a distance of approximately 14 miles from the Town of Mesa over Colo. Highway No. 65, making the same a part of its present passenger and

freight schedule by supplemental service for the summer season, only, from June 1 to September 15, and providing express service between Grand Junction and Mesa Lakes Resort.

The matter was set for hearing, and heard, at Grand Junction, Colorado, on September 5, 1946, and there taken under advisement.

V. G. Gibson, Manager of Plateau Valley Stage Line, testified that his company presently is operating the above service three times a week under temporary authority from the Commission, and applicant introduced the following exhibits:

- A.. Passenger and Express Time Schedule
- B. Passenger Tariff
- C. Express Tariff
- D. Freight time Table
- E. Freight Tariff

The witness further stated that it was their plan to use a 1940 Chevrolet 1-ton bus of 15-passenger capacity for the passenger and express service, and will use the present freight equipment of the Plateau Valley Stage Line for their freight service, and if said equipment is not adequate, they are willing, ready and able to provide additional motor vehicle equipment when the need requires the same.

The evidence further established that there is no present authorized transportation service between Grand Junction and Mesa Lakes Resort, except the passenger and freight service furnished by applicant.

It further appeared from the evidence that there is a demand for applicant's proposed service to Mesa Lakes Resort during the tourist season, that is, from June 1 to September 15 of each year, and it also appears that the proposed service of applicant, that is, round trip passenger service three times a week, and express and freight service as outlined and set forth in their exhibits, would give the public a much needed service.

No objections or protests were filed with the Commission or registered at the hearing.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the public convenience and necessity require the proposed

extension by The Plateau Valley Stage Line of its PUC No. 212 for the transportation set forth in its application, and that certificate of public convenience and necessity should issue therefor.

ORDER

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extension by applicant of PUC No. 212 for the transportation of freight, passengers, baggage, and express, between Mesa, Colorado, and Mesa Lakes Resort, making the same a part of its present service by supplemental service only for the summer or tourist season, that is, from June 1 to September 15; and providing express service between Grand Junction and Mesa Lakes Resort, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.


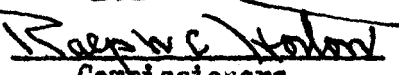
Applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission, within twenty days from date.

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

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

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
ROBERT VON DETTE, RIFLE, COLORADO, )  
FOR A CLASS "B" PERMIT TO OPERATE )  
AS A PRIVATE CARRIER BY MOTOR )  
VEHICLE FOR HIRE. )  
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APPLICATION NO. 7808-PP

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October 11, 1946.  
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Appearances: Robert Von Dette, Rifle, Colorado,  
pro se;  
T. A. White, Esq., Denver, Colorado,  
for Rio Grande Motor Way, Inc.;  
Allyn Cole, Esq., Glenwood Springs,  
Colorado, for Jack Weller, Jr., and  
Nathan A. Sparks.

S T A T E M E N T

By the Commission:

The above-styled matter was called for hearing at Glenwood Springs, Colorado, on September 4, 1946, pursuant to prior setting. At the hearing, applicant stated that he no longer desired the permit and requested that the application be dismissed without prejudice.

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be dismissed without prejudice.

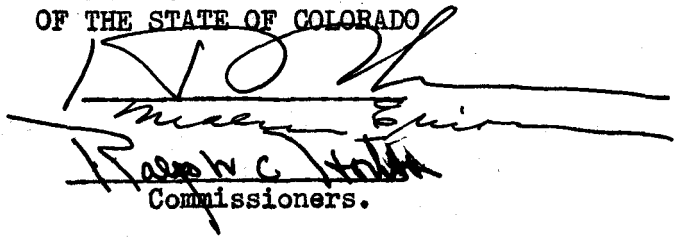
O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed without prejudice.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
C. C. SNYDER TO TRANSFER A PORTION )  
OF CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY NO. 414 TO RAY McBETH. )  
-----

APPLICATION NO. 7766-Transfer

-----  
October 11, 1946.  
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Appearances: Chutkow and Adler, Esqs., Denver,  
Colorado, and  
M. Berrenbaum, Esq., Denver,  
Colorado, for Transferor and  
Transferee.

STATEMENT

By the Commission:

C. C. Snyder, of Joes, Yuma County, Colorado, transferor herein, is the holder of certificate of public convenience and necessity No. 414. Ray McBeth, who proposes to do business as McBeth Truck Line, of Linden, Washington County, Colorado, desires to purchase that portion of said Certificate No. 414 which authorizes the following:

Transportation of farm supplies, farm products, livestock and equipment to and from the territory lying twenty (20) miles north and twenty (20) miles south of U. S. Highway No. 36, with an eastern terminus at Anton, Washington County, Colorado, and a western terminus at a point ten miles east of Byers, Colorado (not including intermediate points on U. S. Highway No. 36 in said territory), and from said territory hereinbefore described to Denver, Colorado, and to all other points in the State of Colorado, and from all other points in the State of Colorado and Denver into said territory.

At the hearing in Sterling, Colorado, on August 9, 1946, it appeared that the consideration for the transfer of that portion of PUC 414 heretofore described, is the sum of \$650.00. It also appeared that transferor, C. C. Snyder, has no outstanding unpaid obligations against his operation, and that transferee is financially responsible and is well qualified by experience to carry on the proposed operation.

The evidence further disclosed that transferor Snyder lives at Joes, Colorado, a distance of approximately forty miles from the territory being transferred, and that transferee McBeth lives in the territory to be transferred. Witnesses stated that they feel the transfer of the portion of PUC 414 sought to be transferred will give a better and more economical service by having a carrier located in the territory.

The Commission in the past has been very hesitant about dividing certificates, feeling that it is a dangerous practice and not generally in the public interest. An examination of the road reports for the past two years disclose that transferor has not operated in the territory he desires to dispose of, or if he has, he has failed to report the haul on his monthly tax reports. This convinces the Commission that Snyder has not been serving the area.

The granting of this transfer, from a practical viewpoint, puts a new carrier in the field to compete with presently authorized carriers. If the precedent is established of dividing authorities in Colorado, the state could be flooded with carriers with no determination by the Commission that public convenience and necessity justify their operation, and carriers now authorized would face new and unwarranted competition.

Applicants in the instant case have endeavored to show that McBeth would be in a position to render a more efficient service than Snyder. This, we think, is true, but where Snyder has rendered little or no service in the area for the past two years, we cannot say from the evidence before us that the service is essential and is for the public good.

Rule 6 of the Rules and Regulations Governing Motor Vehicle Carriers, effective November 1, 1936, concerning transfers, among other things, provides:

"Said application will not be entertained unless all the rights granted under said certificate are sought to be sold, assigned, leased, encumbered or transferred, or the rights not so included are voluntarily abandoned, unless it should be made to appear to the Commission that the granting of such application will be in the public interest."

After careful consideration of the record, the Commission is of the opinion, and finds, that said application should be denied for the reason that it has not been established by competent evidence that the granting of the above application is in the public interest.

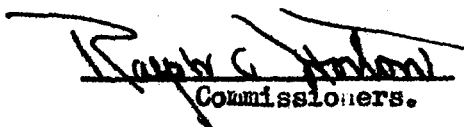
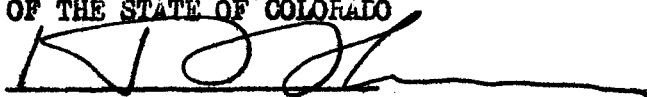
O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, denied.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
F. N. MABEE AND WANDA N. MABEE, DOING )  
BUSINESS AS "COLORADO NATURAL GAS & )  
FUEL CO.," 5635 FEDERAL BOULEVARD, )  
DENVER, COLORADO, FOR AUTHORITY TO )  
TRANSFER INTERSTATE OPERATING RIGHTS )  
TO THE COLORADO NATURAL GAS AND FUEL )  
CO., 5635 FEDERAL BOULEVARD, DENVER )  
COLORADO. )  
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PERMIT NO. B-2709-I

-----  
October 11, 1946.  
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S T A T E M E N T

By the Commission:

Heretofore, F. N. Mabee and Wanda N. Mabee, co-partners, doing business as "Colorado Natural Gas & Fuel Co.," Denver, Colorado, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as private carriers by motor vehicle for hire in interstate commerce, and Permit No. B-2709-I issued to them.

Said permit-holders now seek authority to transfer said operating rights to The Colorado Natural Gas and Fuel Co., a corporation, Denver, Colorado.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:


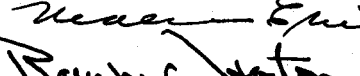
That F. N. Mabee and Wanda N. Mabee, co-partners, doing business as "Colorado Natural Gas & Fuel Co., Denver, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-2709-I to The Colorado Natural Gas and Fuel Co., a corporation,

Denver, Colorado, said transfer to be subject to the provisions of the Federal Motor Carrier Act of 1935.

That ton-mile tax deposit shall be transferred to the account of transferee.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
*Wesley E. Quinn*  
  
*Raymond C. Norton*  
Commissioners.

Dated at Denver, Colorado,  
this 11th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \*

IN THE MATTER OF THE APPLICATION OF )  
VERNON CRACRAFT, DOING BUSINESS AS )  
"SOUTH DENVER AUTO SERVICE," 2035 ) APPLICATION NO. 7665  
SOUTH BROADWAY, DENVER, COLORADO, FOR ) SUPPLEMENTAL ORDER  
A CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
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-----  
October 8, 1946  
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Appearances: A. J. Fregeau, Denver, Colorado, and  
T. A. Stockton, Jr., Esq., Denver,  
Colorado, for Weicker Transfer and  
Storage Company;  
Harold Swena, Golden, Colorado, for  
Swena Transfer and Express.

S T A T E M E N T

By the Commission:

On August 3, 1946, the Commission entered its Decision No. 26332, dismissing the above-styled application for lack of prosecution.

Thereafter, application to set aside said Order and Decision was filed by applicant, through his attorney, Clarence W. Button, upon the ground that applicant was under the impression that it was not necessary to appear at said hearing unless protests were filed. No Protests in writing having been filed, he failed to appear.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That our Decision No. 26332 be, and the same hereby is, set aside.

That said matter be, and the same hereby is, set for hearing,

at the Hearing Room of the Commission, 330 State Office Building, Denver,  
Colorado, on October 18, 1946, at 10 o'clock A.M.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

W. D. Shuman

Walter E. Smith

Robert C. Johnson  
Commissioners

Dated at Denver, Colorado,  
this 8th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
VON L. PENLAND, EATON, COLORADO, FOR )  
AN EXTENSION OF PERMIT NO. B-3031. )

APPLICATION NO. 7877-PP  
(Extension)

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October 10, 1946

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Appearances: Von L. Penland, Eaton, Colo-  
rado, pro se;  
A. J. Fregeau, Denver, Colo-  
rado, for Weicker Transfer  
and Storage Company;  
M. S. Weber, Greeley, Colorado,  
for Union Delivery.

S T A T E M E N T

By the Commission:

This matter was heard at Greeley, Colorado, September 17, 1946.

Applicant seeks authority to extend his operations under Permit No. B-3031 to include the right to transport products from and supplies to Eaton and Lucerne, Colorado, for the Potato Growers' Coop., Eaton, Potato Growers' Exchange, Lucerne, and the Weld County Certified Seed Growers, Lucerne; from Eaton and Lucerne to points necessary to serve the three above-named customers.

Applicant testified that he has two one and one-half-ton trucks, and is possessed of a net worth of approximately \$4,000.00.

His financial responsibility and operating reliability were established to the satisfaction of the Commission.

Applicant further testified that he has been requested to transport products and supplies for the three customers for which the extension is sought.

Elmer Salberg, manager of the Potato Growers' Exchange at Lucerne, testified that this Exchange has locals at Wiggins, Brush, Keenesburg,

Gilcrest, Milliken, and other points; that they want to move potatoes, insecticides, and other products from and to these locals; that applicant gives the desired expeditious service which other carriers do not give. He stated that town-to-town service was necessary, but not in competition with line-haul carriers. He said that, the day before the hearing, he attempted to get bags from Keenesburg but was unable to do so.

Earl Staltz, bookkeeper for the Colorado Certified Potato Growers' Association, testified that that Association would like to use services of applicant, and that, frequently, it is necessary to deliver potatoes to Hillrose, Brush, Fort Morgan, and other points.

Protestants offered no testimony.

In view of the testimony presented, the Commission finds that the application, as hereinafter limited, should be granted.

#### O R D E R

#### THE COMMISSION ORDERS:

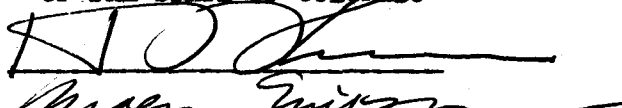
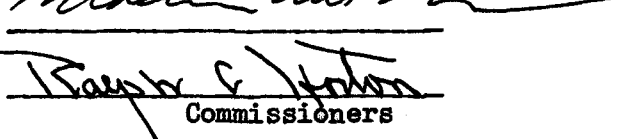
That applicant should be, and he hereby is, authorized to extend his operations under Permit No. B-3031 to include the right to transport products from and supplies to Eaton and Lucerne, Colorado, for the Potato Growers' Coop., Eaton, Potato Growers' Exchange, Lucerne, and the Weld County Certified Seed Growers, Lucerne; from Eaton and Lucerne to points necessary to serve the three above-named customers.

That such extension is granted with the express provision that there be no town-to-town service in competition with presently authorized line-haul motor vehicle common carriers, and that such extension be limited to the three customers named.

That this order is made a part of the permit granted to applicant, and shall become effective twenty days from date.

DATED at Denver, Colorado,  
this 10th day of October, 1946.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF)  
M. R. WATSON, DOING BUSINESS AS )  
"WATSON TRUCK LINE," CRAIG, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER )  
PERMIT NO. A-1994 TO C. C. WATSON )  
AND M. R. WATSON, DOING BUSINESS )  
AS "WATSON TRUCK LINE," CRAIG, )  
COLORADO. )

APPLICATION NO. 7907-PP  
(Transfer)

October 10, 1946

S T A T E M E N T

By the Commission:

Heretofore, by Decision No. 10716, of date October 9, 1937,  
M. R. Watson was authorized to operate as a Class "A" private carrier  
by motor vehicle for hire for the transportation of:

Coal from what is known as the "Streeter Coal  
Mine," in Moffat County, belonging to the  
Pattison Coal Company, to Craig, and to Meeker,  
and intermediate points, over State Highway  
No. 13.

By Decision No. 24115, of date February 1, 1945, said operating  
rights (Permit No. A-1994) were extended to include the right to transport:

Coal, mining machinery and coal mining equip-  
ment and supplies between the mine of the  
Domestic Coal Company, at or near Mt. Streeter,  
and Craig, Colorado, for the duration of the  
National Emergency, but not to extend beyond  
June 30, 1945, unless otherwise ordered by the  
Commission. The equipment for the transporta-  
tion of said commodities shall be limited to  
the use of dump trucks used in hauling coal in  
the service presently conducted by applicant.

Said M. R. Watson herein seeks authority to transfer Permit No.  
A-1994 to C. C. Watson and M. R. Watson, doing business as "Watson Truck  
Line," Craig, Colorado.

Inasmuch as the files of the Commission and the application  
herein show that said permit is in good standing; that ton-mile tax de-

posit is to be transferred to account of transferees; that ton-mile tax has been paid; that there are no outstanding unpaid operating obligations against said permit; that transferees, pecuniarily and otherwise, are qualified and able to carry on the operation; and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

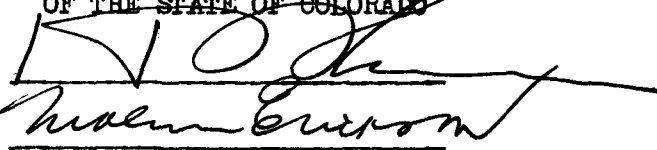
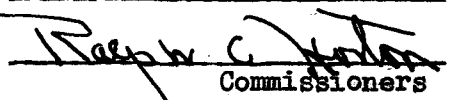
That M. R. Watson, doing business as "Watson Truck Line," Craig, Colorado, be, and she hereby is, authorized to transfer all her right, title, and interest in and to Permit No. A-1994 to C. C. Watson and W. R. Watson, doing business as "Watson Truck Line," Craig, Colorado, said permit authorizing the transportation of:

Coal from what is known as the Streeter Coal Mine," in Moffatt County, belonging to the Pattison Coal Company, to Craig, and to Meeker, and intermediate points, over State Highway No. 13.

That right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

That this order is made a part of the permit authorized to be transferred, and shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Helen E. Watson  
  
\_\_\_\_\_  
Ralph C. Watson  
Commissioners

DATED at Denver, Colorado,  
this 10th day of October, 1946



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \* \* \*

RE MOTOR VEHICLE OPERATIONS )  
OF W. H. WARNER, 833 ELATI STREET, ) PERMIT NO. B-2962  
DENVER, COLORADO )  
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-----  
October 14, 1946  
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S T A T E M E N T

By the Commission:

On September 12, 1946, the Commission authorized W. H. Warner to suspend operations under his permit B-2962 until December 5, 1946.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2962 should be, and the same hereby is, reinstated as of the date of this order.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

*Henry D. Shaw*

*William Emerson*

*Ralph C. Norton*

Commissioners

Dated at Denver, Colorado  
this 14th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JAMES PASTORE, BOX 735, BOULDER, )  
COLORADO, FOR AUTHORITY TO TRANS- )  
FER PERMIT NO. A-764 TO O. J. STAMM, )  
1743 MAPLETON, BOULDER, COLORADO. )  
-----

APPLICATION NO. 7775-PP-Transfer  
SUPPLEMENTAL ORDER

-----  
October 15, 1946.  
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Appearances: Radolph Johnson, Esq., Boulder,  
Colorado, for O. J. Stamm;  
Truman A. Stockton, Jr., Esq.,  
Denver, Colorado,  
Marion F. Jones, Esq., Denver,  
Colorado, and  
Arthur E. Small, Jr., Esq.,  
Denver, Colorado, for Willard  
Britt;  
A. J. Fregeau, Denver, Colorado,  
for Weicker Transfer and Stor-  
age Company.

S T A T E M E N T

By the Commission:

Since issuance of Decision No. 26473, dated August 27, 1946,  
in the above-entitled matter, the Commission is in receipt of the fol-  
lowing letter from Transferee O. J. Stamm:

"This is in answer to the Commission's findings  
as to whether you should transfer Permit No.  
A-764 to me from James Pastore or not.

"I appreciate the Commission's extreme leniency  
in allowing the permit to be transferred under  
the condition that ore only is hauled. If you  
will check the statements made at the hearing  
August 14, 1946, you will find that I made the  
statement that I was unwilling to restrict my  
operations to the transportation of ore. I  
still feel the same way now as I did then. I  
suggest that we cancel the transfer of permit  
No. A-764 from James Pastore to myself."

The Commission is aware that transferee stated that he was un-  
willing to restrict his operations to the transportation of ore. However,  
the reasons set forth in Decision No. 26473 for the Findings and Order

therein contained still obtain.

In view of request of transferee:

FINDINGS

THE COMMISSION FINDS:

That transfer of Permit No. A-764 to O. J. Stamm should be denied; that Decision No. 26473 should be set aside.

ORDER

THE COMMISSION ORDERS:

That transfer of Permit No. A-764 to O. J. Stamm is hereby denied.

That Decision No. 26473 is hereby set aside, vacated, and held for naught.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
ELMER A. MASTIN, 150 NORTH FIFTH )  
AVENUE, DENVER, COLORADO, FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY. )  
-----

APPLICATION NO. 7714

-----  
October 15, 1946  
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Appearances: Bert M. Keating, Esq., Denver,  
Colorado, for applicant;  
Donald R. Robertson, Esq., Den-  
ver, Colorado, for The Denver  
Tramway Corporation;  
Hodges, Vidal and Goree, Esqs.,  
Denver, Colorado, for Rocky  
Mountain Motor Company;  
J. V. Condon, Esq., Aurora,  
Colorado, for Aurora Cab  
Company.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, July 31, 1946.

Applicant, in his application, seeks a certificate of public convenience and necessity for the operation of two busses for service within the State of Colorado, and most specifically within the Counties of Adams, Arapahoe, and Denver, and more particularly from Fitzsimmons Hospital, Adams County, to Denver, Colorado, and intermediate points.

At the hearing, counsel for applicant stated that the only service desired by applicant was from Fitzsimmons Hospital to Denver.

Mastin, testifying in his own behalf, said that he was unable to get bus or streetcar accommodations from Fitzsimmons to Denver, due to crowded conditions. He planned to be Manager of the operation and obtain more busses, if necessary, starting with two busses of fifteen-passenger capacity, and rendering thirty-five-minute service to Denver. He also planned to establish a terminal in downtown Denver. This, how-

ever, was dependent upon his obtaining a permit from the War Department to operate from Fitzsimmons Hospital, and also upon his being granted a license to operate in the City and County of Denver, by the City and County of Denver.

Counsel for applicant, upon being advised by the Commission that a continuance would be granted if applied for to enable applicant to procure additional witnesses as to public convenience and necessity, stated that it would be most difficult, if not impossible, to secure the presence of Army Officers from Fitzsimmons Hospital to testify in applicant's behalf, and it appeared that applicant's evidence would come largely from Army personnel at Fitzsimmons.

Martin has \$1500.00 in cash to invest in the operation through a "G. I. Loan," and he testified that he had people behind him who said that they would back him. However, he was reluctant to state, and did not state, the source of his financial responsibility.

The Aurora Cab Company withdrew its protest, in view of the fact that no intermediate points were to be served.

Martin testified that he became disgusted in calling for cabs at Fitzsimmons, and that he could not get service.

Applicant Martin had two other witnesses who testified that it took considerable time to reach Denver from Fitzsimmons. However, Serra, one of applicant's witnesses, although testifying as to delay and slow service, admitted that frequently there were cabs waiting at Fitzsimmons to go to Denver, and that he had little difficulty getting there, and another of his witnesses -- a driver from the Burns Detective Agency who has been in Denver a very short time -- stated that he had to stand all the way from Poplar Street to Fitzsimmons Hospital.

The above appears to be most of the evidence adduced by applicant. The evidence seemed to be prefaced upon the basis that applicant desired to enter into business for himself, and it appeared from the testimony that the only objection to present service from Fitzsimmons Hospital to Denver and return was delay in arrival at either place, or having to stand enroute. This situation has obtained in Denver since the beginning of the war, and

still obtains, and it has not seemed possible, as yet, for duly authorized carriers to remedy the situation, in spite of earnest and bona fide efforts,

It seems to be unnecessary to go into testimony of protestants -- The Denver Tramway Corporation or Rocky Mountain Transportation Company. Jobe, testifying for Tramway Company, however, did testify that The Denver Tramway Corporation was going to install a service on York Street, and that additional service would be furnished to Fitzsimmons Hospital, if Fitzsimmons Hospital requested, or if this Commission should so require.

Applicant did not, in the opinion of the Commission, establish sufficient facts to warrant the granting of a certificate of public convenience and necessity. The only inadequacy of present authorized service which was shown by applicant was, as stated, delay in service, or crowded condition. Authorized carriers are permitted, under the law, if their service is inadequate, to render that service adequate, and are so required to do by the Commission. There was not such a showing in the instant matter as to inadequacy of service as to justify the Commission in entering such an adjudication at this time; in fact, protestants offered to provide adequate service, if such was deemed necessary.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the application should be denied.

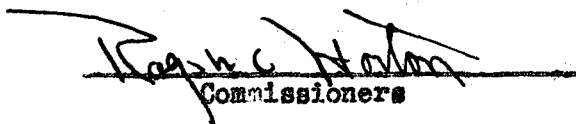
### O R D E R

#### THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, denied.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
TOM MITCOFF, 4100 SOUTH LOGAN  
STREET, ENGLEWOOD, COLORADO, FOR A  
CLASS "B" PERMIT TO OPERATE AS A  
PRIVATE CARRIER BY MOTOR VEHICLE  
FOR HIRE.

APPLICATION NO. 7923-PP

IN THE MATTER OF THE APPLICATION OF  
CLAYTON COOPER, BOX 157, FIRESTONE,  
COLORADO, FOR A CLASS "B" PERMIT TO  
OPERATE AS A PRIVATE CARRIER BY  
MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 7928-PP

October 15, 1946

STATEMENT

By the Commission:

The above-styled applicants, and each of them, herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matters, forthwith, without formal notice, upon the records and files herein.

FINDINGS

THE COMMISSION FINDS:

That the applications should be granted.

ORDER

THE COMMISSION ORDERS:

That Tom Mitcoff, Englewood, Colorado, and Clayton Cooper, Firestone, Colorado, be, and they hereby are, authorized to severally op-

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erate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, Colorado.

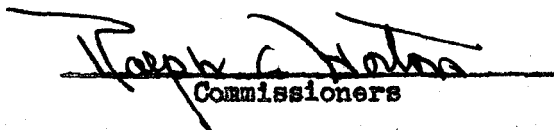
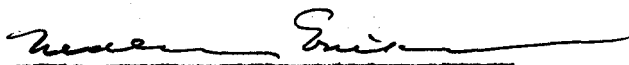
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to these permits deemed advisable.

This order is the permits herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

mw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. E. LONG, 4845 DECATUR STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7925-PP

IN THE MATTER OF THE APPLICATION OF )  
RAY F. KUBAL, 1124 INCA STREET, )  
DENVER, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7927-PP

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October 15, 1946  
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S T A T E M E N T

By the Commission:

The above-styled applicants, and each of them, herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matters, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the applications should be granted.

O R D E R

THE COMMISSION ORDERS:

That E. E. Long and Ray F. Kubal, both of Denver, Colorado, and each of them, should be, and they hereby are, authorized to severally operate as Class "B" private carriers by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

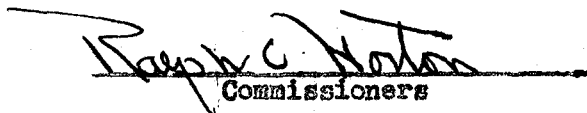
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to these permits deemed advisable.

This order is the permits herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.  
EW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
M. R. WATSON, DOING BUSINESS AS )  
"WATSON TRUCK LINE," CRAIG, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUC )  
NO. 1610 TO C. C. WATSON AND M. R. )  
WATSON, DOING BUSINESS AS "WATSON )  
TRUCK LINE," CRAIG, COLORADO. )  
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APPLICATION NO. 7906-Transfer

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October 15, 1946  
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S T A T E M E N T

By the Commission:

Heretofore, M. R. Watson, doing business as "Watson Truck Line," Craig, Colorado, was authorized to operate as a common carrier by motor vehicle for hire (Decision No. 24149, of date February 8, 1945) for the transportation of:

machinery, materials, supplies, and equipment incidental to or used in the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum products between points in Moffat and Rio Blanco Counties, without the right to haul said commodities, or any of them, between points including the off-line-point of Tow Creek Oil Field, served on schedule by Larson Transportation Company,

and PUC No. 1610 issued to her.

Said certificate-holder now seeks authority to transfer said operating rights to C. C. Watson and M. R. Watson, doing business as "Watson Truck Line," Craig, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise,

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are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That M. R. Watson, doing business as "Watson Truck Line," Craig, Colorado, be, and she hereby is, authorized to transfer all her right, title, and interest in and to PUC No. 1610 to C. C. Watson and M. R. Watson, co-partners, doing business as "Watson Truck Line," Craig, Colorado.

The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of the Commission.

That ton-mile tax deposit of transferor shall be transferred to the account of transferees.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HIRAM J. WOLVERTON AND WILLIAM L. )  
CLARK, DOING BUSINESS AS "WOLVERTON )  
COAL CO.," 10020 NORTH FEDERAL )  
BOULEVARD, DENVER, COLORADO, FOR )  
AUTHORITY TO OPERATE AS CLASS "B" )  
PRIVATE CARRIERS BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7924-PP

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October 15, 1946  
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S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver; sand, and gravel from Brannon's Pits, near Denver, to mines in the northern Colorado coal fields.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Hiram J. Wolverton and William L. Clark, co-partners, doing business as "Wolverton Coal Co.," Denver, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers

by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver; sand and gravel from Brannon's Pits, near Denver, to mines in the northern Colorado coal fields.

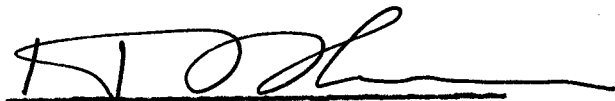
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

RW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. S. (JACK) KLOBERDANZ, 2909 SAINT )  
PAUL STREET, DENVER, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7929-PP

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October 15, 1946  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. S. (Jack) Klobberdanz, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and

other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

mw



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HARRY C. HENDRICKSON, 1629 VALENCIA )  
STREET, DENVER, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7926-PP

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October 15, 1946  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted, said permit, when issued, to bear the number "B-2725," being the number of a permit formerly held by applicant.

O R D E R

THE COMMISSION ORDERS:

That Harry C. Hendrickson, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

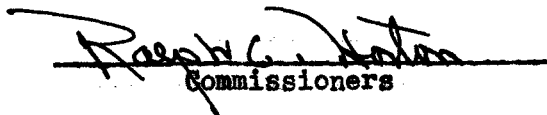
That said permit shall bear the number "B-2725."

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

ORIGINAL

(Decision No. 26868)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE RATES AND MINIMUM WEIGHTS ON PELTS,  
SHEEP, GREEN OR GREEN SALTED, OR HIDES  
AND SWITCHES, GREEN OR GREEN SALTED,  
LOOSE, FROM PUEBLO, COLORADO TO DENVER,  
COLORADO.

INVESTIGATION AND SUSPENSION  
DOCKET NO. 264

October 9, 1946

Appearances: Marion F. Jones, Esq., Denham Bldg.,  
Denver, Colorado, for The American  
Stores Company, Lincoln Packing  
Division and Bennie Goldstein, dba  
Goldstein Refrigerator Line;  
Harry L. Bennett, Pueblo, Colorado,  
for Bennett Motor Transport Company;  
T. S. Wood, Rate Expert, for the Public  
Utilities Commission.

**STATEMENT**

By the Commission:

On June 29, 1946, Decision No. 26231, in Case No. 1565, this  
Commission prescribed the following rates and minimum weights on Pelts,  
sheep, green or green salted, or Hides and Switches, green or green  
salted, loose:

From Pueblo, Colorado, to Denver, Colorado, 46, 41, 35  
and 31 cents per 100 pounds, subject to minimum weights  
of 5,000, 10,000, 15,000 and 20,000 pounds, respectively,  
to be published and made effective July 10, 1946. The  
publication was made in Amendment No. 39 to The Motor  
Truck Common Carriers' Association, Agent, Freight Tariff  
No. 2-B, PUC No. 5.

These rates were prescribed upon a request from The Motor  
Truck Common Carriers' Association, Agent, for account of Harry L.  
Bennett, dba Bennett Motor Transport Company, Pueblo, Colorado.

Upon complaint by the American Stores Company, Lincoln  
Packing Division, Pueblo, Colorado, and Bennie Goldstein, dba Goldstein  
Refrigerator Line, Denver, Colorado, the operation of the proposed

rates was suspended and the matter set for hearing in Pueblo, Colorado, on September 19, 1946.

At the beginning of the hearing Mr. Harry L. Bennett stated that he had been in conference with a representative of the American Stores Company relative to his proposition and no satisfactory agreement could be reached; he therefore desired to withdraw his request for the establishment of the suspended rates.

Acting upon this request, the question of the reasonableness of the suspended rates will not be given any further consideration in this proceeding. However, at the present time the Motor Classification does not provide a rating on Pelts, sheep, green or green salted, loose.

The record in the instant proceedings shows that to pack sheep pelts in bundles would be uneconomical and would serve no useful purpose; that, wherever there is a movement by truck they are shipped loose and under commodity rates.

We believe that there should be an applicable rate on every commodity of commerce moving, otherwise, a common carrier would not be in a position to determine what rate to apply on a given shipment.

A witness for the protestant testified that the average weight of a pelt is about ten (10) pounds; that he had never seen pelts packed in bundles; that it is not practicable to bundle pelts; that the present value of pelts is around \$2.20 each.

The usual purposes of packing requirements are to protect the commodities contained therein, as well as for the protection of other freight, also to insure its transportation in a safe manner.

Here we are dealing with a commodity that is not susceptible to damage; there is of course the possibility of claims through loss; whether that possibility is greater when shipped loose than if prepared in bundles is a question. As previously pointed out, it is not

practicable to pack the pelts in bundles.

There does not appear to be any justification for a higher rating on Pelts, sheep, green or green salted, loose, than in bundles.

### F i n d i n g s

#### THE COMMISSION FINDS:

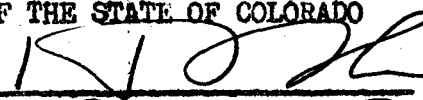


That the proposed schedules of rates have not been justified, and that the same should be cancelled; that a fourth (4th) class rating will be just, fair, and reasonable, on Pelts, sheep, green or green salted, loose, for motor vehicle common carriers and a minimum rating for private carriers by motor vehicle when competing with motor vehicle common carriers.

### O R D E R

#### IT IS ORDERED:

That, The Motor Truck Common Carriers' Association, Agent, be, and it is hereby, notified and required to cancel its schedule providing for rates of 46, 41, 35, and 31 cents per 100 pounds, subject to minimum weights of 5,000, 10,000, 15,000 and 20,000 pounds on Pelts, sheep, green or green salted, or Hides and Switches, green or green salted, loose, from Pueblo, Colorado to Denver, Colorado, on or before November 1, 1946, upon notice to this Commission and to the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act; that a fourth class rating shall be established by all motor vehicle common carriers on Pelts, sheep, green or green salted, loose, on or before November 1, 1946, upon notice to this Commission and to the general public by not less than one day's filing and posting in the manner prescribed in Section 16 of the Public Utilities Act, and that this proceeding be discontinued.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 9th day of October, 1946.

JH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
GORDON TEGELS, 11937 EAST COLFAX )  
AVENUE, AURORA, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )

APPLICATION NO. 7931-PP

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October 10, 1946

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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Gordon Tegels, Aurora, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for

hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

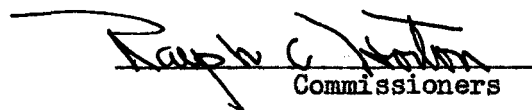
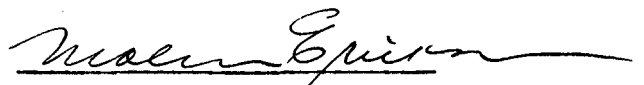
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit as may be deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

DATED at Denver, Colorado,  
this 10th day of October, 1946

EHC

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
W. C. DAVIDSON, ROUTE 1, BOX 264, )  
ARVADA, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7930-PP

-----  
October 15, 1946  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, and to points within a radius of ten miles of Denver, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That W. C. Davidson, Arvada, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in the northern Colorado coal fields to Denver, and to points within a radius of ten miles of Denver, Colorado.



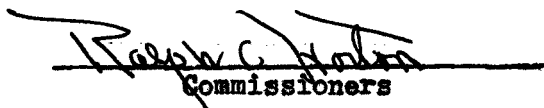
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
BOYD E. RICHNER, BOX 685, DELTA, )  
COLORADO, FOR A CLASS "A" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
-----

APPLICATION NO. 7860-PF

-----  
October 15, 1946  
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S T A T E M E N T

By the Commission:

The above-entitled application was set for hearing September 5, 1946, at 9:00 o'clock A. M., in the Court House, Grand Junction, Colorado, due notice of the time and place of hearing being forwarded to all parties in interest.

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

The matter was taken under advisement.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

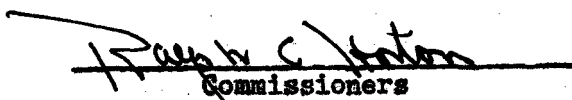
That the above-entitled application be, and hereby is, dismissed for lack of prosecution.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO





  
Commissioners

Dated at Denver, Colorado,  
this 15th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
TULLEY N. NELSON, DOING BUSINESS AS )  
"NELSON TRUCK LINE," EMPIRE, COLO- )  
RADO, FOR AUTHORITY TO LEASE AND )  
TRANSFER PERMIT NO. A-520 TO GEORGE )  
A. SUMNER, DOING BUSINESS AS "NELSON )  
TRUCK LINE," IDAHO SPRINGS, COLORADO. )  
-----

APPLICATION NO. 7943-PP-Transfer

-----  
October 18, 1946  
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S T A T E M E N T

By the Commission:

Heretofore, Tulley N. Nelson, doing business as "Nelson Truck Line," Empire, Colorado, was authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

commodities, including ore, concentrates, mine supplies, and mine machinery from point to point within an area extending 10 miles east, south, and west of Empire, and north to the properties of the Minnesota Mines, Inc.; ore from said area to Leadville and concentrates from said area to Colorado Springs; grinding balls, rails, and repaired mining machinery parts from Pueblo to mines and mills in the described Empire area; provided, however, that applicant shall not engage in any transportation service in direct competition with scheduled line haul motor vehicle common carrier service of the Curnow Livery and Transfer Company; freight between Denver and Georgetown and intermediate points; ore, only, in lots not to exceed four tons from Georgetown and Empire to the Golden Cycle Mill at Colorado Springs.

Said permit-holder now seeks authority to transfer said operating rights (Permit No. A-520) to George A. Sumner, doing business as "Nelson Truck Line," Idaho Springs, Colorado.

Inasmuch as the files of the Commission and the application herein show that the consideration for the transfer of Permit No. A-520, together with three trucks, is the sum of Eight Thousand Five Hundred Dollars (\$8,500.00);

that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to the account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it did not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the records of the Commission disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### FINDINGS

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### ORDER

#### THE COMMISSION ORDERS:

That Tulley H. Nelson, doing business as "Nelson Truck Line," Empire, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. A-520 to George A. Sumner, doing business as "Nelson Truck Line," Idaho Springs, Colorado.


The right of transferee to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.


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

That ton-mile tax deposit of transferor shall be transferred to the account of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Nelson H. Nelson

  
Ralph C. Norton  
Commissioners

Dated at Denver, Colorado,  
this 18th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MURPHY W. PALMER AND RUBY ALBERTA, )  
CO-PARTNERS, DOING BUSINESS AS )  
"RUBY ALBERTA TAXI COMPANY," 331 )  
STATE STREET, FORT MORGAN, COLORADO, )  
FOR AUTHORITY TO TRANSFER PUC NO. )  
1416 TO EDWARD GAMMEL, DOING BUSI- )  
NESS AS "GAMMEL CAB COMPANY," 201 )  
STATE STREET, FORT MORGAN, COLORADO. )  
-----

APPLICATION NO. 7941-Transfer

-----  
October 19, 1946  
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S T A T E M E N T

By the Commission:

By Decision No. 17315, of date June 30, 1941, as amended by Decision No. 17442, of date August 6, 1941, L. M. Solt was authorized to conduct:  
  
a taxi service over irregular routes, on call and demand, from, to, and between points within a radius of fifty miles of the City of Fort Morgan, Colorado.

By authority of the Commission granted in Decision No. 19740, of date September 29, 1942, George Stolte acquired said operating rights from L. M. Solt.

Pursuant to authority contained in Decision No. 25749, of date April 3, 1946, said George Stolte transferred said authority (PUC No. 1416) to M. W. Palmer and Theodore Abromski, doing business as "Morgan Cab Company," Fort Morgan, Colorado, who, pursuant to authority contained in Decision No. 26299, of date July 30, 1946, transferred PUC No. 1416 to Murphy W. Palmer and Ruby Alberta, doing business as "Ruby Alberta Taxi Company," Fort Morgan, Colorado.

Said Murphy W. Palmer and Ruby Alberta, doing business as "Ruby Alberta Taxi Company," Fort Morgan, Colorado, herein seek authority to transfer PUC No. 1416 to Edward Gammel, doing business as "Gammel Cab Company," Fort Morgan, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said certificate is in good standing; that road tax has been paid; that passenger-mile tax deposit is to be transferred to the account of transferee; that there are no outstanding unpaid operating obligations against said certificate; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it did not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

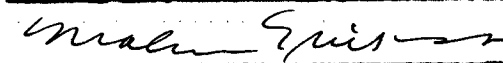
That Murphy W. Palmer and Ruby Alberta, doing business as "Ruby Alberta Taxi Company," Fort Morgan, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 1416 to Edward Gammel, doing business as "Gammel Cab Company, Fort Morgan, Colorado.

The tariff of rates, rules and regulations of the transferors shall become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

That passenger-mile tax deposit of transferors shall be transferred to account of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 19th day of October, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
CHESTER BAUMGARTNER AND JAMES DE )  
GEORGE, DOING BUSINESS AS "DENVER )  
TRANSFER AND CARTAGE CO.," 801 WAL- )  
NUT STREET, DENVER, COLORADO, FOR )  
AUTHORITY TO TRANSFER PERMIT NO. )  
B-2906 TO IVAN ELDBER AND CHARLES )  
JOHNSON, CO-PARTNERS, DOING BUSI- )  
NESS AS "E. & J. HAULING CO.," )  
3409 GAYLORD STREET, DENVER, COLO- )  
RADO. )  
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APPLICATION NO. 7944-PP-Transfer

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October 19, 1946  
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S T A T E M E N T

By the Commission:

By Decision No. 20285, of date January 23, 1943, Chester Baumgartner and James DeGeorge, co-partners, doing business as "Denver Transfer and Cartage Co.," Denver, Colorado, were authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of:

cement vaults, tombstones, and monuments,  
between points within a radius of 15 miles  
of the City and County of Denver, Colorado.

Said permit-holders now seek authority to transfer said operating rights (Permit No. B-2906) to Ivan Eldher and Charles Johnson, co-partners, doing business as "E. & J. Hauling Co.," Denver, Colorado.

Inasmuch as the files of the Commission and the verified application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to the account of transferees; that transferees, pecuniarily and otherwise, are qualified and able to carry on the operation; that there are no outstanding unpaid operating obligations against said permit, and it does not appear that any useful purpose would be served by setting said matter

for formal hearing, there being no one, insofar as the records of the Commission disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That Chester Baumgartner and James DeGeorge, doing business as "Denver Transfer and Cartage Co.," Denver, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-2906 to Ivan Eldher and Charles Johnson, co-partners, doing business as "E. & J. Hauling Co.," Denver, Colorado.

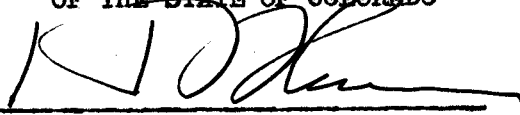
The right of transferees to operate under this order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

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

That ton-mile tax deposit of transferors shall be transferred to the account of transferees.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
\_\_\_\_\_  
Maec Swickson

  
\_\_\_\_\_  
Commissioners

Dated at Denver, Colorado,  
this 19th day of October, 1946.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JOHN HANKINS AND LEE TAPP, DOING )  
BUSINESS AS "HANKINS & TAPP," 5268 )  
RALEIGH STREET, DENVER, COLORADO, )  
FOR AUTHORITY TO TRANSFER PERMIT )  
NO. B-2557 TO JOHN HANKINS, 830 )  
ELATI STREET, DENVER, COLORADO. )  
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APPLICATION NO. 7945-PP-Transfer

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October 19, 1946  
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S T A T E M E N T

By the Commission:

Heretofore, John Hankins and Lee Tapp, doing business as  
"Hankins & Tapp," Denver, Colorado, were authorized to operate as  
Class "B" private carriers by motor vehicle for hire for the transpor-  
tation of:

dirt, sand, gravel, and oil mix between all  
points within a radius of 50 miles of pits  
and supply points in the State of Colorado  
to road construction jobs within said area,  
excluding service in Boulder, Clear Creek,  
and Gilpin Counties; timber from timber camps  
in the mountains west of Boulder, and coal  
from mines in the northern Colorado coal  
fields to mine of Jenny Wren Mines, Inc.,  
near Ward; ores from said mine to mill of  
said mining company and to railroad loading  
points, and ore from said mine and concen-  
trates from said mill to smelter near Lead-  
ville.

Said permit-holders now seek authority to transfer said operat-  
ing rights (Permit No. B-2557) to John Hankins, Denver, Colorado.

Inasmuch as the files of the Commission and the application  
herein show that said permit is in good standing; that road tax has been  
paid; that ton-mile tax deposit of transferors is to be transferred to  
the account of transferee; that there are no outstanding unpaid operating  
obligations against said permit; that transferee, pecuniarily and other-  
wise, is qualified and able to carry on the operation, and it does not

appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files of the Commission disclose, who would desire to be heard in opposition to the granting of the authority sought, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

### F I N D I N G S

#### THE COMMISSION FINDS:

That the authority sought should be granted.

### O R D E R

#### THE COMMISSION ORDERS:

That John Hankins and Lee Tapp, doing business as "Hankins & Tapp," Denver, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-2557 to John Hankins, Denver, Colorado.

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.

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

That ton-mile tax deposit of transferors shall be transferred to account of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 18th day of October, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
JESSE C. LINDER, 405 WALNUT STREET, )  
FORT MORGAN, COLORADO, FOR AUTH- )  
ORITY TO TRANSFER PERMIT NO. B-1942 )  
TO JOHN S. NEVIN, 805 MEEKER STREET, )  
FORT MORGAN, COLORADO. )  
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APPLICATION NO. 7946-PP-Transfer

-----  
October 21, 1946  
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S T A T E M E N T

By the Commission:

Heretofore, Jesse C. Linder, Fort Morgan, Colorado, was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

milk, only, to Fort Morgan, Colorado, from points within and farms adjacent to the area described as: commencing at Fort Morgan; thence west on Highway No. 34 to intersection with Highway No. 39; thence north on Highway No. 39 to intersection with Highway No. 144; thence east on Highway No. 144 to intersection with road known as "River Road;" thence along said road to Fort Morgan, Colorado.

Said permit-holder now seeks authority to transfer said operating rights (Permit No. B-1942) to John S. Nevin, Fort Morgan, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid operating obligations against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said permit, the Commission determined to

hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Jesse C. Linder, Fort Morgan, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-1942 to John S. Nevin, Fort Morgan, Colorado.

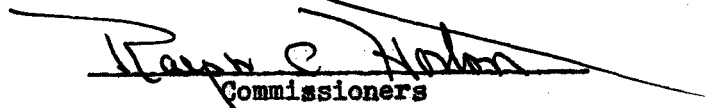
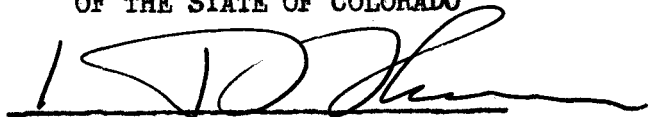
That the right of transferee to operate under this order shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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

That ten-mile tax deposit of transferor shall be transferred to the account of transferee.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 21st day of October, 1946.

RW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
C. A. BITTERS, CARR, COLORADO, FOR )  
AUTHORITY TO TRANSFER A PORTION OF ) PUC NO. 1171-I  
PUC NO. 1171-I TO MRS. L. E. SHEP- )  
HERD, 2124 SIXTH AVENUE, GREELEY, )  
COLORADO. )  
-----

-----  
October 21, 1946  
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S T A T E M E N T

By the Commission:

Heretofore, C. A. Bitters, Carr, Colorado, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle in interstate commerce, and PUC No. 1171-I issued to him.

Said certificate-holder now seeks authority to transfer a portion of said operating rights, viz.:

farm and dairy products from and to points within a radius of 50 miles of Carr, Colorado, except that portion described as the area lying 15 miles east, 10 miles west, 9 miles south, and north to the Colorado-Wyoming State Line, in interstate commerce, only.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. A. Bitters, Carr, Colorado, be, and he hereby is, authorized to transfer to Mrs. L. E. Shepherd, Greeley, Colorado, all his right, title, and interest in and to that portion of PUC No. 1171-I authorizing the transportation of:

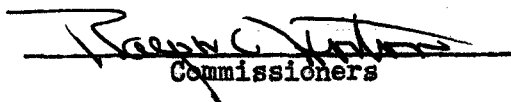
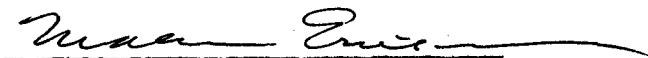
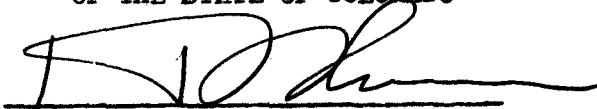
farm and dairy products from and to points within a radius of 50 miles of Carr, Colorado, except that portion described as the area lying 15 miles east, 10 miles west, 9 miles south, and north to the Colorado-Wyoming State Line, in interstate commerce, only.

That the number "PUC 1171-I" shall be retained by transferor, and a new certificate number shall issue to transferee.

That transfer herein authorized shall be subject to the provisions of the Federal Motor Carrier Act of 1935, and approval by the Interstate Commerce Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 21st day of October, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
HETTIE REED AND ROLAND REED, 1938 )  
LAKE AVENUE, PUEBLO, COLORADO, FOR )  
A CLASS "B" PERMIT TO OPERATE AS )  
PRIVATE CARRIERS BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7936-PP

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October 21, 1946  
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S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from Canon City-Florence Coal Fields to Pueblo; dirt between points within a radius of fifty miles of Pueblo, Colorado.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Hettie Reed and Roland Reed, Pueblo, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from Canon City-Florence Coal Fields to Pueblo; dirt between points within a radius of fifty miles of Pueblo, Colorado.

All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments


to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

The right of applicants to operate hereunder shall depend upon their compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 21st day of October, 1946.

my



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. J. ARAGON, 132 ST. LOUIS STREET, )  
PUEBLO, COLORADO, FOR A CLASS "B" )  
PERMIT TO OPERATE AS A PRIVATE )  
CARRIER BY MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7937-PP

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October 21, 1946  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Fremont and Huerfano Counties to the City of Pueblo, and delivery of coal from Pueblo to Salt Creek and Blend; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in Pueblo County to road and building construction jobs in Pueblo County.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That E. J. Aragon, Pueblo, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of coal from mines in Fremont and

Huerfano Counties to the City of Pueblo, and delivery of coal from Pueblo to Salt Creek and Blend; sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in Pueblo County to road and building construction jobs in Pueblo County.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 21st day of October, 1946.

MW

(Decision No. 26880)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

BE FREE OF CHARGE TRANSPORTATION BY )  
THE DENVER AND SALT LAKE RAILWAY )  
COMPANY ON ONE CARLOAD OF COAL FROM ) MISCELLANEOUS DOCKET NO. 225  
HAYBRO, COLORADO, TO THE DENVER )  
COMMUNITY CHEST. )  
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-----  
October 3, 1946  
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S T A T E M E N T

By the Commission:

This matter is before the Commission upon a letter from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated October 2, 1946, requesting authority to transport one carload of coal from Haybro, Colorado, to Denver, Colorado, free of charge, on account of charity.

The shipment in question has been donated by one of the operators on the line of The Denver and Salt Lake Railway Company for use of the Young Men's Christian Association, an agency of the Denver Community Chest, a charitable institution, and is to be used for charity.

Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the request should be authorized.

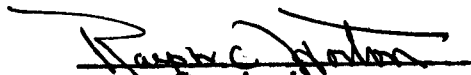
O R D E R

IT IS ORDERED:

That the Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on one carload of coal from Haybro, Colorado, consigned to the Denver Community Chest in care of the Goody-Courter Coal Company, Denver.

That this order shall not be used as a precedent for other cases  
of a similar nature.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of October, 1946

**THE DENVER AND SALT LAKE RAILWAY CO.**

822 DENVER NATIONAL BUILDING

ZONE 2

**DENVER, COLORADO**F. J. TONER  
TRAFFIC MANAGERF. H. BOOTH  
ASST TO TRAFFIC MANAGER

October 2, 1946

File: 35-2

The Public Utilities Commission of the  
State of Colorado,  
State Office Building,  
Denver, Colorado.


Gentlemen:

A carload of coal has been donated by one of the operators on our line to the Denver Community Chest, a charitable institution, for the benefit of the Young Men's Christian Association. This car will be consigned to the Denver Community Chest in care of the Goody-Courter Coal Co., Denver.

We shall be pleased to haul this car of coal free of charge on account of charity from the mine at Haybro, Colo. to Denver. and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,



H

(Decision No. 26881)

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

RE FREE OF CHARGE TRANSPORTATION BY	)	
THE DENVER AND SALT LAKE RAILWAY	)	
COMPANY OF ONE CARLOAD OF COAL FROM	)	<u>MISCELLANEOUS DOCKET NO. 226</u>
MT. HARRIS, COLORADO, TO THE TABER-	)	
NACLE COMMUNITY CHURCH, DENVER.	)	
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-----  
October 3, 1946  
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S T A T E M E N T

By the Commission:

This matter is before the Commission upon a letter from The Denver and Salt Lake Railway Company, by F. J. Toner, its Traffic Manager, dated September 28, 1946, requesting authority to transport one carload of coal from Mt. Harris, Colorado, to Denver, Colorado, free of charge, on account of charity.

The shipment in question has been donated by one of the operators on the line of The Denver and Salt Lake Railway Company for use of the Tabernacle Community Church, a charitable institution, and is to be used for charity.

Section 17, paragraph (c) of The Public Utilities Act provides that the Commission may, by rule or order, authorize carriers to depart from their published tariff rates.

After full consideration of the facts as set forth, the Commission finds that the request should be authorized.


O R D E R

IT IS ORDERED:

That The Denver and Salt Lake Railway Company be, and it is hereby, authorized to protect a free rate on one carload of coal from Mt. Harris, Colorado, consigned to the Tabernacle Community Church in care of the Colorado and Utah Coal Company, Denver.

That this order shall not be used as a precedent for other cases  
of a similar nature.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 3rd day of October, 1946

**THE DENVER AND SALT LAKE RAILWAY CO.**F. J. TONER  
TRAFFIC MANAGER822 DENVER NATIONAL BUILDING  
ZONE 2F. H. BOOTH  
ASST TO TRAFFIC MANAGER**DENVER, COLORADO**

September 28, 1946

File: 35-2

26881

#226

The Public Utilities Commission of the  
State of Colorado,  
State Office Building,  
Denver, Colorado.

Gentlemen:

A carload of coal has been donated by one of the operators on our line to the Tabernacle Community Church, 20th and Lawrence Streets, Denver, a charitable institution. This car will be consigned to the Tabernacle Community Church in care of the Colorado & Utah Coal Co.

In view of the above, we shall be pleased to haul this car of coal free of charge from the mine at Mt. Harris, Colorado to Denver, and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

If consistent, we shall appreciate receiving this authority in duplicate.

Yours truly,

*F. J. Toner*

H





BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
MELVIN C. BOWLES, BOX 222, MINTURN, )  
COLORADO, FOR A CLASS "B" PERMIT TO ) APPLICATION NO. 7938-PP  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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-----  
October 21, 1946.  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of twenty-five miles of the junction of U. S. Highways Nos. 6 and 24 (known as "Dowd's Junction") in Eagle County, Colorado -- no town to town service.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Melvin C. Bowles, Minturn, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of twenty-five miles of the junction of U. S. Highways Nos. 6 and 24 (known as "Dowd's Junction") in Eagle County, Colorado, with no town to town service.

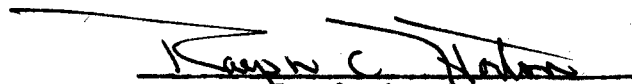
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 21st day of October, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
RAYMOND HENKEL, ROUTE 1, BRIGHTON, )  
COLORADO, FOR A CLASS "B" PERMIT TO )  
OPERATE AS A PRIVATE CARRIER BY )  
MOTOR VEHICLE FOR HIRE. )  
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APPLICATION NO. 7939-PP

-----  
October 21, 1946  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest products from forests within a radius of twenty-five miles of Lyons, to Lyons, Colorado — no town to town service.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Raymond Henkel, Brighton, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest products from forests within a radius of twenty-five miles of Lyons, to Lyons, Colorado — no town to town service.

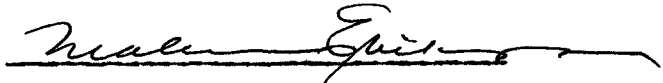
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 21st day of October, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
J. E. KIRKLIN, 3228 SOUTH LOGAN )  
STREET, ENGLEWOOD, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7940-PP

-----  
October 21, 1946  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver and to points within a radius of five miles of Denver.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That J. E. Kirklin, Englewood, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for

hire for the transportation of sand, gravel, and other materials used in making up the surface of the roads, from pits and supply points in the State of Colorado to road and building construction jobs within a radius of fifty miles of said pits and supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver and to points within a radius of five miles of Denver, Colorado.

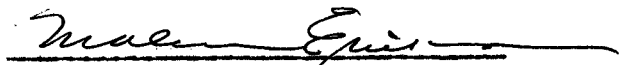
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 21st day of October, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
JACK PERRY AND CLAUDIA ZIEGER PERRY,  
AS ADMINISTRATRIX OF THE ESTATE OF  
J. D. PERRY, DECEASED, DENVER,  
COLORADO, TO MERGE OR CONSOLIDATE  
CERTAIN PORTIONS OF PERMITS NOS.  
A-1, A-16, A-693, AND A-779.

APPLICATION NO. 6963  
SUPPLEMENTAL ORDER

October 22, 1946

Appearances: Marion F. Jones, Esq., Denver,  
Colorado, for applicants;  
H. D. Flower, Buena Vista,  
Colorado, for Eveready  
Freight Service;  
T. A. White, Esq., Denver,  
Colorado, for Rio Grande  
Motor Way, Inc.

STATEMENT

By the Commission:

Under date of September 26, 1946, by Decision No. 26770, the Commission, among other things, recited that J. D. Perry, in his lifetime, was owner of Private Carrier Permit No. A-693, and that it was then under lease to Hall Motor Freight Company, a corporation.

Since the issuance of the above decision, it has been brought to the Commission's attention that by Decision No. 18604, of date April 9, 1942, Perry Truck Lines, Inc., was authorized to transfer said permit to Hall Motor Freight Company, a Colorado corporation.

FINDINGS

THE COMMISSION FINDS:

That Decision No. 26770 should be amended, nunc pro tunc, as set forth in the Order following.

ORDER

THE COMMISSION ORDERS:

That Decision No. 26770, of date September 26, 1946, be, and



it hereby is, amended, nunc pro tunc, as of said 26th day of September, 1946:

(1) By striking therefrom all that part of said decision, beginning with the word "and" at the beginning of the ninth line on Page 2, and ending with the word and parenthesis "corporation)", in the tenth line of said page, said eliminated part reading:

"and Private Carrier Permit No. A-693  
(now under lease to Hall Motor Freight  
Company, a corporation),"

and in lieu thereof, inserting the following:

"That Hall Motor Freight Company is the  
owner of Private Carrier Permit No.  
A-693."

(2) By changing the name "J. D. Perry," in the fifteenth line on Page 4 of said decision, to "Hall Motor Freight Company."

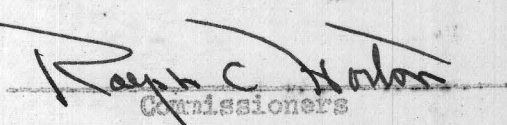
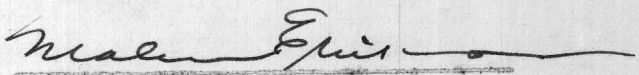
(3) By striking the first three lines of the last paragraph appearing on Page 5 of the Order therein, and inserting in lieu thereof the following:

"Hall Motor Freight Company, a corporation, under Private Permit No. A-693, be, and it is hereby, authorized to transport;"

That said Decision No. 26770, in all other respects, shall remain in full force and effect.

That this order be, and the same hereby is, made effective as of the day and date hereof.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 22nd day of October, 1946.

NW



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
CLAUDE E. DEERING, SILVERTON, COLO- )  
RADO, FOR AUTHORITY TO TRANSFER PUC )  
NO. 1081 TO SAN JUAN TRUCK LINES, )  
INC., A CORPORATION, SILVERTON, )  
COLORADO. )

APPLICATION NO. 7962-Transfer.

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October 26, 1946.  
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Appearances: Jerome A. Paul, Esq., Ouray, Colo-  
rado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 9443, of date February 15, 1937, Claude E. Deering  
was authorized to operate as a common carrier by motor vehicle for hire for:

The operation of a general transfer and  
cartage service in the Town of Silverton  
and fringe territory, and a pick-up and  
delivery service between the depot of The  
Denver and Rio Grande Western Railroad  
Company and Rio Grande Motor Way, Inc.,  
and business houses in Silverton and mines  
within a radius of 20 miles of Silverton, and  
for the transportation of: (a) ores and  
concentrates from mines within a radius of  
20 miles of Silverton to Silverton and the  
Shenandoah-Dives Mill; (b) concentrates from  
said mill to said mines and railroad loading  
points in Silverton; (c) mine supplies,  
machinery and equipment and freight, gen-  
erally, from Silverton to mines and mills  
in said area.

Pursuant to Decisions Nos. 25416 and 25605, said Deering transferred  
certificate of public convenience and necessity issued pursuant to Decision  
No. 9443, to-wit, PUC No. 1081, to Vincent A. Quinn, who now seeks authority to  
transfer his operating privilege to "The San Juan Truck Lines, Inc.," a Colorado  
corporation.

From the verified petition of applicants herein filed with the  
Commission, it appears that the outstanding indebtedness against said operation

consists of a few current bills totaling about \$1,000.00 and two promissory notes payable to the Citizens State Bank of Ouray in the principal amount of \$8,700.00 and \$5,209.99, respectively, payment of the last-mentioned indebtedness being secured by a chattel mortgage on one Allis-Chalmers R-D-14 track-type tractor. It is contemplated, in the event said proposed transfer is authorized and consummated, that The San Juan Truck Lines, Inc., a corporation, will execute its promissory note to said Citizens State Bank of Ouray for a principal amount equal to the total amount of principal and interest then due upon said \$8,700.00 note, and secure payment thereof by a lien and mortgage upon all corporate assets of transferee, including the certificate of public convenience and necessity numbered 1081, except the aforementioned Allis-Chalmers tractor, which is to be continued as security for payment of the note it now secures, payment thereof to be assumed by transferee.

From exhibits attached to the application, it appears that Mr. Quinn is one of the incorporators and stockholders of transferee corporation which is to have a capital of 250 shares of the par value of \$100.00 each. Giving effect to transfer proposed, company will have gross assets of \$20,500.00, and liabilities of approximately \$15,000.00. Mr. Quinn will continue actively in the business of operating under said certificate.

It would appear that no useful purpose would be served by setting said matter for formal hearing. Apparently all outstanding indebtedness will be taken care of to the satisfaction of creditors by the execution and delivery of secured notes and certain unsecured evidences of indebtedness.

The operating experience and pecuniary responsibility of transferee have been established to the satisfaction of the Commission.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the proposed transfer should be authorized, and that transferee should be authorized to execute and deliver the promissory notes mentioned in

the application and exhibits attached thereto, payment thereof to be secured, as set forth in the application, by execution and delivery of chattel mortgages upon the property of transferee, including its operating rights enjoyed under Certificate of Public Convenience and Necessity No. 1081, to Citizens State Bank of Ouray, Colorado, a banking corporation.

O R D E R

THE COMMISSION ORDERS:

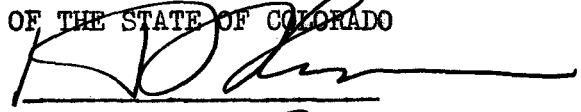
That Claude E. Deering, Silverton, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1081 to The San Juan Truck Lines, Inc., a Colorado corporation, Silverton, Colorado.

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

That transferee is hereby authorized to execute and deliver the promissory notes mentioned in the application and exhibits attached thereto, payment thereof to be secured, as set forth in the application, by execution and delivery of chattel mortgages upon the property of transferee, including its operating rights enjoyed under PUC No. 1081, to Citizens State Bank of Ouray, Colorado, a banking corporation.

This order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

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IN THE MATTER OF THE APPLICATION OF )  
WRIGHT S. CRAGHEAD, DOING BUSINESS )  
AS "CRAGHEAD MOVING & STORAGE," )  
BOULDER, COLORADO, FOR AUTHORITY TO ) APPLICATION NO. 7702-Transfer.  
TRANSFER PUC NO. 352 TO LOWELL T. )  
McMULLEN AND MADGE C. McMULLEN, )  
11TH AND WALNUT STREETS, BOULDER, )  
COLORADO. )  
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October 26, 1946.  
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S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 2176, of date May 3, 1929, W. S. Craghead, doing business as "Craghead Moving & Storage," Boulder, Colorado, was authorized to operate as a common carrier by motor vehicle for hire:

for the conduct of a transfer, moving and general cartage business in the Counties of Boulder, Larimer, and Weld, in the State of Colorado, and for occasional service throughout the State of Colorado, and in each of the counties thereof, subject to the terms and conditions: For the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, applicant shall charge rates which shall be as much as twenty per cent higher in all cases than those charge by scheduled carriers; applicant shall not operate on schedule between any points; applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in other towns or cities than Boulder for the purpose of developing business,

and PUC No. 352 issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Lowell T. McMullen and Madge C. McMullen, Boulder, Colorado.

Inasmuch as the files of the Commission and the application herein

show that said certificate is in good standing; that road tax has been paid; that ton-mile tax deposit is to be transferred to account of transferees; that there are no outstanding unpaid operating obligations against said certificate; that transferees, pecuniarily and otherwise, are qualified to carry on the operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who would desire to be heard in opposition to the transfer of said certificate, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the authority sought should be granted.

#### O R D E R

##### THE COMMISSION ORDERS:

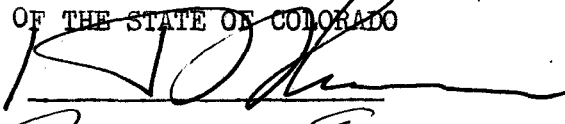

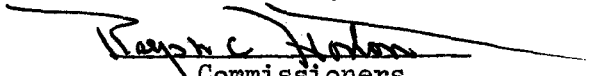
That Wright S. Craghead, doing business as "Craghead Moving & Storage," Boulder, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 352 to Lowell T. McMullen and Madge C. McMullen, Boulder, Colorado.

That ton-mile tax deposit shall be transferred to the account of transferees.

The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\*\*\*

IN THE MATTER OF THE APPLICATION OF )  
HARRY W. TATRO, ROBERT C. SCHIMMEL, )  
AND BURTON E. FRANKLIN, HAYDEN, COLO- ) APPLICATION NO. 7958-PP  
RADO, FOR AUTHORITY TO OPERATE AS )  
CLASS "B" PRIVATE CARRIERS BY MOTOR )  
VEHICLE FOR HIRE. )  
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October 26, 1946.  
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S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from mines within a radius of twenty miles of Hayden, to railroad loading points in said area.

Inasmuch as the motor carrier associations heretofore have indicated they have no objection to the granting of permits limited to the service herein sought to be performed by applicants, the Commission determined to hear, and has heard, said matter forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Harry W. Tatro, Robert C. Schimmel, and Burton E. Franklin, co-partners, Hayden, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal from mines within a radius of twenty miles of Hayden, to railroad loading points in said area.

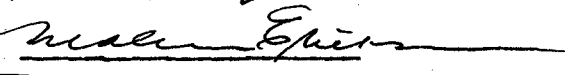
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners.

Dated at Denver, Colorado,  
this 26th day of October, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF )  
E. H. BUCKENDAHL, 217 JEFFERSON )  
AVENUE, LOVELAND, COLORADO, FOR A )  
CLASS "B" PERMIT TO OPERATE AS A )  
PRIVATE CARRIER BY MOTOR VEHICLE )  
FOR HIRE. )  
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APPLICATION NO. 7959-PP

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October 26, 1946  
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S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of twenty-five miles of Gould, and from and to points in said area, to and from points in Larimer County and Greeley, Fort Morgan, and Brush -- no town to town service.

Inasmuch as the motor carrier associations, heretofore, have indicated they have no objection to the granting of permits, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said matter, forthwith, without formal notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That E. H. Buckendahl, Loveland, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of forest and sawmill products between points within a radius of twenty-five miles of Gould, and from and to



points in said area, to and from points in Larimer County, and Greeley, Fort Morgan, and Brush -- no town to town service.

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

This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
Commissioners

Dated at Denver, Colorado,  
this 26th day of October, 1946.

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