

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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THE APPLICATION OF A. L. GILBERT)
COMPANY, DOING BUSINESS AS FORT)
COLLINS FEED, FOR TEMPORARY)
APPROVAL TO ASSUME OPERATIONAL)
CONTROL OF CONTRACT CARRIER)
PERMIT NO.)
B-6882 PENDING COMMISSION)
CONSIDERATION OF THE RELATED)
APPLICATION TO PERMANENTLY)
ACQUIRE THE PERMIT FROM NEWHALL)
LAND & FARMING COMPANY.)
- - - - -)

DOCKET NO. 92A-207BY-
TRANSFER-TA

**COMMISSION ORDER GRANTING
TEMPORARY APPROVAL**

Mailed date: June 25, 1992
Adopted date: June 19, 1992

STATEMENT, FINDINGS, AND CONCLUSIONS

BY THE COMMISSION:

1. On June 3, 1992, A. L. Gilbert Company, doing business as Fort Collins Feed, filed Docket No. 92A-207BY-Transfer-TA for temporary approval to assume operational control of Contract Carrier Permit No. B-6882 pending Commission consideration of the related application to permanently acquire the permit from Newhall Land & Farming Company.

2. The Commission gave notice of the application on June 8, 1992.

3. By § 40-6-120, C.R.S., the application for temporary approval is under consideration for a Commission order.

4. Section 40-6-120(1), C.R.S., authorizes the Commission to

grant temporary approval ". . . if it appears that failure to grant such temporary approval may result in destruction of or injury to such carrier or carrier properties sought to be acquired or to interfere substantially with their future usefulness in the performance of adequate and continuous service to the public."

5. The support filed on behalf of this application indicates a need to have the transfer in effect by June 15, 1992.

6. The Commission finds due to the fact stated in paragraph 5 above, that failure to grant the application could result in injury to the permit and ultimately effect service to the public. The Commission will therefore grant the application.

7. The Applicant has adequate equipment and financial resources to begin immediate service within the scope of the authority to be operated, and is willing, ready, and able to operate under all Commission rules and regulations governing carriers by motor vehicle.

8. This application for temporary approval is in the public interest and should be granted.

9. The Applicant is advised that the granting of a temporary approval makes no presumption that permanent approval will be granted.

THEREFORE THE COMMISSION ORDERS THAT:

1. A. L. Gilbert Company, doing business as Fort Collins Feed, is granted temporary approval to conduct operations under Contract Carrier Permit No. B-6882 for a period of 165 days commencing from the mailed date of this order.

2. A. L. Gilbert Company, doing business as Fort Collins Feed, shall not commence operations until all requirements have been met and notice in writing has been received from the Commission that the Applicant is in compliance and may begin service.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails or serves this decision.

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4. This Order is effective on its date of mailing.

DONE IN SPECIAL OPEN MEETING June 19, 1992.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

CHAIRMAN ARNOLD H. COOK ABSENT.

ORDER-FS

TRANSFeree:

A. L. Gilbert Company
dba Fort Collins Feed
P. O. Box 38
Oakdale, CA 95361

TRANSFEROR:

Newhall Land & Farming Company
1020 North East Frontage Road
Fort Collins, CO 80524

MISCELLANEOUS:

Brad Mallon, Director
Office of Policy & Research
Dept. of Regulatory Agencies
1560 Broadway, Suite No. 1550
Denver, CO 80202

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