

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
CLARENCE E. GERKIN, OF HUDSON, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 6998-PP

February 21, 1946.

Appearances: Clarence E. Gerkin, Hudson, Colorado,

pro se;

Myron H. Burnett, Esq., Denver, Colo-
rado, for The Colorado Motor
Carriers Association, Fred Rein
and E. O. Stevens.

S T A T E M E N T

By the Commission:

Authority is sought in the instant application to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm products (including livestock) and building materials, between points within a radius of 25 miles of Hudson, and from and to points in said area to and from Denver, Longmont, Greeley, and Fort Morgan; cement from plant near Fort Collins and Fort Collins to points in said area, and race horses between Hudson on the one hand, and on the other, Pueblo, Akron and Sterling.

The matter was set for hearing, and heard, on July 10, 1945, and taken under advisement.

The evidence presented at the hearing disclosed that applicant is the owner of a 1942 one and one-half-ton Ford truck, and desires to haul building materials, including lumber, for Fester Lumber Company, from Denver to the company's yards in Hudson; cement from plant near Fort Collins and Fort Collins to their yards in Hudson, and same commodities from Company's yards to farm customers in the area. He would also like to perform a similar service for the Henrylyn Irrigation Company, which would also include transportation of gravel. Livestock would move between points in area, and from and to points in the area

to and from Denver. Grain would be hauled to elevators at Hudson, Keenesburg, Hogen and Denver from points in the area. He does not want to haul milk.

Haney Spade, a farmer in the Hudson area, desires a service for the hauling of grain, and especially needs a service for small shipments of livestock, the grain to go to Keenesburg and Denver, livestock between points within the area and from and to points in the area to and from Denver. He also gets sand and gravel from Denver. Has experienced difficulty getting one or two dairy cows or same number of beef animals hauled. Four cows were fed by him for long time waiting for Stephens to haul them. Rein has hauled milk and cement for him.

R. L. Wehrman, an implement dealer and farmer, desires service for small shipments of livestock, hay and grain within a 15-mile radius, and implements from his place of business to farms in above area. He stated that there were not sufficient trucks in the area to properly and efficiently take care of his business. He needs delivery service for implements, grain and hay to country. Rein hauls implements from Denver, Stephens will haul a load of livestock, but doesn't handle small number promptly.

Bill Koffer stated that he raises race horses and would like to have some service for delivery of his horses from Hudson to Pueblo, Akron and Sterling; that he very rarely needed a service for more than three horses at a time.

J. P. Keener, manager of the Foster Lumber Company, desires a trucking service from rail head at Hudson to lumber yards; cement from plant near Fort Collins; lumber when distributed from pool cars, from Brush and Wiggins, and he also stated that he had difficulty in securing trucks for hauling building blocks, brick and lumber from Denver to his yards; that if this authority is granted, he will use applicant's service in making local deliveries; that a private carrier, one Nelson, who formerly distributed from cars for Foster and made local deliveries, will not serve; that he has not asked Rein or Foster to serve.

Fred Rein, Jr., of 2921 Walnut St., Denver, owner of PUC 454, testified that he operates seven trucks, and in his line-haul service hauled

considerable lumber out of Denver. This constitutes a back-haul for his line haul service, which he considers vital to his operation and which he must have if he is to continue his common carrier service. He further stated that he is not operating at capacity at all times. He does not object to granting authority for transportation service between points within a radius of fifteen miles of Hudson.

E. O. Stevens, of Hudson, Colorado, owner of PUC No. 257, with authority to serve the counties of Morgan, Adams, Arapahoe and Denver, with occasional service throughout the State of Colorado, testified that he served this area and was in a position to handle more business; that he did not keep his trucks (2 semis) busy all the time and was financially able to buy more equipment when business justified. One of his trucks is not in use regularly. It has been difficult to get competent drivers, but situation will improve with end of war. He has unloaded cars for Foster and while he cannot handle all cars under normal situations (when Foster can get lumber), he will "help out". He will back-haul building blocks from Denver. Definitely, service for movement of livestock is more than adequate. He does not object to local delivery service for merchants.

After careful consideration of the record, the Commission is of the opinion, and finds, that a limited service is needed in the area sought to be served; that exercise of authority in excess of that authorized in order following would tend to impair the efficiency of now authorized adequate common carrier service and should not be granted.

O R D E R

IT IS ORDERED:

That Clarence E. Gerkin, of Hudson, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of building materials and farm products (including livestock) between points within a radius of 15 miles of Hudson, and farm

products other than livestock from points in said area to Denver; cement, only, from plant near Fort Collins and Fort Collins to points and yards in said Hudson area; distribution of pool car shipments for Foster Lumber Company, only, from rail heads at Hudson, Wiggins, Fort Morgan and Brush, to lumber yards of said company in said towns; race horses between Hudson on the one hand, and, on the other, Pueblo, Akron and Sterling, Colorado.

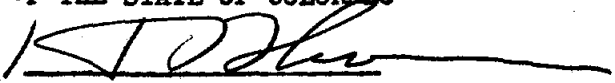
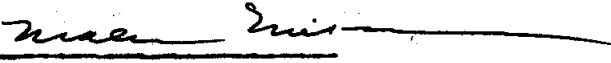
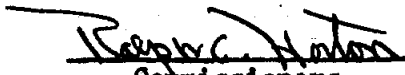
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 21st day of February, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
MAX ARCHULETA, GENERAL DELIVERY,)
MONTE VISTA, COLORADO, FOR A CLASS) APPLICATION NO. 7217-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

February 21, 1946.

Appearances: Max Archuleta, Monte Vista, Colo-
rado, pro se;
Conour and Conour, Esqs., Del Norte,
Colorado, for J. P. Wiederkehr.

S T A T E M E N T

By the Commission:

The above-styled matter was heard in Alamosa, Colorado, on January 9,
1946.

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 products between points within the area
extending 5 miles west, 16 miles east, 14 miles north, and 4 miles south of
Monte Vista, Colorado.

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

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

After careful consideration of the record, the Commission is of the
opinion, and finds, that the authority sought, as limited, should be granted.

O R D E R

IT IS ORDERED:

That Max Archuleta, of Monte Vista, 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 products, excluding livestock, between points within the area extending 5 miles west, 14 miles north, 16 miles east, and 4 miles south of Monte Vista, Colorado.

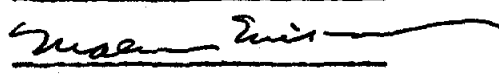
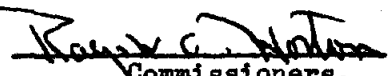
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 21st day of February, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
RUSSELL E. McKEE, OF SLICK)
ROCK, COLORADO.)

PERMIT NO. C-16474

Feb. 20, 1946

S T A T E M E N T

By the Commission:

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

Russell E. McKee of Slick Rock Colorado,

requesting that his Permit No. C-16474 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 Permit No. C-16474 heretofore issued

to Russell E. McKee, be,

and the same is hereby, declared cancelled effective December 29, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 20th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
BYRON S. BUNKER, OF DEERTRAIL,)
COLORADO.)

PERMIT NO. C-16429

Feb. 20, 1946

S T A T E M E N T

By the Commission:

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

Byron S. Bunker of Deertrail, Colorado,

requesting that his Permit No. C-16429 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 Permit No. C-16429 heretofore issued to Byron S. Bunker, be,

and the same is hereby, declared cancelled effective December 31, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Shaw

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 20th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
OSCAR MERLE PAYNE, OF ROUTE)
2, PLATTEVILLE, COLORADO.)
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PERMIT NO. C-16413

Feb. 21, 1946

S T A T E M E N T

By the Commission:

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

Oscar Merle Payne of Platteville Colorado

requesting that his Permit No. C-16413 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 Permit No. C-16413 heretofore issued

to Oscar Merle Payne, be,

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewis R. Shawan

Marion Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 21st day of Feb., 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
LOVELAND SALVAGE COMPANY, OF)
206 S. LINCOLN ST., LOVELAND,)
COLORADO.)
-----)

PERMIT NO. C-16386

Feb. 20, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Loveland
Salvage Company of Loveland, Colorado,
requesting that his Permit No. C-16386 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 Permit No. C-16386 heretofore issued
to the Loveland Salvage Company, be,
and the same is hereby, declared cancelled effective January 17, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 20th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)

OTTO CECIL, OF ROUTE 4,)
BOX 271, GREELEY, COLORADO.)

PERMIT NO. C-16356

Feb. 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Otto Cecil of Greeley Colorado,
requesting that his Permit No. C-16356 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 Permit No. C-16356 heretofore issued
to Otto Cecil, be,
and the same is hereby, declared cancelled effective January 7, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewy D. Shuman

Malcolm Erickson

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 21st day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
H. H. FRICKE, OF ROUTE 1,)
BOX 101, CANON CITY, COLORADO.)
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)
)
-----)

PERMIT NO. C-16349

Feb. 21, 1946

S T A T E M E N T

By the Commission:

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

H. H. Fricke of Canon City, Colorado,-----

requesting that his Permit No. C-16349-----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 Permit No. C-16349-----heretofore issued

to H. H. Fricke,-----be,

and the same is hereby, declared cancelled effective January 9, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of Feb., 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES W. LACKEY, OF GARDEN)
PARK ROUTE, CANON CITY,)
COLORADO.)

PERMIT NO. C-16340

Feb. 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Charles W. Lackey.....of Canon City, Colorado.....,
requesting that his Permit No. C-16340.....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 Permit No. C-16340.....heretofore issued
to Charles W. Lackey,.....be,
and the same is hereby, declared cancelled effective December 30, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawan

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 21st day of Feb., 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
HERB DANIELS AND FRANK CHISM,)
121 FOX ST., DENVER 9, COLO.)
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PERMIT NO. C-16248

Feb. 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Herb Daniels and
Frank Chism of Denver, Colorado,
requesting that his Permit No. C-16248 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 Permit No. C-16248 heretofore issued
to Herb Daniels and Frank Chism, be,
and the same is hereby, declared cancelled effective January 19, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw
Malcom Erickson
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
MERL L. PARMITER, OF 820 W.)
13th ST., PUEBLO, COLORADO.)
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PERMIT NO. C-16206

February 21, 1946

S T A T E M E N T

By the Commission:

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

Merl L. Parmiter of Pueblo, Colorado,

requesting that his Permit No. C-16206 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 Permit No. C-16206 heretofore issued to Merl L. Parmiter, be, and the same is hereby, declared cancelled effective January 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 21st day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
PETE BERARDINO, OF 426 COLLEGE)
STREET, TRINIDAD, COLORADO.)
) PERMIT NO. C-16145
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Feb. 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Pete Berardino of Trinidad, Colorado,
requesting that his Permit No. C-16145 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 Permit No. C-16145 heretofore issued
to Pete Berardino, be,
and the same is hereby, declared cancelled effective January 1, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry D. Phares
Malcolm Erickson
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 21st day of February, 194 6
R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
O. J. McNEECE, OF MEEKER,)
COLORADO.)
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-----)

PERMIT NO. C-15829

Feb. 21, 1946

S T A T E M E N T

By the Commission:

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

O. J. McNeece of Meeker, Colorado,

requesting that his Permit No. C-15829 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 Permit No. C-15829 heretofore issued

to O. J. McNeece, be,

and the same is hereby, declared cancelled effective December 17, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Phorwan

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
LOUIE GARRAMONE, OF 1726 W.)
35th AVENUE, DENVER, COLORADO.)
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)
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-----)

PERMIT NO. C-14296

Feb. 21, 1946

S T A T E M E N T

By the Commission:

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

Louie Garramone of Denver, Colorado,
requesting that his Permit No. C-14296 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 Permit No. C-14296 heretofore issued
to Louie Garramone, be,
and the same is hereby, declared cancelled effective January 15, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawan

Malcolm Erickson

Ralph C. Heston

Commissioners

Dated at Denver, Colorado,

this 21st day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
DAVE MOYER, OF 1334 GLEN AVE.,)
COLORADO SPRINGS, Colorado.)
)
)
)
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PERMIT NO. C-15834

Feb. 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Dave Moyer of Colorado Springs Colorado,
requesting that his Permit No. C-15834 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 Permit No. C-15834 heretofore issued
to Dave Moyer be,
and the same is hereby, declared cancelled effective January 22, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewis P. Shuman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 21st day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS J. MANTYCH, OF ROUTE 1,)
BOX 42B, DENVER 16, COLORADO.)
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PERMIT NO. C-15883

Feb. 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Louis J. Mantych of Denver, Colorado,
requesting that his Permit No. C-15883 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 Permit No. C-15883 heretofore issued
to Louis J. Mantych, be,
and the same is hereby, declared cancelled effective January 9, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shawan

Malcolm Erickson

Ralph C. Heston

Commissioners

Dated at Denver, Colorado,

this 21st day of Feb., 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JESSE R. BENISH, DOING BUSINESS)
AS BENISH IMPLEMENT, YUMA,) PERMIT NO. C-15916
COLORADO.)
-----)

February 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Jesse R. Benish,
doing business as Benish Implement of Yuma, Colorado,
requesting that his Permit No. C-15916 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 Permit No. C-15916 heretofore issued
to Jesse R. Benish, doing business as Benish Implement, be,
and the same is hereby, declared cancelled effective January 30, 1946

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Hinton

Commissioners

Dated at Denver, Colorado,

this 21st day of Feb., 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
TED E. DUNNING, OF RED FEATHER)
LAKES, COLORADO.)

PERMIT NO. C-15932

February 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Ted E. Dunning of Red Feather Lakes, Colorado,
requesting that his Permit No. C-15932 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 Permit No. C-15932 heretofore issued
to Ted E. Dunning, be,
and the same is hereby, declared cancelled effective January 5, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawan
Malcom Erickson
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of Feb., 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
W. M. EVERETT, EVERETT)
FURNITURE COMPANY, CLAYTON,)
NEW MEXICO.) PERMIT NO. G-15917
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February 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from W. M. Everett,
Everett Furniture Company of Clayton, New Mexico,
requesting that his Permit No. G-15917 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 Permit No. G-15917 heretofore issued
to W. M. Everett, Everett Furniture Company, be,
and the same is hereby, declared cancelled effective January 23, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewis D. Phelan

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of February, 194⁶

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. K. ZIMMERMAN, OF ROUTE 1,)
BOX 56, CANON CITY, COLORADO.)
)
)
)
-----)

PERMIT NO. C-15978

February 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
C. K. Zimmerman of Canon City, Colorado,
requesting that his Permit No. C-15978 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 Permit No. C-15978 heretofore issued
to C. K. Zimmerman, be,
and the same is hereby, declared cancelled effective February 5, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 21st day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSE F. MESTAS, OF VALDEZ,)
COLORADO.) PERMIT NO. C-16051
)
)
)
)
-----)

February 21, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Jose F. Mestas of Valdez, Colorado,
requesting that his Permit No. C-16051 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 Permit No. C-16051 heretofore issued
to Jose F. Mestas, be,
and the same is hereby, declared cancelled effective January 24, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 21st day of February, 1946
R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)

DOCK GALE HARPER, OF 2430 E.)
MONUMENT, COLORADO SPRINGS,)
COLORADO.)

PERMIT NO. C-16126

Feb. 21, 1946

S T A T E M E N T

By the Commission:

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

Dock Gale Harper.....of Colorado Springs Colorado,

requesting that his Permit No. C-16126.....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 Permit No. C-16126.....heretofore issued

to.....Dock Gale Harper,.....be,

and the same is hereby, declared cancelled effective December 8, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phowan

Malcolm Erickson

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of Feb., 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DAVID AND LOREN OLIVER, CENTER, COLO-))
RADO, FOR A CLASS "B" PERMIT TO OP-))
ERATE AS PRIVATE CARRIERS BY MOTOR))
VEHICLE FOR HIRE.))

APPLICATION NO. 7193-PP

February 21, 1946

Appearances: Conour and Conour, Esqs., Del
Norte, Colorado, for J. P.
Wiederkehr and Son, J. E.
Ashton;
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way,
Inc.;
M. M. Marshall, Esq., Alamosa,
Colorado, for McCormick
Brothers.

S T A T E M E N T

By the Commission:

The above-styled application was set for hearing in the Court
House, at Alamosa, Colorado, on Wednesday, January 9, 1946, at 9:30
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.

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

After careful consideration of the record, the Commission is
of the opinion, and finds, that the instant application should be dis-
missed 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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

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

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RUBEN ROMERO, LA GARITA, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 7194-PP

February 21, 1946

Appearances: Conour and Conour, Esqs., Del
Norte, Colorado, for J. P.
Wiederkehr and Son, J. E.
Ashton;
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way,
Inc.;
M. M. Marshall, Esq., Alamosa,
Colorado, for McCormick
Brothers.

S T A T E M E N T

By the Commission:

The above-styled application was set for hearing in the Court House, at Alamosa, Colorado, on Wednesday, January 9, 1946, 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.

After careful consideration of the record, the Commission is of the opinion, and 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 be, and the same 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

[Signature]

[Signature]

[Signature]
Commissioners

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

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. B. HARDENBURGH, DOING BUSINESS)
AS "MARTIN TRUCK LINE," GRAND)
JUNCTION, COLORADO, TO LEASE AND)
TRANSFER PERMIT NO. A-494 TO LEAMON)
RESLER AND JOE A. KING, JR., DOING)
BUSINESS AS "RESLER TRUCK LINE,")
DENVER, COLORADO.)

APPLICATION NO. 3854-PP-AA

February 21, 1946

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants;
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way,
Inc.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, February 5, 1946.

E. B. Hardenburgh, doing business as "Martin Truck Line," of Grand Junction, Colorado, seeks authority to transfer Permit No. A-494 to Joe A. King, Jr., and Leamon Resler, doing business as "Resler Truck Line," 2155 Lawrence Street, Denver, Colorado.

By order, entered August 5, 1935, Permit No. A-494 was granted by the Commission. Thereafter, by Decision No. 11823, entered May 6, 1938, said permit was clarified as follows:

"The transportation of freight from and to Denver, Pueblo, and Colorado Springs, to and from Grand Junction, via U. S. Highway No. 85, U. S. Highway No. 285, U. S. Highway No. 24, U. S. Highway No. 50, U. S. Highway No. 40, and Colorado Highway No. 91, and from and to said points, to and from intermediate points on said highways, as follows: Leadville, Eagle, Gypsum, Glenwood Springs, New Castle, Silt, Rifle, Grand Valley, DeBeque, Delta, Olathe, Montrose, and Gunnison."

The consideration for the transfer was paid to transferor in 1940.

Transferees are an equal co-partnership. Both transferees have

had experience in the trucking business, and are qualified to conduct the operation efficiently, both from a financial standpoint and that of operation. The transferee, Joe A. King, Jr., has been Manager and part-owner of transferor for a considerable period of time. Transferees propose to add considerable additional equipment.

At the date of hearing, the Commission received a letter from transferor, Mrs. Emily Hardenburgh, dated February 2, 1946, in which she requested that transferees should assume all responsibility for debts, contracts, etc., made by the Martin Truck Line while she was owner, and asking to be relieved of all responsibility. Transferees testified that there were a few small debts against the operation.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized and the transferees have sufficient financial responsibility and operating experience to conduct the operation efficiently; that the transfer should be conditioned upon payment by transferees of all operating debts of transferor and upon the performance of all operating contracts entered into by transferor and upon relief of transferor from all liabilities in connection with the operation.

O R D E R

THE COMMISSION ORDERS:

That E. B. Hardenburgh, doing business as "Martin Truck Line," Grand Junction, Colorado, is hereby authorized to transfer all her right, title, and interest in and to Permit No. A-494 to Joe. A. King, Jr., and Leamon Resler, a co-partnership, doing business as "Resler Truck Line," of 2155 Lawrence Street, Denver, Colorado, but that said transfer shall be effective only upon payment by transferees of all operating debts of transferor, and upon the performance of all operating contracts entered into by transferor and upon relief of transferor from all liabilities in connection with the operation.

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 be transferred to account of transferees.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]
Commissioners

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

HW

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 VINCENT A. QUINN, SIL-)
VERTON, COLORADO.)

APPLICATION NO. 3508-A
SUPPLEMENTAL ORDER

February 21, 1946

Appearances: Jerome A. Paul, Esq., Ouray,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 25416, of date January 21, 1946, this Commission authorized the transfer of PUC No. 1081 from Claude E. Deering, Silverton, Colorado, to Vincent A. Quinn, Silverton, Colorado,

"if and when the said Vincent A. Quinn makes payment in full of the sum of Eight Thousand Dollars (\$8,000.00), as set forth in 'Contract of Sale,' marked 'Schedule A' and attached to the petition in the above-entitled matter."

The Commission is now in receipt of verified petition of Claude E. Deering and Vincent A. Quinn, by their attorney, Jerome A. Paul, dated February 4, 1946, filed February 6, 1946, representing:

"final payment of the purchase price consideration for the sale of the trucking business, equipment, and common carrier's permit, as contained, described, and set forth in the contract of sale entered into with respect thereto heretofore on the 8th day of February, A. D., 1946, by and between the said Claude E. Deering as Vendor and the said Vincent A. Quinn, as Vendee, a copy of which has heretofore been set forth in Schedule 'A' attached to the original petition filed in said above-entitled proceeding,"

and requesting a final order granting the transfer of said PUC No. 1081 to Vincent A. Quinn, of Silverton, Colorado, as of February 10, 1946.

The petition further requests ratification by the Commission, if necessary, of the mortgage of transferee's motor equipment, and transfer

of \$36.00 road tax deposit, now standing to the credit of Claude E. Deering, to the credit of Vincent A. Quinn.

F I N D I N G S

THE COMMISSION FINDS:

That Claude E. Deering, Silverton, Colorado, should be authorized to transfer all his right, title, and interest in and to PUC No. 1081 to Vincent A. Quinn, Silverton, Colorado; that \$36.00 road tax deposit should be transferred to account of transferee.

O R D E R

THE COMMISSION ORDERS:

That Claude E. Deering, Silverton, Colorado, is hereby authorized to transfer all his right, title, and interest in and to PUC No. 1081 to Vincent A. Quinn, Silverton, 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.

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

That ton-mile tax deposit of \$36.00 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

H. D. Shuman

Walter Quinn

Ralph C. Norton
Commissioners

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. R. BECK, 1335 SOUTH SHERMAN)
STREET, DENVER, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PERMIT NO. B-860)
TO JAMES E. CHELF, DOING BUSINESS)
AS "JIM CHELF, 2950 SOUTH LOGAN)
STREET, ENGLEWOOD, COLORADO.)

APPLICATION NO. 7253-PP-A

February 21, 1946

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, February 5, 1946.

E. R. Beck, of 1335 South Sherman Street, Denver, Colorado, seeks authority to transfer Permit No. B-860 to James E. Chelf, doing business as "Jim Chelf," of 2950 South Logan Street, Denver, Colorado.

On November 2, 1934, Permit No. B-860 was issued to transferor.

At the hearing, James E. Chelf requested that the application be amended and that the transfer be granted to James E. Chelf and William F. Sharp, Jr., a co-partnership, doing business as "Jim Chelf." The application to amend was granted.

The consideration for the transfer of the permit, also including certain rights from the Interstate Commerce Commission, and one piece of equipment, is \$5,500.00, which is being held in escrow in a bank, to be paid upon approval of the transfer.

Chelf has had thirteen years' experience in the trucking business and possesses net worth of approximately \$17,000.00. He has two complete motor vehicle units and has purchased another. There are no debts against the operation. William F. Sharp, of 1667 South Lafayette

Street, Denver, Colorado, has had experience as a driver in the trucking business.

F I N D I N G S

THE COMMISSION FINDS:

That transferees have sufficient financial responsibility and operating experience to conduct the operation efficiently, and that the transfer should be granted.

O R D E R

THE COMMISSION ORDERS:

That E. R. Beck, 1335 South Sherman Street, Denver, Colorado, is hereby authorized to transfer all his right, title, and interest in and to Permit No. B-860 to James E. Chelf and William F. Sharp, Jr., a co-partnership, doing business as "Jim Chelf."

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 be transferred to account of transferees

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. D. Sherman

Walter E. Quinn

Robert C. Watson
Commissioners

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
S. S. HUNTINGTON, IDAHO SPRINGS,
COLORADO, FOR AN EXTENSION OF
PERMIT NO. A-887. }

APPLICATION NO. 24818-PP-BBB

March 25, 1946

Appearances: Charles Enos, Esq., Denver, Colorado,
for Applicant;
Truman A. Stockton, Jr., Esq., Denver,
Colorado, for Curnew Livery and
Transfer; Buckley Brothers;
Marion F. Jones, Esq., Denver,
Colorado, for Gomer Sterling.

S T A T E M E N T

By the Commission:

On May 9, 1945, the Commission issued its Decision No. 24485, granting to the applicant above named the right to extend his private carrier service under Permit No. A-887 to include the right to transport ores and concentrates from mines distant more than ten miles from Idaho Springs and not more than twenty miles from Idaho Springs to Huntington Mill, with back haul of mining supplies from Idaho Springs to customers for whom the above named applicant hauls ores and concentrates.

Subsequent to the issuance of said decision, and more than ten days prior to the effective date thereof, the protestant, Curnew Livery and Transfer, filed a petition for rehearing, and the protestant, Gomer Sterling, likewise filed a petition for rehearing. It now appears from said petitions for rehearing that the circumstances may have changed since the original hearing. Therefore, the Commission is of the opinion that a rehearing should be granted.

O R D E R

IT IS ORDERED BY THE COMMISSION:

That a rehearing in the above entitled matter be, and the

same hereby is, granted, and that said rehearing shall be held at a later date to be fixed by the Commission.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. J. Thomas

Malcolm E. Wilson

Ralph C. Hentley ✓
Commissioners

DATED at Denver, Colorado,
this 25th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
R. L. JOHNSTON AND MARION JOHNSTON,)
DOING BUSINESS AS "COPE TRUCK LINE,")
COPE, COLORADO, FOR AN EXTENSION OF)
THE AUTHORITY GRANTED THEM IN APPLI-)
CATION NO. 3454-PP-AAA.)

APPLICATION NO. 3454-PP-AAA-B

Feb. 21, 1946.

Appearances: John P. Beck, Esq., Denver,
Colorado, for applicant;
Van Goodwin, Flagler, Colorado,
pro se.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, February 5, 1946.

Applicants seek authority to extend their operations under Permit No. B-1712 to include the right to transport farm products, including livestock, from the Town of Seibert, Colorado, three miles east thereof, fifteen miles west, twelve miles north, and to the border line of Kit Carson County on the south; and from point to point within said area, and from this area to and from all points and places in the State of Colorado.

R. L. Johnston, Seibert, Colorado, testified that he lives in Seibert, and his brother, Marion Johnston, lives in Cope; that their financial worth is about \$14,800.00, and that they now operate a 1946 Chevrolet truck, a 1945 Chevrolet truck, and will purchase more equipment, if necessary. He stated that he had had requests for the type of service asked for from Charles and Cecil Boren, ranchers north of Seibert, Harvey Greenlee, a farmer four miles south of Seibert, Fred Levin, a farmer seven miles west of Seibert, a man named "Erwin," a rancher north of Seibert, Virgil Hayes, north of Seibert, a man named "Bartlett," north of Seibert, a Mr. Acres, a farmer three miles south of Seibert, and a Mr. Ceal, operator of a sales barn of livestock. All of these men stated that they would give him business, and said it was hard to get trucks.

Johnston testified that Seibert has no truck lines; that parties in that vicinity have to call Flagler, which is twenty-five or thirty miles from some of the people in the territory, for service; that Seibert is the trade town of that area. He further testified that the above-named men would have been present at the hearing and testified in his behalf, except for the storm. He said that Goodwin is the only other operator in the territory, and that it is necessary to use long distance to call him for service; that there is more demand for service in the territory than ever before.

Marion Johnston testified that he was living at Cope, and that he and his brother will work together in the territory.

Van Goodwin testified that he, under PUC Nos. 1148 and 759, is authorized to operate as a common carrier by motor vehicle for hire in approximately the same territory sought to be served by applicants. He stated that all the proposed customers mentioned by applicants are his customers; that these customers usually try to contact him a week or ten days ahead of the time shipments are to be made, and he either makes the shipment himself, or gets someone to make it for him. He stated that he had five sons in the Army, and that three are home now, and two more are coming; that he will need all the territory allotted to him under his certificate in order to make the operation pay. He admitted that it was necessary, at times, for customers to contact him by long-distance telephone, but said he was always able to render service.

There was no testimony that the extension of authority if granted would not impair the efficiency of the common carrier operations of Van H. Goodwin and Sons under Certificates numbered 759 and 1148.

By Decision No. 22180, April 14, 1944, R. L. Johnston transferred to Van Goodwin, Wendell Goodwin, Francis Goodwin, Russell Goodwin, Lowell Goodwin and Lawrence Goodwin, doing business as Goodwin and Sons, Certificate No. 1148 which, as heretofore stated, covers substantially the same territory as Johnston now requests in his application for extension. Manifestly, he should be in a position to offer more serious competition in the territory

than a carrier who has not theretofore served it and developed a business. After transferring this certificated authority to Goodwin and Sons, presumably receiving a consideration therefor, he should not now be allowed to regain practically the same authority by way of an extension to his private carrier permit, and in competition with the authority which he disposed of, where, as here, it appears that common carrier now serving is furnishing reasonably adequate service, and the granting of the authority will tend to impair the efficiency of that service.

FINDINGS

THE COMMISSION FINDS:

That the application should be denied.

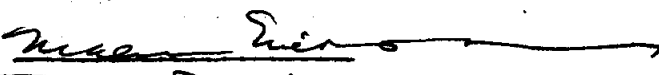
ORDER

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 21st day of February, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
RANDALL MORTENSEN, SANFORD, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7205-PP

Feb. 21, 1946.

Appearances: Randall Mortensen, Sanford, Colorado,
pro se;
A. J. Tait, 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 ground hay for W. J. Small and Company from point to point within a radius of forty miles of Alamosa, Colorado.

The above-styled matter was heard in Alamosa, Colorado, on January 9, 1946, and there taken under advisement.

It developed at the hearing that the W. J. Small Company is now in the business of purchasing alfalfa hay, grinding it, and shipping it to points in and out of the State of Colorado.

Frank Jones, manager of the Small Company, testified that his company needed applicant's service to pick up this ground hay for delivery to rail points for shipment; that they needed this service within a 50-mile radius of Alamosa; that these shipments would be in both interstate and intrastate commerce.

It further appeared that applicant is the owner of a 1939 Ford 1½-ton truck and is a reliable operator.

Protestants withdrew their objections to the application.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought should be granted.

O R D E R

IT IS ORDERED:

That Randall Mortensen, of Sanford, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of ground hay for W. J. Small and Company, only, from point to point within a radius of forty (40) miles of Alamosa, Colorado, in both interstate and intrastate commerce, the interstate authority herein granted to be subject to the provisions of the Federal Motor Carrier Act of 1935.

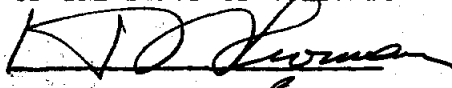
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

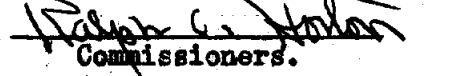
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 February, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
FRED ARCHULETA, CENTER, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7204-PP

Feb. 21, 1946.

Appearances: Fred Archuleta, Center, Colorado,
 pro se;
 A. J. Tait, Denver, Colorado,
 for Rio Grande Motor Way, Inc.;
 M. M. Marshall, Esq., Alamosa,
 Colorado, for McCormick Brothers.

S T A T E M E N T

By the Commission:

The above-styled matter was set for hearing, and heard, at Alamosa, Colorado, on January 9, 1946.

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 fertilizer and farm products (except livestock) between points within the area extending 5 miles west, 8 miles north, 8 miles east, and 8 miles south of Center, Colorado.

The operating experience and pecuniary responsibility of applicant were established to the satisfaction of the Commission, and all opposition to the granting of the authority sought, as limited, was withdrawn.

The evidence further disclosed that applicant is the owner of a 1938 Chevrolet 1½-ton truck, and has several farmers in the area surrounding Center, Colorado, who desire his service.

After careful consideration of the record, the Commission is of the opinion, and finds, that the authority sought, as limited, should be granted.

O R D E R

IT IS ORDERED:

That Fred Archuleta, of Center, Colorado, be, and he hereby is,

authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of fertilizer and farm products, except livestock, between points within the area extending 5 miles west, 8 miles north, 8 miles east, and 8 miles south of Center, Colorado.

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

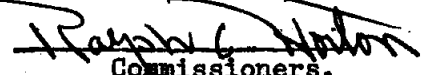
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 21st day of February, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
HOWARD C. THOMPSON, 1015 SIXTH
STREET, GREELEY, COLORADO, FOR AUTH-
ORITY TO TRANSFER INTRASTATE RIGHTS
UNDER PUC NO. 774 TO G. A. KEISER,
2227 EIGHTH AVENUE, GREELEY, COLO-
RADO.

APPLICATION NO. 2273-AB-A

February 25, 1946

Appearances: Howard C. Thompson, Greeley,
Colorado, pro se;
G. A. Keiser, Greeley, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above matter was heard at Denver, Colorado, February 5, 1946.

Thompson seeks authority to transfer Certificate No. 774, intra-
state rights only, to G. A. Keiser, Greeley, Colorado.

By Decision No. 6687, of date September 23, 1935, Decision No.
6868, of date November 30, 1935, and Decision No. 24145, of date Febru-
ary 8, 1945, transferor was authorized to operate as a common carrier by
motor vehicle for hire for the transportation of:

"live stock from point to point in the territory
within a radius of fifteen miles of Kersey,
Weld County, Colorado, and also the transporta-
tion of live stock from auction sales pavilions
in and about Greeley, Colorado, over Highway No.
85 from Greeley, Colorado, to Denver, Colorado,
and from Denver, Colorado, over U. S. Highway
No. 85, to points within a radius of fifteen
miles of Kersey, Weld County, Colorado," and

"to use State Highway No. 37 from Kersey to point
of intersection with U. S. Highway No. 6 (three
miles east of Hudson), and said Highway No. 6
from said point of intersection to Denver, and
return, in addition to the right to use U. S.
Highway No. 85."

The consideration for the purchase of the certificate and equipment, consisting of one International Truck and one semi-trailer, is \$3,000.00, a down-payment of \$500.00 having been made, the balance to be paid upon the approval of the transfer. There is no indebtedness against the operation, with the exception of road tax in the sum of \$24.99, which Thompson stated he would pay at the time of the transfer. Keiser has had trucking experience, and his net worth is from \$10,000.00 to \$15,000.00.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized, and that Keiser has had sufficient operating experience to conduct the operation efficiently, and is financially able to do so.

O R D E R

THE COMMISSION ORDERS:

That Howard C. Thompson, Greeley, Colorado, is hereby authorized to transfer all his right, title, and interest in and to PUC No. 774 -- intrastate only -- to G. A. Keiser, Greeley, Colorado.

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

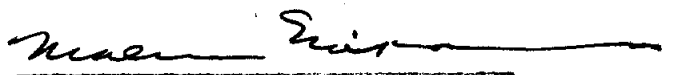
That ton-mile tax deposit be transferred to account of transferee.

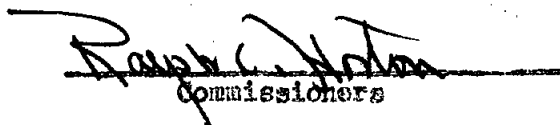
That ton-mile tax now due shall be paid by transferor at time of transfer, and in the event of his failure so to do, said ton-mile tax shall be assumed and paid by transferee.

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 25th day of February, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROY E. WOODWORTH, DOING BUSINESS AS)
"PARKER TRANSFER COMPANY," PARKER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 37 TO EARL LAYTON, PARKER,)
COLORADO.)

APPLICATIONS NOS. 307-AAA-AAA-A
1833-AAA

February 26, 1946

Appearances: Robert B. Lee and
Horatio Ramsey, Esqs., Engle-
wood, Colorado, for applicants;
Bert Hall, Parker, Colorado, for
Hall Truck Line.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, February 5, 1946.

On May 6, 1925, Decision No. 838, Lester Augustus was granted a certificate of public convenience and necessity, PUC No. 37, which authorized motor vehicle operations in the transportation of freight between Parker and Denver, including the transportation of milk in an undescribed area.

On January 16, 1929, by Decision No. 2042, the said Lester Augustus was authorized to transfer said certificate to Charles L. Walker.

Thereafter, on October 30, 1930, Decision No. 3126, the said Charles L. Walker was authorized to transfer to Charles H. O'Brien that portion of said certificate of public convenience and necessity, PUC No. 37, which authorized the transportation of freight between Denver and Parker and intermediate points.

On February 17, 1932, in Application No. 1832, Decision No. 4058, the territory which the said Charles H. O'Brien was authorized to serve under said PUC No. 37 was defined as follows:

"Beginning at the city limits of the City and County of Denver, at a point which intersects said city limits 1 mile east of the Denver-Parker Highway; thence along the line paralleling said highway drawn at a distance of 1 mile east thereof, to a point where said parallel line crosses the Arapahoe-Douglas County line; thence east to the NW corner of Sec. 6, T. 6, S., R. 65 West; thence to the SW corner of said Sec. 6; thence SW through the Town of Parker to the SW corner of Sec. 28, T. 6 S., R. 67 West; thence running NE 5 miles more or less to the NW corner of Sec. 3, T. 6 S., R. 67 West; thence running east to the NE corner of Sec. 1, T. 6, S., R. 67 West; thence running N. 2 miles to the NW corner of Sec. 30, T. 5 S., R. 66 W.; thence east 1 mile to the SE corner of Sec. 19, T. 5 S., R. 67 W.; thence N. one mile to the NE corner of Sec. 19; thence running along said Denver-Parker Road to a point where said highway intersects the Sec. line between Sections 1 and 12, T. 5 S., R. 67 W.; thence W along section line one-half (1/2) mile more or less to a point where the same intersects Cherry Creek; thence in a north-westerly direction along the channel of Cherry Creek to the City Limits of the City and County of Denver."

Said order also authorized the said Charles H. O'Brien to transport freight other than milk from and to Sullivan and Melvin, to and from Denver.

Thereafter, on May 10, 1925, Decision No. 6465, George Croft, doing business as "Croft Truck Line," was authorized to transfer certificate of public convenience and necessity issued to him in Application No. 1839 to the said Roy E. Woodworth.

In Application No. 1832, Decision No. 4058, supra, the territory which the said George Croft was authorized to serve under said certificate was defined as follows:

Beginning at a point where the channel of Cherry Creek intersects the south boundary of Section 21, Twp. 4 S., R. 67 W., and thence in a southeasterly direction along the channel of Cherry Creek until the same intersects the section line between Sections 1 and 12, Twp. 5 S., R. 67 W.; thence east along said section line until the same intersects the Denver-Parker Highway; thence southeasterly along such highway to the northeast corner of Sec. 19, Twp. 5 S., R. 66 W.; thence south one mile to the southeast corner of said Sec. 19; thence west one mile to the southwest corner of said Sec. 19; thence south two miles to the northeast corner of Section 1, Twp. 6 S, R 67 W.; thence west two miles to the northwest corner of Section 2, Twp. 6 S, R 67 W; thence north five miles to the southwest corner of Sec. 2, Twp. 5 S, R 67 W; thence west one mile to the southwest corner of Section 3, Twp. 5 S, R 67 W; thence north one mile to the

northwest corner of Section 3, thence west one mile to the northwest corner of Section 4, Twp 5 S, R 67 W; thence north two miles to the southwest corner of Section 21, Twp. 4 S, R 67 W; thence east to the place of beginning,"

and the said Roy E. Woodworth consolidated his operation, including the Groft authority, under Certificate No. 37.

Thereafter, by various conveyances, that portion of said certificate No. 37 which authorized the transportation of freight between Parker and Denver, and intermediate points, became the property of Roy E. Woodworth, doing business as "Parker Transfer."

By Decision No. 21840, of January 18, 1944, the Commission authorized the transferor herein to transfer to Merle Carlson, doing business as "Carlson Milk Transport," all of his then existing operating rights under PUC No. 37, save and except the authority to transport livestock and farm products, other than milk and cream, within the area authorized, which right transferor retained unto himself. By said order, transferor retained the right to operate under PUC No. 37.

Woodworth now seeks authority to transfer remaining rights under PUC No. 37 to Layton. Such rights, according to transferor's allegations in application for clarification filed with the Commission February 29, 1944 (which was set for hearing, but never heard, the instant application to transfer being heard in lieu thereof) are:

"somewhat confused as to the exact territory which applicant is authorized to serve in the transportation of those commodities" (viz., livestock and farm products, exclusive of milk and cream).

The consideration for the transfer is Four Thousand Dollars (\$4,000.00), which has been paid in full.

There is no indebtedness against the operation.

Woodworth testified that he has known Layton for eight years, and that he is qualified to conduct the operation.

Layton will operate one two-ton International truck, one 1941 Dodge one and one-half-ton truck, and one new Dodge truck which he is now purchasing. His net worth is approximately \$7,000.00.

Woodworth requests transfer of ten-mile tax deposit to account of transferee.

FINDINGS

THE COMMISSION FINDS:

That transferee has sufficient financial standing and operating experience to conduct the operation efficiently, and that the transfer should be authorized.

ORDER

THE COMMISSION ORDERS:

That Roy E. Woodworth, doing business as "Parker Transfer Company," Parker, Colorado, is hereby authorized to transfer all his right, title, and interest in and to all his remaining existing rights under PUC No. 37, as they hereafter may be determined, to Earl Layton, Parker, Colorado,

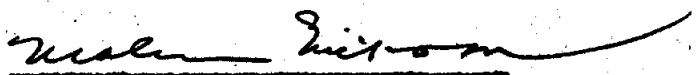
The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of this Commission.

That ton-mile tax deposit 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 26th day of February, 1946.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES LILEY AND SONS, BROOMFIELD,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 872 TO PETE MARCANTONIO)
AND JAMES CRIST, DOING BUSINESS AS)
"MARK-CRISTY," FREDERICK, COLORADO.)

APPLICATION NO. 3171-A

February 26, 1946

Appearances: Charles Liley, Broomfield, Colo-
rado, pro se;
Pete Marcantonio and
James Crist, Frederick, Colorado,
pro se;
Marion F. Jones, Esq., Denver,
Colorado, for Joe A. Sarmiento
and Sons.

S T A T E M E N T

By the Commission:

The above application was heard at Denver, Colorado, Febru-
ary 5, 1946.

The applicants, Charles Liley and Sons, seek authority to trans-
fer Certificate No. 872 to Pete Marcantonio and James Crist, doing busi-
ness as "Mark-Cristy," a co-partnership, of Frederick, Colorado.

By Decision No. 7594, under date of May 8, 1936, transferors
were granted a certificate of public convenience and necessity:

"For the transportation, not on schedule, of coal
from the Northern Colorado coal fields to markets;
for the transportation of livestock from point to
point (excepting Longmont) within a 10-mile radius
of Frederick, Colorado; and for the transportation
of used household goods and coal camp supplies be-
tween mining camps excluding towns served by 'Motor
Vehicle Carrier' service within a 20-mile radius of
Frederick, Colorado; and for the conduct of a gen-
eral local drayage service in and between the min-
ing camps of Frederick, Firestone, and Dacono; all
of which service is to be rendered for customers
residing within the above described area, and it is
understood that the applicants will not engage in
any transportation service of a competitive character

along the line of established common carriers operating from the above described area and, particularly, the operation conducted by the Milliken-Johnstown Truck Line, Inc., operating under Certificate No. 65; and service of Colorado Rapid Transit between Fort Lupton and Denver and points in said area."

The consideration for the transfer is \$500.00, which has been paid in full. There is no indebtedness of any kind against the operation.

Transferees propose to operate as equal co-partners. They have had sufficient experience in trucking operations to enable them to conduct the operation efficiently. The net worth of Pete Marcantonio appeared to be approximately \$15,400.00.

Transferees propose to live in Frederick, Colorado.

Under cross-examination by Marion F. Jones, attorney for protestant, Liley stated that he has headquartered at Broomfield for approximately the past four years, and has done little hauling at Frederick during that time. He said, however, that he had been willing to haul from Frederick, and that he has had requests from parties at Frederick to renew the service. There had been no intention on his part to abandon his certificate.

Joe A. Sarmiento testified that he was the owner of Certificate No. 1012; that he purchased it from Frank LaRoche, on August 1, 1945. He stated that in August, 1940, Frank LaRoche had operated two trucks, but that his business had increased so that he was operating four at the time protestant purchased the certificate.

At the present time, Sarmiento is operating three trucks. He further testified that at the time Liley moved out, it made more business for his operation. It was his opinion that there is not enough business for two certificate-holders.

By Decision No. 9041, of November 30, 1936, Frank LaRoche, predecessor of Sarmiento, was granted authority for:

"transportation of freight, generally, upon call and demand, from point to point within a radius of four miles of Frederick, Colorado, and between points in said area and all other points in the State of Colorado; provided, however, that the applicant shall not engage in the transportation of merchandise and machinery from Denver jobbers, wholesalers, mail order houses, and machinery houses, nor engage in the transportation of milk and dairy supplies in competition with the service now being rendered by the Colorado Rapid Transit Company, and in all events, move-

ments made by applicant shall originate within the four-mile area around Frederick, or terminate within this area."

Transferees have sufficient financial ability and operating experience to conduct the proposed operation efficiently, and in the opinion of the Commission, the transfer should be authorized, and the Commission so finds.

ORDER

THE COMMISSION ORDERS:

That Charles Liley and Sons, Broomfield, Colorado, are hereby authorized to transfer all their right, title, and interest in and to PUC No. 872 to Pete Marcantonio and James Crist, doing business as "Mark-Cristy," Frederick, Colorado.

The tariff of rates, rules and regulations of transferors shall become and remain those of transferees until changed according to law and the rules and regulations of this 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 February, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JOHN AND BERTHA ROBERTS, OF 218)
E. 10th, LEADVILLE, COLORADO.) PERMIT NO. C-16487
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John and Bertha
Roberts of Leadville, Colorado,
requesting that his Permit No. C-16487 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 Permit No. C-16487 heretofore issued
to John and Bertha Roberts, be,
and the same is hereby, declared cancelled effective January 14, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewy D. Shawan

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
W. W. CROCKER, OF P O BOX 57,)
CANON CITY, COLORADO.)
)
)
)
)
-----)
)

PERMIT NO. C-16537

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
W. W. Crocker-----of Canon City, Colorado,
requesting that his Permit No. C-16537-----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 Permit No. C-16537-----heretofore issued
to W. W. Crocker,-----be,
and the same is hereby, declared cancelled effective January 1, 1946,

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw

Malcolm Erickson

Ralph C. Hinton

Commissioners

Dated at Denver, Colorado,
this 26th day of February, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ERNEST L. WARD, OF P O BOX)
253, STERLING, COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-16549

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Ernest L. Ward of Sterling, Colorado,
requesting that his Permit No. C-16549 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 Permit No. C-16549 heretofore issued
to Ernest L. Ward, be,
and the same is hereby, declared cancelled effective January 16, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown
Malcolm Erickson
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 26th day of February, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT A. CRABTREE, OF MESA,)
COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-16638

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Robert A. Crabtree of Mesa, Colorado,
requesting that his Permit No. C-16638 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 Permit No. C-16638 heretofore issued
to Robert A. Crabtree, be,
and the same is hereby, declared cancelled effective February 2, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phelan

Malcolm Erickson

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD W. CURTIS, OF ROUTE)
2, BOX 34, PLATTEVILLE, COLO-)
RADO.) PERMIT NO. C-16649
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Harold W. Curtis of Platteville, Colorado,
requesting that his Permit No. C-16649 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 Permit No. C-16649 heretofore issued
to Harold W. Curtis, be,
and the same is hereby, declared cancelled effective January 22, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shouman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946
R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)

H. C. LONG, 816 S. 2nd,
CANON CITY, COLORADO.)

PERMIT NO. C-16563

February 26, 1946

S T A T E M E N T

By the Commission:

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

H. C. Long of Canon City, Colorado

requesting that his Permit No. C-16563 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 Permit No. C-16563 heretofore issued

to H. C. Long, ... be,

and the same is hereby, declared cancelled effective January 23, 1946

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT Z. WHATLEY, JR., 408)
W. 1st ST., LA JUNTA, COLORADO.)
)
)
-----)

PERMIT NO. C-16600

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Robert Z. Whatley, Jr. of La Junta, Colorado,
requesting that his Permit No. C-16600 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 Permit No. C-16600 heretofore issued
to Robert Z. Whatley, Jr., be,
and the same is hereby, declared cancelled effective January 22, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phares

Melcom Erickson

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 26th day of February, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
DELFINO GARCIA, BOX 36,)
CONEJOS, COLORADO.)
) PERMIT NO. C-16679
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Delfino Garcia of Conejos Colorado,
requesting that his Permit No. C-16679 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 Permit No. C-16679 heretofore issued
to Delfino Garcia, be,
and the same is hereby, declared cancelled effective January 12, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shuman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
TED TANAKA, 207 S. MAIN ST.,)
ROCKY FORD, COLORADO.)

PERMIT NO. C-16707

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from

Ted Tanaka of Rocky Ford, Colorado,

requesting that his Permit No. C-16707 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 Permit No. C-16707 heretofore issued to Ted Tanaka, be, and the same is hereby, declared cancelled effective January 14, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES M. HAMBELTON, OF)
BOX 15, WEST END STATION,)
COLORADO SPRINGS, COLORADO.) PERMIT NO. C-16735
-----)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Charles M. Hambelton ----- of Colorado Springs Colorado,
requesting that his Permit No. C-16735 ----- 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 Permit No. C-16735 ----- heretofore issued
to Charles M. Hambelton, ----- be,
and the same is hereby, declared cancelled effective January 16, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Shuman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE COUNCILMAN, OF 2075)
S. ZUNI ST., DENVER 10, COLO.) PERMIT NO. C-16747
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Clarence Councilman of Denver, Colorado,
requesting that his Permit No. C-16747 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 Permit No. C-16747 heretofore issued
to Clarence Councilman, be,
and the same is hereby, declared cancelled effective January 18, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phowman

Malcolm Erickson

Rochester C. Johnston

Commissioners

Dated at Denver, Colorado,
this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES H. BOWMAN, GENERAL)
DELIVERY, MOJAVE, CALIFORNIA.)
)
)
)
-----)

PERMIT NO. C-16797

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
James H. Bowman of General Delivery Mojave, California
requesting that his Permit No. C-16797 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 Permit No. C-16797 heretofore issued
to James H. Bowman, be,
and the same is hereby, declared cancelled effective January 19, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Bowman
Malcolm Erickson
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 26th day of February, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
T. DARRELL AND MAX L. BARKLEY,)
CRIPPLE CREEK, COLORADO.)
)
)
)
-----)

PERMIT NO. C-16800

Feb. 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from T. Darrell and
Max L. Barkley of Cripple Creek, Colorado,
requesting that his Permit No. C-16800 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 Permit No. C-16800 heretofore issued
to T. Darrell and Max L. Barkley, be,
and the same is hereby, declared cancelled effective February 6, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

LeRoy D. Bowman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. J. FARLEY, P O BOX 40,)
GARDEN CITY, KANSAS.) PERMIT NO. C-15877
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
C. J. Farley of Garden City, Kansas,
requesting that his Permit No. C-15877 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 Permit No. C-15877 heretofore issued
to C. J. Farley, be,
and the same is hereby, declared cancelled effective February 1, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phouman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 26th day of February, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
B. L. AUSTIN, 400 W. 1st St.,)
JULESBURG, COLORADO.)

PERMIT NO. C-219

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
B. L. Austin of Julesburg, Colorado
requesting that his Permit No. C-219 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 Permit No. C-219 heretofore issued
to B. L. Austin, ... be,
and the same is hereby, declared cancelled effective January 10, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcom Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH PECHARICH, OF GUNNISON,)
COLORADO.) PERMIT NO. C-724
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Joseph Pecharich of Gunnison, Colorado,
requesting that his Permit No. C-724 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 Permit No. C-724 heretofore issued
to Joseph Pecharich, be,
and the same is hereby, declared cancelled effective January 16, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry R. Blomman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
HUBERT MASSMAN, HOLYOKE,)
COLORADO.)
) PERMIT NO. C-3254
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Hubert Massman of Holyoke, Colorado,
requesting that his Permit No. C-3254 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 Permit No. C-3254 heretofore issued
to Hubert Massman, be,
and the same is hereby, declared cancelled effective January 1, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
F. M. ODELL, OF ROUTE 2,)
WRAY, COLORADO.)
) PERMIT NO. C-5121
)
)
)
-----)

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
F. M. Odell-----of Wray-----Colorado-----,
requesting that his Permit No. C-5121-----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 Permit No. C-5121-----heretofore issued
to-----F. M. Odell,-----be,
and the same is hereby, declared cancelled effective January 31, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shouman

Malcom Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
O. W. DRODT, WETMORE, COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-6155

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
O. W. Drodt.....of.....Wetmore....., Colorado.....,
requesting that his Permit No. C-6155.....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 Permit No. C-6155.....heretofore issued
to.....O. W. Drodt,.....be,
and the same is hereby, declared cancelled effective January 24, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawan

Malcom Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
OLIN CAMPER, OF WESTCLIFFE,)
COLORADO.)
)
)
-----)

PERMIT NO. C-7085

February 26, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Olin Camper of Westcliffe, Colorado,
requesting that his Permit No. C-7085 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 Permit No. C-7085 heretofore issued
to Olin Camper, be,
and the same is hereby, declared cancelled effective December 31, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 26th day of February, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE COMPLAINT
OF VINCENT M. NOLAN AGAINST
THE CITY AND COUNTY OF DENVER.

CASE NO. 4931

Appearances: Worth Allen, Esq., and Gorsuch &
Kirgis, Esqs., Denver, Colorado,
Attorneys for Plaintiff,
Malcolm Lindsey, Esq., and Glenn
G. Saunders, Esq., Attorneys for
Defendant.

March 23, 1946

S T A T E M E N T

By the Commission:

The above proceeding was commenced on September 22, 1945, upon the complaint of Vincent M. Nolan against the City and County of Denver. On October 8, 1945, this Commission issued its order directed to the defendant to satisfy or answer the complaint. On October 31, 1945, the defendant filed its motion to dismiss the complaint.

The defendant's motion to dismiss was set for argument before the Commission on December 14, 1945, and, at the conclusion of the oral argument, the parties requested opportunity to file briefs. Such briefs have now been filed.

After considering the argument of counsel for both parties, and the briefs, it appears that a great many of the arguments on both sides are based upon facts which the parties contend to exist and many of which are not admitted by the opposing side. The Commission is of the opinion, and so finds, that it is not in a position at this time to pass upon the motion to dismiss, and that a ruling thereon should be deferred until final decision, and that the defendant should be required to answer.

ORDER

IT IS ORDERED:

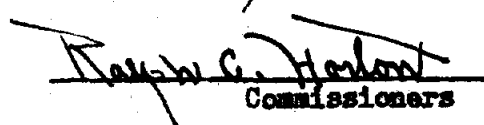
That a ruling upon defendant's motion to dismiss be, and the same hereby is, deferred until the final decision in this matter.

That the defendant be required to file its answer to the complainant's complaint within twenty (20) days from the date hereof.

**THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**






Commissioners

DATED at Denver, Colorado,
this 28th day of March, 1946.

ENC

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE
CITY COUNCIL OF THE CITY OF SALIDA, COLO-
RADO FOR OPENING OF A PUBLIC HIGHWAY OVER
THE RIGHT OF WAY AND TRACK OF THE DENVER
AND RIO GRANDE WESTERN RAILROAD COMPANY
AT A POINT ON THE GUNNISON BRANCH OF THE
MAIN LINE OF SAID RAILROAD WHEREIN SEVENTH
STREET IN THE CITY OF SALIDA, COLORADO,
IF PROJECTED WOULD CROSS SAID RIGHT OF WAY
BEING LOCATED IN THE NORTHWEST QUARTER
(NW $\frac{1}{4}$) OF SECTION FIVE (5), IN TOWNSHIP
FORTY-NINE (49) NORTH, RANGE NINE (9),
EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN.

APPLICATION NO. 7291

February 25, 1946

Appearances: William S. Rush, Esq., City Attorney
of the City of Salida, Colorado,
for the Applicant;
T. R. Woodrow, Esq., and T. A. White,
Esq., Denver 2, Colorado, for
Trustees of The Denver and Rio
Grande W. R. Company;
A. F. Hewitt, State Highway Engineer
for the State Highway Department
of the State of Colorado, for
State Highway Department.
E. B. Evans, Esq., for the Commission.

STATEMENT

By the Commission:

On December 20, 1945, the City Council of the City of Salida, Colorado, filed its application with this Commission for an order requiring Wilson McCarthy and Henry Swan, as Trustees of The Denver and Rio Grande Western Railroad Company, to open and establish a public road crossing in the City of Salida, Colorado, over the right of way and main line track of the Gunnison Branch of The Denver and Rio Grande Western Railroad Company at a point where West Seventh Street in the said City of Salida, if extended in a westerly direction, would intersect and cross said right of way and main line track in the NW $\frac{1}{4}$ of Section 5, Township 49 N., Range 9 E., of the N. M. Principal Meridian.

Copies of said application were served upon said Trustees and upon the State Highway Department of the State of Colorado.

Mr. A. F. Hewitt, State Highway Engineer of the said State Highway Department, has replied, by letter dated January 2, 1946, addressed to this Commission, that the State Highway Department has no jurisdiction over the matter involved for the reason that Seventh Street in the City of Salida is not a part of the State Highway System.

Mr. T. R. Woodrow, General Attorney for the Trustees, has advised this Commission in writing that the Trustees have no objection to the establishment of a crossing at grade at the location stated above.

All the parties hereto have consented to the issuance of an order herein upon the record as now made, without the necessity of holding a formal hearing, and the Commission finds that this matter should be disposed of upon said record without the necessity of holding such public hearing.

It appears from the record herein that there is a public crossing, at grade, at Fifth Street in said City of Salida, and that, if the proposed crossing is installed at Seventh Street, the probabilities are that the traffic on Fifth Street would be lessened. However, it appears that Fifth Street is a crossing which is necessary for the convenience of the public and the citizens of Salida residing near that crossing. It also appears from the record that the public convenience and necessity require the opening of a crossing at Seventh Street in said City.

The expense of construction and maintenance of the highway, which is proposed to be constructed at said crossing of Seventh Street, should be borne by the applicant, and such expense should include construction and maintenance of said highway to the ends of the ties in the track of said Railroad, and the Trustees should bear the expense of constructing and maintaining the crossing planks and the crossing signs to be constructed at said crossing.

The Commission, therefore, finds that the construction of a

crossing, at grade, at the point where seventh Street, extended, intersects and crosses the main line track of the Gunnison Branch of The Denver and Rio Grande Western Railroad Company, in Salida, Colorado, will promote and safeguard the health and safety of the general public, and that the public convenience and necessity require such installation and construction upon the conditions above mentioned.

O R D E R

IT IS ORDERED:

That, in compliance with Section 29 of the Public Utilities Act, (Section 30, Chapter 137, 1935 C. S. A.), Wilson McCarthy and Henry Swan, as Trustees of The Denver and Rio Grande Western Railroad Company, be, and they hereby are, authorized, ordered, and directed to open a public highway crossing, at grade, at the point where Seventh Street, extended, would cross the right of way and main line track of the Gunnison Branch of The Denver and Rio Grande Western Railroad Company in the City of Salida, Colorado.

The expense incident to the construction and maintenance of said highway crossing shall be borne and paid for as follows: The Trustees shall bear and pay for the expense incident to the installing and maintaining of crossing planks and the customary railroad crossing signs at said crossing; and the applicant, the City of Salida, shall bear and pay for the constructing and maintaining of said highway on each side of said main line track to the ends of the ties in said track.

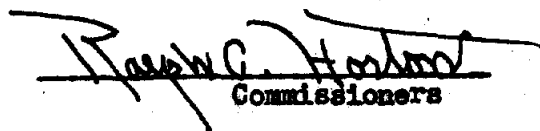
This order shall become effective ten (10) days after the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

DATED at Denver, Colorado,
this 25th day of February, 1946.






Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY
THE DENVER AND SALT LAKE RAILWAY
COMPANY ON TWO CARLOADS OF COAL
FROM PINNACLE, COLORADO, TO THE
DENVER COMMUNITY CHEST.

} MISCELLANEOUS DOCKET NO. 214

February 26, 1946

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 February 23, 1946, requesting authority to transport two carloads of coal from Pinnacle, Colorado, to Denver, Colorado, free of charge, on account of charity.

The shipments in question have been donated by one of the operators on the line of The Denver and Salt Lake Railway Company for use of various agencies of The Denver Community Chest, a charitable institution, and the Chest Office Building, and are 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 two carloads of coal from Pinnacle, Colorado, consigned to the Denver Community Chest, in care of the United Fuel & Equipment Company, Denver, Colorado.

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 26th day of February, 1946

JH

THE DENVER AND SALT LAKE RAILWAY CO.

822 DENVER NATIONAL BUILDING

ZONE 2

DENVER, COLORADOF. J. TONER
TRAFFIC MANAGERF. H. BOOTH
ASST. TO TRAFFIC MANAGER

6
1
Dec. 25 636
m W. 214

February 23, 1946.
File: 35-2

The Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.



Gentlemen:

Two cars of coal have been donated by one of the operators on our line to the Denver Community Chest, a charitable institution, for the benefit of the different Chest Agencies and the Chest Building. These cars will be consigned to the Denver Community Chest in care of the United Fuel & Equipment Co., Denver.

We shall be pleased to haul these cars of coal free of charge on account of charity from the mine at Pinnacle, 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,

F. J. Toner

G:s

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
FRANK R. LA BATE AND PEGGY A. LA)
BATE, HARRY L. KIRKHART AND GERTRUDE)
KIRKHART, WILLIAM MONTOYA, TIMOTHY)
GISNEROS AND LUPE GISNEROS, LOUISE)
VEGAS, WILLIAM C. LANE, JAMES A.)
MCGINN, ELVIRA B. GARCIA AND)
BERTHA EWELL, WILLIAM L. SNEAD, JOHN)
HENSON, AND LLOYD ACE, FOR LEAVE TO)
CONNECT WITH THE NORTH FEDERAL WATER)
SYSTEM AND TO REQUIRE SAID SYSTEM TO)
FURNISH WATER.)

APPLICATION NO. 7000
Supplemental order.

February 25, 1946.

Appearances: Whitehead and Vogl, Patterson
Building, Denver, Colorado,
for applicants;
Lee, Shaw and McCreery, Esqs., First
National Bank Building, Denver,
Colorado, for Respondent.

S T A T E M E N T

By the Commission:

On February 14, 1946, Decision No. 25523 was entered in the above matter, denying application for rehearing, and providing that said decision should become effective ten (10) days from the date thereof.

The Commission is now in receipt of a letter from Lee, Shaw and McCreery, under date of February 18, 1946, requesting an extension of the effective date of said decision from ten to thirty days.

In view of oral statements made by Charles J. Kelly, of Lee, Shaw, and McCreery, to the effect that Mr. McCreery was called suddenly out of the city, and Mr. Bryans, also of the firm, is out of the city, the Commission finds that the second paragraph of the order contained in said Decision No. 25523 should be amended to read as follows:

"That this decision shall become effective twenty
(20) days from the date hereof."

O R D E R

THE COMMISSION ORDERS:

That the second paragraph of the Order contained in Decision No. 25523 is hereby amended to read as follows:

"That this decision shall become effective twenty (20) days from the date hereof."

That said Decision No. 25523, in all other respects, shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


R. D. Korman


William E. Korman


Ralph C. Korman
Commissioners.

Dated at Denver, Colorado,
this 25th day of February, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE HEINRICH, OF 3720 DOWNING) PERMIT NO. B-2721
ST., DENVER 5, COLORADO.)

February 28, 1946

S T A T E M E N T

By the Commission:

On March 27, 1944, by Decision No. 22117, the Commission authorized the above-named permittee to suspend operations under his private carrier permit No. B-2721 for the duration of the war and six months, from March 23, 1944, as he was entering the Armed Forces of the United States.

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

F I N D I N G S

THE COMMISSION FINDS:

That Permit B-2721 should be reinstated, as of February 14, 1946

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-2721, heretofore issued to George Heinrich, be, and the same hereby is, reinstated as of February 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 28th day of February, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS)
OF MATHREW PELZ AND DONALD COOPER,) P.U.C. 505
OF ROGGEN, COLORADO.)

February 28, 1946

S T A T E M E N T

By the Commission:

On June 11, 1942, by Decision No. 19023, the Commission authorized the above-named certificate holders to suspend operations under their certificate of public convenience and necessity, namely, PUC 505, "for the duration and six months thereafter, from June 1, 1942.

The Commission is now in receipt of a communication from said certificate holders, requesting that their certificate be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

That PUC 505 should be reinstated, as of January 5, 1946.

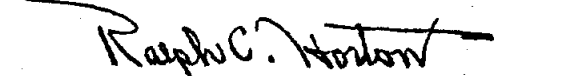
O R D E R

THE COMMISSION ORDERS:

That PUC 505, heretofore issued to Mathew Pelz and Donald Cooper, doing business as Pelz and Cooper, be, and the same is hereby, reinstated as of January 5, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 28th day of February, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ALMA FEASTER, DOING BUSINESS)
AS O K PACKING COMPANY, OF)
P O BOX 252, GOODLAND, KANSAS)
)
)
-----)

PERMIT NO. C-7104

F March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Alma Feaster
d/b/a O K Packing Company of Goodland, Kansas,
requesting that his Permit No. C-7104 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 Permit No. C-7104 heretofore issued
to Alma Feaster, doing business as O K Packing Company, be,
and the same is hereby, declared cancelled effective January 13, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES J. HATHOOT, DOING BUSI-)
NESS AS C & H GROCERY, OF 126)
WEST MAIN, TRINIDAD, COLORADO.)
-----)

PERMIT NO. C-7491

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Charles J. Hathoot,
d/b/a C & H Grocery of Trinidad, Colorado,
requesting that his Permit No. C-7491 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 Permit No. C-7491 heretofore issued
to Charles J. Hathoot d/b/a C & H Grocery, be,
and the same is hereby, declared cancelled effective January 2, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewy R. Peterson

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
D. T. SCHNER, OF 110 N. GRAND,)
PUEBLO, COLORADO.)
)
)
)
-----)

PERMIT NO. C-7601

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
D. T. Schneder.....of Pueblo....., Colorado.....,
requesting that his Permit No. C-7601.....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 Permit No. C-7601.....heretofore issued
to.....D. T. Schneder,.....be,
and the same is hereby, declared cancelled effective January 29, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewis D. Shaw

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 5th day of March, 1946
R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
LEE KING, OF KREMMLING, COLO-)
RADO.)
)
)
)
-----)

PERMIT NO. C-7927

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Lee King of Kremmling, Colorado,
requesting that his Permit No. C-7927 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 Permit No. C-7927 heretofore issued
to Lee King,
and the same is hereby, declared cancelled effective January 11, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Parker

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JACK HOSKINSON, OF 422 E.)
PROSPECT, FT. COLLINS, COLO-)
RADO.) PERMIT NO. C-8545
)
)
)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Jack Hoskinson-----of Ft. Collins, Colorado-----,
requesting that his Permit No. C-8545-----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 Permit No. C-8545-----heretofore issued
to Jack Hoskinson,-----be,
and the same is hereby, declared cancelled effective July 1, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
R. L. ATWOOD, OF 806 MAIN ST.,)
FORT MORGAN, COLORADO.)
)
)
)
-----)

PERMIT NO. C-9589

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
R. L. Atwood ----- of Fort Morgan, Colorado -----,
requesting that his Permit No. C-9589 ----- 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 Permit No. C-9589 ----- heretofore issued
to ----- R. L. Atwood, ----- be,
and the same is hereby, declared cancelled effective January 21, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Bowman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANCIS TUCK, OF IDAHO SPRINGS,) PERMIT NO. A-818
COLORADO.)

February 28, 1946

S T A T E M E N T

By the Commission:

On March 31, 1943, by Decision No. 20714, the Commission authorized the above-named permittee to suspend operations under his private carrier permit No. A-818 for the duration of the war and six months, from March 26, 1943, as he had entered the Armed Forces.

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

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. A-818 should be reinstated, as of February 9, 1946.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-818, heretofore issued to Francis Tuck, be, and the same is hereby, reinstated as of February 9, 1946,

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 28th day of February, 1946.

R

(Decision No. 25647)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK V. SANDOVAL, 4015 KALAMATH)
STREET, DENVER 11, COLORADO.)

PERMIT NO. B-3103

March 1, 1946.

S T A T E M E N T

By the Commission:

On October 29, 1945, by Decision No. 25041, Permit No. B-3103 was suspended for a period of six months from August 17, 1945. The Commission is now in receipt of a communication from the holder of said permit requesting a further suspension of said permit for a period of six months.

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

O R D E R

IT IS ORDERED:

That Frank V. Sandoval, of Denver, Colorado, be, and he is hereby, authorized to suspend his operations under Permit B-3103 for a period of not to exceed six months from February 17, 1946

That unless said Frank V. Sandoval, of Denver, Colorado, 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

R. J. Sandoval
Maer Erickson
Ralph C. Norton
Commissioners.

Dated at Denver, Colorado,
this 1st day of March, 1946.
BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
R. D. MILLER, ROUTE 1, BOX 443,
ARVADA, COLORADO, FOR A CLASS "B"
PERMIT TO OPERATE AS A PRIVATE
CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 7075-PP
SUPPLEMENTAL ORDER

March 1, 1946

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at Denver, Colorado, September 27, 1945, 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, and by Decision No. 25490 of date February 5, 1946, said application was dismissed for lack of prosecution.

The Commission is now in receipt of a communication from applicant, stating that he was unable to attend hearing on September 27, and requesting that said application be reset for hearing.

Findings

The Commission Finds:

That Decision No. 25490, insofar as it relates to the instant application, should be set aside, vacated, and held for naught; that said application should be reset for hearing, as provided in the Order following.

ORDER

THE COMMISSION ORDERS:

That Decision No. 25490, of date February 5, 1946, insofar as it relates to the instant application, be, and the same hereby is, set aside, vacated, and held for naught.

That said application be, and the same hereby is, reset for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at 10:00 o'clock A.M., Tuesday, March 19, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

R. O. Shuman

Walter E. Smith

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 1st day of March, 1946

JH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
E. L. AND C. B. BODDY, DOING)
BUSINESS AS BODDY COAL COMPANY,)
OF ROUTE 6, BOX 323, DENVER,) PERMIT NO. C-12105
14, COLORADO.)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from E. L. and C. B.
Boddy d/b/a Boddy Coal Company of Denver, Colorado,
requesting that his Permit No. C-12105 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 Permit No. C-12105 heretofore issued
to E. L. and C. B. Boddy d/b/a Boddy Coal Company, be,
and the same is hereby, declared cancelled effective January 31, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT M. STARKS, OF 1361)
OGDEN ST., DENVER 3, COLORADO.) PERMIT NO. C-10767
-----)
)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Robert M. Starks of Denver 3, Colorado,
requesting that his Permit No. C-10767 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 Permit No. C-10767 heretofore issued
to Robert M. Starks, be,
and the same is hereby, declared cancelled effective January 1, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawan

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. D. GARVER, OF ROUTE 1,)
FORT MORGAN, COLORADO.) PERMIT NO. C-10001
)
)
)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
C. D. Garver.....of Fort Morgan, Colorado.....,
requesting that his Permit No. G-10001.....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 Permit No. G-10001.....heretofore issued
to.....C. D. Garver,.....be,
and the same is hereby, declared cancelled effective January 11, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE SWANSON, OF 6125 W.)
38th AVENUE, WHEATRIDGE,)
COLORADO.) PERMIT NO. C-10968
)
)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
George Swanson-----of Wheatridge, Colorado-----,
requesting that his Permit No. C-10968-----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 Permit No. C-10968-----heretofore issued
to George Swanson,-----be,
and the same is hereby, declared cancelled effective January 7, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phowen

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD G. CARPENTER, OF)
ALAMOSA, COLORADO.) PERMIT NO. C-11107
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Harold G. Carpenter of Alamosa Colorado,
requesting that his Permit No. C-11107 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 Permit No. C-11107 heretofore issued
to Harold G. Carpenter, be,
and the same is hereby, declared cancelled effective January 3, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawan

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 5th day of March, 1946
R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN MONTELEONE, OF BOX 14,)
JANSEN, COLORADO.) PERMIT NO. C-11450
)
)
)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
John Monteleone of Jansen Colorado,
requesting that his Permit No. C-11450 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 Permit No. C-11450 heretofore issued
to John Monteleone, be,
and the same is hereby, declared cancelled effective January 12, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shouman

Malcolm Erickson

Ralph C. Houten
Commissioners

Dated at Denver, Colorado,

this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
I. H., S. L., P. E., AND PEARL)
ALBERT, DOING BUSINESS AS L.)
ALBERT & SONS, OF WHITEHEAD)
ROAD, TRENTON, NEW JERSEY.)
-----)

PERMIT NO. C-11907

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from I. H., S. L., P. E.,
and Pearl Albert d/b/a L. Albert & Sons of Trenton, New Jersey,
requesting that his Permit No. C-11907 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 Permit No. C-11907 heretofore issued
I. H., S. L., P.E., and Pearl Albert, doing business
to as L. Albert and Sons, be,
and the same is hereby, declared cancelled effective January 7, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
E. H. BENSON, OF MEEKER,)
COLORADO.)
) PERMIT NO. C-12070
)
)
)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
E. H. Benson of Meeker, Colorado,
requesting that his Permit No. C-12070 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 Permit No. C-12070 heretofore issued
to E. H. Benson, be,
and the same is hereby, declared cancelled effective January 8, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 5th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD W. CURTIS, c/o H. O.)
TURNER, OF ROUTE 2, BOX 34,) PERMIT NO. B-3309
PLATTEVILLE, COLORADO.)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Harold W. Curtis
c/o H. O. Turner of Platteville, Colorado,
requesting that his Permit No. B-3309 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 Permit No. B-3309 heretofore issued
to Harold W. Curtis, c/o H. O. Turner, be,
and the same is hereby, declared cancelled effective January 22, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 194 ⁶

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
DON P. NOHR, 1903 SO. DOWNING)
STREET, DENVER 10, COLORADO.) PERMIT NO. B-3279
)
)
-----)

March 5, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
Don P. Nohr of Denver Colorado ,
requesting that his Permit No. B-3279 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 Permit No. B-3279 heretofore issued
to Don P. Nohr, ... be,
and the same is hereby, declared cancelled effective January 22, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shouman

Malcolm Erickson

Ralph C. Hinton

Commissioners

Dated at Denver, Colorado,

this 5th day of March, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
JOHN S. GRIFFITH, 427 WEST OAK ST.,
FORT COLLINS, COLORADO, FOR AUTHORITY
TO TRANSFER PUC NO. 376 TO RAY JEROME
AND KENNETH L. ROSS, COPARTNERS, 1634
SOUTH COLLEGE AVENUE, FORT COLLINS,
COLORADO.

APPLICATION NO. 1375-AA

March 5, 1946.

S T A T E M E N T

By the Commission:

By Decision No. 2366, of date July 8, 1929, Chris Christensen, Fort Collins, Colorado, was granted a certificate of public convenience and necessity authorizing:

a taxicab operation in and out of Fort Collins, Colorado, limited to a radius of not to exceed 75 miles of Fort Collins.

By Decision No. 20740, of date April 7, 1943, Chris Christensen was authorized to transfer said certificate of public convenience and necessity (PUC 376) to John S. Griffith, Fort Collins, Colorado.

By the instant application, John S. Griffith seeks authority to transfer said operating rights to Ray Jerome and Kenneth L. Ross, copartners, Fort Collins, Colorado.

Inasmuch as the files of the Commission and the verified 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 account of transferee; that there are no outstanding unpaid obligations against said operation, and it does not appear that any useful purpose would be served by setting said matter for formal hearing, there being no one, insofar as the files disclose, who could 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 John S. Griffith, Fort Collins, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 376 to Ray Jerome and Kenneth L. Ross, copartners, Fort Collins, Colorado.

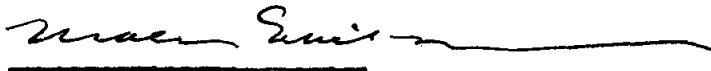
That tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

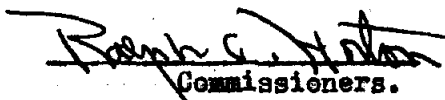
That passenger-mile tax deposit be transferred to account of transferees.

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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
EARL R. HUBBARD, DOING BUSINESS AS)
"HUBBARD TRANSFER & STORAGE," LA)
JUNTA, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 346 TO G. H.)
CORNELIUS, 106 WEST FIRST STREET,)
LA JUNTA, COLORADO.)

APPLICATION NO. 1302-AA

March 5, 1946.

Appearances: G. S. Cosand, Esq., La Plata,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

On May 3, 1929, by Decision No. 2170, A. R. McCune, doing business as "McCune Transfer Company," was granted a certificate of public convenience and necessity:

"For the conduct of a transfer, moving and general cartage business in the Counties of Otero, Bent and Crowley, in the State of Colorado, and for occasional service throughout the State of Colorado, and in each of the counties thereof,"

with the following restrictions:

- "(a) That in all transportation service, except household goods, when in competition with scheduled carriers, rates at least twenty per cent higher than those charged by scheduled carriers, must be charged.
- "(b) That no operations shall be on schedule between any points.
- "(c) That no branch office or agent shall be established or employed in any other town or city than La Junta for the purpose of developing business."

By Decision No. 19685, of date September 14, 1942, Arthur R. McCune was authorized to transfer said operating rights (PUC No. 346) to Earl R. Hubbard, doing business as "Hubbard Transfer and Storage," La Junta, Colorado.

Said Earl R. Hubbard, by the instant application, seeks authority

to transfer said operating rights to C. H. Cornelius, La Junta, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

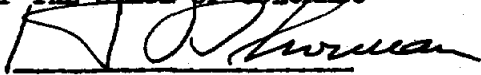
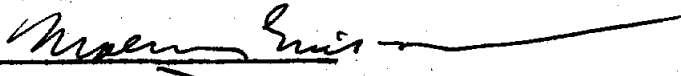
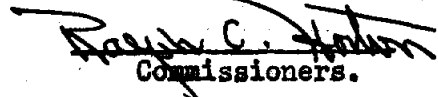
That Earl R. Hubbard, doing business as "Hubbard Transfer and Storage," La Junta, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 346 to C. H. Cornelius, La Junta, Colorado.

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

That 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 5th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
H. J. GILCHRIST, GENOA, COLORADO,)
FOR AUTHORITY TO TRANSFER PERMIT) APPLICATION NO. 3542-PP-BAA
NO. B-1701 TO W. G. GILCHRIST, OF)
GENOA, COLORADO.)

March 5, 1946.

S T A T E M E N T

By the Commission:

Heretofore, H. J. Gilchrist was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

farm products (no livestock) from ranches within a 15-mile radius of the ranch of H. J. Gilchrist, near Limon, Colorado, to markets at Genoa, Limon, Akron, and other points within a 50-mile radius of Limon, with back-haul of coal to customers residing within the 15-mile area above described; livestock, only, from and to ranches located within a 15-mile radius of the ranch home of Wesley Gilchrist, near Limon, Colorado, to and from Denver, Colorado, for listed customers residing within said area.

Said H. J. Gilchrist, by the instant application, seeks authority to transfer said operating rights (Permit No. B-1701) to W. G. Gilchrist, Genoa, Colorado.

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

ORDER

THE COMMISSION ORDERS:

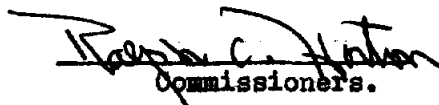
That H. J. Gilchrist, Genoa, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-1701 to W. G. Gilchrist, Genoa, Colorado.

That ten-mile tax deposit 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 5th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
HOWARD HOLGATE, BOX 73, CARBONDALE,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-1624 TO JOHN A.)
HEUSCHKE, CARBONDALE,)

APPLICATION NO. 2881-PP-BBA

March 5, 1946.

S T A T E M E N T

By the Commission:

By Decision No. 7622, of date May 11, 1936, as amended by Decision No. 8579, of date October 28, 1936, Howard Holgate was authorized to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of:

"farm products, road equipment and machinery, and farm supplies and equipment (including used household goods) from point to point within a radius of 15 miles of Carbondale, Colorado, and from and to points in said area, to and from any points in the State of Colorado, save and except that no authority is hereby granted to transport any commodities, except farm products in bulk, between towns, but all transportation of other commodities herein mentioned shall be from farm to farm, farm to town, and/or town to farm."

By Decision 10010, of date May 19, 1937, said authority was extended to include the right to transport:

"ore and concentrates, mining supplies and equipment and oil well supplies from point to point within a radius of twenty miles of Marble, Colorado, and from said area to and from other points in the State of Colorado."

By Decision No. 14586, of date January 4, 1940, said operating rights were further extended to include the right to transport:

"ore and concentrates, mining machinery, supplies, and equipment, from point to point within a ten-mile radius of Twin Lakes, and from any point in said area to Leadville and the Arkansas Valley smelter,

and from Leadville and Malta to said area; provided, however, that no operations shall be conducted by applicant in competition with the authority now held by Gately Motor Company."

Howard Holgate, by the instant application, seeks authority to transfer permit (No. B-1624) to John A. Heuschkel, Carbondale, Colorado.

Inasmuch as the files of the Commission and the application herein show that said permit is in good standing; that ten-mile tax has been paid; that ten-mile tax deposit is to be transferred to account of transferee; that there are no outstanding unpaid obligations against said operation; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, 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 could 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 Howard Holgate, Carbondale, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-1624 to John A. Heuschkel, Carbondale, Colorado.

That ten-mile tax deposit 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 5th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
RICHARD H. FLINT, DOING BUSINESS AS)
"CITY TRANSFER," 303 SOUTH SECOND)
STREET, LAMAR, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 1645 TO RAYMOND)
F. BAKER, DOING BUSINESS AS "CITY)
TRANSFER," LAMAR, COLORADO.)

APPLICATION NO. 6969-A

March 7, 1946.

S T A T E M E N T

By the Commission:

By Decision No. 24640, of date June 27, 1945, Richard H. Flint,
doing business as "City Transfer," Lamar, Colorado, was granted a certificate
of public convenience and necessity for:

the conduct of a general cartage transportation
service by motor vehicle for the pickup and
delivery of freight between points within the
area including the City of Lamar and adjacent
territory within a radius of one mile of the
limits of said City of Lamar.

Richard H. Flint herein seeks authority to transfer said operating
rights (PUC No. 1645) to Raymond F. Baker, doing business as "City Transfer,"
Lamar, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

That Richard H. Flint, doing business as "City Transfer," Lamar, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1645 to Raymond F. Baker, doing business as "City Transfer," Lamar, Colorado.

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

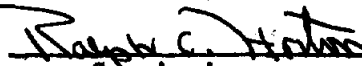
The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of the Commission.

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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
C. T. RUSSELL, LAMAR, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMIT NO.)
B-2531 TO GLEN KRIEG, JR., LAMAR,)
COLORADO.)

APPLICATION NO. 5161-PP-AA

March 7, 1946.

S T A T E M E N T

By the Commission:

C. T. Russell, Lamar, Colorado, who, pursuant to authority contained in Decision No. 25325, of date December 29, 1945, acquired Permit No. B-2531 from B. L. Yeates, authorizing the transportation of:

Loose hay, straw - loose and in bundles - beets and grain from farms located within the territory extending ten miles north, ten miles east, six miles south, and six miles west of Lamar, Colorado, to mill, elevator, dump, or market within the described area, with back-haul of ground feed to farms in said area; livestock from point to point within the described area,

herein seeks authority to transfer said operating rights to Glen Krieg, Jr., Lamar, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

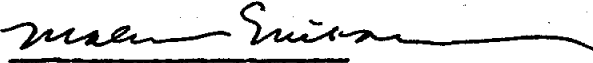
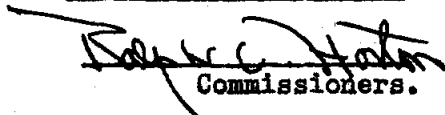
That C. T. Russell, Lamar, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-2531 to Glen Krieg, Jr., Lamar, Colorado.

That ton-mile tax deposit 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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
HARVEY C. EVANS, 5187 LOWELL BOULE-)
VARD, DENVER, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7307-PP

March 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 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 carriers' 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 Harvey C. Evans, 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.

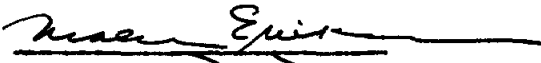
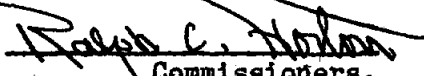
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
DAN CLARK, 3839 STUART STREET, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 7306-PP

March 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 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.

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 Dan Clark, 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 in said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

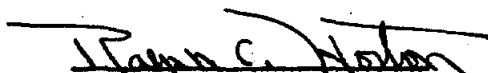
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 7th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
MERLIN L. FORBES, 1831 EAST 28th)
AVENUE, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7305-PP

March 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 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 in 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 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 Merlin L. Forbes, 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 in said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

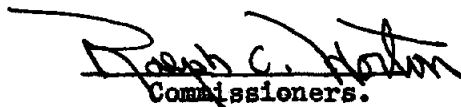
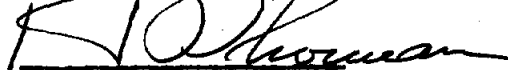
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 7th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ARTHUR COVEY AND HAROLD COVEY, EADS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 890 TO HAROLD L. COVEY,)
DOING BUSINESS AS "COVEY TRUCKS,")
EADS, COLORADO.)

APPLICATION NO. 3200-AA

March 7, 1946.

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Arthur Covey and Harold Covey, Eads, Colorado, who, pursuant to authority contained in Decision No. 16227, of date November 30, 1940, acquired PUC No. 890 (being the authority granted by Decision No. 7696, of date June 12, 1936), herein seek authority to transfer said operating rights to Harold L. Covey, doing business as "Covey Trucks", Eads, Colorado.

Inasmuch as the files of the Commission and the application herein show that said certificate is in good standing; that ton-mile tax deposit is to be transferred to account of transferee; that transferee, pecuniarily and otherwise, is qualified to carry on the operation, 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 could 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 transfer should be authorized, provided that transferee shall assume payment of \$155.53 ton-mile tax due, and shall assume payment of all outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Arthur Covey and Harold Covey, Eads, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 890, being the authority granted by Decision No. 7696, of date June 12, 1936, to Harold L. Covey, doing business as "Covey Trucks," Eads, Colorado, provided, however, that transferee shall assume payment of \$155.53 ton-mile tax due, and shall assume payment of all outstanding indebtedness, if any, against said operation.

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 the Commission.

That ton-mile tax deposit of transferors be transferred to 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 7th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
R. C. SMITH, 450 EAST PIKES PEAK)
AVENUE, COLORADO SPRINGS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 7304-PP

March 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 coal from Pike View Mine to points within a radius of ten miles of Colorado Springs, 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 R. C. Smith, 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 coal from Pike View Mine to points within a radius of ten miles of Colorado Springs, Colorado.

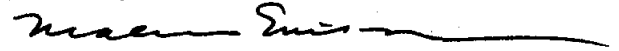
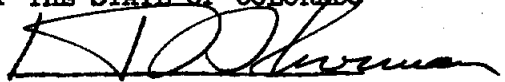
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 memorandum 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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
NELSON YOUNG, 621 SOUTH PERRY)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 7303-PP

March 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 sand, gravel, and other materials used in making up the surface of the roads, from pit 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.

O R D E R

THE COMMISSION ORDERS:

That Nelson Young, 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.

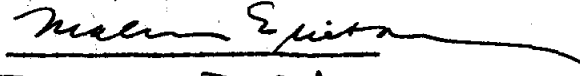
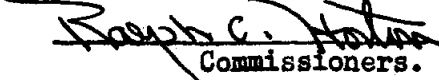
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ARTHUR LAWRENCE, 3977 VRAIN STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7302-PP

March 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 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; natural fertilizer between points within a radius of fifty 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 Arthur Lawrence, 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 and to points within a radius of five miles of Denver; natural fertilizer between points within a radius of fifty 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.

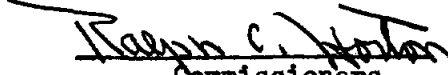
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

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

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
I. J. RICHMEIER, 2214 SOUTH KALAMATH)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 7300-PP

March 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 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 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 I. J. Richmeier, 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 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.

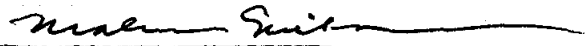
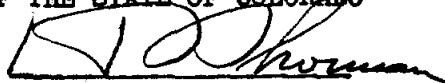
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 7th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
R. L. DANIELS, ROUTE 1, WHEATRIDGE,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 7299-PP
OPERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

March 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 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 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 objections 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 R. L. Daniels, Wheatridge, 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 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.

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

E. D. Roman

Wm. E. ...

Ralph C. ...
Commissioners.

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

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ALBERT EDEN, 1047 BANNOCK STREET,)
DENVER, COLORADO, FOR A CLASS "B") APPLICATION NO. 7298-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 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 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.

O R D E R

THE COMMISSION ORDERS:

That Albert Eden, 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 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.

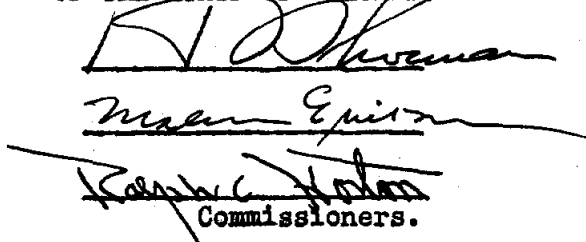
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 7th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
HENRY H. JANZEN, 2725 VINE STREET,)
DENVER, COLORADO, FOR A CLASS "B") APPLICATION NO. 7297-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 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 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.

O R D E R

THE COMMISSION ORDERS:

That Henry H. Jansen, 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.

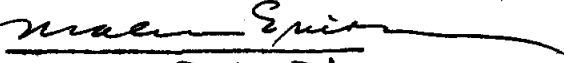
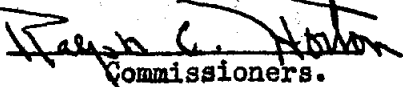
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
JOHN BAMRICK, J. P. BAMRICK, AND }
E. E. CARROLL, DOING BUSINESS AS }
"BAMRICK TRUCKING CO.," SCOTTSBLUFF, }
NEBRASKA, FOR AUTHORITY TO TRANSFER }
INTERSTATE OPERATING RIGHTS TO }
BAMRICK TRUCKING CO., SOUTH BROAD- }
WAY, SCOTTSBLUFF, NEBRASKA. }

PUC NO. 1351-I

March 7, 1946

S T A T E M E N T

By the Commission:

John Bamrick, J. P. Bamrick, and E. E. Carroll, doing business as "Bamrick Trucking Co.," Scottsbluff, Nebraska, who, pursuant to authority contained in Decision No. 22377, of date June 31, 1944, acquired PUC No. 1351-I from John Bamrick, Scottsbluff, Nebraska, herein seek authority to transfer said operating rights to Bamrick Trucking Co., a corporation, Scottsbluff, Nebraska.

The records and files of the Commission fail to disclose any reason why said transfer should not be authorized, provided transferee corporation shall assume payment of all outstanding indebtedness, if any, against said operation.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought should be granted, provided transferee shall assume payment of all outstanding indebtedness, if any, against said operation.

O R D E R

THE COMMISSION ORDERS:

That John Bamrick, J. P. Bamrick, and E. E. Carroll, doing business as "Bamrick Trucking Co.," Scottsbluff, Nebraska, be, and they hereby

are, authorized to transfer all their right, title, and interest in and to PUC No. 1351-I to Bamrick Trucking Co., a corporation, Scottsbluff, Nebraska, provided, however, that transferee shall assume payment of all outstanding indebtedness, if any, against said operation.

That said transfer is subject to the provisions of the Federal Motor Carrier Act of 1935.

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

That this order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

R. D. Shuman

Wm. E. Spivey

Ralph C. Johnson
Commissioners

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

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLYDE THOMAS, 4939 GROVE STREET,)
DENVER, COLORADO, TO EXTEND HIS OP-)
ERATIONS UNDER PERMIT NO. B-2588.)

APPLICATION NO. 6775-PP-B

March 7, 1946

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to extend his operations under Permit No. B-2588 to include the right to transport cement, in bulk only, from supply points in the State of Colorado to jobs within a radius of fifty miles of said 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 authority, 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 Clyde Thomas, Denver, Colorado, be, and he hereby is, authorized to extend his operations under Permit No. B-2588 to include the right to transport cement, in bulk only, from supply points in the State of Colorado to jobs within a radius of fifty miles of said supply points, excluding service in Boulder, Clear Creek, and Gilpin Counties.

This order is made a part of the permit granted to applicant,
and shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

H. J. Shuman

Walter E. Eason

Roy C. Norton
Commissioners

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

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROY VAUGHAN, OF GATEWAY,)
COLORADO.)

PERMIT NO. B-3011

March 7, 1946

S T A T E M E N T

By the Commission:

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

Roy Vaughan of Gateway, Colorado,

requesting that his Permit No. B-3011 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 Permit No. B-3011 heretofore issued

to Roy Vaughan, be,

and the same is hereby, declared cancelled effective December 20, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewis D. Brown

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 7th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LAWRENCE ROMARINE, OF 4841 CLAY)
STREET, DENVER 11, COLORADO.)
)
)
-----)

PERMIT NO. B-2759

March 7, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Lawrence Romarine-----of Denver-----, Colorado-----,
requesting that his Permit No. B-2759-----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 Permit No. B-2759-----heretofore issued
to-----Lawrence Romarine,-----be,
and the same is hereby, declared cancelled effective January 8, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Norton

Commissioners.

Dated at Denver, Colorado,

this 7th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
DAVID GILBERT, OF 1331 E. GRANT) P.U.C. 1411-I
AVENUE, CLAY CENTER, KANSAS.)

March 7, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from David Gilbert, of Clay Center, Kansas, requesting that his interstate certificate, namely, PUC 1411-I be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That PUC 1411-I, heretofore issued to David Gilbert, be, and the same is hereby, declared cancelled, effective February 2, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shaw
Malcolm Erickson
Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 7th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ALMERON DAVIS, 209 S. WAHSATCH)
AVENUE, COLORADO SPRINGS, COLO-)
RADO.)

P.U.C. 103

March 7, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Mrs.
Almeron Davis requesting that PUC 103, heretofore issued to Almeron Davis
(now deceased), be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

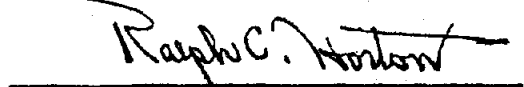
O R D E R

THE COMMISSION ORDERS:

That PUC 103, heretofore issued to Almeron Davis, be, and the
same is hereby, declared cancelled, effective October 27, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

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

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT H. ATKINSON, OF 3242 WEST) APPLICATION NO. 7189-PP
ALASKA, DENVER 9, COLORADO.)

March 7, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Robert H. Atkinson, requesting that his Class "B" permit, granted in Application No. 7189-PP, by Decision No. 25422, under date of January 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 in Application No. 7189-PP, by Decision No. 25422, under date of January 22, 1946, to Robert H. Atkinson, be, and the same is hereby, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phelan
Malcolm Erickson
Ralph C. Horton

Commissioners

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

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
L. E. HOCKETT AND R. L. GALL,)
OF 1714 - 7th AVE., GREELEY,)
COLORADO.)

PERMITS NOS. B-2935 and 2935-I

March 7, 1946

S T A T E M E N T

By the Commission:

On May 2, 1945, by Decision No. 24439, the Commission authorized L. E. Hockett to transfer all his right, title and interest, in and to Permits Nos. B-2935 and B-2935-I to L. E. Hockett and R. L. Gall.

The Commission is now in receipt of a communication from the above-named permittees requesting that the above-numbered authorities 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 Permits Nos. B-2935 and B-2935-I, heretofore issued to L. E. Hockett and R. L. Gall, by decision No. 24439, under date of May 2, 1945, be, and the same are hereby, declared cancelled, effective as of the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sullivan
Malcolm Erickson
Ralph C. Horton
Commissioners

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

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS)
OF IRIS HERBERTSON, OF 4855) PERMIT NO. B-2368
BEECH COURT, DENVER, COLORADO.)

March 4, 1946

S T A T E M E N T

By the Commission:

On October 3, 1942, by Decision 19782, the Commission granted Iris Herbertson authority to suspend operations under his private carrier permit B-2368 as he was entering the Armed Forces.

The Commission is now in receipt of a communication from 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-2368 should be, and the same hereby is, reinstated as of February 21, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Sherman

Malcom Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 4th day of March, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
R. W. HICKS, GENERAL DELIVERY, FORT)
LOGAN, COLORADO, FOR A CLASS "B") APPLICATION NO. 7301-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

March 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 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.

O R D E R

THE COMMISSION ORDERS:

That R. W. Hicks, Fort Logan, 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.

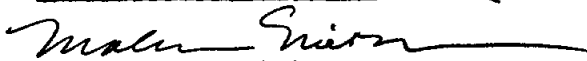
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
EARL AND G. A. PETERSON, DOING)
BUSINESS AS PETERSON TRUCKING,)
229 N. LOOMIS, FORT COLLINS, COLO-)
RADO.)

P.U.C. NO. 1472

March 8, 1946

S T A T E M E N T

By the Commission:

On August 18, 1945, by Decision No. 24834, the Commission authorized Earl and G. A. Peterson, doing business as Peterson Trucking, to suspend operations under PUC 1472 for a period of six months from July 22, 1945.

The Commission is now in receipt of a communication from G. A. Peterson stating that he has been unable to purchase a truck; that he has an order in for a new one but does not know when it will arrive, and requests an extension of his suspension period.

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 and G. A. Peterson, doing business as Peterson Trucking, be, and they hereby are, authorized to suspend operations under PUC 1472 until July 22, 1946.

That unless the above-named certificate holders shall, prior to the expiration of said suspension period, make a request in writing for the reinstatement of said certificate, file insurance, and otherwise comply with all

rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall be revoked without the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry S. Roman

Malcom Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF
C. E. BARNES AND C. C. BARNES,
DOING BUSINESS AS THE BARNES
TRUCK COMPANY, OF RIVERTON,
WYOMING.

PUC NO. 745-I

March 8, 1946

S T A T E M E N T

By the Commission:

On January 28, 1943, by Decision 20300, the Commission entered an order authorizing C. E. Barnes and C. C. Barnes, doing business as The Barnes Truck Company, to suspend operations under PUC No. 745-I until December 31, 1944, with the privilege of reinstatement. The order provided that unless the above-named certificate holders, prior to the expiration of said suspension period, made a request in writing for the reinstatement of said certificate, filed insurance, and otherwise complied with all rules and regulations of the Commission applicable to interstate certificates, said certificate would without further action by the Commission, be revoked without the right to reinstate.

The Commission is now in receipt of a communication, under date of January 14, 1946, from the Barnes Truck Company, as follows:

"Enclosed please find two copies of supplements showing that we have permission from the ICC to suspend this route until June 30, 1946.

"We hope that you will suspend our 745-I in line with the ICC order in order that it will be in good standing at the end of this suspension."

Our records show that the Colorado authority was suspended until December 31, 1944 and that the certificate was automatically cancelled, but correspondence in the file discloses that C. C. Barnes was discharged from the Navy in November of 1945 and was probably unaware of the fact that the suspension period had expired.

FINDINGS

THE COMMISSION FINDS:

That PUC 745-I, heretofore issued to C. E. Barnes and C. C. Barnes, doing business as the Barnes Truck Company, should be reinstated and suspended until June 30, 1946.

ORDER

THE COMMISSION ORDERS:

That PUC 745-I, heretofore issued to C. E. Barnes and C. C. Barnes, doing business as the Barnes Truck Company, be, and the same hereby is, reinstated as of the date of this order.

That said C. E. Barnes and C. C. Barnes be, and they are hereby, authorized to suspend their operations under PUC 745-I until June 30, 1946.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS)
OF FIDELIS WASINGER, OF 1339) PERMIT NO. B-3284
QUINCE ST., DENVER 7, COLO.)

March 6, 1946

S T A T E M E N T

By the Commission:

By Decision No. 25482, under date of January 25, 1946, the Commission authorized Fidelis Wasinger to suspend operations under his Permit No. B-3284 until June 13, 1946.

The Commission is now in receipt of a communication from 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-3284, heretofore issued to Fidelis Wasinger, 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. Shuman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 6th day of March, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. F. WOODARD, OF 1145 SHERMAN)
STREET, DENVER, COLORADO.)

PERMIT NO. B-2639

March 8, 1946

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 his permit No. B-2639 be suspended as he is not operating at the present time.

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. F. Woodard be, and he hereby is, authorized to suspend operations under Permit No. B-2639 until July 8, 1946.

That unless said C. F. Woodard 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. Silberman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN F. RANSFORD, OF MOSCA,) PERMIT NO. B-3191
COLORADO.)

March 8, 1946

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 his Permit No. B-3191 be suspended.

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 F. Ransford, be, and he is hereby, authorized to suspend operations under his Permit No. B-3191 until June 21, 1946.

That unless said John F. Ransford 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. Phowman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. E. VIGIL, OF TAGS, NEW)
MEXICO.)

PERMIT NO. B-3091-I

March 8, 1946

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 stating that at the present time he is not operating and he is waiting for the delivery of a new International 1½-ton truck.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. B-3091-I should be suspended for a period of six months.

O R D E R

THE COMMISSION ORDERS:

That J. E. Vigil, be, and he is hereby, authorized to suspend operations under his Permit No. B-3091-I until June 11, 1946.

That unless said J. E. Vigil 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 interstate 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. Shover

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN WOLFE, OF 132 W. 4th,) PERMIT NO. B-3036
FLORENCE, COLORADO.)

March 8, 1946

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 his Permit No. B-3036 be suspended "for the duration and 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 Wolfe, of 132 W. 4th, Florence, Colorado, be, and he is hereby, authorized to suspend operations under his Permit No. B-3036 for the duration of the war and six months from January 27, 1946.

That unless said John Wolfe 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 re-instate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Norton

Commissioners.

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
R. L. ATWOOD, OF 806 MAIN ST.,) PERMIT NO. B-2978
FORT MORGAN, COLORADO.)

March 8, 1946

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 his Permit No. B-2978 be suspended for a period of 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 R. L. Atwood be, and he is hereby, authorized to suspend operations under his Permit No. B-2978 until July 21, 1946.

That unless said R. L. Atwood 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. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF
CHARLES C. YOST, OF 1919 W.
32nd AVENUE, DENVER 11, COLORADO.)

PERMIT NO. B-2847

March 8, 1946

STATEMENT

By the Commission:

The Commission is in receipt of a communication from the above-named permittee, as follows:

"Please suspend B-2847 for six months from January 8, 1946."

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Charles C. Yost be, and he is hereby, authorized to suspend operations under his Permit No. B-2847 until July 8, 1946.

That unless said Charles C. Yost 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. Shuman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD L. HELWIG, OF 975 SOUTH)
CLARKSON, DENVER, COLORADO.)

PERMIT NO. B-2751

March 8, 1946

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 his permit No. B-2751 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 Howard L. Helwig be, and he is hereby, authorized to suspend operations under his Permit B-2751 until July 26, 1946.

That unless said Howard L. Helwig 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 minstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shoruman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. J. ANDREWS, OF 106 SOUTH GRAND)
AVENUE, PUEBLO, COLORADO.)

PERMIT NO. B-2352

March 8, 1946

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-2352 be suspended.

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 J. J. Andrews be, and he hereby is, authorized to suspend operations under Permit No. B-2352 until July 21, 1946.

That unless said J. J. Andrews 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 A. Shaw

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
HUBERT MASSMAN, OF HOLYOKE,) PERMIT NO. B-2262
COLORADO.)

March 8, 1946

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 his Permit No. B-2262 be suspended for a period of 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 Hubert Massman be, and he hereby is, authorized to suspend operations under Permit No. B-2262 until July 1, 1946.

That unless said Hubert Massman 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. Horton
Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. D. GARVER, OF ROUTE 1, FORT) PERMIT NO. B-2199
MORGAN, COLORADO.)

March 8, 1946

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 his Permit No. B-2199 be suspended for an additional six months' period as he is unable to secure equipment.

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. D. Garver be, and he hereby is, authorized to suspend operations under Permit No. B-2199 until June 4, 1946.

That unless said C. D. Garver 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. Brown

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
F. M. ODELL, ROUTE 2, WRAY, COLORADO.) PERMIT NO. B-1947

March 8, 1946

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 his Permit No. B-1947 be suspended.

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 F. M. Odell be, and he hereby is, authorized to suspend operations under Permit No. B-1947 until August 5, 1946.

That unless said F. M. Odell 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. Norton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
R. M. STARKS, OF 2121 - 16th) PERMIT NO. B-1560
STREET, DENVER, COLORADO.)

March 8, 1946

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 his Permit No. B-1560 be suspended for a period of 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 R. M. Starks be, and he hereby is, authorized to suspend operations under Permit No. B-1560 until July 1, 1946.

That unless said R. M. Starks 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. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
THEO H. ARMKNECHT, DOING BUSINESS)
AS AIRLINE EXPRESS, OF IDALIA,) PUC 1324
COLORADO.)

March 8, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-named certificate holder, requesting that his PUC No. 1324 be suspended for a period of 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 Theo H. Armknecht, doing business as Airline Express, be, and he is hereby, authorized to suspend operations under his certificate of public convenience and necessity, namely, PUC 1324, until July 22, 1946.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shorman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF
PATRICIO S. SANCHEZ, C/o Amadeo
Vigil, SAN LUIS, COLORADO.

APPLICATION NO. 7211-PP

March 8, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Patricio S. Sanchez, of San Luis, Colorado, requesting that his Class "B" permit, granted in Application No. 7211-PP, by Decision No. 25344, 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 in Application No. 7211-PP, by Decision No. 25344, under date of January 3, 1946, to Patricio S. Sanchez, be, and the same is hereby, 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 8th day of March, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. R. BECK, 1335 SOUTH SHERMAN ST.,)
DENVER, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-860 TO JAMES)
E. CHELF, DOING BUSINESS AS "JIM)
CHELF," 2950 SOUTH LOGAN STREET,)
DENVER, COLORADO.)

APPLICATION NO. 7253-PP-A
SUPPLEMENTAL ORDER

March 9, 1946

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Since entry of Decision No. 25606, of date February 21, 1946, in the above matter, and on February 28, 1946, the Commission received a letter from Transferor E. R. Beck, stating that Transferee Chelf had posted his own ton-mile tax deposit, and requesting that the tax deposit of Beck, which was ordered in said decision to be transferred to the account of transferee, be returned to Transferor Beck.

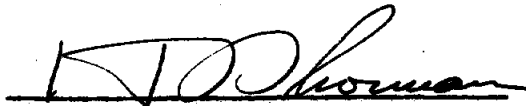
In view of said request, the Commission finds that ton-mile tax deposit of E. R. Beck be returned to him, forthwith.

O R D E R

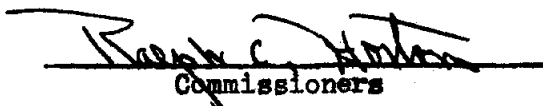
THE COMMISSION ORDERS:

That ton-mile tax deposit of E. R. Beck be returned to him forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 9th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELDON E. ROGERS, ROUTE 2, BOX 386,)
PUEBLO, COLORADO, FOR EXTENSION OF)
PERMIT NO. A-1181.)

APPLICATION NO. 2689-PP-AB
SUPPLEMENTAL ORDER

March 9, 1946.

Appearances: Eldon E. Rogers, Pueblo, Colo-
rado, pro se;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Stor-
age Company.

S T A T E M E N T

By the Commission:

By Decision No. 25529, of date February 16, 1946, authority of Eldon E. Rogers, Pueblo, Colorado, under Permit No. A-1181, was extended, operating rights being set forth in the Order contained in said Decision No. 25529.

It now appears that in said statement of operating rights, transportation of feed was erroneously included, such authority having been eliminated by Decision No. 16198, of date November 27, 1940.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 25529 should be amended to properly show authority of Eldon E. Rogers under Permit No. A-1181, as set forth in the Order following:

O R D E R

THE COMMISSION ORDERS:

That Decision No. 25529 be, and the same hereby is, amended, by striking the second paragraph contained in the Order thereof, and inserting in lieu thereof, the following:

"Milk and cream over U. S. Highway No. 50 and Colorado Highway No. 96 and tributary county roads for customers residing on farms within the area extending thirty miles east and west, and ten miles north and south of Pueblo, with back-haul of empty milk cans."

That Decision No. 25529, 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 9th day of March, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
GLEN O. KELLOGG, DOING BUSINESS)
AS EASTERN COLORADO EXPRESS, OF)
4428 SO FOX ST., ENGLEWOOD,)
COLORADO.)

PERMIT NO. A-711

March 6, 1946

S T A T E M E N T

By the Commission:

On May 15, 1942, the Commission authorized Glen O. Kellogg, doing business as Eastern Colorado Express, to suspend operations under his Permit No. A-711 "for the duration and six months from April 28, 1942."

The Commission is now in receipt of a communication from 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. A-711, heretofore issued to Glen O. Kellogg, doing business as Eastern Colorado Express, be, and the same is hereby, reinstated as of the date of this order.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewy D. Shawan
Malcom Erickson
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,
this 6th day of March, 1946.

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RATES ON MOVEMENTS OF
HOUSES.

)
)

CASE NO. 1585

March 12, 1946

Appearances: Ray Smith, Denver, Colorado,
for The Colorado Motor
Carriers' Association;
Earl Harris, 1932 Blake Street,
Denver, Colorado, for North
Park Transportation Company;
George A. Dawson, Superintendent,
1521 20th Street, Denver,
Colorado, for Duffy Moving
and Storage Company;
Ralph South, Ordway, Colorado,
pro se;
C. J. Moynihan, Esq., Montrose,
Colorado, for Chester W.
Yates.

S T A T E M E N T

By the Commission:

On December 13, 1945, by Decision No. 25254, the Commission, on its own motion, reopened Case No. 1585, relative to rates for the transportation of houses by motor vehicle carriers.

Hearings were had in Denver, Colorado, on December 27, 1945, and at Delta, Colorado, on February 19, 1946.

At the Denver Hearing, Mr. South, of Ordway, Colorado, testified to a considerable extent relative to the various conditions surrounding the movements of houses. Each house movement is different -- that is, each house presents its own peculiarities and problems.

It appears that when a moving job comes up for consideration, it is necessary to make a survey of the road conditions existing between the origin and destination, to determine what obstructions, if any, must be overcome. Next comes the work of preparing the house so that a truck, or trucks, may be placed under same, which preparation may take two or

three hours, or two or three days -- according to all the circumstances surrounding the movement. Next comes the actual moving over the road, which requires in addition to the driver, flagmen to insure the safety of the movement.

This class of traffic is of such a nature that it is not susceptible to the rates the Commission has already prescribed.

It is the opinion of the Commission that no rates should be prescribed by the Commission for the movement of houses, thereby leaving the carrier free to establish and publish whatever rates and rules it feels should be established.

F I N D I N G S

THE COMMISSION FINDS:

That no rates or rules should be prescribed for the movements of houses. However, where motor vehicle common carriers are engaged in such transportation, it will be necessary for such carriers to publish and file with the Commission a tariff showing its rates or basis for rates and charges and rules relating thereto, in accordance with the Public Utilities Act.

O R D E R

THE COMMISSION ORDERS:

That this order shall become effective forthwith; that none of the rates or rules previously prescribed by the Commission in Case No. 1585 shall be applicable on movements of houses; that all motor vehicle common carriers engaged in the transportation of houses shall publish, to become effective April 1, 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, its Tariff, showing its rates and rules governing the movements of houses; 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 order, or orders, as may

be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]
Commissioners

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

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
D. B. SNOUFFER, DOING BUSINESS AS)
"CADILLAC SIGHTSEEING COMPANY," 716)
WEST CUCHARRAS STREET, COLORADO)
SPRINGS, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 138 (AUTHORIZING)
USE OF FOUR CARS), TO RUSSELL L.)
PADGHAM AND J. M. BLAYLOCK, MANITOU)
SPRINGS, COLORADO.)

APPLICATIONS NOS. 713-AAA-A
849-AA-A

March 8, 1946

Appearances: D. B. Snouffer, Colorado Springs,
Colorado, pro se;
Russell L. Padgham, Manitou
Springs, Colorado, pro se;
J. M. Blaylock, Manitou Springs,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to appropriate notice to all parties in interest, was heard at Denver, Colorado, March 8, 1946, and taken under advisement.

Pursuant to Decision No. 6962, D. B. Snouffer, doing business as "Cadillac Sightseeing Company," acquired the right to operate three cars in sightseeing service from Colorado Springs, Colorado, out of the eight cars said D. B. Snouffer, J. M. Thompson, and Paul M. Finney, co-partners, doing business as "Cadillac Sightseeing Company," had the right to operate in sightseeing service under Decision No. 1711, of date April 21, 1928.

This authority was enlarged or extended, pursuant to Decision No. 15523, to include the right to operate:

"an auto livery service between all points in the Pikes Peak sightseeing region, and from and to said points, to and from other points in the State of Colorado,"

subject to certain restrictions as to type of equipment, rates, and charges,

etc., set forth in detail in said order, which, by reference, is made a part hereof.

Pursuant to authority contained in Decision No. 17768, of date October 15, 1941, said D. B. Snouffer, doing business as "Cadillac Sightseeing Company," acquired from Cora E. James, as Administratrix of the Estate of Morgan W. James, doing business as "Mountain States Auto Livery:

the right to operate one automobile in sightseeing service from Colorado Springs to the various scenic attractions in the Pikes Peak Region, and the right to furnish auto livery service, as authorized by Decision No. 15523, heretofore referred to, and Decision No. 15760, permitting interchange of passengers with "cog route," at summit of Pikes Peak.

He now seeks authority to transfer his certificate (PUC No. 138), with authority to operate four cars in sightseeing and auto livery service, subject to restrictions contained in orders granting said certificates, to Russell L. Padgham and J. M. Blaylock, co-partners.

At the hearing, it appeared that Mr. Snouffer is in ill health; that it is necessary that he go to a lower altitude; that he has agreed to transfer his operating right and four automobiles to transferees, for the sum of Seventy-Five Hundred Dollars (\$7500.00), subject to the approval of the Commission. \$4,000.00 of the consideration has been paid in cash, the balance of \$3500.00 is to be paid upon approval of transfer. Partnership is to be a fifty-fifty arrangement -- partners to contribute equally in the partnership capital, to be equally liable for the partnership expenses and obligations, and to share the profits, if any, equally.

To date, Mr. Blaylock has advanced \$2500.00. Mr. Padgham has advanced \$1500.00, and the partners have borrowed \$3500.00 from the "Bank of Manitou," of Manitou Springs, Colorado. Mr. Padgham, however, is to be charged with the difference between his initial contribution and the amount contributed by Mr. Blaylock. Payment of the money borrowed from Bank of Manitou is to be secured by a chattel mortgage on the four automobiles and the operating right acquired by the partners from Mr. Snouffer. They ask that they be authorized to mortgage the certificate.

Passenger-mile tax deposit made by Mr. Snouffer is to be refunded to him.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is in the public interest, and should be authorized; that said transfer should become effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That D. B. Snouffer, doing business as "Cadillac Sightseeing Company," Colorado Springs, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 138 to Russell L. Padgham and J. M. Blaylock, co-partners, Manitou Springs, Colorado.

That if and when said transfer is consummated, said Russell L. Padgham and J. M. Blaylock, co-partners, be, and they hereby are, authorized to mortgage their equipment and their operating right (PUC No. 138) to Bank of Manitou, Manitou Springs, Colorado, to secure payment of the indebtedness of Thirty-Five Hundred Dollars (\$3500.00) mentioned in the Statement herein, said \$3500.00 to be paid to transferor as final payment on purchase price of said cars and said certificate.

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 made by D. B. Snouffer shall be returned to him.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. T. Shuman

W. A. Smith

Robert C. Foster
Commissioners

Dated at Denver, Colorado,
this 8th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY)
THE DENVER AND SALT LAKE RAILWAY)
COMPANY ON TWO CARLOADS OF COAL FROM)
PINNACLE, COLORADO, TO THE DENVER)
COMMUNITY CHEST.)

MISCELLANEOUS DOCKET NO. 215

March 18, 1946

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 February 28, 1946, requesting authority to transport two carloads of coal from Pinnacle, Colorado, to Denver, Colorado, free of charge, on account of charity.

The shipments in question have been donated by one of the operators on the line of The Denver and Salt Lake Railway Company for use of various agencies of The Denver Community Chest, a charitable institution, and the Chest Office Building, and are 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 two carloads of coal from Pinnacle, Colorado, consigned to the Denver Community Chest in care of the United Fuel and Equipment Company, Denver, Colorado.

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

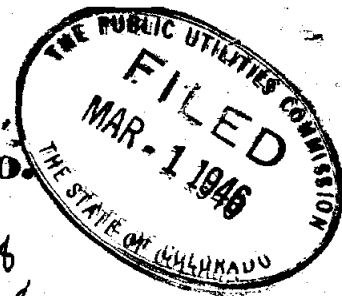
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[Signature]
Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1946

JH

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

February 28, 1946

File: 35-2

The Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.

Gentlemen:

Two cars of coal have been donated by one of the operators on our line to the Denver Community Chest, a charitable institution, for the benefit of the different Chest Agencies and the Chest Building. These cars will be consigned to the Denver Community Chest in care of the United Fuel & Equipment Co., Denver.

We shall be pleased to haul these cars of coal free of charge on account of charity from the mine at Pinnacle, 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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
FLOYD McCORMICK, ROUTE 1, CENTER,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7201-PP

March 12, 1946.

Appearances: Floyd McCormick, Route 1, Center,
Colorado, pro se;
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way, Inc.;
Conour and Conour, Del Norte,
Colorado, for J. P. Wiederkehr
and Son, J. E. Ashton and E. T.
Walker;
M. M. Marshall, Esq., Alamosa,
Colorado, for McCormick Bros.

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 products, including livestock, from point to point within a radius of 25 miles of Center, Colorado.

At the hearing which was held in Alamosa, Colorado, on January 9, 1946, applicant asked to have his petition amended to include transportation of livestock from the above area to sales ring in Alamosa and to Pueblo and Denver; also in interstate commerce to points in New Mexico.

The evidence disclosed that applicant is the owner of a 1945 Chevrolet 1½-ton truck, and has several customers who desire his service for the transportation of small shipments of cattle and sheep, also potatoes and grain; that in the territory immediately adjacent to Center, many of the farmers have small farm herds of cattle and request a small truck for shipments to the sales barns

at Alamosa and Monte Vista, with occasional shipments to markets in Pueblo, Denver, and points in New Mexico.

It further appeared that he also had several customers who desire his service in hauling farm products, especially grain and potatoes.

On cross examination, he stated that he had no customers beyond the area extending 5 miles west, 25 miles north, 14 miles south and 14 miles east of Center, Colorado, and did not wish to perform a town to town service in competition with line haul carriers by motor vehicle operating between towns on schedule, and that he was willing to restrict his operations to use of one straight truck of a capacity of not to exceed $1\frac{1}{2}$ tons.

Protestants' statements indicated that they were not particularly interested in the application if applicant is limited in his authority to local service within the San Luis Valley.

After careful consideration of the record, the Commission is of the opinion, and finds, that a limited authority should be granted.

O R D E R

IT IS ORDERED:

That Floyd McCormick, of Center, 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 products, including livestock, between points within an area extending 5 miles west, 25 miles north, 14 miles south and 14 miles east of Center, Colorado; also the transportation of livestock from or to points in above-described area to and from sales barns and railroad siding points in or immediately adjacent to Alamosa, Colorado, and from and to points in said area to and from points in New Mexico in interstate commerce, said authority to issue subject to compliance by applicant with the provisions of the Federal Motor Carrier Act of 1935, as amended, said operations to be limited to the use by applicant of one straight truck of a capacity of not to exceed $1\frac{1}{2}$ tons and without the right to furnish town to town service in competition with line haul carriers by motor vehicle operating between towns on schedule.

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

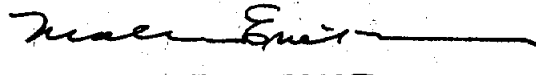
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

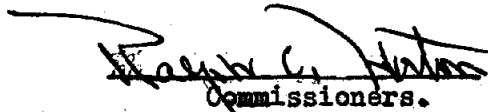
The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

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

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BUSY BEE TRANSFER & STORAGE)
COMPANY, INC., 2612 MAIN ST.,)
DALLAS, TEXAS.)

CASE NO. 34934-Ins.
PUC NO. 1335-I

March 12, 1946.

S T A T E M E N T

By the Commission:

On February 25, 1946, by Decision No. 34934-Ins., PUC No. 1335-I was revoked and cancelled because of failure to keep effective insurance on file. The files disclose that this certificate was erroneously revoked.

It now develops that this Commission issued its order transferring said PUC No. 1335-I to George T. Goward, doing business as "Howard Van Lines," of 1617 No. Park St., Dallas, Texas, on February 13, 1946, and proper insurance had been filed.

After careful consideration of the record, the Commission is of the opinion, and finds, that said revocation should be set aside and said Certificate No. 1335-I be restored to its former status.

O R D E R

IT IS ORDERED:

That our Decision No. 34934-Ins., dated February 25, 1946, be cancelled and set aside, and Certificate No. 1335-I be restored to its former status, as of February 25, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

E. J. Korman

William J. Pivon

Raymond C. Horton
Commissioners.

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

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
T. A. ROYSTON, 913 S. SAWATCH,)
COLORADO SPRINGS, COLORADO,)
P.U.C. NO. 421.)

CASE NO. T-35088

March 22, 1946.

S T A T E M E N T

By the Commission:

On February 13, 1946, by Decision No. 35088-T, PUC No. 421 was revoked and cancelled because of failure to keep an effective tariff on file.

On February 14, 1946, the Commission received a communication from J. W. Marks, the owner of said certificate, stating that they are cancelling their lease and agreement with T. A. Royston and are now filing effective tariff. It further appears that this is satisfactory and has been taken care of within the five-day period.

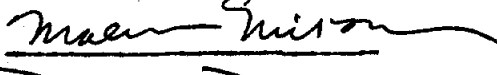
After careful consideration of the record, the Commission is of the opinion, and finds, that PUC No. 421 should be restored to its former status.

O R D E R

IT IS ORDERED:

That our Decision No. 35088-T, revoking PUC No. 421, dated February 14, 1946, be, and same hereby is, cancelled and set aside, and PUC No. 421 restored to its former status, effective as of February 13, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 22nd day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
C. H. PHILLIPS, SANFORD, COLORADO,)
FOR AN EXTENSION OF AUTHORITY UNDER)
HIS PERMIT NO. B-2955, OR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND)
NECESSITY.)

APPLICATION NO. 6279-PF-B.

March 15, 1946.

Appearances: M. M. Marshall, Esq., Alamosa,
Colorado, for applicant;
Conour and Conour, Del Norte,
Colorado, for James E. Ashton,
E. T. Walker, Fred Gibson,
J. D. Haynie and Jos Gallegos;
Lute Vance, La Jara, Colorado,
pro se;
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicant requests an extension of his Class "B" private carrier permit No. B-2955, or a certificate of public convenience and necessity, to operate for hire for the transportation of farm products, including livestock and farm machinery, between points within a radius of fifty miles of the Alamosa sales barn or within a radius of 75 miles of Sanford, Colorado, and from and to points in said area to and from points in the State of Colorado, without the right to serve between points served by motor vehicle carriers operated singly or in combination on schedule.

The matter was set for hearing, and heard, in Alamosa, Colorado, on Wednesday, the 9th day of January, 1946, and there taken under advisement.

The evidence disclosed that applicant is now authorized under Permit No. B-2955 to transport farm products, including livestock and farm machinery, between points within a radius of six miles of Sanford, Colorado, and from and to points in said area to and from points in the State of Colorado, without the right to serve between points served by motor vehicle carriers operating singly

or in combination on schedule.

Applicant, testifying in his own behalf, stated that he had recently moved to Alamosa from Sanford, Colorado, and lives near the Alamosa sales barn; that he had numerous requests to haul livestock to the barn from points as far away as Saguache, Del Norte, and Antonito, and has been requested by purchasers at the sales to make deliveries to all parts of the State. He further stated that he operated a 1½-ton truck with a 16-foot rack, and it appeared to him that this type of equipment was especially needed in the Alamosa area; that operators who serve this area had large equipment and have not been taking care of the needs of the area immediately surrounding Alamosa.

Hank Wisecamp, owner and operator of the Alamosa salesbarn, testified that it was difficult to get truck service into and out of his salesbarn; that he personally did not use the trucks, but his patrons experienced considerable difficulty in getting trucks, especially smaller trucks; that he knew applicant's qualifications as an operator and felt that his service was needed in the Alamosa area.

E. R. Knapp, a stockman living 2½ miles south of Alamosa, who is president of the San Luis Valley Stockmen's Association, testified that he had difficulty in getting trucks for the 4-H Club to haul their show cattle to Denver. He further stated that a small straight truck was needed for small shipments to the sales barn in Alamosa, with occasional trips to Denver, and that if applicant secures authority, he would like to use his service.

L. W. McCullough, a stockman living south of Monte Vista, stated that he would like to use applicant's service for delivery of livestock to and from salesring in Alamosa; that he had experienced delays in the past of from one to three weeks after contacting four authorized carriers, and he felt additional service was needed.

George White, who lives near Crestone and Moffat in Saguache County, testified as to the difficulty in securing small trucks for delivery of small bunches of cattle to salesrings in Alamosa; that he was delayed a week in one of his shipments during the past year and he shipped about three loads a year. He

further stated that he had been successful in obtaining large trucks for large shipments, but when he wanted to ship a small shipment, he had considerable difficulty.

L. N. Headlee, a stockman who lives south of Alamosa some 14 miles, testified that he shipped mostly by rail and he needed trucks to haul from his ranches to rail heads; that he had experienced considerable trouble in obtaining trucks for short hauls; that he occasionally makes small shipments to the sales yards in Alamosa and it had been his practice in years past to drive cattle from ranches to railroad siding points, but that this practice is not now feasible, due to the fact that you cannot get competent help and feeding facilities are not adequate; that when the railroad delivers cars, you have to move, and that on one occasion he drove 200 miles to secure trucks for delivery of cattle to the rail head in Alamosa; that he felt the territory lying tributary to Alamosa was short of service, as there were no local carriers in the Alamosa area catering to that service.

Chas. Headlee, who also operates a cattle ranch, testified as to the need of a more adequate service in the Alamosa area, stating that he had experienced difficulty in securing transportation of livestock on certain occasions.

E. A. Green, who holds private carrier authority in the Waverly district near Alamosa, testified as to the need for additional service in trucking livestock in that area, especially from and to the Alamosa Salesring, and that he had numerous requests for service which he was unable to take care of.

Louis Higal, living seven miles west of Alamosa and who is secretary of the San Luis Valley Cattlemen's Association, stated there was a need for small trucks to transport livestock to salesring and rail head in Alamosa.

Fred Gibson, of La Jara, Colorado, owner of PUC 1520, with authority to serve an area extending to the Colorado-New Mexico state line on the south, 10 miles north of La Jara on the north, to Mesita on the east, and 15 miles west of La Jara on the west, with right to serve from point to point in said area, and from and to points in said area to and from points in the State of Colorado,

testified that he operated two semi-trailers in his territory and that there are several other operators who cater to livestock hauling in the southern part of the San Luis Valley, namely: J. D. Haynie, Barton, Vance and Barr; that during the fall rush season, he keeps his equipment busy, but during the rest of the year he operates only about half of his equipment; that he has had very few calls to Alamosa and hauls all the stock he can under his authority. He further stated that he does not think any additional authority is needed, and if granted, it would decrease his business during the slack seasons and would impair his operations.

E. T. Walker, who holds PUC 1251 and serves a territory within a 50-mile radius of Alamosa, with headquarters at Del Norte, testified that he operated two semis and had rendered service to the Alamosa sales barn; that he was kept busy during the rush seasons, but was unable to keep his trucks busy during the rest of the year.

James E. Ashton, who operates under PUC 1313 out of Monte Vista within a radius of 35 miles, together with authority in Saguache, Mineral and Hinsdale Counties, testified that he operated 4 units; that he had very few calls to Alamosa and was in a position to serve this territory and did so when called; that some years ago, he maintained trucks in Alamosa, but business was not sufficient to justify maintenance of that service; that he advertises in telephone directories and local papers, and the granting of any additional authority would, in his opinion, take business from his operation.

Joe F. Gallegos, who operates PUC 1153 and whose headquarters are in Fort Garland, has a 15-mile radius of San Luis, Colorado. He testified that he had considerable business in Alamosa and had been able to take care of all demands for service in that area, and if additional authority is granted in his area, he did not feel that he would be in a position to maintain his present service.

The evidence, we feel, discloses that a local service is needed in the Alamosa area, that is, service to and from the sales barn and rail heads. Protestants do not maintain facilities in Alamosa for local hauling and that is especially true of the territory lying along the Rio Grande river immediately

adjacent to Alamosa. Alamosa County has many livestock raisers who market their livestock at Alamosa, either at the sales barn or at the Alamosa stockyards, for shipment by rail. The other common carriers are located at Monte Vista, which is 17 miles west and north, Del Norte 32 miles away, La Jara 14 miles to the south, and Fort Garland 20 miles to the east, leaving Alamosa Territory without any carrier except E. A. Green, a private carrier, who testified that there is a need for additional trucks in the Alamosa area, especially for livestock.

It also appears that protestants own large semi-trailers and cater largely to hauls to Pueblo and Denver, and if they do have small equipment, they use it for gathering stock for long hauls.

In the opinion of the Commission, applicant failed to show a need for service out in the State. We recognize that equipment and competent truck drivers, for the past few months, have been difficult to obtain, and that it has been virtually impossible to render a complete service. In view of all the existing circumstances, we feel that presently authorized carriers should be given an opportunity to improve their service. On the other hand, presently authorized carriers, due perhaps to the distance from their bases to Alamosa, have not rendered local short-haul service in and out of Alamosa, and it appears to us that this service is needed.

After careful consideration of the record, the Commission is of the opinion, and finds, that applicant is entitled to an extension of his permit B-2955, subject to limitations.

ORDER

IT IS ORDERED:

That C. H. Phillips, of Alamosa, Colorado, should be, and he hereby is, authorized to extend his operations under Permit No. B-2955 to include the transportation of farm products, including livestock, between points within the area extending 50 miles north, 14 miles west, 10 miles east, and 6 miles south of Sanford, Colorado, without the right to serve between points served by

motor vehicle common carriers operating singly or in combination on schedule.

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

[Signature]

[Signature]

[Signature]
Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
H. H. HARP, MEEKER, COLORADO,)
P.U.C. NO. 152.)

CASE NO. 35163-T

March 15, 1946.

S T A T E M E N T

By the Commission:

On February 13, 1946, PUC No. 152 was revoked and cancelled because of failure to keep effective tariffs on file.

On February 15, 1946, the Commission received a communication from Colorado Motor Carriers' Association, stating that H. H. Harp, doing business as "Harp Brothers," sent them a check and asked them to take care of their tariff. The Association did not receive this letter of instruction in time to contact the Commission before the hearing on this case, and they now ask that said certificate be reinstated.

After careful consideration of the record, the Commission is of the opinion, and finds, that said certificate be reinstated.

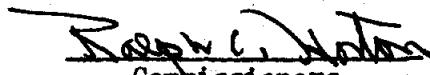
O R D E R

IT IS ORDERED:

That our decision revoking PUC No. 152, dated February 13, 1946, be set aside, and said Certificate No. 152 be restored to its former status, effective as of February 13, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
RAY WALKER, DOING BUSINESS AS)
"WALKER'S COAL COMPANY," BOX 58,)
BOULDER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7259-PP

March 15, 1946.

Appearances: Ray Walker, Boulder, Colorado,
pro se;
Harold Torgan, Esq., University
Bldg., Denver, Colorado,
for Colorado Transfer and Ware-
housemen's Association;
Willard Britt, Boulder, Colorado,
pro se;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

Applicant herein seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire for the transportation of sand, gravel, dirt and other road surfacing materials from Denver to points in Boulder County; coal from northern Colorado coal fields to Denver; building rock from quarries in Lyons, Colorado, to points in Boulder County, and new and used building materials from Denver to points in Boulder County.

The matter was set for hearing in Denver, Colorado, on February 13, 1946, and there taken under advisement.

Applicant, testifying in his own behalf, stated that he is the owner of a 1939 Ford 1½-ton truck, and now operates under a "C" permit; that he has a net worth of approximately \$5,000.00; that the McGrew Lumber Company desires his service, and his plan is to deliver for and to the lumber company. He wishes to haul new and used building materials from Denver and stone from quarries to Boulder, also mine timbers. Applicant was the only witness

appearing in support of the application.

Mr. Britt, of the Britt Truck Service, 1037 Walnut St., Boulder, Colorado, testified that he operated twelve pieces of equipment under PUC No. 949 and his authority covers a 50-mile radius of Boulder; that he had purchased special equipment for loading sand and gravel, and his trucks had not been kept busy since May, 1944; that for the past few months, his business had decreased; that the granting of authority sought to applicant, would tend to impair his service, and that he needed all gravel and building material hauls to maintain his present equipment, also rock from quarries at Lyons.

Neil Hodgson, of the MacKenzie Transfer, who operates PUC 62, testified that he operated three pieces of equipment and protested the above application.

After careful consideration of the record and the evidence submitted at the hearing, the Commission is of the opinion, and finds, that applicant has failed to make sufficient showing to justify the granting of his application, while, on the other hand, protestants' testimony would clearly indicate that the granting of the proposed authority would impair their service, and that said application should be denied.

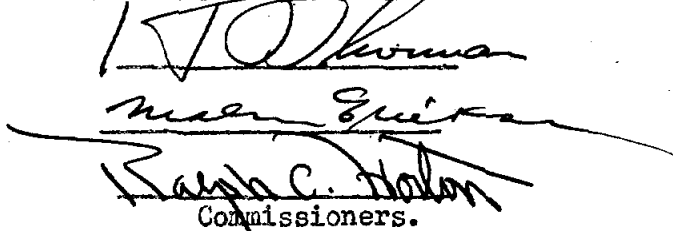
O R D E R

IT IS ORDERED:

That the above-styled application should be, and 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 15th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY OZAWA, ANTONITO, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 7197-PP

March 15, 1946

Appearances: Henry Ozawa, Antonito, Colorado,
pro se;
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way, Inc.;
Conour and Conour, Esqs., Del
Norte, Colorado, for E. T.
Walker, James Ashton, Fred
Gibson, J. D. Haynie, Lute
Vance, Joe F. Gallegos;
M. M. Marshall, Esq., Alamosa,
Colorado, for C. H. Phillips.

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, potatoes, and gravel, from point to point within a fifteen-mile radius of Antonito, Colorado; livestock from point to point within a fifteen-mile radius of Antonito, and from said radius to Denver, Colorado.

The matter was set for hearing at Alamosa, Colorado, January 9, 1946, and there taken under advisement.

At the hearing, the evidence disclosed that applicant is the owner of a 1941 Chevrolet one and one-half-ton truck, and during the summer months, is engaged in farming, and would like to haul for hire during the winter months. He has two customers who desire to have him haul livestock, namely: Frank Ortiz and Manuel Chavez, both of Antonito, Colorado, and has had similar requests for service in hauling grain, potatoes and gravel.

Lute Vance, of La Jara, the owner of PUC No. 441, protesting the above application, testified that he operated five trucks, and for ten months out of the year, has been able to take care of all calls for service for hay, grain and potatoes. He further testified that he handled some livestock business, and the only time he had been kept busy was during the harvest season; that in order to give proper service to his territory, it is necessary for him to keep trucks on hand, and he has not been able to keep them busy all of the year; that if the above authority is granted, he will not be in a position to maintain his present equipment.

The evidence further disclosed that many livestock carriers are now serving the area and appeared at the hearing protesting the transportation of livestock. They testified that the service was ample for that territory and they were all in a position to handle more business. They also testified that part of their equipment was idle a greater portion of the year.

In considering the application, the Commission desires to point out the fact that applicant stated that he desired to haul during the winter months, and the evidence discloses that at the time he wishes to haul, a great deal of the equipment owned by the common carriers is idle. Therefore, it appears to us that his operation would not give the people of his territory an improved or better service; that service now is adequate; that granting of authority sought will tend to impair the efficiency of now-adequate 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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

K. D. Sharma

Wm. Smith

Roscoe C. Hutton

Dated at Denver, Colorado,
this 15th day of March, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
WALTER MC CORMICK AND JOHN W.)
MC CORMICK, DOING BUSINESS AS)
"MC CORMICK BROTHERS," CENTER, COLO-)
RADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)

APPLICATION NO. 7192

March 15, 1946

Appearances: M. M. Marshall, Esq., Alamosa,
Colorado, for applicants;
Conour and Conour, Esqs., Del
Norte, Colorado, for J. P.
Wiederkehr and Son, E. T.
Walker, J. E. Ashton;
A. J. Tait, Denver, Colorado,
for Rio Grande Motor Way,
Inc.

S T A T E M E N T

By the Commission:

Walter McCormick and John W. McCormick, doing business as
"McCormick Brothers," Center, Colorado, herein seek a certificate of
public convenience and necessity, authorizing them to operate as common
carriers by motor vehicle for hire for the transportation of livestock
and farm products between points within a radius of thirty-five miles
of Center, Colorado, and from points within said radius to and from
Durango, Colorado, and the immediate vicinity thereof.

At the time of the hearing, which was held in Alamosa, Colo-
rado, on January 9, 1946, applicants, through their attorney, asked
leave to amend their application by asking for service from said above-
described area to Pueblo and Denver for the transportation of livestock.
This amendment was granted.

At the hearing, the evidence disclosed that Walter and John W.
McCormick are operating as a co-partnership with assets of approximately
\$13,000.00, and own two one and one-half-ton trucks equipped with stock

racks; that the territory proposed to be served by applicants embraces a rich farming section, in which are grown large quantities of farm products, consisting mainly of potatoes, hay, grain and livestock of all kinds; that there is located at Alamosa, Colorado, a salesbarn which is used by farmers of the Center area for disposal of their livestock. Applicants stated that they have had numerous requests from farmers, buyers, growers, and shippers in and around Center, Colorado, to deliver livestock to the salesyard at Alamosa and from salesyard to areas surrounding Center; that during the late summer and early fall, there is an urgent demand for trucks to transport potatoes, grain and hay from farm to farm, farm to cellars, and farm to railroad sidings. They also stated that a service is needed to Durango, Pueblo, and Denver for livestock, and they had numerous requests for this service.

Several witnesses appeared in support of the application, among whom were the following:

Raymond Nelson, a farmer and stockman who lives seven and one-half miles northwest of Alamosa, testified that he desired to ship livestock to Denver and Pueblo, with occasional shipments to Durango; that he waited fifteen days for transportation last year, and several times prior to that could not get trucks, forcing him to drive his livestock to rail points for loading. On cross-examination, he stated he thought the war might have had something to do with the shortage of trucks and the delay in transportation.

Byron Suttley, a stockman living near Center, Colorado, stated that Ashton had done some local hauling for him; that his chief difficulty was in securing transportation to the salesyard in Alamosa and with point to point service within the thirty-five-mile radius.

J. J. Schecter, a stockman living near Alamosa, stated that he represented the Lincoln Packing Company, and there was a definite need for more service, especially during the Months of July, August, and September; that he shipped lambs during the late summer and early fall, and this year had experienced difficulty in getting trucks; that part of his shipments moved by rail, which necessitated short hauls to railroad sidings, the balance moving by truck to Pueblo, Colorado. He further stated that

from his observation, the farmers' chief difficulty was moving stock from farms to receiving yards and rail loading points.

Roy E. Clark, a farmer, living one mile east of Center, stated that he had considerable difficulty in obtaining truck service for potatoes, grain, and hay, also livestock. He further stated that he had been delayed five or six times in the past three years. His chief complaint was that it is difficult to make small shipments of livestock, especially during the rush season, and attributed the delay to the fact that the stock had to be picked up by small trucks to fill out large loads to Pueblo and Denver.

Paul McCormick, father of the applicants, who buys and raises livestock, stated that he felt more service was needed, especially to Monte Vista and Alamosa and rail shipping points. He also stated that he had experienced considerable difficulty in shipping from Durango or San Juan Basin points to the San Luis Valley; that he contacted Ashton and several truckers in the Durango district, and only after considerable difficulty was he able to obtain truck service. He further testified as to the difficulty in obtaining local service to the Alamosa and Monte Vista rail loading points.

Walter Meyers, a stockman who lives near Center, testified as to his difficulty in obtaining service for large stock shipments from Durango to his ranch, stating he had to wait four days on one occasion, which caused him considerable inconvenience.

B. W. Daniels, who operates a grocery and packing house at Alamosa, Colorado, testified that he had difficulty in getting trucks to deliver livestock to his packing house in Alamosa, Colorado; that he butchered, on an average, 100 head of cattle, 500 hogs, and 150 sheep per month, and that Walker and Ashton were too busy to haul small loads; that he felt additional local service was needed, especially from farms to his packing house.

J. P. Wiederkehr, who holds Certificate No. 1451, testified that he operated six trucks of one and one-half-ton capacity; that many other carriers had authority in this territory, and that there was presently operating, in addition to his own, eleven trucks for hauling farm produce from his authorized territory. He felt that if a certificate were granted for only six miles west of Center, he would not be damaged materially; that

only during the harvest season were his trucks kept busy and that he now had two idle trucks; that if additional authority is granted, it would impair his present service; that he had had no complaints and had only made a small profit during the Year 1945.

Conour and Conour, representing E. T. Walker, holder of Certificate No. 1251, and James E. Ashton, holder of Certificate No. 1313, asked that the above-numbered certificates of Walker and Ashton be made a part of the record, and moved that the portion of the application covering transportation of livestock to Pueblo and Denver be denied for failure to show public convenience and necessity.

A. J. Tait, Traffic Manager for Rio Grande Motor Way, Inc., testified that his company was authorized to serve between towns — that is, Center, Saguache, Del Norte, Pagosa Springs, Durango, Bayfield, and Cortes; that in their operations for 1945, they sustained a loss of \$200,000.00; that they haul feed from Durango to the San Luis Valley, and needed this haul to maintain their present service.

During the past two years, equipment and man power have been difficult to obtain, and as a natural result, common carriers by motor vehicle have not been able to give the efficient service they would like to give or that the public feels it is entitled to receive. This inability to give service has extended into all fields of endeavor. In the instant case, it would appear that the presently authorized carriers have performed an excellent job considering the handicaps under which they have been compelled to operate. In the judgment of the Commission, however, it does appear that a local service is needed in the Center area for delivery of livestock to railheads, salesbarns, and from farm to farm. The Center area is basically a farm area where large herds of livestock are raised and where each and every farmer markets a few head of livestock a year. The present authorized carriers cater to large loads and long hauls and are not now, nor have they been in the past, in a position to adequately take care of the small shipper who ships to local markets. We feel that the authorized common carriers are entitled to the hauls to outside-of-Valley points. They have operated under difficulties brought about through no fault of theirs; all things considered, their service has been adequate; they have rendered a vital and essential

service, and are entitled to an opportunity to improve their service.

After careful consideration of the record, the Commission is of the opinion, and finds, that the public convenience and necessity require the proposed operations of applicants in a local service, as hereinafter ordered, and that certificate of public convenience and necessity should issue therefor; that service from and to points in said local area, to and from points in state, is adequate, and their request for such service should be denied.

O R D E R

THE COMMISSION ORDERS:

That the public convenience and necessity require the proposed motor vehicle operations of Walter McCormick and John W. McCormick, doing business as "McCormick Brothers," of Center, Colorado, for the transportation of farm products, including livestock, between points within the area extending 24 miles south, 35 miles east, 35 miles north, and 6 miles west, of Center, Colorado, without the right to serve between towns in competition with authorized motor vehicle carriers operating on schedule.

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.

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.

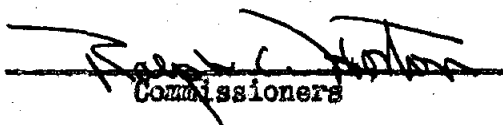
That said application, in all other respects, be, and it hereby is, denied.

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 March, 1946.
mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
RONALD M. JACKSON, DOING BUSINESS AS
DALLAS TRANSFER AND STORAGE COMPANY,
LA JUNTA, COLORADO, TO TRANSFER PUC
CERTIFICATE NO. 355 TO LUCILLE G.
JACKSON, DOING BUSINESS AS JACKSON
TRUCKING COMPANY, LA JUNTA, COLORADO.

APPLICATION NO. 1313-B-AAA

March 15, 1946.

Appearances: T. A. Stockton, Jr., Esq., Denver,
Colorado, for Transferor;
Lucille G. Jackson, La Junta,
Colorado, pro se;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company.

STATEMENT

By the Commission:

On November 10, 1944, by Decision No. 22356, PUC No. 355 was transferred to Ronald M. Jackson, which certificate authorized the operation as a common carrier, on call and demand (Decision No. 2179), the transportation of:

freight and merchandise from one point to another within the City of La Junta, and the transportation of household goods, farm machinery, hay, grain, livestock, farm produce, and farm supplies in that certain territory within a radius of twenty miles north, east, and south of said city of La Junta, with the proviso that applicant should not operate on schedule, except within the City of La Junta, if demanded.

By Decision No. 2767, of date February 28, 1930, said authority was extended to include:

the conduct of a transfer, moving and general cartage business in the Counties of Bent, Otero, Pueblo, Crowley, Las Animas, Kiowa, Prowers, and Baca, and for occasional service throughout the State of Colorado, and in each of the counties thereof, with the proviso that for the transportation of commodities other than household goods between points served singly or in combination by scheduled

carriers, the applicant shall charge rates which shall be as much as twenty per cent higher in all cases than those charged by scheduled carriers; that applicant shall not operate on schedule between any points; that applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any other town or city than La Junta for the purpose of developing business.

At the hearing in Denver, Colorado, it appeared that applicant transferor is also engaged as a local carrier in Rocky Ford, Colorado, under the name of "Jackson Transfer and Storage Company; that he finds that it is not feasible or practical to actively operate both companies, and desires to transfer Certificate No. 355 to his wife, Lucille, who will then conduct the business under the name and style of "Lucille G. Jackson," of La Junta, Colorado.

It also appeared that there are no outstanding unpaid obligations against said operation, except current bills, which will be paid by transferor.

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

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfer should be authorized, and that ton-mile tax deposit should be transferred to account of transferee.

ORDER

IT IS ORDERED:

That Ronald M. Jackson, doing business as "Dallas Transfer and Storage Company," La Junta, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 355 to Lucille G. Jackson, doing business as "Jackson Trucking Company," La Junta, Colorado.

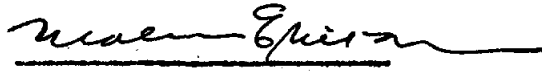
That ton-mile tax deposit be transferred to account of transferee.

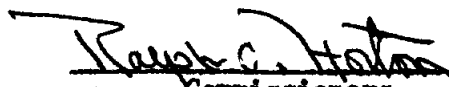
The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferee until changed according to law and the rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 15th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. ANDREW ECKERT, CEDAREDDGE, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC)
NO. 260 AND PRIVATE PERMIT NO. A-534)
TO WILLIAM W. JONES, CEDAREDDGE,)
COLORADO.)

APPLICATIONS NOS. 976-AA
5000-BA
PERMIT NO. A-534

March 18, 1946

Appearances: Fairlamb and Fairlamb, Esqs.,
Delta, Colorado, for trans-
feror and transferee;
T. A. White, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.;
Allen Brown, Esq., Delta, Colo-
rado, for W. A. Hamilton.

S T A T E M E N T

By the Commission:

J. Andrew Eckert, of Cedaredge, Colorado, on May 28, 1938, be-
came the owner of PUC No. 260, which authorizes him to operate as a common
carrier by motor vehicle for hire:

for the transportation of freight and express be-
tween Delta and Cedaredge, and intermediate points.

On May 20, 1939, by Decision No. 13549, said PUC No. 260 was ex-
tended to include:

transportation of passengers between Delta, Colo-
rado, and Cedaredge, Colorado, and intermediate
points, via Cory and Highway No. 65, and the trans-
portation of passengers and freight between Cedar-
edge and Grande Mesa Lakes, and intermediate points,
via Highway No. 65, save and except that in the
transportation of freight, applicant shall be lim-
ited to packages not exceeding fifty pounds in
weight, except for so-called "perishable" goods.

Said decision restricted the authority granted to service between
June 15 and September 15 of each year.

By Decision No. 22674, dated September 6, 1944, said certificate
was further amended and extended to include:

the right to render charter service for the transportation of passengers by motor vehicle for hire between Delta Airport and Grand Mesa, and all intermediate points, and similar charter service between Delta and Grand Mesa and intermediate points, via Highway No. 65, excluding service by and through the Town of Austin, and by way of Rogers Mesa.

Transferor now seeks authority to transfer said Certificate No. 260 to William W. Jones, of Cedaredge, Colorado.

At the hearing, which was held in Delta, Colorado, on January 19, 1946, it appeared that there are no outstanding unpaid obligations against the operations of transferor; that the consideration for transfer of said certificate and other property, including Permit No. A-534, is the sum of \$5,000.00, of which sum \$4,000.00 has been paid, the balance of \$1,000.00 to be paid as soon as the transfer of certificate and permit has been authorized; that the ton-mile tax deposit is to be transferred to account of transferee.

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

The evidence further discloses that J. Andrew Eckert is the owner of Private Carrier Permit No. A-534, which at one time authorized:

transportation of freight from Cedaredge to Grand Junction, Colorado, over State Highway, for the most part, but at times only from Cedaredge to Delta, Colorado, and return.

By Decision No. 11767, dated April 28, 1938, that part of the above authority which authorized transportation of freight from Cedaredge to Delta, Colorado, and return, was revoked and cancelled, his authority under Permit No. A-534 being limited to transportation of freight between Delta and Grand Junction. This decision further provided that the holder of PUC No. 260 would be permitted to interchange freight at Delta with said private carrier operation conducted under Permit No. A-534, said freight to be handled on through bill of lading and on joint through rates, and, if desired, in the same equipment from Cedaredge to Grand Junction, or by transferring to different equipment at Delta.

Transferor now seeks authority to transfer said Permit No. A-534 to William W. Jones, Cedaredge, Colorado.

No objections to the transfers were made by protestants.

After careful consideration of the record, the Commission is of the opinion, and finds, that said transfers should be authorized; that it is in the public interest to authorize continuation of interchange authority between PUC No. 260 and Permit No. A-534, authorized and approved by Decision No. 11767.

ORDER

THE COMMISSION ORDERS:

That J. Andrew Eckert, Cedaredge, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 260 to William W. Jones, Cedaredge, Colorado.

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

That J. Andrew Eckert, Cedaredge, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Private Carrier Permit No. A-534 to William E. Jones, Cedaredge, Colorado.

That until the further order of the Commission in the premises, applicant may interchange freight at Delta between his common carrier operations under PUC No. 260 and his private carrier operations under Permit No. A-534, said freight to be handled on through bill of lading and on joint through rates, and, if desired, in the same equipment from Grand Junction to Cedaredge, via Delta, or by transferring to different equipment at Delta.

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 be transferred to account of transferee.

That the Commission hereby retains jurisdiction herein to enter such further orders in the premises as it, in its discretion, may consider proper.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

L. D. Thorne

Maer E. Eason

Ray C. Watson
Commissioners

Dated at Denver, Colorado,
this 18th day of March, 1946.

EW

(Decision No. 25719)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE FREE OF CHARGE TRANSPORTATION BY
THE DENVER AND SALT LAKE RAILWAY
COMPANY ON TWO CARLOADS OF COAL FROM
MT. HARRIS, COLORADO, TO THE DENVER
COMMUNITY CHEST.

MISCELLANEOUS DOCKET NO. 216

March 22, 1946

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 March 5, 1946, requesting authority to transport two carloads of coal from Mt. Harris, Colorado, to Denver, Colorado, free of charge, on account of charity.

The shipments in question have been donated by one of the operators on the line of The Denver and Salt Lake Railway Company for use of Mt. St. Vincent's Home, an agency of The Denver Community Chest, a charitable institution, and are 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 two carloads of coal from Mt. Harris, Colorado, consigned to the Denver Community Chest, in care of the Colorado and Utah Coal Company, Denver, Colorado.

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

W. D. Johnson

Walter E. Quinn

Ralph C. Holden
Commissioners

Dated at Denver, Colorado,
this 22nd day of March, 1946

JH

THE DENVER AND SALT LAKE RAILWAY CO.

822 DENVER NATIONAL BUILDING

ZONE 2

DENVER, COLORADOF. J. TONER
TRAFFIC MANAGERF. H. BOOTH
ASST. TO TRAFFIC MANAGER

March 5, 1946

File: 35-2

The Public Utilities Commission of the
State of Colorado,
State Office Building,
Denver, Colorado.



Gentlemen:

Two cars of coal have been donated by one of the operators on our line to the Denver Community Chest, a charitable institution, for the benefit of Mt. St. Vincent's Home. These cars will be consigned to the Denver Community Chest in care of the Colorado & Utah Coal Co., Denver.

We shall be pleased to haul these cars of coal free of charge on account of charity from the mine at Mt. Harris, 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,

F. J. Toner
6.

H

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN McKAY, OF 1319 LAWRENCE)
ST., DENVER 2, COLORADO.)
-----)

PERMIT NO. C-16361

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from _____
John McKay _____ of Denver _____ Colorado _____,
requesting that his Permit No. C-16361 _____ 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 Permit No. C-16361 _____ heretofore issued
to _____ John McKay, _____ be,
and the same is hereby, declared cancelled effective February 11, 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 March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
VICTOR BELARDE, OF PAGOSA)
SPRINGS, COLORADO.) PERMIT NO. C-16341
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Victor Belarde ----- of Pagosa Springs, Colorado
requesting that his Permit No. C-16341 ----- 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 Permit No. C-16341 ----- heretofore issued
to ----- Victor Belarde, ----- be,
and the same is hereby, declared cancelled effective February 26, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Lewis D. Shaw

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,
this 27th day of March, 194 6

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT SAIZ, OF BOX 43,)
VALDEZ, COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-16277

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Albert Saiz ----- of Valdez, Colorado -----,
requesting that his Permit No. C-16277 ----- 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 Permit No. C-16277 ----- heretofore issued
to Albert Saiz, ----- be,
and the same is hereby, declared cancelled effective December 20, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewy D. Blouman

Malcom Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES W. MAJORS, OF 26 SO.)
LOWELL, DENVER, COLORADO.) PERMIT NO. C-16247
)
)
)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
James W. Majors of Denver, Colorado,
requesting that his Permit No. C-16247 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 Permit No. C-16247 heretofore issued
to James W. Majors, be,
and the same is hereby, declared cancelled effective February 23, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Phowman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946
R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
FRED B. GONZALES, C/O CONOUR)
AND CONOUR, DEL NORTE, COLO.) PERMIT NO. C-16244
-----)
)
)
)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Fred B. Gonzales
C/o Conour and Conour of Del Norte, Colorado,
requesting that his Permit No. C-16244 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 Permit No. C-16244 heretofore issued
to Fred B. Gonzales, be,
and the same is hereby, declared cancelled effective February 18, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry R. Shuman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CLYDE E. SMITH, DOING BUSINESS)
AS OSCEOLA PRODUCE COMPANY)
TRANSFER, OF OSECEOLA,) PERMIT NO. C-15667
NEBRASKA.)
-----)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Clyde E. Smith d/b/a
Osceola Produce Company Transfer of Osceola, Nebraska,
requesting that his Permit No. C-15667 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 Permit No. C-15667 heretofore issued
to Clyde E. Smith d/b/a Osceola Produce Company Transfer, be,
and the same is hereby, declared cancelled effective February 25, 1946

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewy R. Phoruan

Malcom Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946
R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
EVAN E. MARKER, OF P O BOX)
150, LA VETA, COLORADO.) PERMIT NO. C-11513
-----)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Evan E. Marker of La Veta, Colorado,
requesting that his Permit No. C-11513 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 Permit No. C-11513 heretofore issued-
to Evan E. Marker, be,
and the same is hereby, declared cancelled effective February 19, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shewan

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
RAYMOND A. GEIST, OF 2115 W.)
COLORADO AVENUE, COLORADO)
SPRINGS, COLORADO.) PERMIT NO. G-15732
)
)
)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Raymond A. Geist of Colorado Springs Colorado,
requesting that his Permit No. G-15732 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 Permit No. G-15732 heretofore issued
to Raymond A. Geist, be,
and the same is hereby, declared cancelled effective January 30, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shuman

Malcolm Erickson

Ralph C. Hinton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
GEROGE BERISH, C/o MIKE BERISH,)
724 GARFIELD ST., HAZELTON,)
PENNSYLVANIA.)
-----)
)
)
)
)

PERMIT NO. C-16973

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
George Berish of Hazelton, Pennsylvania
requesting that his Permit No. C-16973 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 Permit No. C-16973 heretofore issued
to George Berish, ... be,
and the same is hereby, declared cancelled effective February 26, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Shuman

Malcom Erickson

Ralph C. Hartant

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. L. SHEPARD, OF 1007 W.)
PIKES PEAK, COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. C-16837

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
C. L. Shepard of Colorado Springs Colorado,
requesting that his Permit No. C-16837 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 Permit No. C-16837 heretofore issued
to C. L. Shepard, be,
and the same is hereby, declared cancelled effective February 20, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Houtant

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOE D. JARRETT, OF 222 GRIFFIN)
AVENUE, CANON CITY, COLORADO.)
)
)
)
-----)

PERMIT NO. C-16829

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Joe D. Jarrett ----- of Canon City, Colorado -----,
requesting that his Permit No. C-16829 ----- 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 Permit No. C-16829 ----- heretofore issued
to Joe D. Jarrett, ----- be,
and the same is hereby, declared cancelled effective February 16, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Sherman

Malcolm Erickson

Reed C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CONRAD FELKER, OF CORTEZ,)
COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-16733

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Conrad Felker-----of Cortez, Colorado-----,
requesting that his Permit No. C-16733-----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 Permit No. C-16733-----heretofore issued
to-----Conrad Felker,-----be,
and the same is hereby, declared cancelled effective February 5, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewy D. Brown

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. MURPHY, OF 2403)
9th AVE., GREELEY, COLORADO.)
) PERMIT NO. C-16720
)
)
)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Robert L. Murphy of Greeley, Colorado,
requesting that his Permit No. C-16720 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 Permit No. C-16720 heretofore issued
to Robert L. Murphy, be,
and the same is hereby, declared cancelled effective January 28, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
H. A. THIEBOLT, OF 615 S.)
PEARL ST., DENVER 9, COLORADO.)
)
)
)
-----)

PERMIT NO. C-16648

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from.....
H. A. Thiebolt of Denver, Colorado,
requesting that his Permit No. C-16648 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 Permit No. C-16648 heretofore issued
to H. A. Thiebolt, be,
and the same is hereby, declared cancelled effective February 13, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

William Emerson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
RALPH N. HAVIN, OF 356 N. 5th)
ST., POCA TELLO, IDAHO.) PERMIT NO. C-16562
)
)
)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Ralph N. Havin-----of Pocatello, Idaho-----,
requesting that his Permit No. C-16562-----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 Permit No. C-16562-----heretofore issued
to-----Ralph N. Havin,-----be,
and the same is hereby, declared cancelled effective January 31, 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 March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
ANDREW J. SMOLLEN, OF ROUTE)
3, GRAND JUNCTION, COLORADO.)
)
)
)
)
)
-----)
)

PERMIT NO. C-16525

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Andrew J. Smollen of Grand Junction, Colorado,
requesting that his Permit No. C-16525 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 Permit No. C-16525 heretofore issued
to Andrew J. Smollen, be,
and the same is hereby, declared cancelled effective February 1, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
W. L. WILKERSON, OF BOX 92,)
WOODLAND PARK, COLORADO.) PERMIT NO. C-16520
)
)
)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
W. L. Wilkerson of Woodland Park, Colorado,
requesting that his Permit No. C-16520 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 Permit No. C-16520 heretofore issued
to W. L. Wilkerson, be,
and the same is hereby, declared cancelled effective February 21, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Johnson

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
)
DELBERT C. GOODEN, of 3443 W.)
KENTUCKY, DENVER 9, COLORADO.) PERMIT NO. C-16489
)
)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Delbert C. Gooden ----- of Denver, Colorado
-----,
requesting that his Permit No. C-16489 ----- 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 Permit No. C-16489 ----- heretofore issued
to ----- Delbert C. Gooden, ----- be,
and the same is hereby, declared cancelled effective February 26, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Brown

Malcolm Erickson

Ralph C. Johnston

Commissioners

Dated at Denver, Colorado,
this 27th day of March, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
G. C. BOHALL, OF ROUTE 2,)
COLORADO SPRINGS, COLORADO.)
) PERMIT NO. C-16466
)
)
)
-----)

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
G. C. Bohall-----of Colorado Springs, Colorado-----,
requesting that his Permit No. C-16466-----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 Permit No. C-16466-----heretofore issued
to-----G. C. Bohall,-----be,
and the same is hereby, declared cancelled effective February 15, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Hooten

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
)
RICHARD C. BERGSTROM AND EDWARD)
MARTIN, OF 4960 S. BROADWAY,)
ENGLEWOOD, COLORADO.)
)
-----)

PERMIT NO. C-16412

March 27, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Richard C. Bergstrom
and Edward Martin of Englewood, Colorado,
requesting that his Permit No. C-16412 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 Permit No. C-16412 heretofore issued
to Richard C. Bergstrom and Edward Martin, be,
and the same is hereby, declared cancelled effective February 1, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 27th day of March, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
KATHERINE S. McDONOUGH, WILLIAM J.)
McDONOUGH, AND ROBERT A. McDONOUGH,)
CO-PARTNERS, DOING BUSINESS AS)
"McDONOUGH TRUCKING COMPANY," BOX)
664, BOULDER, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7072-PP

March 29, 1946.

Appearances: Dudley Hutchinson, Esq., Boulder,
Colorado, and
William A. Bryans III, Esq., Denver,
Colorado, for applicants;
J. Fred Schneider, Esq., Denver,
Colorado, for Grand County
Transportation Company;
Truman A. Stockton, Jr., Esq., Denver,
Colorado, for North Park Trans-
portation Company;
Marion F. Jones, Esq., Denver,
Colorado, for William Britt;
Myron H. Burnett, Esq., Denver,
Colorado, for the Common Carrier
Division of The Colorado Motor
Carriers' Association;
Frank Tiller, Arvada, Colorado, for
Tiller Cash Coal and Feed Company.

S T A T E M E N T

By the Commission:

This matter was heard on September 27, 1945, at Denver, Colorado.

Applicants, Katherine S. McDonough, William J. McDonough, and Robert
A. McDonough, co-partners, doing business as "McDonough Trucking Company,"
herein seek authority to operate as Class "B" private carriers by motor vehicle
for hire for the transportation of timber and sawmill products between points
within a radius of fifty miles of Boulder, and from and to points in said area,
to and from other points in the State of Colorado, for Alfred De Sautels, of
Lyons, Colorado, only.

Applicants introduced Exhibit No. 1, being copy of Partnership

Agreement, entered into between applicants, which was received in evidence.

Robert A. McDonough testified that the partnership consisted of himself, his wife, Katherine McDonough, and his father, William J. McDonough. He stated that the customer, De Sautels, has timber and sawmills west of Boulder; that it is applicants' desire to transport logs, lumber, and sawmill products to mills, and from mills to purchasers within the area applied for.

Applicants have an International truck, a Walker Log Trailer, a straight truck, and an International Diesel. Their net worth is approximately \$10,000.00 over and above the value of equipment.

Exhibit No. 2, which was introduced in evidence, is an Agreement between Alfred DeSautels and applicants, dated July 20, 1945, under the terms of which applicants agree to transport, and De Sautels agrees to endeavor to employ applicants to transport, certain lumber and timber products for De Sautels under the terms and conditions of said Agreement.

Robert A. McDonough testified that DeSautels has purchased blocked timber, estimated at fifteen million feet, and that the cutting and transportation of this will take about four years.

Under cross-examination, Robert A. McDonough stated that, although DeSautels has no timber in North Park, and none in Grand County, applicants still desire to obtain permit for these areas - in case DeSautels gets lumber there, and they desire permit to transport lumber products from mills within a radius of fifty miles of Boulder, to and from other points in the State of Colorado.

Alfred DeSautels testified that he had been in the lumber business at Lyons for many years; that for his transportation needs, specialized log-trailers are required; that it would take three trailers, and applicants would have to purchase two more; that he has no lumber in sight in North Park, and that if he procures timber on the Western Slope, he will consider authorized carriers on the Western Slope. He further stated that the hauling of finished lumber is secondary.

Upon statement of Mr. Bryans that if permit were issued, it would be satisfactory to have the permit made non-transferable, Willard Britt,

through his attorney, Marion F. Jones, withdrew his protest.

T. A. Stockton, Jr., moved that "North Park" be stricken from the authority, if granted, on the ground that there was no evidence concerning desirability of service from North Park, and on the further ground that the North Park Transportation Company had received no notice of the hearing.

Upon statement of William A. Bryans, III, Esq., that the permit, if issued, might exclude Jackson County, Stockton withdrew protest of North Park Transportation Company.

Myron H. Burnett, on behalf of the Common Carrier Division of The Colorado Motor Carriers' Association and Tiller Cash Coal and Feed Company, moved that the application be denied as to finished products, inasmuch as there was a failure to show that there is not sufficient common carrier service for such transportation.

Fred W. Reynolds testified that he is the owner of Grand County Transportation Company, a common carrier; that the area requested by applicants embraces about two-thirds of Grand County. He stated that he has twelve trucks and six trailers. He did state, however, that he had no objection to authority being granted to transport timber and sawmill products from the woods to the mills.

F I N D I N G S

THE COMMISSION FINDS:

That applicants have sufficient operating ability and financial responsibility to conduct efficiently the proposed operation, and that they should be authorized to transport timber and rough lumber between points within a radius of fifty miles of Boulder, and from and to points in said area, to and from other points in the State of Colorado, for Alfred DeSautels, of Lyons, Colorado, only, excluding all service within, from, and to Jackson County, Colorado, and excluding transportation of finished products, inasmuch as there was no showing of inadequate common carrier service relating to transportation of finished products; that the permit should be non-transferable.

O R D E R

THE COMMISSION ORDERS:

That Katherine S. McDonough, William J. McDonough, and Robert A.

McDonough, co-partners, doing business as "McDonough Trucking Company," Boulder, Colorado, are hereby authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of timber and rough lumber between points within a radius of fifty miles of Boulder, and from and to points in said area, to and from other points in the State of Colorado, for Alfred DeSautels, of Lyons, Colorado, only, excluding all service within, from and to Jackson County, Colorado, and excluding transportation of finished products.

That permit shall be non-transferable.

That said application, in all other respects, is hereby denied.

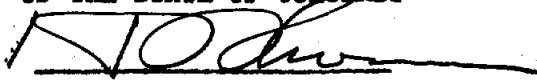
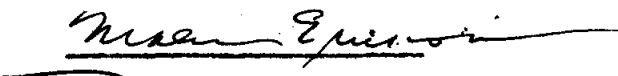
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

This order is the permit herein provided for, but it shall not become effective until 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 29th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
R. A. COOK, COLORADO SPRINGS,
COLORADO, FOR AUTHORITY TO TRANSFER
TO W. R. KERSHAW, DOING BUSINESS AS
"COLORADO SPRINGS SIGHTSEEING COM-
PANY," COLORADO SPRINGS, COLORADO,
THE RIGHT TO OPERATE THREE CARS IN
SIGHTSEEING AND AUTO LIVERY SERVICE,
FROM PUC NO. 1642.

APPLICATION NO. 637-AAA-A

IN THE MATTER OF THE APPLICATION OF
R. A. COOK, COLORADO SPRINGS, COLO-
RADO, FOR AUTHORITY TO TRANSFER HIS
ONE-HALF INTEREST IN PUC NO. 1503
TO C. K. KERSHAW, COLORADO SPRINGS,
COLORADO.

APPLICATION NO. 6229-AAA

RE MOTOR VEHICLE OPERATIONS OF
W. R. KERSHAW, DOING BUSINESS AS
"COLORADO SPRINGS SIGHTSEEING
COMPANY," COLORADO SPRINGS, COLORADO.

PUC NO. 132

SUPPLEMENTAL ORDER

March 29, 1946.

Appearances: Marion F. Jones, Esq., Denver,
Colorado, and
T. A. Stockton, Jr., Esq., Denver,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

By Decision No. 25335, of date December 29, 1945, the Commission authorized the transfer of all right, title, and interest of R. A. Cook in PUC No. 1642 to W. R. Kershaw, doing business as "Colorado Springs Sightseeing Company," Colorado Springs, Colorado.

On January 12, 1946, counsel for applicants directed the attention of the Commission to the fact that Mr. Cook requested authority to transfer only the right to operate three cars in sightseeing service, and that under his PUC

No. 1642 he has authority to operate four cars in sightseeing service, being the right to operate three cars in sightseeing and auto livery service which was acquired by Reasoner and Cook from the William Irvine Estate, and one car in sightseeing and auto service which had been acquired by Reasoner and Cook from H. E. Beals, said operating right later being acquired by Cook from Reasoner and Cook.

An examination of the files and the Order discloses that contention of counsel is correct; that applicants sought only to transfer the right to operate three cars in sightseeing and auto livery service which had been acquired by Reasoner and Cook from the William Irvine Estate.

FINDINGS

THE COMMISSION FINDS:

That the first paragraph of its order and Decision No. 25335 should be amended to conform to the facts.

ORDER

THE COMMISSION ORDERS:

That the first paragraph of the Order contained in Decision No. 25335, on Page 3 thereof, be, and the same hereby is, amended to read:

"That R. A. Cook, Colorado Springs, Colorado, be, and he hereby is, authorized to transfer to W. R. Kershaw, doing business as "Colorado Springs Sightseeing Company," Colorado Springs, Colorado, the right to operate three cars in sightseeing and auto livery service out of his PUC No. 1642, said authority being the operating rights which were acquired by Reasoner and Cook (R. A. Cook's predecessor in interest) pursuant to authority of this Commission, operations by W. R. Kershaw of said right to operate three cars in sightseeing and auto livery service to be consolidated with operations under PUC No. 132 and PUC No. 213 for purposes of reporting, reports to be filed under PUC No. 132,"

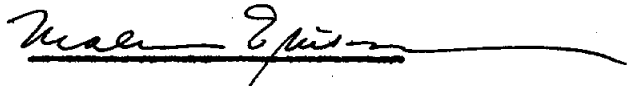
in lieu of the first paragraph of said order, which reads as follows:

"That R. A. Cook, Colorado Springs, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in PUC No. 1642 to W. R. Kershaw, doing business as 'Colorado

Springs Sightseeing Company,' Colorado Springs, Colorado, operations thereunder, for purpose of reporting, to be consolidated with operations under PUC Nos. 132 and 213, reports to be filed under PUC No. 132."

That said Decision No. 25335, 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 29th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
THE LA VETA LIGHT, HEAT AND POWER)
COMPANY, A CORPORATION, LA VETA,) APPLICATION NO. 7255
COLORADO, FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY.)

March 29, 1946.

Appearances: Ralph T. Hunter, Esq., Trinidad,
Colorado, for applicant.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity authorizing the exercise by applicant, The La Veta Light, Heat and Power Company, a Colorado corporation, of certain rights and privileges granted by the Board of Trustees of the Town of La Veta, Colorado, in and by Ordinance No. 53.

The matter was heard in Trinidad, Colorado, pursuant to prior setting and appropriate notice to all parties in interest, on February 11, 1946, and was taken under advisement.

It there appeared that on August 7, 1945, there was passed by the Board of Trustees and approved by the Mayor of the Town of La Veta, Colorado, said Ordinance No. 53, granting to applicant, its successors and assigns, a franchise:

"To erect, construct, operate and maintain in the Town of La Veta, Colorado, an electric plant and system for the manufacture, generation, distribution and sale of electricity, as the same is now or may hereafter be constructed, together with a right of way for poles, wires, buildings, and other equipment necessary for the delivery of electricity for light, heat and power and for other purposes to the Town of La Veta in its municipal capacity and to the inhabitants of the Town of La Veta,

for a term of twenty years from and after its passage, approval and publication

by the Town of La Veta and acceptance and approval by the applicant, it further appearing that applicant accepted and approved said franchise and terms of the ordinance granting same on August 31, 1945.

From the testimony, it appeared that applicant is a Colorado corporation, duly authorized and empowered under its Certificate of Incorporation to engage in the business of generating electrical energy and to transmit and distribute such energy by means of transmission and distribution lines for heat, light, power, and other purposes, directly to consumers or to wholesalers; that it is a public utility within the meaning of the Public Utilities Act of the State of Colorado; that it heretofore was granted a certificate of public convenience and necessity to serve the territory adjacent to and contiguous to said town, it having been engaged in furnishing such service outside the town and service in the town without a certificate - since it was unable to get a franchise from the town - since the year 1908; that no other utility has served said town; that the applicant, however, purchases its energy at wholesale from The Trinidad Electric Transmission Railway and Gas Company, said energy being delivered by Trinidad Company to applicant's sub-station located at La Veta, Colorado; that the population of La Veta amounts to approximately one thousand people. The investment in distribution lines within the Town of La Veta is approximately Ten Thousand Dollars (\$10,000.00), its out-of-town distribution system representing an investment of approximately Twenty-five Hundred Dollars (\$2500.00).

The facts show, and the Commission finds, that public convenience and necessity require the exercise by applicant of the franchise rights granted to it by the Town of La Veta, Colorado, by said Ordinance No. 53; that pecuniarily and otherwise, applicant is able, willing, and qualified to furnish the proposed service; that domestic, industrial, and commercial users of electrical energy - whether purchasers at retail or wholesale - in said town, require the furnishing of electric energy by applicant; that certificate of public convenience and necessity should issue, as prayed for in the application.

O R D E R

THE COMMISSION ORDERS:

That present and future public convenience and necessity require the

exercise by applicant of the franchise rights granted to it by the Board of Trustees of the Town of La Veta, Colorado, in and by Ordinance No. 53, passed on August 7, 1945, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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.

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.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ETHEL E. SORENSON, DOING BUSINESS)
AS "SOORENSON TRUCK SERVICE," FOR)
EXTENSION OF PUC NO. 489.)

APPLICATION NO. 1580-BB
SUPPLEMENTAL ORDER

March 29, 1946.

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicant;
T. A. Stockton, Jr., Esq., Denver,
Colorado, for Ralph Yockey and
Yockey Brothers;
Ray Smith, Denver, Colorado,
for Colorado Motor Carriers'
Association;
H. M. Boyle and
J. L. Rice, Esqs., Denver,
Colorado, for The Colorado and
Southern Railway Company.

S T A T E M E N T

By the Commission:

On May 28, 1945, the Commission entered its Decision No. 24544 in the above-styled matter, denying application of Ethel E. Sorenson, doing business as "Sorenson Truck Service," for an extension of her operating rights under PUC No. 489.

On June 12, 1945, Application for Rehearing was filed.

The Commission has carefully examined said petition for rehearing, and has considered each and every alleged assignment of error, and the reasons assigned in support thereof, and is of the opinion that no error was committed.

The Commission, being of the opinion that it did not appear from the testimony that the granting of said application would be in the public interest, but on the contrary, in the opinion of the Commission, that the granting of the extension sought would not be in the public interest, finds that said petition for rehearing should be denied.

ORDER

THE COMMISSION ORDERS:

That Petition for Rehearing filed in 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 29th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF	)	
LENA BLAKLEY AND ALICE FRANCES HOYT,	)	
DOING BUSINESS AS "BLAKLEY & BLAKLEY,"	)	<u>APPLICATION NO. 1404-A</u>
UNION STOCK YARDS, DENVER, COLORADO,	)	
FOR TRANSFER OF PUC NO. 435 FROM THE	)	
ESTATE OF CHARLES P. BLAKLEY TO THEM.	)	

March 29, 1946.

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

Heretofore, Charles P. Blakley was authorized to operate as a common carrier by motor vehicle for hire.

On or about November 14, 1935, said certificate-holder died. His widow, Lena Blakley, subsequently was appointed Administratrix of his estate by the County Court of Adams County, and ever since said time, as Administratrix, has been conducting said operation.

On April 27, 1945, the County Court of Adams County entered its Order and Decree, finding that said Lena Blakley, prior to the death of said Charles P. Blakley, was owner of an undivided one-half interest in said certificate, and found that the one-half interest of the deceased should be distributed -- one-half (one-fourth) to Lena Blakley, his widow, and one-half (one-fourth) to said Alice Frances Hoyt. Said Lena Blakley and said Alice Frances Hoyt have agreed that said certificate should be transferred on the books of the Commission to Lena Blakley and Alice Frances Hoyt, co-partners, each of them to have an undivided one-half interest in said certificate, and to be equally responsible for the profits of the enterprise and equally responsible for the debts, if any, to be incurred by them as operators of said certificate, and to discharge equally all outstanding indebtedness against the operation.

On July 11, 1945, they filed their application with the Commission,

asking that said arrangement be approved, and the proper notations be made upon our records to show said change of ownership.

The matter was set for hearing, and heard, at Denver, Colorado, October 3, 1945, pursuant to prior appropriate notice to all parties in interest, and taken under advisement.

The facts, as heretofore set forth, were established by the testimony offered at the hearing.

F I N D I N G S

THE COMMISSION FINDS:

That the petition should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission be, and he hereby is, directed to amend and change the records of the Commission to show that PUC No. 435 is owned by Lena Blakley and Alice Frances Hoyt, co-partners, doing business as "Blakley & Blakley," in equal shares.

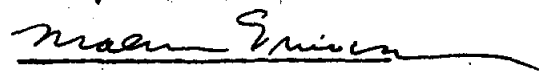
That said co-partners be, and they hereby are, required to assume and discharge any outstanding operating obligations against said operation.

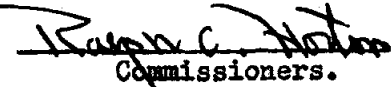
The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
FRED H. AUSTIN FOR AUTHORITY TO
TRANSPORT MILK AND CREAM AND DAIRY
PRODUCTS FROM PRESENTLY AUTHORIZED
TERRITORY UNDER PUC 375 TO DENVER
METROPOLITAN AREA AND/OR TO ANY
POINT WITHIN FIVE MILES OF THE COR-
PORATE LIMITS OF THE CITY AND COUNTY
OF DENVER.

APPLICATION NO. 1382-AAA-BABE

IN THE MATTER OF THE APPLICATION OF
L. C. AUSTIN FOR AUTHORITY TO TRANS-
PORT MILK, CREAM, AND DAIRY PRODUCTS
FROM PRESENTLY AUTHORIZED TERRITORY
UNDER PUC 1632 TO DENVER METROPOLI-
TAN AREA AND/OR TO ANY POINT WITHIN
FIVE MILES OF THE CORPORATE LIMITS
OF THE CITY AND COUNTY OF DENVER.

APPLICATIONS NOS. 5617-AA-B
662-AA-B

IN THE MATTER OF THE APPLICATION OF
JOHN J. TISONE, DON T. TISONE,
ANTHONY F. TISONE AND WILLIAM T.
BULLARD, DOING BUSINESS AS PIONEER
TRUCKING COMPANY, BOULDER, COLORADO,
FOR AN EXTENSION OF CERTIFICATE 616.

APPLICATION NO. 1776-AA-BEB

April 2, 1946.

Appearances: John W. Metzger, Esq., First National
Bank Building, Denver, Colorado,
for Applicants Fred H. Austin and
L. C. Austin;
Marion F. Jones, Esq., Denver, Colorado,
for Applicants John J. Tisone,
Don T. Tisone, Anthony F. Tisone, and
William T. Bullard, doing business as
Pioneer Trucking Company.

STATEMENT

By the Commission:

The above matters were consolidated for the purpose of hearing.

At the hearing, which was held in Denver, Colorado, on February 8,
1946, Fred H. Austin asked for authority to transport milk, cream and dairy
products from presently authorized territory under PUC 375 to Denver metropolitan

area and/or to any point within five miles of the corporate limits of the City and County of Denver.

Applicant, L. C. Austin, through his attorney, asked for the same authority under his Certificate No. 1632, that is, to transport milk, cream and dairy products to Denver metropolitan area and/or to any point within five miles of the corporate limits of the City and County of Denver.

On motion of Mr. Jones, attorney for Pioneer Trucking Company, to strike the testimony of L. C. Austin, the Commission permitted the taking of evidence on the application, but reserved its ruling as to admission of testimony and consideration of his orally made application, pending development of further facts.

Applicants, John J. Tisone, Don T. Tisone, Anthony F. Tisone and William T. Bullard, doing business as Pioneer Trucking Company, by amending their application, seek authority to extend their certificate No. 616 to cover the transportation of milk and cream from producers within the following areas:

Bounded on the west by Highway No. 7 between Boulder and Lyons as extended north and south to the north and south boundary applied for, including shippers on west side of said highway; on the east by Highway No. 87; on the north by a line commencing 1/2 mile north of Lyons, then due east to U. S. Highway No. 87; and on the south by the Boulder County line,

to Denver, Colorado, and a five-mile radius thereof, and to Boulder, Lafayette and Longmont, Colorado.

At the hearing, the evidence disclosed that above applicants are engaged in the business of transporting milk and cream from their respective territories authorized by their certificates, to Denver. In the Austin applications, it appears they are only authorized to deliver within the City and County of Denver. The evidence further disclosed that at the time the Austins' authority was issued, all of the large creameries and dairies maintained delivery stations within the city limits. It now appears that many of the larger dairies have moved their receiving stations out of the city, and the above applicants can no longer deliver to them, as they have no authority to deliver outside of the City and County of Denver.

Several milk producers appeared and testified that they needed a service to creameries, dairies, and milk receiving stations located just outside the city limits of Denver and requested that the applications of Fred H. and L. C. Austin be granted. The evidence also disclosed that there are some eight dairies and creameries located just outside the Denver city limits which purchase milk and cream for delivery in Denver.

Applicant, Pioneer Trucking Company, wishes to extend its pick-up territory. This territory is covered also by applicant Fred H. Austin, doing business as Austin Brothers. On the other hand, Pioneer Trucking Company recently purchased a certificate authorizing them to make deliveries of milk in the metropolitan area of Denver. After considerable argument and discussion, all parties withdrew their protests and consented to the granting of the extensions applied for, including the L. C. Austin application. Thereupon, L. C. Austin filed application in writing to extend his authority as outlined. This appears to the Commission to be a proper solution of the problem presented. It would seem to the Commission that a more complete, economical and efficient service to the general public would follow with the granting of the proposed applications, also making it possible for the carriers to eliminate transfers and establish more satisfactory schedules, thereby improving the service to the milk producers and the public.

After careful consideration of the record, the Commission is of the opinion, and finds, that (1) filing of the application by L. C. Austin for extension, and consideration thereof was proper, and motion of protestants to strike his testimony be denied; (2) that public convenience and necessity require the granting of the aforementioned applications of Fred H. Austin, L. C. Austin and the Pioneering Trucking Company.

ORDER

THE COMMISSION ORDERS:

That the public convenience and necessity require the extended operations of Fred H. Austin to include the transportation of milk, cream and dairy products from presently authorized territory, under PUC No. 375, to any point within five miles of the City and County of Denver.

That the public convenience and necessity require the extended operations of L. C. Austin to include the transportation of milk, cream and dairy products, under PUC No. 1632, from presently authorized territory to any point within five miles of the corporate limits of the City and County of Denver.

That public convenience and necessity require the proposed extended operations of John J. Tisone, Don T. Tisone, Anthony F. Tisone, and William T. Bullard, doing business as Pioneer Trucking Company, under PUC No. 616, to include the transportation of milk and cream from producers within the area bounded on the west by Highway No. 7 between Boulder and Lyons extended north and south to the north and south boundaries hereof, as hereinafter set forth, including shippers abutting on the highway on the west side of said tract; on the east by Highway No. 87; on the north by a line commencing 1/2 mile north of Lyons, thence due east to U. S. 87; and on the south by the Boulder County line; to Denver, Colorado, and points within a five-mile radius thereof, and to Boulder, Lafayette, and Longmont, Colorado.

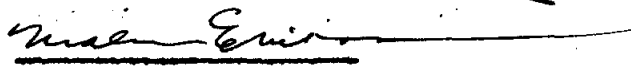
That said applicants, Fred H. Austin, L. C. Austin, and Pioneer Trucking Company, shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules and regulations of this Commission, within twenty days from date.

That said applicants shall operate their respective systems according to the schedules filed 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 2nd day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
COLORADO POTATO GROWERS' EXCHANGE,
COOPER BUILDING, DENVER, COLORADO,
FOR THE CONSTRUCTION OF A RAILROAD
SPUR TRACK OVER U. S. HIGHWAY NO.
160 AT ZINZER, COLORADO (RIO GRANDE
COUNTY), AND FOR ESTABLISHMENT OF
A PUBLIC HIGHWAY CROSSING AT SAID
POINT.

APPLICATION NO. 6696

March 29, 1946.

Appearances: Ralph L. Carr, Esq., Denver,
Colorado, and
Wilbur E. Rocchio, Esq., Denver,
Colorado, for applicant;
Robert L. Gee, Esq., Assistant
Attorney General for the State
of Colorado, for State Highway
Department;
Rafael J. Moses, Esq., Alamosa,
Colorado, for San Luis Valley Rural
Electrification Association.

S T A T E M E N T

By the Commission:

This matter was heard at Alamosa, Colorado, January 8, 1946.

Colorado Potato Growers' Exchange, a cooperative Colorado corporation, owns and operates a potato warehouse, processing and shipping plant, at Zinzer, Colorado, at a point adjacent to U. S. Highway No. 160 (which parallels, is adjacent to, and northeast of, the right-of-way of The Denver and Rio Grande Western Railroad), in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10, Township 38 North, Range 8 East, N. M. P. M.

The Exchange seeks authorization for the construction and operation of a standard gauge railroad spur track of the Denver and Rio Grande Western Railroad, at grade, 525 feet in length from the main line of the railroad across U. S. Highway No. 160, commencing at a point in the northerly right-of-way line of the railroad, which is identical with the southerly right-of-way line of the highway, about 80 feet east from the west line of said Section 10, and extending

thence northwesterly on a curve to the right with a radius of 328.7 feet (17°30' curve) a distance of about 120 feet across said highway to a point in the northerly right-of-way line of said highway, about 40 feet east from said west line of Section 10.

The Exchange asserts in its application that the warehouse is for the storage, grading, and shipping of potatoes, and that such spur track is necessary in order to provide proper and adequate shipping facilities; that the spur track will not be used in the ordinary movement of engines, cars and trains of the railroad, but will only be used from time to time as occasion requires, for the movement of cars to and from the warehouse; that the railroad is willing to construct and maintain said spur track and public crossing and standard "crossbuck" railroad warning signs at the same, at the expense of the railroad.

Other allegations appear in the application, which it is unnecessary to discuss, in view of change of conditions and lack of testimony regarding same.

The State Highway Department of the State of Colorado filed written protest and answer to the application, alleging as grounds that the establishment of such grade crossing is inimical to the public welfare and safety; that the State of Colorado has spent hundreds of thousands of dollars to eliminate grade crossings; that the proposed crossing is not necessary or in the interest of public convenience and safety, as the proposed facility for storing, grading, and shipping of potatoes could be located on the south side of the road, thereby eliminating the need for such crossing; that there is already in existence a grade crossing at Sugar Junction, approximately one mile northwest from the proposed crossing, and that it would be possible to construct a track on the north side of the highway to the storage plant, which would eliminate the necessity of an additional crossing; that the proposed crossing, being used only from time to time, is many times more dangerous than the ordinary crossing, and that because of the shortness of the track, the highway would be entirely blocked every time cars were moved to or from the warehouse.

The evidence disclosed that the present warehouse and storage facilities of Exchange were acquired about 1938, at a cost of from \$12,000 to \$15,000. Between 150 and 200 potato growers ship through the Exchange at Zinzer.

There was a great deal of uncontradicted testimony showing the high desirability of shipping potatoes by rail rather than by truck, as had been done largely from 1938 to 1942. In 1942, shipments from Zinzer began to move more by rail than by truck, and during the 1944-1945 season, only ten per cent of potato shipments from the entire San Luis Valley were moved by truck, this being the approximate percentage of movements by truck from Zinzer during the same period. There was no doubt expressed at the hearing but that potato growers in the San Luis Valley and the entire Colorado potato industry would be much better served by rail shipments rather than by truck shipments. The issues raised at the hearing could be said to have finally confined themselves to the single issue as to whether or not the interests of the Exchange, the farmers served by it at Zinzer, and the public generally constitute a sufficient public interest to warrant the construction and operation of a spur track across the highway as requested, as contrasted with the hazards of a grade crossing, and the enlightened policy of the State Highway Department of Colorado and other states of the Union to abolish grade crossings in the interests of public safety.

There was testimony that the Exchange could have built its storage warehouse and loading facilities on the south side of the tracks. Suffice it to say, this was not done, and there was no suggestion that the Exchange could have been compelled so to do. The evidence did not show any other feasible way of loading the potatoes from the warehouse into the railroad cars at Zinzer. Testimony on the part of the Exchange indicated that a conveyer system, either over or under the highway, would not be feasible, and the evidence of the protestant did not show that such a system would be feasible. Suggestion was made by protestant that a rail crossing exists about one mile northwest of Zinzer, and that by building a spur track from the main line to

the facilities of the Exchange, loadings could be made direct to rail. However, no testimony was offered as to the cost of such a proposal, nor was it indicated that the railroad would construct and operate such a spur. Suggestion was also made that the potatoes from the Zinser district clearing through the Exchange could be trucked to Monte Vista, but the testimony disclosed that such truck shipments would involve the crossing of three railroad tracks, and would cost from three cents to five cents more per hundred pounds to handle.

The present shipments of potatoes by rail from Zinser involve approximately forty crossings of Highway No. 160 per day by truck during the shipping season, occurring usually between 1:30 P. M. and 4:30 P.M. The same shipments by rail would involve four movements per day along the spur track across Highway No. 160, at an approximate speed of one to two miles per hour. Shipments in either event are not made during the tourist season, when highway traffic is heaviest, except a small amount of early potatoes in the month of August. The testimony showed that a car approaching the proposed crossing at considerable speed from either direction would be able to see the movement of a train along the spur track across the highway for a considerable distance.

State Highway Courtesy Patrolman Russell DiSalvo, witness for protestant, admitted that forty movements of trucks across the highway per day might constitute a greater traffic hazard than four movements of train per day, and A. V. Williamson, District Engineer, U. S. Public Roads for the State of Colorado and witness for protestant, admitted that the trucks now being used by the Exchange crossing the highway on an average of forty times a day, would be more of a traffic hazard than four movements of train per day.

Protestants submitted imposing testimony and figures concerning the efforts made by U. S. Bureau of Public Roads, Colorado and other states to reduce highway deaths and accidents by the elimination of grade crossings. The policy of the Highway Department and the U. S. Bureau of Public Roads and the testimony given in support thereof, are persuasive, but the Commission must base its decision upon the facts produced at the hearing.

There was no showing that, if present arrangement is continued, it would be economically feasible to eliminate the necessity of approximately forty trucks per day crossing the highway to load by rail during the shipping season. The issues thus narrow themselves to the question of whether or not the public would be best served by the continuance of truck movements across the highway, or by the construction and operation of a spur track by the railroad across the highway under proper safety restrictions. The railroad produced testimony to the effect that it was willing to construct and operate such spur track, providing "crossbuck" railroad warning signs, and maintaining a flagman on each side of the highway.

The San Luis Valley Rural Electrification Association appeared at the hearing, by its attorney, Rafael J. Moses, of Alamosa, Colorado, and asked leave to intervene in behalf of the Exchange. Leave was granted upon condition that protestant might request further hearing in Denver, if desired, to rebut testimony of intervener. Intervener's testimony in support of the application, however, showed that only twenty-five cars of material for intervener have been shipped for use of intervener at Zinzer in the past seven years. This showing, in the opinion of the Commission, has no weight with regard to the public convenience and necessity of the spur track involved.

The Commission is in receipt of objections of the protestant to the intervention, and request for additional hearing under date of January 14, 1946, in which protestant:

"protests the intervention, objects thereto, requests that the same be denied, and that a further hearing as to the matters and things raised by said intervention be had at Denver, Colorado, at such time as may to the Commission be convenient."

Such objection by protestant is construed to contemplate a further hearing as to intervener's testimony in the event the intervention is not denied. Inasmuch as the Commission ascribed no weight to the testimony of intervener, it would serve no useful purpose to conduct a further hearing in Denver as to the testimony elicited in said intervention.

FINDINGS

THE COMMISSION FINDS:

That public convenience and necessity require the construction and operation of a spur track across Highway No. 160, at Zinser, Colorado, as hereinafter particularly described.

That a standard gauge railroad spur track of The Denver and Rio Grande Western Railroad Company should be permitted to be constructed and operated at the expense of The Denver and Rio Grande Western Railroad Company, as set forth in the following Order.

That a further hearing as to the testimony elicited in the intervention of San Luis Valley Rural Electrification Association would serve no useful purpose, and that intervention should be denied.

That jurisdiction of the instant matter should be retained, to the end that, should public convenience and necessity so require, the Commission may order the dismantling and removal of said spur track.

ORDER

THE COMMISSION ORDERS:

That a standard gauge railroad spur track of The Denver and Rio Grande Western Railroad Company is hereby permitted to be constructed and operated, at the expense of The Denver and Rio Grande Western Railroad Company, at grade, from the main line of the railroad across U. S. Highway No. 160 (said spur track being approximately 525 feet in length), commencing at a point in the northerly right-of-way line of the railroad, which is identical with the southerly right-of-way line of the highway, about 80 feet east from the west line of Section 10, Township 38-North, Range 8-East, N. M. P. M., Rio Grande County Colorado, and extending thence northwesterly on a curve to the right with a radius of 328.7 feet ($17^{\circ} 30'$ curve) a distance of about 120 feet across said highway to a point in the northerly right-of-way line of said highway, about 40 feet east from the west line of said Section 10; provided that, prior to the opening of said crossing, it shall be constructed in accordance with the Commission's plans and specifications relating to grade crossings; and provided further

that automatic warning signals shall be installed at said crossing for the protection of the public using Highway No. 160 at said point, both warning signals and crossing to be installed and maintained at the expense of the Railroad Company.

The intervention of San Luis Valley Rural Electrification Association is hereby denied.

Jurisdiction of the instant matter is hereby retained to the end that, should public convenience and necessity so require, the Commission may order the dismantling and removal of said spur track.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 29th day of March, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

SCHOOL DISTRICT NO. 47 IN THE
COUNTY OF JEFFERSON, STATE OF
COLORADO,

Complainant,

v.

LAKEWOOD SANITATION DISTRICT,

Defendant.

CASE NO. 4934

Appearances: Harry A. King and E. B. Upton, Esqs.,
710-717 Majestic Bldg., Denver 2,
and M. C. Molholm, Esq., 1004-7
Patterson Bldg., Denver 2, for
Complainant;
Geo. J. Robinson, Esq., and Wm. Hedges
Robinson, Jr., Esq., 812 Equitable
Bldg., Denver 2, for Respondent.

S T A T E M E N T

By the Commission:

The above-entitled proceeding involves a complaint of School District No. 47 against the Lakewood Sanitation District on account of certain rates and charges proposed to be charged by the Sanitation District against the complainant.

The respondent was organized and is now existing and operating under and pursuant to the provisions of Chapter 175, Session Laws of Colorado, 1939, as amended by Chapter 232, Session Laws of Colorado, 1941. By Section 13(1), the Board of the District has the power "to fix and from time to time to increase or decrease water and sewer rates, tolls or charges for services or facilities furnished by the District, and to pledge such revenue for the payment of any indebtedness of the District. The board shall fix such rates, tolls or charges as shall be approved by the public utilities commission of the state of Colorado. * * *."

Upon the filing of the complaint, this Commission issued an order requiring the respondent to satisfy the complaint or to file its

answer therein. The respondent filed an answer on December 27, 1945, in which it set up three separate defenses.

In the first defense, the respondent contends that the complaint herein is not issued and signed in the manner and under the authority provided by the statutes of the State of Colorado. The second defense contains admissions and denials of the allegations of the complaint. For a third defense, it set up that the Public Utilities Commission has no right or authority, under the Constitution of the State of Colorado, to approve or disapprove of any of the rates, tolls, or charges of the board of directors of the Lakewood Sanitation District.

At the request of the respondent, the matter was set for oral argument on the question of the constitutionality of the requirement that the rates, tolls, and charges assessed by respondent be approved by the Public Utilities Commission. It was the contention of the respondent at the oral argument that Section 13(1) of the Act under which respondent was created was unconstitutional and in violation of Section 35 of Article V of the Constitution of the State of Colorado. That section reads:

"The general assembly shall not delegate to any special commission, private corporation, or association any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes or perform any municipal function whatever."

The Legislature has, by various acts, including the 1939 Act, imposed certain duties upon this Commission. In effect, the respondent now asks this Commission, which also was created by the Legislature, to determine the question of whether or not an Act of the Legislature violates the Constitution. We are of the opinion that this Commission cannot pass upon the constitutionality of an Act of the Legislature under which duties are prescribed for this Commission, and that, until a court in a proper case holds the Act of the Legislature in question unconstitutional, we must obey that law. Consequently, the only course left open for this Commission is to proceed upon the theory that the law is constitutional.

In connection with this, we call attention to the case of People v. Leddy, 53 Colo. 109, 111, in which it is stated:

"As every enrolled bill, signed by the proper officers and lodged with the secretary of state, however repugnant to the constitution, has the appearance, semblance and force of law, the general rule is, that public officials shall obey its terms until some one, whose rights it invades, complains, and calls in the aid of the judicial power to pronounce it void as to him, his property or his rights."

This matter was not presented to the Commission in the form of a motion to dismiss. Inasmuch as the oral argument was held at the request of the respondent, we believe, and find, that such oral argument should be considered as a motion to dismiss, and will so treat it.

The Commission finds, from the foregoing, that the respondent's motion to dismiss, based on the unconstitutionality of the questioned part of Section 15(1), Chapter 175, Session Laws of 1939, should be denied.

O R D E R

IT IS ORDERED BY THE COMMISSION:

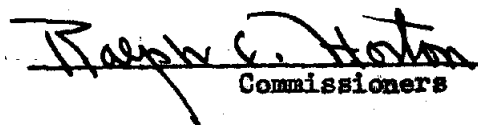
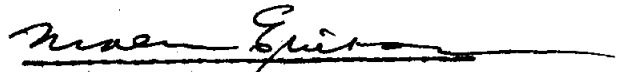
That the oral motion of respondent to dismiss the above entitled proceedings should be, and the same hereby is, denied.

That said Case No. 4954 be, and it hereby is, set for hearing at Room 350, State Office Building, Denver, Colorado, at ten o'clock a.m., on Monday, the 22d day of April, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



DATED at Denver, Colorado,
this 29th day of March, 1946.


Commissioners

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION)
OF SOUTHERN COLORADO POWER COMPANY,) APPLICATION NO. 7231
PUEBLO, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)

April 8, 1946.

Appearances: J. W. Preston, Esq., Pueblo,
Colorado, for applicant;
Glen S. Wendelken, Esq., Colorado
Springs, Colorado, for the City
of Colorado Springs, Colorado.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity, authorizing the extension of applicant's utility service into certain territory in El Paso County, and for an order granting to applicant a certificate of public convenience and necessity to furnish electrical energy for light, power, heat, and other purposes from its existing lines to the inhabitants and enterprises who may desire such service in certain rural territory described as follows:

Starting at the southeast corner of Section 24, Township 16-South, Range 68 West on the line between Fremont County and El Paso County; thence easterly along the south lines of Sections 19, 20, 21, 22, 23, and 24, Township 16-South, Range 67-West, and the south lines of Sections 19, 20 and 21, Township 16-South, Range 66-West to the southeast corner of said Section 21, Township 16-South, Range 66-West; thence southerly along the east section lines of Sections 28 and 33, Township 16-South, Range 66-West, and of Sections 4, 9, 16, 21, 28 and 33, Township 17-South, Range 66-West, to the southeast corner of said Section 33, Township 17-South, Range 66-West; thence westerly along the line between El Paso County and Pueblo County to the southwest corner of Section 31, Township 17-South, Range 67-West, which is on the line between Fremont County and El Paso County; thence northerly along the boundary line between Fremont County and El Paso County to the place of beginning, and Section 22, Township 16-South, Range 67-West.

The matter was heard in Pueblo, Colorado, pursuant to prior setting and due notice to all parties in interest, on January 25, 1946, and taken under advisement.

It appeared from the testimony offered at the hearing, and from the application and exhibits thereto attached, which were made a part of the record, that applicant, Southern Colorado Power Company, a Colorado corporation, is a public utility within the meaning of the Public Utilities Act of the State of Colorado, and is engaged in the business of generating electrical energy by steam power plants located at Pueblo, Colorado, and Canon City, Colorado, and by water power plant located at Skaguay, Colorado, and in transmitting and distributing such electrical energy by means of transmission and distribution lines in the Counties of Pueblo, Otero, Bent, Crowley, El Paso, Fremont, Teller, and Custer, in said State of Colorado, which electrical energy applicant sells for light, power, heat, and all other purposes for which electrical energy is used, either directly to consumers, or wholesales the same to other public utilities for distribution and sale to consumers.

That one of the main transmission lines of applicant extends, and for several years prior to the year 1917, extended, through Sections 32, 31, 30, and 19, Township 17-South, Range 67-West, located in the southwest corner of El Paso County; that, for several years prior to the filing of the application, applicant has served territory in the southwest corner of said El Paso County, contiguous to its said transmission line, and not theretofore served by any public utility of like character to applicant; that applicant served five customers in said territory through which its transmission line passes; that the territory which applicant seeks authority to serve likewise is not served by any public utility, although the Commission, heretofore, authorized the City of Colorado Springs, Colorado, to furnish electrical energy in the territory embraced in Section 22, Township 16-South, Range 67-West; that the City of Colorado Springs, in writing, has consented to the issuance of certificate of public convenience and necessity to applicant to serve Section 22; that the territory which applicant seeks

authority to serve has a population of approximately four hundred people; that the inhabitants of said territory have no means of securing electrical service, save through and by means of the plants and lines of applicant; that the transmission lines of the City of Colorado Springs are located at a considerable distance from said territory, and it would require the expenditure of considerable money by said City to extend its lines to, and serve, said territory; that applicant's capital investment in the territory amounts to approximately \$10,000.00.

The City of Colorado Springs, by its attorney, informed the Commission at the hearing that it did not object to the extension of service lines by applicant into Section 22.

F I N D I N G S

THE COMMISSION FINDS:

That the present and future public convenience and necessity require the proposed extended service of applicant, and the construction of distribution and transmission lines contemplated by it, to furnish electrical energy for lighting, heating, power, and such other purposes as electrical energy may be used for in the territory described as:

Starting at the southeast corner of Section 24, Township 16-South, Range 68-West on the line between Fremont County and El Paso County; thence easterly along the south lines of Sections 19, 20, 21, 22, 23, and 24, Township 16-South, Range 67-West, and the south lines of Sections 19, 20, and 21, Township 16-South, Range 66-West to the southeast corner of said Section 21, Township 16-South, Range 66-West; thence southerly along the east section lines of Sections 28 and 33, Township 16-South, Range 66-West, and of Sections 4, 9, 16, 21, 28, and 33, Township 17-South, Range 66-West, to the southeast corner of said Section 33, Township 17-South, Range 66-West; thence westerly along the line between El Paso County and Pueblo County to the southwest corner of Section 31, Township 17-South, Range 67-West, which is on the line between Fremont County and El Paso County; thence northerly along the boundary line between Fremont County and El Paso County to the place of beginning, and Section 22, Township 16-South, Range 67-West,

and that applicant should be authorized to construct and extend its transmission and distribution line, or lines, to, and in, said territory, and to furnish

electric current for lightint, heating, and power purposes to commercial, industrial, and domestic users in said territory; that applicant has adequate generating capacity to serve the territory in question, and pecuniarily and otherwise, is able, willing, and qualified to furnish the proposed service; that the present and future public convenience and necessity require the granting of the certificate requested by applicant, as set forth in the Order following, and that certificate of public convenience and necessity should issue, as prayed for in the application; that public convenience and necessity require that this order be made effective forthwith; that the valuation of \$10,000.00 placed on said transmission and distribution lines, as now constructed, shall be accepted by the Commission for the purpose of determining fees for issuance of certificate herein, the Commission, however, not to be bound by said valuation in any subsequent rate investigation, or other proceedings, where valuation is an issue, should such investigation or proceedings occur.

O R D E R

THE COMMISSION ORDERS:-

That present and future public convenience and necessity require the proposed extended service of applicant in the construction of distribution and transmission lines contemplated by it to furnish electrical energy for lighting, heating, power, and other purposes in the territory described as:

Starting at the southeast corner of Section 24, Township 16-South, Range 68-West on the line between Fremont County and El Paso County; thence easterly along the south lines of Sections 19, 20, 21, 22, 23, and 24, Township 16-South, Range 67-West, and the south lines of Sections 19, 20, and 21, Township 16-South, Range 66-West to the southeast corner of said Section 21, Township 16-South, Range 66-West; thence southerly along the east section lines of Sections 28 and 33, Township 16-South, Range 66-West, and of Sections 4, 9, 16, 21, 28 and 33, Township 17-South, Range 66-West, to the southeast corner of said Section 33, Township 17-South, Range 66-West; thence westerly along the line between El Paso County and Pueblo County to the southwest corner of Section 31, Township 17-South, Range 67-West, which is on the line between Fremont County and El Paso County; thence northerly along the boundary line between Fremont County and El Paso County to the place of beginning, and Section 22, Township 16-South, Range 67-West,

and that applicant should be, and it hereby is, authorized to construct and

extend its transmission and distribution line, or lines, and to furnish electrical energy for lighting, heating, power, and other purposes, to commercial, industrial, and domestic users in said territory, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

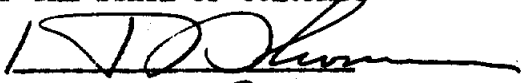
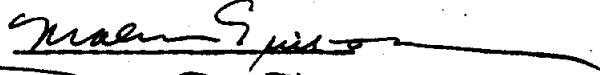
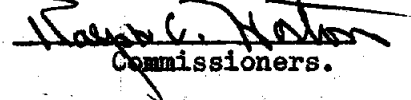
That until such time as new schedules are filed, all of applicant's tariffs now on file with the Commission governing the schedule of rates, charges, rules and regulations of applicant for the service it is now rendering in said territory shall be applicable to service therein under this certificate of public convenience and necessity.

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.

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.

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

THE PUBLIC UTILITIES COMMISSIO
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 8th day of April, 1946.

BH

Original

(Decision No. 25749)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
GEORGE STOLTE, 624 LINCOLN STREET,)
FORT MORGAN, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 1416 TO M. W.)
PALMER AND THEODORE ABROMSKI, DOING)
BUSINESS AS "MORGAN CAB CO.," 212)
MAIN STREET, FORT MORGAN, COLORADO.)

APPLICATION NO. 5614-AAA

April 3, 1946.

Appearances: George Stolte, Fort Morgan,
Colorado, pro se;
M. W. Palmer, Fort Morgan,
Colorado, pro se;
Theodore Abromski, Fort Morgan,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and appropriate notice to all parties in interest, was heard at Denver, Colorado, February 14, 1946, and taken under advisement.

Pursuant to authority contained in Decision No. 19740, of date September 29, 1942, George Stolte acquired PUC No. 1416 from L. M. Solt, who, by Decision No. 17315, as amended by Decision No. 17442, was authorized to operate a taxi service for the transportation of:

passengers over irregular routes, on call and demand, between points within a radius of fifty miles of the City of Fort Morgan, Colorado.

He now seeks authority to transfer said certificate to M. W. Palmer and Theodore Abromski, doing business as "Morgan Cab Company," Fort Morgan, Colorado.

At the hearing, it appeared that the consideration for the transfer of two cabs and the certificate is the sum of \$3200.00, of which \$2800.00 has been paid transferor at the time of hearing, balance of \$400.00 to be paid in monthly installments; that passenger-mile tax deposit is to be transferred to account of transferees; that transferees are experienced taxicab operators, and have knowledge of the territory to be served, inasmuch as they have worked

for transferor.

FINDINGS

THE COMMISSION FINDS:

That transferees, pecuniarily and otherwise, are able, qualified, and willing to carry on the operation; that the proposed transfer is in the public interest and should be authorized.

ORDER

THE COMMISSION ORDERS:

That George Stolte, Fort Morgan, Colorado, be, and he hereby is authorized to transfer all his right, title, and interest in and to PUC No. 1416 to M. W. Palmer and Theodore Abramski, doing business as "Morgan Cab Company," Fort Morgan, Colorado.

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

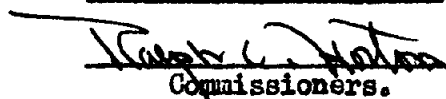
The tariff of rates, rules and regulations of the transferor shall become and remain those of the transferees herein until changed according to law and the rules and regulations of this Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 3rd day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
SIDNEY WILKINSON, PRITCHETT, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE AS)
A PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7044-PP

April 3, 1946.

Appearances: Sidney Wilkinson, Pritchett, Colo-
rado, pro se;
Marion F. Jones, Esq., Denver,
Colorado, for Carroll Line;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

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 from farms within an area bounded by U. S. Highway No. 287 on the east, the Las Animas County-Baca County Line on the west, a line on the north drawn east and west through a point twenty-five miles north of Pritchett, and the Colorado-New Mexico State Line on the south, to elevators in Pritchett and Springfield, Colorado; livestock from points in the same area to sales rings in Lamar, La Junta, Pueblo, and Denver; household goods from farm to farm within said area; farm machinery to farms in said area from Springfield, La Junta, and Lamar, equipment used in said operation to be limited to one and one-half-ton truck, with not to exceed a rack or body twelve feet in length.

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

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

It did not appear that the proposed operation will tend to impair the efficiency of any authorized motor vehicle common carrier service in the area.

F I N D I N G S

THE COMMISSION FINDS:

That permit, with authority as limited at the hearing, should issue.

O R D E R

THE COMMISSION ORDERS:

That Sidney Wilkinson, Pritchett, 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 from farms within an area bounded by U. S. Highway No. 287 on the east, the Las Animas County-Baca County Line on the west, a line on the north drawn east and west through a point twenty-five miles north of Pritchett, and the Colorado-New Mexico State Line on the south, to elevators in Pritchett and Springfield, Colorado; livestock from points in the same area to sales rings in Lamar, La Junta, Pueblo, and Denver; household goods from farm to farm within said area; farm machinery to farms in said area from Springfield, La Junta and Lamar; equipment used in foregoing operations to be limited to one $1\frac{1}{2}$ -ton truck, with not to exceed a rack or body twelve feet in length.

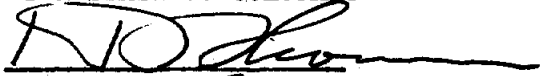
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 3rd day of April, 1946.

Original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF }
CLEO L. STARKS AND R. C. MASON, }
DOING BUSINESS AS "GREAT WESTERN }
STAGES," COLORADO SPRINGS, COLORADO, }
FOR A CERTIFICATE OF PUBLIC CON- }
VENIENCE AND NECESSITY. }

APPLICATION NO. 6604
SUPPLEMENTAL ORDER

* - - - - -

April 3, 1946.

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants;
Conour and Conour, Esqs., Del
Norte, Colorado, for Pikes
Peak Stage Coach Company;
J. A. Carruthers, Esq., Colorado
Springs, Colorado, for Yellow
Cab Company of Colorado Springs;
E. B. Evans, Esq., Denver, Colorado,
for The Public Utilities Com-
mission of the State of Colorado.

S T A T E M E N T

By the Commission:

By Decision No. 22347, of date May 31, 1944, Cleo L. Starks and
R. C. Mason, doing business as "Great Western Stages," were granted a certificate
of public convenience and necessity for the transportation of passengers by horse-
drawn vehicles, in round-trip sightseeing service, for the duration of the war
between the United States and Germany, only,-

between points and places within a radius of
twenty miles of Manitou Springs, Colorado, without
the right to perform inter-city or town to town
service, subject to the compliance by them with
certain terms and conditions relative to rates,
insurance and commissions set forth in said order,
reference to which is hereby made.

Subsequently, they filed an application to make said certificate
permanent.

Said matter, pursuant to prior setting and after appropriate notice
to all parties in interest, was heard at Colorado Springs, Colorado, August 14,
1945, and taken under advisement.

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

At the hearing, it appeared that applicants had operated regularly under said certificate since the institution of the service, which had been started prior to the granting of the certificate mentioned; that at time of hearing, they had ten pieces of equipment in use, two vehicles being regular coaches, one an old vehicle, and seven coaches or tally-hos equipped with rubber tires and automobile brakes; that they have twenty-four horses; that the equipment is clear, all expenses of the operation and capital outlay for equipment having been met out of net profits of the business -- which amounted, without salary allowances to the partners, to \$8,000.00 in 1944 and to \$12,000.00 during the first seven and one-half months of 1945; that their operation had been continuous, except for a period of approximately sixty-five days during the winter; that the discontinuance of service was not due to lack of business, but inability of partners to stand the strain of continuous operation; that while a considerable part of the volume has been due to the fact that sightseeing service by automobile was discontinued during the period of operation of horse-drawn vehicle service by The Office of Defense Transportation, applicants believe that there will be a considerable demand for sightseeing service by horse-drawn vehicles after automobile service is resumed; that they are ready, able and willing to continue the service, and to try and satisfy the demand; that the immediate cause for filing the application for extension is the fact that a competitor (who, since the hearing, has notified the Commission that service has been discontinued and will be abandoned) instituted suit in the District Court at Colorado Springs to enjoin the continued operation by petitioners of their service, upon the ground that the "duration" was over -- that is, that the war between Germany and the United States had ended. The matter has been heard by the District Court since our hearing, and the injunction was denied.

It appeared that the equipment used by applicants is safe; that they never experienced a serious accident up to the time of hearing; that no passengers have been injured. Also it appeared that their customers like the

service, and want to see it continued. They claim that they have more time and better opportunity for observation while riding in a horse-drawn vehicle than in an automobile.

FINDINGS

THE COMMISSION FINDS:

That public convenience and necessity require the continuance of applicant's common carrier service for the transportation of passengers by horse-drawn vehicles, in round-trip sightseeing service, between points and places within a radius of twenty miles of Manitou Springs, Colorado, without the right to perform inter-city or town to town service upon the terms and conditions and subject to the provisions contained in our Decision No. 22347, of date May 31, 1944, the second, third, fourth, fifth, sixth, and seventh paragraphs of our Order, which appear on Page 7 of said decision, being made a part hereof by reference - that is, the effect of our said decision being to eliminate from the first paragraph of the Order contained in said Decision No. 22347, on Page 6 thereof, the language "for the duration of the war between the United States and Germany, only."

ORDER

THE COMMISSION ORDERS:

That public convenience and necessity require the continuance of applicants' common carrier service for the transportation of passengers by horse-drawn vehicles, in round-trip sightseeing service, between points and places within a radius of twenty miles of Manitou Springs, Colorado, without the right to perform inter-city or town to town service, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, upon the terms and conditions and subject to the provisions contained in our Decision No. 22347, of date May 31, 1944, the second, third, fourth, fifth, sixth, and seventh paragraphs of said Order, which appear on Page 7 of said decision, being made a part hereof by reference.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]
Commissioners.

Dated at Denver, Colorado,
this 3rd day of April, 1946.

(Decision No. 25752)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE FREE OF CHARGE TRANSPORTATION BY	}	<u>MISCELLANEOUS DOCKET NO. 217</u>
THE DENVER AND SALT LAKE RAILWAY		
COMPANY ON ONE CARLOAD OF COAL FROM		
MT. HARRIS, COLORADO, TO THE TABER-		
NACLE COMMUNITY CHURCH, DENVER, COLO.	}	

March 29, 1946

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 March 21, 1946, requesting authority to transport one carload of coal from Mt. Harris, 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, Colorado.

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

150 Shuman

Maen E. Quinn

Ralph C. Hutton
Commissioners

Dated at Denver, Colorado,
this 29th day of March, 1946

JH

THE DENVER AND SALT LAKE RAILWAY CO.822 DENVER NATIONAL BUILDING
ZONE 2F. J. TONER
TRAFFIC MANAGERF. H. BOOTH
ASST. TO TRAFFIC MANAGER**DENVER, COLORADO**25752
m10-217
3/29/46
b

March 21, 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 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.

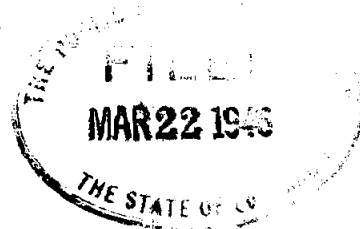
In view of the above, we shall be pleased to haul this car of coal free of charge from the mine at Mt. Harris, Colorado to Denver, and we request your authority in line with Section 17-C of the Public Utilities Act to grant this free billing.

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)
ALBERT MIKELSON AND MARTIN MIKELSON,)
DOING BUSINESS AS "MIKELSON BROTHERS,")
CASTLE ROCK, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 202 TO GUNDER)
MIKELSON AND WALLACE MIKELSON, DOING)
BUSINESS AS "MIKELSON AND SON," BOX)
61, CASTLE ROCK, COLORADO.)

APPLICATIONS NOS. 727-AB-A
307-AAAAA-BBB-A

April 6, 1946.

Appearances: Albert Mikelson, Castle Rock,
Colorado, pro se;
Martin Mikelson, Castle Rock,
Colorado, pro se;
Gunder Mikelson, Castle Rock,
Colorado, pro se;
Wallace Mikelson, Castle Rock,
Colorado, pro se;
A. J. Fregeau, Denver, Colorado,
for Welcker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

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

Applicants herein seek authority to transfer PUC No. 202 to Gunder Mikelson and Wallace Mikelson, doing business as "G. Mikelson & Son," Castle Rock, Colorado.

At the hearing, it appears that there are no outstanding unpaid operating obligations against the operation; that transferees, pecuniarily and otherwise, are qualified to carry on the operation; that ton-mile tax deposit of transferors shall be refunded to them.

F I N D I N G S

THE COMMISSION FINDS:

That the transferees, pecuniarily and otherwise, are qualified to carry on the operation; that the proposed transfer is in the public interest, and should be authorized.

ORDER

THE COMMISSION ORDERS:

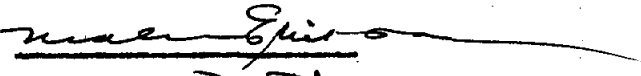
That Albert Mikelson and Martin Mikelson, doing business as "Mikelson Brothers," Castle Rock, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 202 to Gunder Mikelson and Wallace Mikelson, doing business as "G. Mikelson and Sons," Castle Rock, Colorado.

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

That ten-mile tax deposit be refunded to transferors.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of April, 1946.

EE

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
BEN BECKER, WATKINS, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7271-PP

April 5, 1946.

Appearances: Ben Becker, Watkins, Colorado,
pro se;
Myron H. Burnett, Esq., Denver,
Colorado, for W. E. Schattinger.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to appropriate notice to all parties in interest, was set for hearing, and heard, at Denver, Colorado, February 14, 1946, and taken under advisement.

As limited by the testimony offered at the hearing, applicant herein seeks authority to haul coal, feed, and farm products, 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 twenty-five miles of Watkins; hay from points within a radius of twenty-five miles of Fort Morgan to Denver.

There were no objections to the issuance of the authority sought, as limited.

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

It did not appear that the now-authorized common carrier service in the territory in question, is adequate, or that the proposed service will impair the efficiency of said common carrier service.

F I N D I N G S

THE COMMISSION FINDS:

That the granting of the authority sought will not impair the efficiency

of any adequate authorized common carrier service with which it will compete; that applicant, pecuniarily and otherwise, is qualified to carry on the operation; 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 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 twenty-five miles of Watkins; hay from points within a radius of twenty-five miles of Fort Morgan 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

[Signature]

[Signature]

[Signature]
Commissioners.

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

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
L. E. FLETCHER, HUGO, COLORADO, TO)
REINSTATE AND TRANSFER PERMIT NO.)
A-906 TO HOMER M. MONKS, LIMON,)
COLORADO.)

APPLICATION NO. 5018-PP-AA

IN THE MATTER OF THE APPLICATION OF)
L. E. FLETCHER, HUGO, COLORADO, TO)
REINSTATE AND TRANSFER PERMIT NO.)
B-1331 TO HOMER M. MONKS, LIMON,)
COLORADO.)

APPLICATION NO. 3439-PP-ABA

April 3, 1946.

Appearances: L. E. Fletcher, Hugo, Colorado,
pro se;
Homer M. Monks, Limon, Colorado,
pro se.

S T A T E M E N T

By the Commission:

The above-styled matters were set for hearing, and heard, in Denver, Colorado, February 15, 1946, and taken under advisement, after appropriate notice to all parties in interest, and consolidation for purpose of hearing.

L. E. Fletcher herein seeks authority to reinstate his Permits Nos. A-906 and B-1331, and to transfer said permits to Homer M. Monks, Limon, Colorado.

At the hearing, it appeared that said permits had been suspended for a period of not to exceed six months from February 1, 1945. The applications for reinstatement were filed on January 10, 1946.

Under Permit No. A-906, transferor is authorized to operate as a Class "A" private carrier by motor vehicle for hire for the transportation of:

freight between Greeley and the Colorado-Kansas State Line and intermediate points, via U. S. Highway No. 85 to Denver, U. S. Highway No. 24, and U. S. Highway No. 40.

He is authorized under Permit No. B-1331 to transport:

(a) Farm products and farm supplies between points within the area extending fifteen miles west of Hugo, six miles north, twenty miles east, and thirty miles south thereof, and the transportation of livestock from points in said area to Denver, Colorado; (b) used furniture, household goods, farm machinery, farm products, and farm supplies between points in said Hugo area and other points in the State of Colorado, without the right to furnish service in competition with the service furnished by Clarence L. Middleton, L. M. Anderson, and W. C. Dyke, under their certificates as fixed on August 30, 1939, said Clarence L. Middleton then being authorized to serve between points within a fifteen-mile radius of Karval, L. M. Anderson being authorized to serve a territory around Genoa, and W. C. Dyke, doing business as "Limon Transfer," being authorized to serve between points within twenty-five miles of Limon, Colorado; with the further proviso that said L. E. Fletcher should not engage in any transportation of freight under authority described in "(b)" hereof, in competition with line-haul motor vehicle common carriers, except the transportation of bulk farm products and livestock.

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

It further appeared that the consideration for the sale and purchase of said operating rights has been paid; that ton-mile tax deposit of transferor is to be transferred to the account of transferee.

FINDINGS

THE COMMISSION FINDS:

That said permits should be reinstated.

That the proposed transfers are in the public interest, and should be authorized.

ORDER

THE COMMISSION ORDERS:

That said permits be, and they hereby are, reinstated and restored to active status.

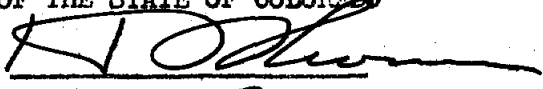
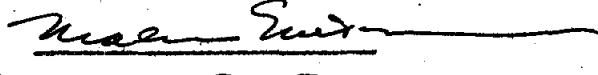
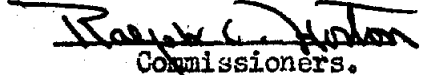
That L. E. Fletcher, Hugo, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permits Nos. A-906 and B-1331 to Homer M. Monks, Limon, Colorado.

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 3rd day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
LESTER KENNEY, RANGELY, COLORADO,)
HIS GRANTEE AND ASSIGNS, FOR A)
FRANCHISE OR PERMIT TO CONSTRUCT,)
OPERATE, AND MAINTAIN AN ELECTRIC)
LIGHT, HEAT AND POWER PLANT, WITH-)
IN THE TOWN OF RANGELY, COLORADO,)
AND VICINITY.)

APPLICATION NO. 7102
SUPPLEMENTAL ORDER

April 5, 1946

Appearances: Lester Kenney, Rangely, Colo-
rado, pro se;
William H. Robinson, Jr., Esq.,
Denver, Colorado, for Rural
Electric Association.

S T A T E M E N T

By the Commission:

On November 16, 1945, Lester Kenney, Rangely, Colorado, by Decision No. 25130, was authorized to operate an electric utility service, as requested in his application, No. 7102, and to construct and install the necessary generating, transmission, and distribution facilities to furnish and sell electrical energy for light, heat, and power purposes to commercial, industrial, and domestic users in the territory described as:

Section 1 and the East Half of Section 2, Township 1-North, Range 102-West, 6 P.M., Southeast Quarter of Section 35, Township 2-North, Range 102-West, 6 P.M., South Half, Section 36, Township 2-North, Range 102-West, 6 P.M., in Rio Blanco County, Colorado.

On November 24, 1945, The White River Electric Association, Inc., Stewart McLaughlin, a resident of Rangely, and the Colorado State Association of R.E.A. Cooperatives, by their attorney, William Hedges Robinson, filed a Petition to Rescind the Order.

On February 26, 1946, said Kenney, by his attorney, Anthony F. Zarlengo, filed answer to said petitions, and 46 users of electric energy (apparently all the customers of Lester Kenney) filed their petition with the

Commission, as follows:

"We, the undersigned, being users of electric light and power furnished by Lester Kenney, of Rangely, Colorado, do hereby certify that we reside at the place and engaged in the occupation as set forth opposite our names and the services supplied by him are adequate and satisfactory in every way and that we intend to continue using said light and power furnished by him as we prefer to receive the same from an individual or organization that is under the supervision of the Public Utilities Commission of the State of Colorado.

"We do further request that the petition to rescind the order, filed by Stewart McLaughlin, The White River Electric Association, Inc., and the R.E.A. Co-operatives, on November 16, 1945, be denied and that said order be permitted to stand."

The matter was set for hearing and argument, in Denver, Colorado, on March 1, 1946, and after hearing, was taken under advisement.

The Commission has carefully considered all matters urged by The White River Electric Association, the State Cooperative Association, and Stewart McLaughlin, as grounds for setting aside said order, and is of the opinion that said order should not be rescinded or set aside.

It appeared that the residents of Rangely have been receiving service from Mr. Kenney since September, 1945; that they like his service; that they want it continued; that he is serving as a public utility; that no other public utility has been authorized to serve said area, and so far as the records disclose, no other public utility seeks authority to serve said area. While the R.E.A. may extend along the White River as far as Rangely to serve rural customers, and if such extension is made, may allow residents of Rangely to "join up" who are willing to become members of the co-op, still, as a co-op, it is under no obligation to do so, and if it supplies only its members with electrical energy as a co-op, the service will not be service by a public utility. Until such time as it does extend, if ever, residents of Rangely will be without electric energy. For seven months, they have enjoyed service they would not have received from R.E.A. If this application for a certificate had been denied, there is no certainty they would have service from any source. R.E.A., to date, has not determined what it will do. "Survey" still is being made. When it does extend, Kenney's customers may

not be willing to become members of a co-op. They, by petition, have asked the Commission to give them service by someone supervised by the Commission. Apparently they want service by a public utility. If R.E.A. does extend, it can obtain permission from the Commission to serve any part of the area allocated under the certificate to Mr. Kenney which he is not then serving, or is not willing to serve within a reasonable time. Or it may, if the necessary arrangements can be made with Mr. Kenney, take over his operation in the manner that R.E.A. Cooperative Associations heretofore, have acquired similar utilities.

FINDINGS

THE COMMISSION FINDS:

That Petitions to Rescind should be denied.

ORDER

THE COMMISSION ORDERS:

That said Petitions to Rescind, and each of them, be, and they hereby are, 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 5th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JULIUS BUSSARD, ENGLEWOOD, COLORADO,)
FOR AN EXTENSION OF PUC NO. 1450.)

APPLICATION NO. 6876-BB

April 5, 1946

Appearances: Cecil Mitsch, Esq., Littleton,
Colorado, and
North Allen, Esq., Denver,
Colorado, for applicant;
James B. Young, Esq., Denver,
Colorado, for the Denver
Tramway Company.

S T A T E M E N T

By the Commission:

This matter was heard, pursuant to prior setting and appropriate notice to all parties in interest, at Denver, Colorado, March 22, 1946, and taken under advisement.

Julius Bussard herein seeks a certificate of public convenience and necessity for the conduct of a motor vehicle transportation service for the transportation of passengers, by bus, on schedule, over the following-described route, in Jefferson County, Colorado:

Beginning at Sheridan Boulevard and West Colfax Avenue; thence west to Kipling Street; thence north to 20th Avenue; thence east to Dover Street; thence south to West Colfax Avenue; thence east to point of beginning.

For applicant, the testimony showed that Mr. Bussard, for a number of years, has operated a taxi and bus service with headquarters at Englewood as a line-haul bus service between Englewood and Fort Logan, and two operations in Englewood -- one in the Cherry Hills section or eastern part of Englewood, handling about five hundred or six hundred passengers -- the other in South Englewood, hauling about one thousand passengers daily; that he has eight busses, and two additional busses on order; that five busses are in use;

that three busses are spares; that one of these is a twenty-nine-passenger Ford Bus, which he expects to use in the Lakewood Bus operations, if this certificate is granted. The route traversed by his bus line is shown in Exhibit 1. It is about seven miles in length. He expects to give thirty-minutes service, and will increase the service during rush periods of the day, if additional service is required. He appeared before the County Commissioners of Jefferson County, and they informed him that they had no objections to his operation. His net assets, according to Exhibit 4, amount to approximately \$38,000.00.

It also appeared that the transportation service in the community has not kept pace with its growth; that, for many years, the Tramway Company has operated a streetcar line, extending from Denver to Golden, its tracks being located about one-quarter mile south of Colfax Avenue and south of the territory to be covered by the proposed bus line; that the line operates on an hourly schedule, except for a short period of time in the morning and in the evening, when it operates on a half-hour schedule; that cars do not stop at every block, but skip a number of blocks; and at some points west of Denver, stops are one-half mile or more apart; that residents of the considered area object to the sometimes long walk over unimproved roads without sidewalks to the nearest Tramway stop, and the wait for the car -- it being necessary to allow ample time, for if a car is missed, a long period of time elapses before another one arrives; that they similarly do not like the waits -- especially the long wait -- for cars in Denver, after a pleasure or business trip to town; that, also, schedules are not convenient for people who work in Denver; that they arrive too late or too early; that no cross-area service is furnished by Tramway Company.

Also, a taxicab service has been authorized between certain points in the area; however, that service is a one-car operation, with a stand at Colfax and Sheridan, which has been slow and inadequate, and at times unobtainable.

It appeared that the area to be served by applicant is known as "the Lakewood District," immediately adjacent to the City of Denver on the west, and extending north from Colfax Avenue; that approximately eight thousand to ten thousand people reside in the area; that it has developed exten-

sively in recent years -- a large number of homes, auto courts, and business houses being constructed; that auto courts not only serve transients, but have a large number of permanent guests; that two large sanitariums are operated in or near the territory served; that the Jewish Consumptive Relief Sanitarium has 225 patients -- 30 of them being bedridden -- and a large number of employees; that the Tramway Company car stops at Wadsworth; that the line is about two blocks from the hospital; that hourly service is not sufficient; that five to ten patients go to Denver each day; that thirty-five nurses at the place object to the lack of transportation facilities; that they and the other employees -- of whom all but fifteen reside on the grounds -- want to go to and from Denver, also to and from the business district along Colfax Avenue; that, at times, it has been difficult to get, and if obtained, to keep, employees on account of the character of transportation service available; that relatives and friends of patients want to visit the hospital; that they, too, find it difficult to get there and to return to Denver; that a number of the employees and patients -- like other residents of the area -- have private cars which they drive; that it is possible to get a Denver taxi for service from or to Denver, to and from the hospital and other points in area, but the charge is considerable, and subject to long delays -- especially if service is from points in area to Denver or other points.

A sanitary sewer district was formed and sewer installed in 1944 in a portion of this area, at a cost of \$485,000.00. When installed, the district had a population of 3400. Since that time, 300 house permits have issued in the district for houses, housing about 1,000 people. An extensive business district has been built up along Colfax Avenue, centering at Wadsworth and Colfax.

Mr. Paul V. Patridge, who has ten store buildings and is contracting for more, testified that a tenant operating a super-market near that location does a business of \$35,000.00 a month. Lakewood apparently, in six years, has quadrupled in population, without any increase in transportation service. The people want to trade at the business houses located along Colfax Avenue. Without cross-area transportation, it is difficult to get to and from the stores. Many families do not have cars. Most of the

car owners have only one car. It usually is in service, transporting the family worker to and from Denver, or to and from some other place of employment, so the car is not available for business trips, social trips, or transportation of school children during the day. A Lutheran Church and a parochial school have been established near Wadsworth. The church has 325 regular attendants, of whom about 200 are over the age of 13. The school is a full-time private school, with grades from one to eight. Pupils vary from 45 in number to 65.

Morton E. Nees, the Lutheran Minister, for a considerable period of time, hauled 24 pupils to and from school, daily. It is impossible for them to be served by the Tramway Company, under present arrangements. Bussard's bus line, as now proposed, can conveniently handle about 18 of the pupils. With a slight change, practically all could be served. A bond issue proposal soon is to be voted upon by taxpayers of the district. It is proposed to construct a new public school.

Frank McCambridge has been developing a sub-division. During the past six years, he has constructed 35 houses -- 90 houses having been built by others during the same period. Approximately 500 people live in the houses constructed. The sub-division is one mile from the Tramway stop. He stated that a few houses in the district are as near as three blocks to the Tramway stops -- some are two miles away.

Carroll G. Morris, a County Commissioner of Jefferson County for District 2, testified that a number of playgrounds, ball parks, and similar recreation places are to be constructed in the area during the summer. He expects that about 200 boys will use the ball park. The Junior High School, located at 10th and Wadsworth, is poorly served at present by the Tramway Company. If Bussard's bus line is authorized, school children will patronize the bus.

Mrs. Wetenberg, 2490 Garland Street, learned about the proposed bus line at approximately 8:00 o'clock P.M. on the day previous to the hearing. Her home is four blocks from the bus route. She called some neighbors, and they signed petitions which had been circulated after 8:00 o'clock P.M. and early the following morning. They were signed by approximately 200 residents of the district, supporting the application.

Grace P. Johnson described how housewives were inconvenienced by lack of transportation service. She stated that she resides about two blocks north of the proposed route of the bus line; that it is difficult for the women to get their husbands to work and home again, to get the children to school and home again, or to get to Denver or to the stores on Sheridan, Wadsworth, and Colfax, during the afternoon, and fill necessary social engagements, with present transportation service. She stated that she cannot get a week's supply of groceries at one time; that when a neighbor reports "butter in the store," she can't get it.

In addition to the representative witnesses who testified, about 50 additional persons -- chiefly women -- were present to testify in support of the application. Numerous resolutions were introduced which had been passed by the local Civic Association, the Kawanis Club, Veterans of Foreign Wars, and East Jefferson Chamber of Commerce, urging the granting of the application. It appeared that these organizations, for a number of years, had been trying to get additional transportation service.

Mr. Henry C. Jobe, Assistant Superintendent of The Denver Tramway Company, in opposition, stated that the area had been checked by the Tramway Company; that many requests for additional service had been made during the past six or seven years; that Tramway Company maintained a Survey Department to survey new territories, and old areas, to determine what transportation service is required; that such survey of this territory had been ordered in 1943; that to date, no report, so far as he knew, had been made, and no house count, no count of people, no contact of organizations in the area, had been made. He was under the impression that they had not been informed of the new developments in the way of additional schools, playgrounds, etc., that were contemplated; that his company was considering the proposition, and when and if a definite need appeared; and the company had the busses available for the service, no doubt they would ask for authority to institute it; that they would want to be sure that there would be a "reasonable opportunity for success," for a dependable and permanent bus line. He stated that he thought the territory was good territory; that it is better than the Fort Logan territory which is served by them, although it does not have a camp like Fort Logan at the end of the line. He thought

that the service of the Tramway Company, if it were established, would be better than the service proposed by Bussard; that transfer privileges would be available, and the charge probably would be smaller than charge proposed by Bussard of ten cents a trip; that Tramway Company does not now have busses available to institute service, and does not expect to have any new busses out of the large number on order delivered before the Fall of the Year.

From the evidence, it appears that the area which applicant seeks to serve now is heavily populated, and is growing rapidly. Apparently it is permanent in character. The people have some schools, hospitals, business houses of all types, and a sanitary sewer district. They now have water, but are seeking an additional supply. Most of the people residing in the area are home owners. They need transportation badly from and to work, to and from schools, churches, and trading points, and recreation spots or centers. At times, emergency service is required. It is not seriously disputed that the present service is inadequate. No doubt if the Tramway Company were in a position to furnish service, and would do so, that service would be very desirable and dependable. Admittedly, it is not in a position to furnish such service at this time. It does not want to furnish such service until after the survey, "on order," shows definitely that public convenience and necessity require the service. The demand for service is a present existing persistent one. Mr. Bussard has the equipment, and is ready to go. He has had some experience in the transportation field -- enough, apparently, to successfully operate this line, if the business offered supports it. From the testimony of witnesses, and a review of the numerous surveys that have been made, it would seem that the operation has "a reasonable opportunity for success" -- at least the people want it and Mr. Bussard should be given an opportunity to determine, by actual trial, whether such service can or cannot be profitably furnished.

FINDINGS

THE COMMISSION FINDS:

That the proposed common carrier passenger service of applicant, on schedule, by motor vehicle bus, is required by public convenience and necessity, and that certificate should issue therefor.

ORDER

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle common carrier bus service of applicant, on schedule, for the transportation of passengers within the area described in the application, and over the route shown in Exhibit 1, which is described as:

Beginning at Sheridan Boulevard and West Colfax Avenue; thence west to Kipling Street; thence north to 20th Avenue; thence east to Dover Street; thence south to West Colfax Avenue; thence east to point of beginning,

and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations and time and distance schedules, as required by the rules and regulations of this Commission, within twenty (20) 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.

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


William C. Horton


William C. Horton


Commissioners

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
LELAND C. LIVSEY AND ERNEST R.
ERICKSON, DOING BUSINESS AS "L. E.
CAB COMPANY," 1023 GRAND AVENUE,
GLENWOOD SPRINGS, COLORADO, FOR A
CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY.

APPLICATION NO. 7281

April 5, 1946

Appearances: C. H. Darrow, Esq., Glenwood
Springs, Colorado, for
applicants;
T. A. White, Esq., Denver,
Colorado, for The Denver
and Rio Grande Western
Railroad Company, Rio
Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

Leland C. Livsey and Ernest R. Erickson, doing business as
"L. E. Cab Company," Glenwood Springs, Colorado, herein seek a certi-
ficate of public convenience and necessity to operate a taxicab (call
and demand motor vehicle) service for the transportation of passengers
for hire within the area covered by the City of Glenwood Springs and
points within a radius of one mile thereof, and from and to points in
said area, to and from points within a radius of twenty-five miles
thereof.

The matter, pursuant to prior setting and after appropriate
notice to all parties in interest, was heard in Glenwood Springs, Colo-
rado, February 20, 1946, and taken under advisement.

It appeared at the hearing that applicants have a 1941 Pontiac
Sedan; that in the event certificate sought is granted, they will purchase
a 1946 Plymouth six-passenger automobile; that their investment will amount
to approximately \$2500.00; that they have been operating a taxi service in

Glenwood Springs for a period of three months, being under the impression that such service could be furnished without authority from the Commission within the limits of an incorporated town; that they maintain an office at 703 Grant Street, in the City of Glenwood Springs, Colorado; that numerous scenic attractions and towns — such as Aspen, Carbondale, Rifle, and intervening areas — excite the interests of tourists, who desire to make trips thereto; that a great number of ranchers and farmers, and some miners residing in the twenty-five-mile radius, sometimes want taxicab service from and to their homes, to and from Glenwood Springs, and between other points in said radius; that Red Mountain, a scenic point, is distant only one and three-quarters mile from Glenwood Springs; that other points of scenic interest are located only a few miles from Glenwood Springs; that they do not propose to handle freight or express, although they will handle baggage of passengers going to and from the depots in Glenwood Springs; that for service within the corporate limits of the City of Glenwood Springs they expect to charge 30¢ for one person and 10¢ for each additional person per one-way trip; that for service from Glenwood Springs to Red Mountain Inn, the charge will be 50¢ per person per trip, one way; that for service from or to Glenwood Springs, to and from all outside points within the twenty-five-mile radii mentioned herein, exclusive of Red Mountain Inn, the charge will be 30¢ per mile one way, with fare and a half for round-trip for the first passenger, and 10¢ per mile for each additional passenger — either one way or round trip, with a charge of \$2.00 per hour waiting time.

FINDINGS

THE COMMISSION FINDS:

That public convenience and necessity require the proposed taxicab service of applicants; that the rates and charges stated by applicants at the hearing which they propose to charge are fair and reasonable for the service proposed; that applicants, in their operation of said service, should be limited to the use of motor vehicle equipment of the type mentioned at the hearing — that is, automobiles that ordinarily are referred to as "five-passenger automobiles;" that certificate of public convenience and necessity should issue.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed motor vehicle call and demand transportation service of applicants, doing business as "L. E. Cab Company," for the transportation of passengers (and their baggage) for hire within the area covered by the City of Glenwood Springs and points within a radius of one mile thereof, and from and to points in said area, to and from points within a radius of twenty-five miles thereof, subject to the conditions hereinafter expressed, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicants, under their certificate of public convenience and necessity, shall use the type of equipment mentioned in the Statement preceding, which, by reference, is made a part hereof — that is, so-called "five-passenger automobiles;" that they shall charge, as rates for their service for the transportation of passengers for service within the corporate limits of the City of Glenwood Springs, 30¢ for one person and 10¢ for each additional person per one-way trip; service from Glenwood Springs to Red Mountain Inn, 50¢ per person per trip, one way; service from or to Glenwood Springs, to and from all outside points within the twenty-five-mile radii, exclusive of Red Mountain Inn, 35¢ per mile one way, with fare and a half for round-trip for the first passenger, and 10¢ per mile for each additional passenger up to the capacity of said five-passenger automobile — either one way or round trip, with a charge of \$2.00 per hour waiting time.

That 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.

That 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.

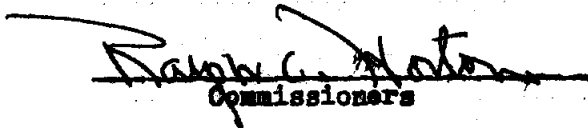
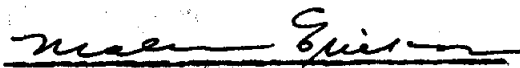
This order is subject to compliance by applicants with all present and future laws and rules and regulations of the Commission.

That this certificate of public convenience and necessity shall issue subject to such terms, conditions, and limitations as are now or hereafter may be, attached to the exercise of the privileges herein granted to the said carriers, jurisdiction being retained by the Commission to make such further orders in the premises as it may deem desirable or proper.

IT IS FURTHER ORDERED, and is made a condition of this certificate, that the holders thereof shall operate such motor vehicle carrier system in accordance with the Order of the Commission, and shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure so to do shall constitute sufficient grounds for suspension, change, or revocation of this certificate, and this order is made subject to compliance by applicants with the rules and regulations now in force or to be hereafter adopted by the Commission with respect to motor vehicle common carriers, and also subject to any future legislative action that may be taken with respect thereto.

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 5th day of April, 1946.

HW

original

APPLICATION NO. 7290-PP

Apr 11 2, 1946

STATEMENT

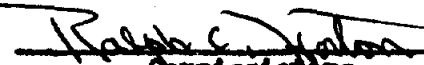
That the above application is hereby dismissed.

This order shall become effective twenty (20) days from
March 27, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

Dated at Denver, Colorado,
this 2nd day of April, 1946.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
A. A. ARCHER, 4847 WEST TENNESSEE)
STREET, DENVER, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PERMIT NO. B-3314)
TO DAVID W. PAINE, 4703 SOUTH GRANT)
STREET, ENGLEWOOD, COLORADO.)

APPLICATION NO. 7210-PP-A

April 5, 1946

S T A T E M E N T

By the Commission:

Heretofore, the Commission, by Decision No. 25352, of date January 5, 1946, authorized A. A. Archer, Denver, Colorado, 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.

He now seeks authority to transfer said operating authority to David W. Paine, Englewood, Colorado.

Inasmuch as the authority mentioned issued without a hearing — there being no objection on the part of common carriers to the issuance of such authority — the Commission is of the opinion that no useful purpose would be served by setting the above-styled application for formal hearing, and therefore set said matter for hearing, forthwith, and heard said application upon the files and records, without notice.

Being now fully advised in the premises, the Commission finds that transferee, pecuniarily and otherwise is qualified to carry on the operations; that there are no outstanding unpaid operating accounts; that

the transfer should be authorized; that ten-mile tax deposit of transferor should be transferred to the account of transferee.

O R D E R

THE COMMISSION ORDERS:

That A. A. Archer, Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-3314 to David W. Paine, Englewood, 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 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 5th day of April, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THOMAS KING, DOING BUSINESS AS "KING)
AND SON," 3516 SOUTH BANNOCK STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7191-PP

April 5, 1946

Appearances: Thomas King, Denver, Colorado,
pro se;
Marion F. Jones, Esq., Denver,
Colorado, for Ellis B. Webster.

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 ore from points within a radius of fifteen miles of Delta to mills at Leadville, Colorado.

The application, pursuant to prior setting and appropriate notice to all concerned, was heard at Denver, Colorado, December 13, 1945, and taken under advisement.

At the hearing, it appeared that applicant operates a timber camp and sawmill near Breckenridge; that one Max Bunker, for a number of years, has been engaged in developing a mine, located about eleven miles from Dillan; that ore from said mine must be moved for smelting to the smelter at Malta, Colorado, near Leadville; that access from main highway to the mine is via a private mine road, about 12,000 feet in length, which is not maintained by the county; that Applicant King has a bulldozer and caterpillar, and will keep the road open and haul the ore for approximately the same amount that now-authorized carriers

charge for transportation of the ore; that Bunker had informed him that Webster, a common carrier serving in the territory, had refused to haul the ore.

Mr. Webster, a common carrier serving the area, testified that he maintains twelve trucks -- all dumps -- for the transportation of ore; that he has a caterpillar D-6, which, with other equipment, is used to keep the roads open, where necessary; that Bunker ore is very low-grade ore, and Bunker is unwilling to pay a price for hauling and maintenance of road that is compensatory; that he has never refused to haul the ore, and has suggested that Bunker deliver the ore to him at the highway -- that is, haul the ore over his private road -- if he doesn't want to maintain the private road or pay Webster to do it; that he hauled some ore for Bunker about the First of July, prior to the hearing; that the road was then unsafe; that there was a bad switch-back, and a number of mud holes; that Bunker offered to fix, and was to fix, the holes and notify him, but Bunker, since, has never asked him for service; that it is his understanding that the mill refused to accept Bunker's ore -- too low in grade.

Applicant King stated that it would be impractical for Bunker to deliver ore at the road; that if he had a bin constructed there, the ore would freeze before it could be picked up by Webster.

Mr. Bunker did not appear at the hearing. There was no testimony from him showing that the service furnished by the common carrier is inadequate. It would appear that the common carrier needs the business, and that the granting of the authority sought, and loss of business, would tend to impair the efficiency of his operation.

F I N D I N G S

THE COMMISSION FINDS:

That the granting of the authority sought would tend to impair the efficiency of now-authorized common carrier service, and should be denied.

ORDER

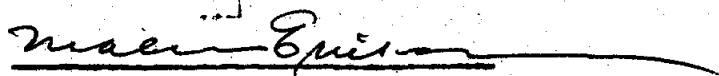
THE COMMISSION ORDERS:

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 5th day of April, 1946.

HW

(Decision No. 25762)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FREE OF CHARGE TRANSPORTATION BY
THE DENVER AND SALT LAKE RAILWAY
COMPANY ON ONE CARLOAD OF COAL FROM
PINNACLE, COLORADO, TO THE DENVER
COMMUNITY CHEST.

MISCELLANEOUS DOCKET NO. 216

April 1, 1946

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 March 29, 1946, requesting authority to transport one carload of coal from Pinnacle, 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 Robert Steele Social Center, 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.

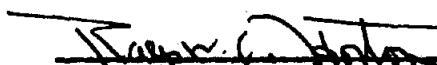
O R D E R

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 Pinnacle, Colorado, consigned to the Denver Community Chest in care of the Barnett Fuel and Oil Company, Denver, Colorado.

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 1st day of April, 1946

JH

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 MANAGER25762
mld 218
4/11/46

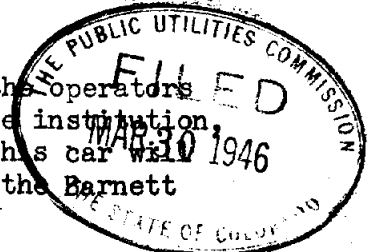
March 29, 1946.

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 Robert Steele Social Center. This car will be consigned to the Denver Community Chest in care of the Barnett Fuel & Oil Company, Denver.



We shall be pleased to haul this car of coal free of charge on account of charity from the mine at Pinnacle, 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,

F. J. Toner

S

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * *

RE MOTOR VEHICLE OPERATIONS OF)
E. J. HAZE, OF 2135 WEST 40th) PERMIT NO. B-2346
AVE., DENVER, COLORADO.)

April 4, 1946.

S T A T E M E N T

By the Commission:

On May 26, 1942, by Decision No. 18888, the Commission authorized E. J. Haze to suspend his operations under Permit No. B-2346, "for the duration and six months thereafter from June 1, 1942."

The Commission is now in receipt of a communication from 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-2346 should be, and the same hereby is, reinstated as of March 30, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 4th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
A. C. PENNER, OF INMAN,)
KANSAS.)
)
)
)
)
-----)

PERMIT NO. C-14040

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
A. C. Penner ----- of ----- Inman -----, ----- Kansas -----,
requesting that his Permit No. C-14040 ----- 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 Permit No. C-14040 ----- heretofore issued
to ----- A. C. Penner, ----- be,
and the same is hereby, declared cancelled effective February 7, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Lewis D. Brown

Malcom Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
MRS. DELIA HURST, OF 517)
NORTH MAIN ST., LAMAR, COLO.)
)
)
)
)
-----)

PERMIT NO. C-4138

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Mrs Delia Hurst of Lamar, Colorado,
requesting that his Permit No. C-4138 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 Permit No. C-4138 heretofore issued
to Mrs. Delia Hurst, be,
and the same is hereby, declared cancelled effective January 19, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shuman

Malcolm Erickson

Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 4th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARNOLD GARDNER, OF TOLTEC,)
COLORADO.)
)
)
)
-----)

PERMIT NO. C-15289

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Arnold Gardner of Toltec, Colorado,
requesting that his Permit No. C-15289 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 Permit No. C-15289 heretofore issued
to Arnold Gardner, be,
and the same is hereby, declared cancelled effective February 5, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
THE MORGAN LUMBER COMPANY, C/o)
THE STERLING LUMBER & INVEST-)
MENT CO., TRAMWAY BLDG.,)
DENVER 2, COLORADO.)
-----)

PERMIT NO. C-15068

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Morgan
Lumber Company of Denver, Colorado,
requesting that his Permit No. C-15068 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 Permit No. C-15068 heretofore issued
to the Morgan Lumber Company, be,
and the same is hereby, declared cancelled effective February 6, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
STERLING-PUEBLO LUMBER COMPANY,))
C/o THE STERLING LUMBER &)
INVESTMENT COMPANY, TRAMWAY)
BLDG., DENVER 2, COLORADO.)
)
)
-----)

PERMIT NO. C-15071

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Sterling-Pueblo
Lumber Company of Denver, Colorado,
requesting that his Permit No. C-15071 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 Permit No. C-15071 heretofore issued
to the Sterling-Pueblo Lumber Company, be,
and the same is hereby, declared cancelled effective February 6, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Bowman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 194 6

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
THE WEEPAH MANUFACTURING)
CORPORATION, OF ROUTE 1, FORT)
COLLINS, COLORADO.) PERMIT NO. C-15274
)
)
-----)

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the Weepah
Manufacturing Corporation of Ft. Collins, Colorado,
requesting that his Permit No. C-15274 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 Permit No. C-15274 heretofore issued
to the Weepah Manufacturing Corporation, be,
and the same is hereby, declared cancelled effective January 29, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Bowman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 194 6

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. G. GORDON AND J. R.)
HOCHSTEDLER, OF HOLLY, COLO-) PERMIT NO. C-15810
RADO.)
-----)

- April 4, 1946 -

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. G. Gordon
and J. R. Hochstedler of Holly, Colorado,
requesting that his Permit No. C-15810 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 Permit No. C-15810 heretofore issued
to C. G. Gordon and J. R. Hochstedler, be,
and the same is hereby, declared cancelled effective February 8, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown
Malcolm Erickson
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 4th day of April, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. L. KIMBELL, OF 920 S W)
34th, OKLAHOMA CITY, OKLAHOMA.)
)
)
)
-----)

PERMIT NO. C-15254

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
J. L. Kimbell of Oklahoma City, Oklahoma,
requesting that his Permit No. C-15254 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 Permit No. C-15254 heretofore issued
to J. L. Kimbell, be,
and the same is hereby, declared cancelled effective February 12, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Walter A. Anderson

Malcolm Erickson

Ralph S. Anderson

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH G. SHABOUH AND FRANK S.)
SNELL, DOING BUSINESS AS)
PARADISE RANCH, WOODLAND PARK,)
COLORADO.)
-----)

PERMIT NO. C-15597

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Joseph G. Shabouh and
Frank S. Snell d/b/a Paradise Ranch of Woodland Park, Colorado,
requesting that his Permit No. C-15597 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 Permit No. C-15597 heretofore issued
to Joseph G. Shabouh and Frank S. Snell d/b/a Paradise Ranch, be,
and the same is hereby, declared cancelled effective February 13, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shewen

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
FLORENCE W. EMRICK, OF)
FLORISSANT, COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-15229

April 4, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Florence W. Emrick of Florissant, Colorado,
requesting that his Permit No. C-15229 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 Permit No. C-15229 heretofore issued
to Florence W. Emrick, be,
and the same is hereby, declared cancelled effective February 9, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Larry D. Brown

William Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 4th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
WILLIAM LANG, DOING BUSINESS AS)
"LANG TRANSIT LINE," LONGMONT,)
COLORADO, FOR AN EXTENSION OF PER-)
MIT NO. A-453.)

APPLICATION NO. 2604-PP-AA-B

April 8, 1946

Appearances: Harold Newrock, Esq., Denver,
Colorado, for applicant;
Marion F. Jones, Esq., Denver,
Colorado, and
Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for McKie
Transfer.

S T A T E M E N T

By the Commission:

William Lang, doing business as "Lang Transit Line," Longmont, Colorado, petitioner herein, seeks authority to extend his authority under his Permit No. A-453 to include the right to serve points on U. S. Highway No. 85 extending north of the City Limits to a point one mile therefrom, and to serve points on the county highway (which is an extension of Third Avenue to the east), between the City Limits and a point one mile east thereof.

After due setting and appropriate notice to all parties in interest, the matter was heard at Denver, Colorado, March 21, 1946, and taken under advisement.

The application was opposed by McKie Transfer, with line-haul authority to transport:

freight between Berthoud and Mead, Colorado,
and intermediate points.

It appeared that pursuant to authority contained in Decision No. 6843, of date November 23, 1935, F. H. Lang acquired from F. W.

Sullivan his Private Carrier Permit No. A-453, which authorized service:

between Denver and Fort Collins, Colorado, and all intermediate points, via U. S. Highway No. 285.

The authority to serve points north of Longmont was cancelled and revoked, with the consent of Mr. Lang.

Subsequently, the permit was transferred to Mary Ella Lang, and thereafter was acquired by William Lang, petitioner herein.

Notwithstanding the cancellation of authority north of Longmont, F. H. Lang, his successor, Mary Ella Lang, and her successor, William Lang, continuously have been serving four customers who reside on U. S. Highway No. 85, north of Longmont, the most distant being within one mile of the City Limits. U. S. Highway No. 85 is an extension of Main Street. The customers named are "Hamilton's Market, Johnson's Corner (Joe Johnson's service station) Home Lumber Company, and Hamell's Farm Supply." They signed contracts for service. Contracts were filed with the Commission, and they were listed on Customer Lists filed by permit-holder. However, the addresses were shown as "Longmont." Freight hauls were returned for ton-mile tax, but the reports also showed the addresses as "Longmont," and the mileage reported was the same as mileage reported for hauls to Longmont.

Lang stated that he continued the service because he considered the territory to be a part of Longmont within the terms of his permit and the Public Utilities Commission's regulations. The last business place on the highway is Johnson's Corner, and there are no other business places between Longmont City Limits and Johnson's Corner, except places named.

Applicant also, from time to time, has served the Sugar Factory, about one mile east of Longmont, on the county highway mentioned, for Continental Oil Company.

The four customers located on U. S. Highway No. 85 testified in support of the application.

Robert A. Hamell, doing business as "Bob Hamell's Farm Supply" since 1942, stated that, to begin with, he used McKie's service; that it was not satisfactory, and he contracted with Lang to use Lang's service; that since that time, Lang has hauled about ninety-eight percent to ninety-

nine percent of his freight; that Lang's service has been prompt and satisfactory at all times, and he wants to continue it; that, occasionally, he gets shipments via McKie Truck Line, and via Denver-Fort Collins Truck Line; that he has informed Lang that he will go to Lang's dock in Longmont and get the freight if Lang hauls it from Denver.

George Johnson, operator of a filling station known as "Johnson's Corner," one mile from the main intersection in Longmont, stated that he has a contract on file with the Commission for service from Lang; that he has been a customer of Lang's since Lang started in business; that Lang handles seventy-five percent to eighty percent of his business; that his suppliers sometimes ship freight by the common carrier.

Mr. Hamilton, of Hamilton's Market, whose place of business is located just south of Johnson's Corner, between Longmont and the corner, stated that he has been in business for eight years; that he has been a contract customer of Lang for seven years, and from seventy-five to ninety percent of his freight business has been handled by Lang very satisfactorily; that he does not desire to change; that he has received some freight via McKie Truck Line, and via Bethke Truck Line -- Bethke being a private carrier; that the service has been good.

The Manager of Home Lumber Company, 1214 North Main Street, Longmont, stated that his company had been a customer of Lang's since April 1, 1940; that where he had the choice of carriers, Lang hauled ninety-eight percent to ninety-nine percent of his freight; that the service has been very satisfactory, and he wants to continue the arrangement.

In opposition, George J. Garrett, Manager of McKie Transfer, stated that there had been some delays in movement of freight, as testified to by Mr. Hamell, in 1941, but upon investigation, he found that it was usually due to the fact that his line had been unable to get the shipment when called for, although Mr. Hamell testified that he had telephoned Denver shippers, and had been told that the truck line failed to call for the freight; that delays since have been due to shortage of labor, and that Lang always brought it on time; that he has an investment of approximately \$8,000.00 to \$15,000.00, and generally speaking, has not operated at a

profit for about five years; that his operation in 1941 was profitless; that while he did not know whether the business would or would not have placed his operation in the black if he could have handled the freight handled by Lang in 1945, he would have been better off. He, however, thought that the granting of the application "wouldn't deprive us of much tonnage;" that, generally, "we respect wishes of the customer as to who they want to handle their business;" that on that account, and the fact that he was not an Inspector for the Commission, he never had complained about Lang serving the customers named; that if the volume of business from here on should decrease materially, his company would need this business. He stated that so far as the Sugar Company, whose plant is located about one mile east of Longmont, is concerned, he always has considered that plant a part of Longmont; that the business north of town, which is within one mile thereof on U. S. Highway No. 85, he has considered to be a part of his Berthoud set-up; that Longmont is thirty-eight miles from Denver -- that is, within the "less-than-forty-miles, more than thirty-five-miles bracket;" that he has charged the Denver-Longmont rate, without any additional charge for delivery; that, similarly, Denver-Longmont rate has been assessed for freight moving from Denver to Sugar Factory, one mile east of Longmont, without extra charge for delivery.

While apparently McKie Truck Line could adequately serve the customers residing north of Longmont, if they desired McKie service exclusively, they, for many years, have been using Lang's service, with entire satisfaction. They concede that McKie's service, on the whole, has been satisfactory, but thought Lang's service better suited their individual requirements. If the common carrier service is adequate, a permit, or extension of permit, to furnish contract carrier service should not be granted if the effect thereof will be to impair the efficiency of the common carrier operation. We think that question -- if such claim can be based on the fact that the common carrier may get some business he has never enjoyed if the application is denied, or it must appear that he will lose some business that he then has -- is a difficult question to determine -- although, in a number of cases, we have been rather inclined to the view that the last-

mentioned situation must exist. Here, as counsel for McKie pointed out, a number of private carriers, instead of the common carrier, could get this business if Lang's request is denied, and definitely, if the customer desired to show any resentment in the matter, McKie would not get the business if we denied this application. Considering the testimony as a whole, and the interest of the shippers as well as carriers, we think that the application should be granted in part — that is, Lang should be allowed to extend his authority to the extent of serving the four business concerns who appeared in his behalf at the hearing. They are located on the highway north of Longmont. We apprehend that Mr. Garrett does not have serious objection to that. Several times, he remarked, "We respect wishes of the customer as to who they want to handle their business." He also stated that the granting of the application, "Wouldn't deprive us of much tonnage." As suggested, it might mean the loss to him of the tonnage he now enjoys from the customers named. He added that if the volume of business from here on should decrease materially, his company would need the business of the four customers mentioned that Lang now has.

Upon the whole record, we cannot find that the granting of the authority mentioned will impair the efficiency of the McKie operation.

FINDINGS

THE COMMISSION FINDS:

That applicant herein should be allowed to extend his private carrier authority to serve Hamilton's Market, Johnson's Corner, Home Lumber Company, and Hamell's Farm Supply, business concerns located on U. S. Highway No. 85 within one mile of Longmont, as presently owned, or in event of sale, their respective successors in interest, without the right to serve any additional customers along said highway, and that said application, in all other respects, should be denied.

ORDER

THE COMMISSION ORDERS:

That William Lang, doing business as "Lang Transit Line," Longmont, Colorado, be, and he hereby is, authorized to extend his operations

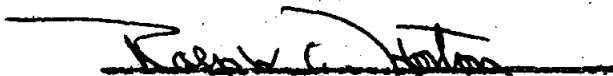
under Permit No. A-453 to include the right to serve Hamilton's Market, Johnson's Corner, Home Lumber Company, and Hamell's Farm Supply, business concerns located on U. S. Highway No. 85 within one mile of Longmont, Colorado, as presently owned, or in event of sale, their respective successors in interest, without the right to serve additional customers along said highway.

This order is made a part of the permit granted to applicant.

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 8th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
OSCAR REDD, ROUTE 5, GRAND JUNCTION,
COLORADO, FOR AUTHORITY TO TRANSFER
PERMIT NO. B-2386 TO OSCAR REDD AND
EARL WILCOX, JR., ROUTE 5, GRAND
JUNCTION, COLORADO.

APPLICATION NO. 4999-PP-BB-A

IN THE MATTER OF THE APPLICATION OF
OSCAR REDD, ROUTE 5, GRAND JUNCTION,
COLORADO, TO TRANSFER TO OSCAR REDD
AND EARL WILCOX, JR., GRAND JUNCTION,
COLORADO, HIS CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY NO. 1517.

APPLICATION NO. 6284-A

SUPPLEMENTAL ORDER

April 8, 1946

By the Commission:

By Decision No. 25139, of date November 19, 1945, Oscar Redd was authorized to transfer Permit No. B-2386 to Oscar Redd and Earl Wilcox, Jr., Grand Junction, Colorado.

By Decision No. 25163, of date November 21, 1945, Oscar Redd was authorized to transfer PUC No. 1517 to Oscar Redd and Earl Wilcox, Jr., Grand Junction, Colorado.

The Commission is now in receipt of a communication from Cecil S. Haynie, Esq., on behalf of applicants, stating that said parties do not desire to complete the transfers, and requesting that said Orders of the Commission authorizing transfers of said operating rights (Permit No. B-2336 and PUC No. 1517) be set aside.

FINDINGS

THE COMMISSION FINDS:

That said requests should be granted.

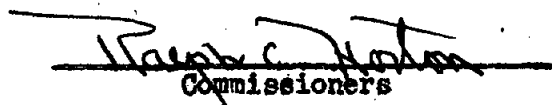
ORDER

THE COMMISSION ORDERS:

That Decision No. 25139, of date November 19, 1945, authorizing

transfer of Permit No. B-2386 from Oscar Redd to Oscar Redd and Earl Wilcox, Jr., Grand Junction, Colorado, and Decision No. 25163, of date November 21, 1945, authorizing transfer of PUC No. 1517 from Oscar Redd to Oscar Redd and Earl Wilcox, Jr., Grand Junction, Colorado, and each of said decisions, upon request of attorney for applicants, be, and the same hereby are, set aside, vacated, and held for naught, and the records of the Commission shall show that Permit No. B-2386 and PUC No. 1517 are owned and operated by said Oscar Redd.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1946.

EW

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF }
W. E. DOWNEY, LOMA, COLORADO, FOR }
AUTHORITY TO TRANSFER PERMIT NO. }
B-1573 TO BEN C. VANLANDINGHAM, }
LOMA, COLORADO. }

APPLICATION NO. 3275-PP-BA

April 8, 1946

Appearances: Cecil S. Haynie, Esq., Grand Junction,
Colorado, for applicants.

STATEMENT

By the Commission:

On March 13, 1946, W. E. Downey filed his application with the Commission for authority to transfer Permit No. B-1573 to Ben S. Vanlandingham, Loma, Colorado.

On March 28, 1946, Cecil S. Haynie, Attorney for applicants, filed petition with the Commission stating that applicants herein do not desire to prosecute the transfer application, and requesting that said application be dismissed.

FINDINGS

THE COMMISSION FINDS:

That said request should be granted.

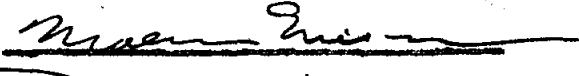
ORDER

THE COMMISSION ORDERS:

That application of W. E. Downey for authority to transfer Permit No. B-1573 to Ben S. Vanlandingham, Loma, Colorado, be, and the same hereby is, dismissed, at request of attorney for applicants.

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 April, 1946.
mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLYDE J. HODGSON, 2211 SPRUCE)
STREET, BOULDER, COLORADO, FOR RE-)
ISSUE OF PERMIT NO. A-909.)

APPLICATION NO. 6756-PP

April 8, 1946

Appearances: Clyde J. Hodgson, Boulder,
Colorado, pro se;
Marion F. Jones, Esq., Den-
ver, Colorado, for Willard
Britt, Gomer Sterling,
Homer Wright.

S T A T E M E N T

By the Commission:

Applicant, Clyde J. Hodgson, Boulder, Colorado, 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 Longmont, Denver, Fort Collins, Fort Morgan, and Boulder, Colorado, and to points within a radius of ten miles of said towns; ore from points in Boulder County to Leadville and Colorado Springs; 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.

At the hearing, it appeared that Mr. Hodgson, until February, 1943, conducted an active operation as a Private Carrier, under Permit No. A-909, for the transportation of:

coal from mines in the northern Colorado coal fields to Boulder, Longmont, Valmont, and Denver; ore from point to point in the metalliferous mining district near Boulder, and from points in said district to Colorado City and Leadville.

The permit was formally cancelled, on account of failure to keep the necessary insurance on file, on May 18, 1943.

Mr. Hodgson testified that he discontinued his operations and left the State because he had an opportunity to make more money elsewhere; that the demand for transportation of ore, in which service he chiefly had been engaged, was very slight; that he recommended Willard Britt, a common carrier hauling ore in the Boulder District, to his customers when he left, and Britt had been furnishing the service while he was away; that he had had a good job with excellent pay, and made considerable money, and acquired some excellent equipment and was in a position to adequately finance and handle an operation for the transportation of ore and other commodities mentioned; that he has four trucks -- three in the State of Washington, and one in Boulder County; that most of the customers whom he had hauled for were not shipping; that while there was no immediate demand for his service, he thought that business probably would "open up" in the future; that he wanted to be ready to operate when and if that occurred; that many of those who had been engaged in trucking ore left at about the time he did, and he thought there would be less competition; that his customers had been well satisfied with Britt's service.

Willard Britt, PUC No. 949, with authority to transport:

farm products, including livestock, farm supplies and farm equipment, including furniture only in connection with the movement of farmers' or miners' equipment, and coal between points in the south half of Boulder County, and from and to points in said area, to and from points outside thereof; and ore and concentrates, mining equipment, supplies and machinery between points within the following-described territory: commencing at Boulder, thence up Boulder Canon to Four-Mile Canon to Sunset; thence due west to the West Boulder County Line; thence north along the West Boulder County Line to a point west of Raymonds; thence south along the St. Vrain Canon Road to Lyons; thence along the foothill road (Colorado Highway No. 7) to Boulder and points outside thereof, provided that he shall not engage in any transportation service between points along the line of scheduled common carriers, and particularly, shall not transport any freight between Denver and Boulder, except mining machinery from Denver destined to mines in said area; general commodities, except household

goods, livestock, and fluid milk as a farm pickup, between points within a fifty-mile radius of Boulder, excepting the City and County of Denver and that part of said fifty-mile radius lying west of U. S. Highway No. 87 and south of the south line of Township 2-South, as shown on Exhibit "A" attached to the application, and to and from points in said area, from and to all points in the State of Colorado, including Denver, excepting that no processed fruits shall be transported between points within or into and out of Larimer County, and further excepting any town-to-town movement where served by scheduled common carriers,

testified that ore-hauling business was very slack; that he had purchased three permits, paying \$2,000.00 therefor, in order to eliminate some competition to try to get enough business to make his service profitable and enable him to maintain the equipment which, at times, was required to serve the public; that in January preceding, he had eighteen trucks, of which six had been sold because they were never in use; that the twelve trucks he has are more than sufficient in number to care for all the demands made upon him for service in his territory; that when Hodgson left, he had bought extra equipment, in order to serve Hodgson's customers -- the United, and others; that while Hodgson was away, getting "big money," for trucking service, he remained in the territory and satisfied the demands of the miners for service; that if he loses business to Hodgson or others, it would be necessary to sell some of the equipment, and he would be less able to furnish good service.

For McKenzie Transfer (PUC Nos. 62 and 1127), Gomer Sterling testified that where twenty-eight miners were operating two years prior to the hearing, only two miners were working at the time of the hearing; that equipment had been decreased from eight trucks to four trucks, which were idle; that if Hodgson were to furnish service in protestant's territory, it would tend to impair the efficiency of protestant's operation.

Mr. Wright, a protestant, operating under Permit No. A-823, stated that he had four dump trucks, but was "doin' nothin'"; that, in his opinion, the common carriers in the territory could handle the business; that he could not foresee any increase in business.

Our decision in this matter has been long delayed. Obviously, the Commission wants the mining companies in the territory which applicant seeks to serve to be adequately served. We had thought that possibly more mines would be operating by this time, but the business Mr. Hodgson expected does not seem to have developed. It would seem that the granting of the authority to haul ores and concentrates and coal in competition with the common carriers who appeared in opposition would tend to impair the efficiency of their operation.

F I N D I N G S

THE COMMISSION FINDS:

That applicant should be 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 Longmont, Denver, Fort Collins, Fort Morgan, and points within a radius of ten miles thereof; 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; that to grant authority to haul ore from points in Boulder County to Leadville and Colorado City, and coal from mines in the northern Colorado coal fields to Boulder and to points within a radius of ten miles of Boulder, would tend to impair the efficiency of now-authorized motor vehicle common carrier service, and application for such authority should be denied.

O R D E R

THE COMMISSION ORDERS:

That Clyde J. Hodgson, 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 coal from mines in the northern Colorado coal fields to Longmont, Denver, Fort Collins, Fort Morgan, and points within a radius of ten miles thereof; 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, said permit to bear the number "B4909."

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.

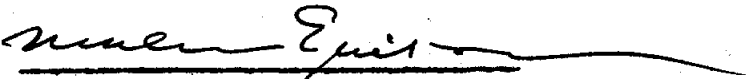
The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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 8th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LOUIS SALVADOR AND FRANK SALVADOR,)
208 NEVADA, TRINIDAD, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7256-PP

April 8, 1946

Appearances: Frank Salvador, Trinidad,
Colorado, for applicants.

S T A T E M E N T

By the Commission:

The above-styled matter, pursuant to appropriate notice to all parties in interest, was heard at Trinidad, Colorado, February 11, 1946, and taken under advisement.

Louis Salvador and Frank Salvador, co-partners, herein seek authority to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal between points within a radius of twenty miles of Trinidad, and slabs and wood from sawmills located in the mountains around and west of Weston, Colorado, to points in said area.

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

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

It did not appear that the granting of the authority sought would tend to impair the efficiency of any authorized motor vehicle common carrier service, or that the service afforded by common carriers for the transportation of the commodities sought to be transported by applicants in the considered territory is adequate.

FINDINGS

THE COMMISSION FINDS:

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

ORDER

THE COMMISSION ORDERS:

That Louis Salvador and Frank Salvador, Trinidad, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of coal between points within a radius of twenty miles of Trinidad, and slabs and wood from sawmills located in the mountains around and west of Weston, Colorado, to points in said area.

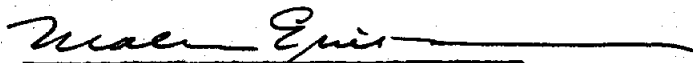
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
JAMES A. CLAY, DOING BUSINESS AS
"PAT'S EXPRESS," 1900 ARAPAHOE
STREET, DENVER, COLORADO, FOR A
CLASS "B" PERMIT TO OPERATE AS A
PRIVATE CARRIER BY MOTOR VEHICLE
FOR HIRE.

APPLICATION NO. 7244-PP

April 8, 1946

Appearances: James A. Clay, Denver, Colorado,
pro se;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Stor-
age Company;
Harold Swena, Golden, Colorado,
for Swena Transfer & Express;
John Windecker, Denver, Colorado,
for Windecker Brothers;
Marion F. Jones, Esq., Denver,
Colorado, for Leamon Reeler,
South Park Motor Lines;
E. J. Trenberth, Idaho Springs,
Colorado, for Curnow Livery
and Transfer Company;
George C. Garrett, 223 Main Street,
Longmont, Colorado, for McKie
Transfer Company.

STATEMENT

By the Commission:

The above-styled application, pursuant to prior setting and appropriate notice to all parties in interest, was heard at Denver, Colorado, February 1, 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 roofing and roofing supplies between points within a radius of fifty miles of Denver, Colorado.

At the hearing, it appeared that applicant has been in the business of hauling such materials within the City of Denver for a period of

eight years; that he wants to extend his service to points outside the City; that he does not know who, if anyone, hauls roofing materials outside of Denver; that he does not propose to haul between points located on the highway, and therefore will not compete with motor vehicle common carrier services. He has a one and one-half-ton Chevrolet Truck. Applicant stated that business, at present is "a little slack," on account of inability of his customers to produce or get roofing material and roofing supplies; that "there is no immediate need for more service;" that he does not employ any men, but drives his own truck; that he proposes to serve Philip-Carey Roofing Company, Howe Roofing and Supply Company and Ryan Roofing Company.

E. J. Trenberth, testifying in behalf of Curnow Livery and Transfer Company, which operates a line-haul service between Denver and Idaho Springs, serving intermediate points, and also serving Clear Creek and Gilpin Counties on call and demand, Harold Swena, who operates a line-haul service between Golden and Denver, and serves points within a radius of twelve miles thereof under call and demand authority, and John Kindecker, who serves Conifer, Deckers, and Watertown in line-haul service out of Denver under his PUC No. 996, testified in opposition to the granting of the service sought to be performed by applicant.

As stated, applicant does not propose to serve points served by line-haul motor vehicle common carriers. With the exception of the territory served by Swena, there is very little business in the territory served by applicant that is not served by the line-haul services. It does not seem that any substantial number of people would be served by the granting of the authority to applicant to serve such additional territory -- that is, the territory not served by the line-haul operations.

FINDINGS

THE COMMISSION FINDS:

That applicant, pecuniarily and otherwise, is qualified to carry on the proposed operation; that the authority sought should be granted, except as to service between points served by line-haul motor vehicle common carriers and service in competition with the service of Curnow Livery and

Transfer under PUC No. 49, Harold Swana, under PUC No. 701, and John Windecker, under PUC No. 996.

O R D E R

THE COMMISSION ORDERS:

That James A. Clay, doing business as "Pat's Express," 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 roofing and roofing supplies between points within a radius of fifty miles of Denver, except that no authority is granted hereby to transport said commodities between points served by line-haul motor vehicle common carriers on schedule, or in competition with service which Curnow Livery and Transfer, Harold Swana, and John Windecker are authorized to perform under their respective PUC Nos. 49, 701, and 996.

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 8th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
ARCHIE L. LEVI, DOING BUSINESS AS
"LEVI'S TRANSFER & STORAGE," WAL-
SENSBURG, COLORADO, FOR AN EXTENSION
OF PUC NO. 570.

APPLICATION NO. 1587-B

April 5, 1946

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicant;
Truman A. Stockton, Jr., Esq.,
Denver, Colorado, and
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Stor-
age Company;
James R. Coney, Trinidad, Colo-
rado, for Coney Storage & Trans-
fer;
Wes V. McKaughan, Rye, Colorado,
pro se;
E. J. Gottula, Pueblo, Colorado,
pro se;
J. S. Wright, Pueblo, Colorado,
pro se;
James A. Houghton, Walsenburg,
Colorado, pro se;
Clayton Bern, La Veta, Colorado,
pro se;
Robert Weir, La Veta, Colorado,
pro se;
Charles Dussart, Trinidad, Colo-
rado, for Dussart Truck Line;
T. A. White, Esq., Denver, Colo-
rado, for Denver-Colorado
Springs-Pueblo Motor Way.

STATEMENT

By the Commission:

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

By application filed November 3, 1945, applicant sought authority to transport general commodities, including the moving of buildings, as a common carrier by motor vehicle for hire, on call and demand, be-

tween points in the Counties of Huerfano, Pueblo, and Las Animas, and from and to points in said counties, to and from points in the State of Colorado; and to operate a taxicab service for the transportation of passengers, on call and demand, between points within a radius of fifty miles of Walsenburg.

At the hearing, at Walsenburg, Colorado, the application was amended by eliminating the transportation of livestock, and excepting service between Pueblo and Boone -- the last-mentioned exception being made to meet objections of Gottula Transfer.

At the hearing, it appeared that Levy Transfer and Storage Company business started as a teaming operation by the father of applicant, in 1870; that about the Year 1915, a truck was acquired and used to supplement the service, an additional truck being added in 1917. Primarily, to begin with, they served the Town of Walsenburg and the mines in the vicinity, hauling mining machinery, groceries, etc., from Walsenburg as far as Rugby, in Las Animas County; that, occasionally, some service was furnished to ranches, extending into Pueblo County; that when the truck was acquired, the service was extended and business was accepted between points in Huerfano, Las Animas, and Pueblo Counties, and occasionally service was furnished between other points in the State; that commodities handled principally consisted of household goods, mining machinery, equipment and supplies, farm machinery, equipment and supplies, farm products, generally, except movement of livestock, which were limited to small shipments; that, occasionally, truckloads of groceries were handled for wholesale houses in Walsenburg from Denver and Pueblo, and similarly, truckload lots of groceries were hauled out of Walsenburg, occasionally, for wholesale houses to their branch retail stores in mining camps in Huerfano County and northern Las Animas County, or to some retail store customer of the wholesale house; that when the Public Utilities Law was enacted, Levy Transfer and Storage Company did not promptly obtain a certificate, but continued to operate; that, from time to time, complaints were made to the Commission, and on one or more occasions, court proceedings against the operation were had in Huerfano County; that, finally, on May 5, 1930, an application was

filed with the Commission for a certificate for the "transportation of household goods and such other commodities as may require transportation under a general trucking business, between Walsenburg and points in Colorado," and authority to establish a towing service for the handling of "cars, trucks, etc., in the Counties of Huerfano, Pueblo, and Las Animas."

The matter was heard by the Commission, and on June 28, 1930, by Decision No. 2956, the Commission denied the application.

Application for rehearing was filed, which was granted, and on June 20, 1931, by Decision No. 3466, applicant was authorized to operate as a common carrier by motor vehicle for hire for the transportation of:

freight and household goods between Walsenburg and points in Colorado as an irregular carrier, with the proviso that he should not establish a branch office or have an agent employed in any other town or city than Walsenburg for the purpose of developing business.

Mr. Levy testified that, notwithstanding authority was granted only to serve between Walsenburg and other points in the State, he continued to operate from point to point; that his authority to perform such service was never questioned, and that he did not find out that he could not perform the service until about eighteen months before the instant application was filed; that he learned that he could not perform such service when he sought to handle certain freight in interstate commerce, and was unable to do so because his customers learned that he did not have authority to handle intrastate, and therefore could not handle interstate freight, although his certificate was registered with the Interstate Commerce Commission.

Applicant has eight trucks, a Fruehauf semi-trailer, equipped with stock rack, blocks, tackles, dollies, and other house-moving equipment, and a 1941 six-passenger Hudson Sedan. He has specialized in moving houses, and has engaged in some construction work in connection therewith under contract. No authorized carrier in Huerfano County other than applicant moves houses. He has a winch-equipped truck and a caterpillar. In addition to house moving, he has specialized in the movement of household goods, mining machinery, and equipment, well-drilling machinery, and oil-well equipment. Most of the business has been in Huerfano County, although he has done some

hauling to and from Las Animas County, and has continued to haul between Denver, Pueblo, and Walsenburg for wholesale houses. He has hauled sand and gravel in considerable quantities from Huerfano County to points in Las Animas County. He has not hauled coal for hire since 1930. In order to apparently comply with the terms of his certificate, he recently had adopted the practice of routing all hauls between points not covered by his certificate through Walsenburg -- that is, if he wanted to transport a load from Gardner to Pueblo, he went through Walsenburg. Sometimes he stopped for gasoline in Walsenburg, but he never unloaded and re-loaded the freight, or re-billed it. Some of his hauls, for instance, were from Canon City to Pictou, Canon City to Big Four, Valdez to Pictou, and Big Four, and occasionally a movement in the reverse direction. He has moved furniture from Walsenburg to Olathe, and to points in Routt County. His trucks have a maximum capacity of about twenty tons.

As to the taxicab service, he stated that Walsenburg is without taxicab service; that frequently people are greatly inconvenienced because of their inability to get for-hire auto transportation service; that passengers arriving in Walsenburg by train or by bus are unable to get to places in and out of Walsenburg; that sometimes an emergency trip to the hospital is required by someone who is ill; that they have been unable to get for-hire service.

Richard Abe, a Patrolman, stated that taxi service was badly needed; that during the night, frequently the Police Car has been used to move people from trains or busses or other points in Walsenburg to the hospital, to move people from trains and busses to their homes, in and out of Walsenburg, and to handle other emergency calls, because no for-hire service is available.

Sam T. Taylor, lawyer, mine operator, Deputy District Attorney, and a State Senator, testified in support of the application. He stated that a local service for the transportation of heavy commodities is required in Huerfano County; that he has a number of mines located at Berwind, Rapson, and Rouse; that it is necessary to move machinery and other equipment from and to said mines, to and from points in Huerfano County, and

elsewhere, and between mines; that without Levy's service -- he being the only carrier in Huerfano County who seems to be equipped to handle such business or to have the experience necessary to do the job well -- it would be impossible for the mines to function without shut-downs; that Levy recently moved a fan for him from Alamo to one of the mines, and did the necessary work to set it in place, ready for operation; that he has moved eight-ton hoists -- first dismantling them and then re-assembling them; that he moved a hoist from Pueblo to a mine; that, on account of the fact that miners will not live at camps, it has been necessary to supply housing in Walsenburg; that Levy moved eight houses from Rapson to Walsenburg for him -- in other words, he furnishes construction service and hauling; that practically all mine movements of mine equipment involve more than hauling service; that it is necessary to "tear down, haul, and put up;" that he has moved supplies to the mines -- for instance, a car-load of equipment.

J. R. McBryar, for twelve years superintendent of Robinson No. 4, Kehler No. 2, and Pictou No. 3 Mines of Colorado Fuel and Iron Company, testified that the C. F. and I. Company frequently has used Levy's service -- especially since World War No. 1; that service has been good; that sometimes it has been necessary to use his trucks practically every day for a short period of time -- at other times, interval between services may be a number of months; that he has handled mining machinery, pumps, telephone poles, props, houses, etc.

Cliff Brice, a wholesale dealer in gas and oil with headquarters in Pueblo, maintains a number of stations in Southern Colorado, and has been in business sixteen years. He stated that he has used Levy's service about twice a year since 1937 for movement of equipment requiring heavy-duty trucks -- for instance, a 10,000-gallon tank, which is rather large and weighs about 5 tons; that on one occasion, Levy moved a house for him to Antonito, and on another occasion, moved a house from Walsenburg to Alamo; that he not only moves a tank, but makes an excavation, places the tank, covers it, levels the ground, and completes the job, ready for service; that although his headquarters are in Pueblo, he thinks that Pueblo

is too far away from Huerfano County residents to get satisfactory service. Although he admits that Weicker's service is satisfactory in Pueblo County, he thinks that it is "not handy to some other location."

Mrs. M. Strong, of Walsenburg, stated that over a period of forty years, Levy's had moved her household goods satisfactorily three times -- Pueblo to Walsenburg, Dicks, in Las Animas County, to Walsenburg, and between two points in Huerfano County.

S. W. Pressy, Jr., who is engaged in drilling oil wells, testified that his company has an office and yard at Pueblo and a yard at Turner and at Walsenburg, in Huerfano County; that, for a number of years, it has been operating in Huerfano County; that it has used Weicker's and Gottula's service, at times, and found them to be satisfactory for operations from or to Pueblo County, or between points in that County; that under normal circumstances, he prefers to use a local carrier, and has found the service of Levy to be very satisfactory; that Levy has moved equipment from Thatcher to Turner and to Walsenburg on short notice, and has furnished a prompt service on a number of occasions when he had a "fishing job"; that such service is of an emergency nature, because if a cable tool outfit is idle, the operator loses \$75.00 per day -- for an idle job with rotary rig, it costs the operator \$250.00 a day.

James B. Dick has two mines in Las Animas County and one in Huerfano County. He stated that, at times, he has found Levy's service to be necessary and prompt for movement of equipment from Huerfano to Las Animas County, and from Las Animas County to Huerfano County, and between points in Huerfano County.

John Kirkpatrick, in the wholesale and retail merchandise business since 1898, and at times engaged in operating coal mines, stated that he has used Levy's service with satisfaction; that Levy has delivered merchandise locally for him, has hauled machinery to and from points in Las Animas County, from and to Walsenburg.

Levy moved a printing plant over night from the old location in Walsenburg to a new location in Walsenburg for James Mattison, business manager of Consolidated Publishing Company, who testified that the service

was very satisfactory; that as part of the service, he knocked down, moved, and set up a twenty-five-ton press and other equipment over night.

Peter O'Rourke, a confectioner, has used Levy's service for the movement of merchandise, sand, refrigerators, repair parts, etc., between points in Huerfano County. He stated that it has been satisfactory.

It was stipulated that Clarence Williams, an auto parts dealer, Tom Wilson, City Clerk of Walsenburg, Dr. Schaefer, a chiropractor, Fred Serafini, a Walsenburg merchant, Joe Scrug, a filling station operator, William Unfug, a hardware dealer in Walsenburg, George Dick, a coal operator, Carl Tessitori, a coal operator, Norman Dick, a machine shop proprietor, John Meatcheck, a manufacturer, Andy Schaeffer, a grocer, Richard Morris, and Fred Pizzaro, were present at the hearing, and if called, would testify substantially the same as other witnesses for applicant whose testimony heretofore has been covered.

In opposition, Lou M. Rhodes, Pueblo Manager of Weicker Transfer and Storage Company, stated that his company maintains four vans, three low-beds, three semis, and two stake-equipped trucks, which represent an investment of approximately \$40,000.00; that it has additional equipment at Colorado Springs and Denver; that it operates a line-haul service between Denver and Trinidad and intermediate points, and between other points in the State of Colorado not involved in this application, and specializes in the movement of household goods and heavy equipment; that, recently, it moved a drag-line for the C. F. and I. Corporation from Pueblo to a point on the Picketwire west of Trinidad, installed pumps for gas company at its Canon station near Thatcher, moving 94,000 pounds from Trinidad to location; that while it has been willing to do so, it has not performed any point to point service in Huerfano County for two years; that its heavy-duty equipment is in use about fifty percent of the time.

Ernest J. Gottula, who operates under PUC No. 222, with headquarters at Pueblo, stated that he has three vans, two semis, three dumps, and two pick-ups; that he handles general commodities, including household goods, and has moved mining machinery to Pueblo from Huerfano County, household goods from Pueblo to Trinidad, Trinidad to La Veta; that he has not

furnished any point to point service in Huerfano County, or point to point service in Las Animas County; that he has, however, extensively operated point to point in Pueblo County, and to and from points in Pueblo County, from and to points in the State; that, in his opinion, service in Pueblo County is adequate; that his heavy machinery equipment is busy about forty percent of the time.

James R. Couey, of Trinidad, who operates under PUC No. 349, testified that his company has furnished a call and demand service between points in Las Animas and Huerfano Counties since 1908; that it has five pieces of truck equipment, and a 1350-cubic-foot capacity van trailer, without a tractor; that it specializes in the movement of household goods and pick-up and delivery service and local cartage; that it does not have equipment for heavy hauling; that Pople Transfer and Storage Company, another common carrier in Trinidad operating under authority from the Commission, specializes in heavy hauling, moving of houses, with incidental construction service, etc.; that, primarily, he serves in Las Animas County, but has general authority throughout the State; that household goods equipment is busy about thirty percent to forty percent of the time; that, in his judgment, there is no need for additional local service in Las Animas County.

James Houghton, who operates a call and demand service around Gardner in Huerfano County, and a line-haul service, Walsenburg to Gardner, under PUC No. 391, testified that he has two pieces of equipment, plus a tractor and semi-trailer equipped with utility and stock body; that he acquired the certificate by transfer recently, and has not developed household goods moving business, although he furnishes such service; that he does not have equipment to handle heavy commodities, but can move loads up to eight or ten tons; that he specializes in handling livestock, farm products generally, and farm supplies; that he has a line-haul service between Gardner and Walsenburg, and hauls general commodities; that during the fall, his livestock service requires use of all his equipment, but during the balance of the year, equipment is only busy sixty percent to seventy percent of the time.

Counsel for Weicker Transfer and Storage Company stated that it

had no objection to the issuance of authority for the movement of commodities, generally, between points in Huerfano County, and from and to points in the State, to and from points in Huerfano County, without the right to handle heavy commodities.

It would seem that the people of Huerfano County want Mr. Levy's service. Apparently they have found it to be essential. While much of that service has been rendered without authority, still it would seem that that question should not be controlling in disposing of the instant application. He seems to have been under the impression that under his certificate he could perform the same service that other carriers who were authorized to operate about the same time have been performing under their respective authorities. The authority he received was the authority he asked for. Probably the other carriers, similarly, received the authority they asked for, and if Levy had asked for the authority he now seeks, no doubt a substantial part of it would have been granted. We have read his testimony at that hearing, and he testified then that he performed about the same service he now claims to have performed.

The testimony at hearing on considered application established that public convenience and necessity require his operation for the transportation of freight, not on schedule, between points in Huerfano County, and from and to points in Huerfano County, to and from points in the State. Practically all his witnesses testified that they had not needed his service between points outside of Huerfano County. Our records show that a large number of common carriers are authorized to operate between points in Las Animas County, and from and to points in the State, to and from points in said county. Warnsr at Branson, Keith at Thatcher, Baudino at Aguilar, Pople and Couey at Trinidad, etc., probably furnish all the local service that is required. A similar situation exists in Pueblo and all other counties in the State. So far as the record discloses, such service is not inadequate. However, in order to serve Huerfano County residents adequately, he should have authority to serve between points in Huerfano County and said Counties of Pueblo and Las Animas.

Mr. Houghton recently has acquired a certificate in Huerfano

County. No doubt he will furnish a substantial service. To date, he has specialized in handling livestock. Mr. Levy apparently does not care to engage in that type of service. Mr. Levy and Mr. Houghton's predecessor in interest, for a period of many years, have been able to get along amicably and to meet and serve the needs of the community.

FINDINGS

THE COMMISSION FINDS:

That public convenience and necessity require applicant's proposed extended general cartage and transfer operation for the transportation of freight, except livestock, by motor vehicle, on call and demand, between points in Huerfano County, and from and to points in Huerfano County, to and from points in the State of Colorado, and his proposed passenger operation for the transportation of passengers, on call and demand, by taxicab, between points within a radius of fifty miles of Walsenburg, Colorado, and that certificate of public convenience and necessity should issue therefor, subject to the conditions expressed in the Order following.

ORDER

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier cartage and transfer service of applicant, on call and demand, for the transportation of freight (including household goods and excepting livestock) between points in Huerfano County, and from and to points in said County on the one hand, and, on the other, to and from points in the State of Colorado, subject to the following conditions:

(a) For the transportation of commodities other than household goods between points served singly or in combination by scheduled carriers, applicant shall charge rates which, in all cases, shall be at least twenty percent in excess of those charged by carriers operating on schedule;

(b) Applicant shall not operate on schedule between any points;

(c) Applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have an agent employed in any town or city other than Walsenburg for the purpose of developing business;

(d) Jurisdiction in this matter should be, and the same hereby is, retained to the end that if and when occasion may arise, appropriate orders may be made herein to prevent improper encroachment by the applicant upon the field of business occupied by the scheduled carriers, and at the same time to allow the applicant reasonable latitude in the carrying on of his business as it may develop in the future;

and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) 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 by applicant with all present and future laws and rules and regulations of the Commission.

That public convenience and necessity require the proposed motor vehicle taxicab service of applicant for the transportation of 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 transportation of passengers between points served by line-haul motor vehicle common carriers of passengers on schedule, rates shall be on the basis of "twenty-five cents 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,

and this order shall be taken, deemed, and held to be a certi-

ficate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date,

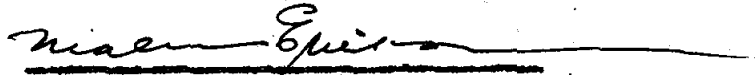
Applicant shall operate his carrier system in accordance with the order of the Commission, except when prevented by Act of God, the public enemy, or extreme conditions.

This order is subject to compliance 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 5th day of April, 1946.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TOM CONNELL, OF P O BOX 299,)
LA SALLE, COLORADO.)
)
)
)
)
-----)

PERMIT NO. G-227

April 16, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from
Tom Connell of LaSalle Colorado,
requesting that his Permit No. G-227 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 Permit No. G-227 heretofore issued
to Tom Connell, be,
and the same is hereby, declared cancelled effective February 7, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phowman

Malcom Erickson

Ralph C. Hinton

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
C. L. REIGAN, DOING BUSINESS AS)
REIGAN MOTOR COMPANY, 724 FIRST)
AVENUE, MONTE VISTA, COLORADO.) PERMIT NO. C-1567
)
)
-----)

April 16, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from C. L. Reigan d/b/a
Reigan Motor Company of Monte Vista, Colorado,
requesting that his Permit No. C-1567 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 Permit No. C-1567 heretofore issued
to C. L. Reigan d/b/a Reigan Motor Company, be,
and the same is hereby, declared cancelled effective February 14, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawan
Malcom Erickson
Ralph C. Hottel
Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
HERMAN WIENER, DOING BUSINESS)
AS TRADING POST GARAGE, OF)
BOX 97, LA JUNTA, COLORADO.)
-----)

PERMIT NO. C-14952

April 16, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Herman Wiener, doing
business as Trading Post Garage of La Junta, Colorado,
requesting that his Permit No. C-14952 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 Permit No. C-14952 heretofore issued
to Herman Wiener, doing business as Trading Post Garage, be,
and the same is hereby, declared cancelled effective January 29, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shawman

Malcolm Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
PAUL RIDNOUR, OF WELLINGTON,)
COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-14344

April 16, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Paul Ridnour-----of Wellington, Colorado-----,
requesting that his Permit No. C-14344-----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 Permit No. C-14344-----heretofore issued
to Paul Ridnour,-----be,
and the same is hereby, declared cancelled effective February 19, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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RE MOTOR VEHICLE OPERATIONS OF)
ALEX BOXBERGER, OF ROUTE 3,)
BOX 39, FT. COLLINS, COLORADO.)

PERMIT NO. C-14382

April 17, 1946

STATEMENT

By the Commission:

The Commission is in receipt of a communication from
Alex Boxberger of Ft. Collins, Colorado,
requesting that his Permit No. C-14382 be cancelled.

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

ORDER

IT IS THEREFORE ORDERED, That Permit No. C-14382 heretofore issued to Alex Boxberger, be, and the same is hereby, declared cancelled effective March 2, 1946.

**THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

Henry P. Shuman

Malcom Erickson

Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 17th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)

LEON AYERS, OF LAS ANIMAS,)
COLORADO.)

PERMIT NO. C-14753

April 17, 1946

S T A T E M E N T

By the Commission:

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

Leon Ayers ----- of Las Animas, Colorado -----,

requesting that his Permit No. C-14753 ----- 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 Permit No. C-14753 ----- heretofore issued

to ----- Leon Ayers, ----- be,

and the same is hereby, declared cancelled effective February 14, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

William E. Erickson

Ralph C. Norton

Commissioners

Dated at Denver, Colorado,

this 17th day of April, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE F. CARMACK, OF P O)
BOX 82, DURANGO, COLORADO.)
)
)
)
)
-----)

PERMIT NO. C-14132

April 17, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
George F. Carmack of Durango, Colorado,
requesting that his Permit No. C-14132 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 Permit No. C-14132 heretofore issued
to George F. Carmack, be,
and the same is hereby, declared cancelled effective February 14, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phowman

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 17th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
P. B. BACUS, DOING BUSINESS)
AS BACUS MERCANTILE COMPANY,)
OF HOEHNE, COLORADO.) PERMIT NO. C-12741
-----)
-----)

April 17, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from P. B. Bacus d/ba
Bacus Mercantile Company of Hoehne Colo.,
requesting that his Permit No. C-12741 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 Permit No. C-12741 heretofore issued
to P. B. Bacus d/b/a Bacus Mercantile Company, be,
and the same is hereby, declared cancelled effective February 22, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Phelan
Malcolm Erickson
Ralph G. Johnston
Commissioners

Dated at Denver, Colorado,
this 17th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES R. BROTHERS, OF 4719)
JOSEPHINE ST., DENVER 16,)
COLORADO.)
-----)

PERMIT NO. C-10815

April 17, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
James R. Brothers of Denver, Colorado,
requesting that his Permit No. C-10815 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 Permit No. C-10815 heretofore issued to James R. Brothers, be, and the same is hereby, declared cancelled effective February 1, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry R. Shaw

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 17th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
J. C. KITCH, OF 19½ S. KANSAS,)
LIBERAL, KANSAS.)
-----)

PERMIT NO. C-9652

April 17, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
J. C. Kitch-----of Liberal-----, Kansas-----,
requesting that his Permit No. C-9652-----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 Permit No. C-9652-----heretofore issued
to-----J. C. Kitch,-----be,
and the same is hereby, declared cancelled effective January 27, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Shaw

Malcom Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 17th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES F. MOORE, OF BOX 511,)
WINDSOR, COLORADO.) PERMIT NO. C-7765
)
)
)
-----)

April 17, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from-----
Charles F. Moore ----- of Windsor -----, Colorado-----,
requesting that his Permit No. C-7765 ----- 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 Permit No. C-7765 ----- heretofore issued
to Charles F. Moore, ----- be,
and the same is hereby, declared cancelled effective December 27, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry P. Brown

Malcolm Erickson

Ralph C. Weston

Commissioners

Dated at Denver, Colorado,
this 17th day of April -----, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLIE GUARDAMONDO, OF ROUTE 1,)
BOX 381, PUEBLO, COLORADO.)
)
)
)
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-----)

PERMIT NO. C-6743

April 17, 1946

S T A T E M E N T

By the Commission:

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

Charlie Guardamondo of Pueblo, Colorado,

requesting that his Permit No. C-6743 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 Permit No. C-6743 heretofore issued

to Charlie Guardamondo, be,

and the same is hereby, declared cancelled effective January 21, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 17th day of April, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
CHRIS AND DANIEL STUKEY, OF)
1827 E 10th St., TUCSON,) PERMIT NO. C-3385
ARIZONA.)
(STUKEY BROTHERS d/b/a))
-----)

April 17, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Chris and Daniel
Stukey of Tucson, Arizona,
requesting that his Permit No. C-3385 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 Permit No. C-3385 heretofore issued
to Chris and Daniel Stukey d/b/a Stukey Brothers, be,
and the same is hereby, declared cancelled effective January 19, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Bowman
Malcolm Erickson
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 17th day of April, 194 6

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * * * *

RE MOTOR VEHICLE OPERATIONS OF)
V. T. RAND, DOING BUSINESS AS)
STATE LINE OIL COMPANY, OF)
KANORADO, KANSAS.)
-----)

PERMIT NO. C-2212

April 17, 1946

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from V. T. Rand,
doing business as State Line Oil Co. of Kanorado, Kansas,
requesting that his Permit No. C-2212 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 Permit No. C-2212 heretofore issued
to V. T. Rand, doing business as State Line Oil Co., be,
and the same is hereby, declared cancelled effective January 3, 1946.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Henry D. Brown

Malcolm Erickson

Ralph C. Horton

Commissioners

Dated at Denver, Colorado,

this 17th day of April, 1946

R

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
HERMAN A. DE WILD, STEAMBOAT
SPRINGS, COLOPADO, FOR A CERTIFI-
CATE OF PUBLIC CONVENIENCE AND NE-
CESSITY.

APPLICATION NO. 7103
SUPPLEMENTAL ORDER

April 9, 1946

Appearances: George A. Pughe, Esq., Craig,
Colorado, for applicant;
T. A. White, Esq., Denver,
Colorado, for Larson Trans-
portation Company;
T. A. Stockton, Jr., Esq., Den-
ver, Colorado, for North Park
Transportation Company.

S T A T E M E N T

By the Commission:

On November 19, 1945, by Decision No. 25148, the Commission granted a certificate of public convenience and necessity to Herman A. DeWild, Steamboat Springs, Colorado.

On November 23, 1945, he asked the Commission to amend the order, because:

"as you remember at the hearing, there was no protest against livestock, ashes, cinders, trash, and feeds."

By the terms of the Order, he was authorized to transport:

"farm products between points in Routt County."

The term "farm products" includes livestock, unless livestock is specifically excepted.

Also, he was authorized to haul:

"used farm equipment and farm supplies between farms in Routt County, and to said farms, from supply points in said area."

The term "farm supplies" includes all supplies used on a farm, when consigned to a farm. Definitely, the term includes farm feeds, when

the feeds are moving between farms or consigned to a farm. The Order did not authorize the transportation of farm supplies (nor farm feeds) between towns served by motor vehicle line-haul common carriers, such as Larson Transportation Company, and it was not intended to so do.

Apparently, inadvertently, authority to haul trash, cinders, and ashes was omitted from the Order. Larson Transportation Company specifically consented to the granting of such authority.

Therefore, the Commission finds that said Order should be amended by changing the comma, following the word "area" in the 9th line on Page 3 of the Order, and inserting the words "and ashes, trash, and cinders, between points in Routt County," and that said order, in all other respects, should remain in full force and effect.

ORDER

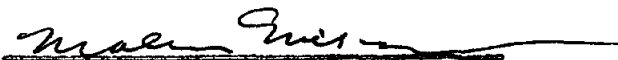
THE COMMISSION ORDERS:

That our Decision No. 25148, of date November 19, 1945, be, and the same hereby is, amended, nunc pro tunc, as of the 19th day of November, A. D., 1945, by changing the comma, following the word "area" in the 9th line on Page 3 of the Order, and inserting the words:

"and ashes, trash, and cinders, between points in Routt County."

That said Decision No. 25148, 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 8th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
GEORGE ALBER, HOTCHKISS, COLORADO,)
TO TRANSFER PUC 1035 TO JOHN VAN) APPLICATION NO. 2989-A
CORT AND MARVIN CLARK, HOTCHKISS,)
COLORADO.)

IN THE MATTER OF THE APPLICATION OF)
JOHN VAN CORT AND MARVIN CLARK,)
FOR EXTENSION OF PUC 1035 TO INCLUDE)
TERRITORY BETWEEN HOTCHKISS, COLO-) APPLICATION NO. 2989-A-B
RADO, AND THE TERRITORY PRESENTLY)
AUTHORIZED UNDER SAID CERTIFICATE.)

April 10, 1946.

Appearances: John P. Beck, Esq., Denver, and
Fairlamb and Fairlamb, Esqs., Delta,
Colorado, for applicants;
T. A. White, Esq., Denver, Colorado,
for Rio Grande Motor Way, Inc., and
The Denver and Rio Grande Western
Railroad Company;
Allen Brown, Esq., Delta, Colorado,
for W. J. Marlow.

S T A T E M E N T

By the Commission:

The above matters were consolidated for the purpose of hearing.

On November 8, 1937, by Decision No. 10890, George Alber was authorized
(PUC No. 1035) to operate as a common carrier, in irregular service, for the
transportation of:

Farm products, including livestock, farm supplies,
and used household goods, from point to point and
into and out of a twenty-five mile area around
Hotchkiss, Colorado; farm equipment from towns to
ranches within a 50-mile radius of Hotchkiss, Colorado;
and fence posts from and to points within a radius of
25 miles of Hotchkiss, to and from points within a
radius of 110 miles of Hotchkiss; provided, however,
that in the transportation of feed between points on
the line of Rio Grande Motor Way's scheduled route,
applicant shall charge rates at least twenty per cent
in excess of those charged by said Rio Grande Motor
Way, Inc.

He now seeks authority to transfer said certificate to John Van Cort

AND Marvin Clark, of Hotchkiss, Colorado.

At the hearing in Delta on Tuesday, February 19, 1946, it appeared that the consideration for transfer of said certificate is the sum of \$2,000.00, which amount is placed in escrow in the First State Bank of Hotchkiss, Colorado, to be paid when said transfer has been approved by this Commission.

It also appeared that there are no outstanding unpaid obligations against said operation, except a fee due Attorney John P. Beck, which transferor said would be paid; that ton-mile tax deposit is to be transferred to account of transferees.

The operating experience and pecuniary responsibility of transferees were established to the satisfaction of the Commission, as both transferees have had considerable experience in the trucking industry.

In Application No. 2989-A -B, applicants Van Oort and Clark asked also for an extension of PUC No. 1035 to include the transportation of mining equipment and petroleum products between Hotchkiss, Colorado, and points and places in presently authorized territory. Mr. Van Oort, one of the applicants, stated that they owned four $1\frac{1}{2}$ -ton Ford trucks, which they expected to use in their operations under PUC 1035; that in addition, they desire to haul coal-mining machinery for coal mines in their territory, among which are the following mines: Oliver Mine and Hawksnest Mine; that they had requests for this service, especially when the mines need repairs, and they felt they could give prompter and more efficient service than the other authorized carriers; that some of the mines in the area are located some distance from the railroad and when machinery comes in by rail, it has to be hauled by motor vehicle to the mines.

Mr. Van Oort further stated that he no longer wished to haul petroleum products and asked that this authority be withdrawn from his application.

Emmett Odeon, who operates the Hawksnest Mine, located some two miles from the railroad, stated that he could use the service of applicants four or five times a year; that his output at the mine is approximately 60 tons per day; that The Denver and Rio Grande Western Railroad Company and Rio Grande Motor Way have

served him in the past, but in case of breakdown of some machinery where a new part is required, he would like a faster service.

A. J. Tait, Traffic Manager for Rio Grande Motor Way, Inc., testified that they operate a regular, scheduled service to the area; that they had trucks leaving Denver in the evening which would deliver to the Hotchkiss territory the following day and were in a position to handle all machinery shipments for this territory; that his company has been rendering this service in the past and needed the business in order to continue their present scheduled operations.

From the evidence submitted, it appears that this area has a scheduled line haul daily service. To maintain this service, requires freight, and as there is considerable mining machinery used in the area, the loss of this business would cripple the daily line haul carrier service.

The evidence of witness as to the need for this additional service was to the effect that they might use this service four or five times a year for emergency shipments. They now have the service of Rio Grande Motor Way, together with railroad service, and from the evidence before us, we cannot see that applicants have made sufficient showing to justify the granting of the extension applied for. No showing was made that existing common carrier service is inadequate, or if inadequacies should develop that they would not be made adequate under direction of the Commission.

After careful consideration of the record, the Commission is of the opinion, and finds, that (1) said transfer should be authorized, and (2) that the application for an extension of PUC No. 1035 should be denied.

O R D E R

IT IS ORDERED:

That George Alber, of Hotchkiss, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 1035 to John Van Oort and Marvin Clark, of Hotchkiss, Colorado.

That ton-mile tax deposit of transferor be transferred and credited to account of transferees.

The tariff of rates, rules and regulations of the transferor shall

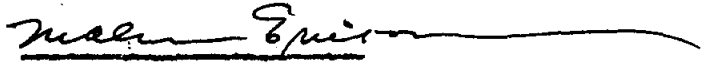
become and remain those of the transferees until changed according to law and the rules and regulations of this Commission.

That in the matter of the application of John Van Oort and Marvin Clark for an extension of PUC 1035, said application should be, and 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 10th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
GATELY MOTOR COMPANY, ALMA, COLORADO,)
AND FAIRPLAY MOTOR COMPANY, FAIRPLAY,)
COLORADO, FOR ASSIGNMENT AND TRANSFER)
OF CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)

APPLICATION NO. 3977-BB-AA

April 10, 1946.

Appearances: John M. Boyle, Esq., Salida, Colorado,
for applicants.

STATEMENT

By the Commission:

On October 6, 1937, by Decision No. 10686, authority was granted to Gately Motor Company, a corporation, to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of:

Ore and concentrates, mining and milling supplies and equipment, coal, sand and gravel, farm produce (including livestock), farm supplies, used household goods and furnishings, office furniture and fixtures, into, out of and between points within a radius of twenty miles of Alma, Colorado, except that said applicant under this certificate shall not transport said commodities, or any of them, from, to or between Denver and Kokomo or points intermediate thereto, on U. S. Highway No. 285 Denver to Fairplay, and State Highway No. 9 Fairplay to Dillon and State Highway No. 91 Dillon to Kokomo, and shall not transport freight of any description under this certificate between Leadville and other points except between Leadville and points within a radius of 20 miles of Alma.

That applicant shall not be required to charge 120 per cent of the prescribed rate, that is, the twenty per cent differential ordinarily required to be charged by call and demand and Class "B" carriers, for the transportation of commodities from and to mining camps in the Fairplay-Alma district, except where said mines are located in the town of Alma or Fairplay or upon said Highways U. S. 285 and Colorado 9 between Denver and Breckenridge, via Fairplay.

On December 5, 1939, by Decision No. 14433, authority under PUC 1179 was extended to include the transportation of livestock for hire between points within the area bounded by Wilkerson, Kenosha, Trout Creek, and Ute Passes, and

from and to points in said area to and from points in the State of Colorado.

Applicant company, the transferor, now seeks authority to transfer said certificate to Fairplay Motor Company, of Fairplay, Colorado.

At the hearing in Denver, Colorado, on March 13, 1946, it appeared that the consideration for transfer of the certificate is 5% of the gross earnings of the operation under said certificate by Fairplay Motor Company over a period of five years on all amounts in excess of \$12,000 per annum, said percentage to be determined and paid by Fairplay Motor Company to Gately Motor Company annually between the 1st and 15th day of January of each year over the said 5-year period, and the amount so paid by the second party shall be the full purchase price to be paid for assignment of said certificate.

It also appeared that there are no outstanding unpaid obligations against said operation, and the operating experience and pecuniary responsibility of transferee were established to the satisfaction of the Commission.

Ton-mile tax deposit of transferor is to be transferred to account of transferee.

The matter was taken under advisement.

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

ORDER

IT IS ORDERED:

That Gately Motor Company, a corporation, of Alma, Colorado, be, and it hereby is, authorized to transfer all its right, title and interest in and to PUC No. 1179 to Fairplay Motor Company, a Corporation, of Fairplay, Colorado, and that Fairplay Motor Company shall pay unto Gately Motor Company five per cent (5%) of gross earnings of the operations under said certificate for a period of five years, on all amounts earned annually in excess of \$12,000, said amount to be determined and paid annually between the 1st and 15th day of January of each year for the said five-year period, and the amount so paid by Fairplay Motor Company shall be the full purchase price to be paid for the

assignment of said certificate, and transferor shall have, and hereby is given a lien upon said certificate to insure payment of said sums.

That ton-mile tax deposit of transferor shall be transferred to 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 10th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ALFRED B. WARREN, ROUTE 3, BOX 205,)
MONTROSE, COLORADO, FOR A CLASS "B") APPLICATION NO. 7280-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

April 10, 1946.

Appearances: Alfred B. Warren, Montrose, Colorado,
pro se;
T. A. White, Esq., Denver, Colorado,
for Rio Grande Motor Way, Inc.;
C. J. Moberly, Montrose, Colorado,
for San Miguel Stages.

S T A T E M E N T

By the Commission:

As limited by the testimony at the hearing in Delta, Colorado, on February 19, 1946, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of farm produce, sand and gravel, within the area extending 11 miles south, 11 miles north, 6 miles east and 8 miles west of Olathe, Colorado; coal from mines in Delta County to points in said area, and farm machinery from farm to farm, town to farm, and farm to town in said above-described area.

The evidence disclosed that applicant is the owner of a 1929 Ford 1½-ton truck, and has had twenty-five years' experience in operating trucks; that he wishes to perform a farm service for customers residing in his area, that is, the hauling of farm produce from farms to loading sidings, warehouses, and processing plants; sand and gravel to construction jobs in his area; farm machinery from farm sales to farms, from town to farm, and from farms to town for repair and return; coal to farm customers within above-described area from coal mines in Delta County.

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

After careful consideration of the record, the Commission is of the opinion, and finds, that said application, as limited, should be granted.

O R D E R

IT IS ORDERED:

That Alfred B. Warren, Route 3, Box 205, Montrose, Colorado, should 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, sand and gravel, within the area extending 11 miles south, 6 miles east, 11 miles north, and 8 miles west of Olathe, Colorado; coal from mines in Delta County to points in said area; farm machinery from farm to farm, town to farm, and farm to town in said above-described area, without the right to engage in town to town service in competition with authorized line-haul 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

[Signature]

[Signature]

[Signature]
Commissioners.

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

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KANSAS-COLORADO UTILITIES, INC.,)
ABILENE, KANSAS, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY.)

APPLICATION NO. 7296

April 11, 1946

Appearances: Harold Bolton, Esq., Abilene,
Kansas, for applicant.

S T A T E M E N T

By the Commission:

Heretofore, in Applications Nos. 1647, 1648, 1726, 1727, 1728, and 1729, The Central Gas Utilities Company, a corporation, was authorized to serve certain areas in Bent County, Colorado, and other sections in southeastern Colorado, as a gas utility, said operating rights being more particularly set forth in Decisions Nos. 9456 and 18746 (Application No. 5886), reference to which is hereby made.

Pursuant to authority contained in Decisions Nos. 22693, as supplemented by Decision No. 25016, Kansas-Colorado Utilities, Inc., acquired the certificates of public convenience and necessity and operating rights of The Central Gas Utilities Company, and ever since has served, and is now serving, in said territory, as a gas utility.

On November 6, 1945, Kansas-Colorado Utilities, Inc., filed its application with the Commission for authority to extend its natural gas service west of Wiley, Colorado, into Bent County, Colorado, and to serve all of Township 48-West, Range 22-South, in said Bent County, including particularly the Village of McClave, situated in said township.

It is alleged, and our records confirm said statement, that:

"no other natural gas utility is rendering service to the Village of McClave or in any part

of Township 48-North, Range 22-South, Bent County, Colorado, and that your applicant is in a position to render service therein more economically than other natural gas utility."

Since it also appeared from said application and from our files and records that the territory which applicant now proposes to serve under the extension sought to be made is contiguous to the towns and area which applicant, in the decisions aforementioned, was specifically authorized to serve, the Commission notified parties in interest of the pendency of said application, and that:

"Under Section 35 of the Public Utilities Act, a public utility has the right to extend into contiguous territory without first obtaining a certificate of public convenience and necessity from this Commission. It appears from the application that the extension here involved is one which might have been made by the applicant without a certificate. However, inasmuch as the application has been made, we desire to dispose of this matter upon the files in this proceeding, without the necessity of holding a formal hearing.

"Therefore, if you have any objection, will you kindly file your written objections within the next ten days. If you do not have any objection to the granting of a certificate authorizing the extension asked for, will you kindly so indicate and also authorize the Commission to enter an order granting the certificate without the necessity of holding a formal hearing."

No objections have been filed to the entering of the order sought by petitioner.

Section 35 (a) of the Public Utilities Act (Ch. 110, Session Laws of 1917 - Sec. 36, Ch. 137, 1935 C. S. A.), which, in part, provides:

"No public utility shall henceforth begin the construction of a new facility, plant, or system, or of any extension of its facility, plant or system, without first having obtained from the commission a certificate that the present or future public convenience and necessity require or will require such construction; provided, that this section shall not be construed to require any corporation to secure such certificate for an extension within any city and county or city or town within which it shall have heretofore lawfully commenced operations, or for an extension into territory, either within or without a city and county or city or town contiguous to its facility, or line, plant or system, and not theretofore served by a public utility of like character, or for an extension within or to territory already served by it, neces-

sary in the ordinary course of its business; and, provided, further, that if any such public utility, in constructing or extending its line, plant or system, shall interfere or be about to interfere with the operation of the line, plant, or system of any other public utility already constructed, the commission, on complaint of the public utility claiming to be injuriously affected, may, after hearing, make such order prohibiting such construction or extension or prescribing such terms and conditions for the location of the lines, plants or systems affected as to it may seem just and reasonable."

While it is proper for applicant, if it so desires, in order to confirm its right to so do, to apply for a certificate of public convenience and necessity to extend its gas lines into the territories heretofore described contiguous to the towns and area it is authorized to serve under its certificates of public convenience and necessity, it seems to be clear that applicant, under the provisions of Section 35 (a), aforesaid, is not required to secure such certificate from the Commission before making such extensions. In other words, it had two courses open to it -- it could apply for authority from the Commission to make the extension, or it could extend its lines into contiguous territory under the authority contained in the statute, taking the risk that such extension would not "interfere with the operation of the line, plant, or system of any other public utility already constructed." What applicant is here asking us to do, in effect, is to confirm its right to extend into such territories under and by virtue of the statute. There is no apparent reason why the Commission, in a proper case, should not confirm the right of applicant, under its certificates, to serve, or authorize it to serve, territories contiguous to towns which it specifically has been authorized to serve.

It appearing that no one objects to the extension; that the proposed extension will not interfere with the operation of the line, plant, or system of any other public utility already constructed; that no other utility desires to, or is in a position to, economically serve the area which applicant seeks to serve under the proposed extension; that applicant is ready, able, and willing to serve; that the inhabitants of the Village of McClave, Colorado, and the people residing in Township 48-West, Range 22-South, Bent County, Colorado, are desirous of obtaining natural gas service,

and have requested applicant to furnish such service, the Commission is of the opinion, and finds, that applicant, under the provisions of Section 35 (a) of the Public Utilities Act (Ch. 110, Session Laws of 1917 - Sec. 36, Ch. 137, 1935 C. S. A.), is authorized to extend its services to McClave, Colorado, and into the area and territory contiguous to the towns and areas now served by it; that public convenience and necessity require the construction and operation of said gas utility system in said town and territory described in the application; that said town and territory is not now served by any other public utility; that public convenience and necessity require, and will require, extensions, from time to time, of applicant's lines and service into areas within the boundaries of said territory, for the purpose of distributing and selling natural gas for light, power, and heating purposes, to and among present and future inhabitants thereof, as their needs may require; that applicant is fit, able, and willing to perform the service, and that certificate of public convenience and necessity should issue therefor.

O R D E R

THE COMMISSION ORDERS:

That Kansas-Colorado Utilities, Inc., under the provisions of Section 35 (a) of the Public Utilities Act (Ch. 110, Session Laws of 1917 - Sec. 36, Ch. 137, 1935 C. S. A.), is authorized to extend its gas lines and system into the areas and territories contiguous to the towns it heretofore has been authorized to serve under its certificate of public convenience and necessity, and that its right to make such extension and to serve said town and extended territory under its certificate of public convenience and necessity set forth in the Statement preceding, which, by reference, is made a part hereof, should be, and it hereby is, confirmed and approved.

That public convenience and necessity require, and will require, extensions, from time to time, of applicant's lines and service in said town and into the area within Township 48-West, Range 22-South, Bent County, Colorado, for the purpose of distributing and selling natural gas for light, power, and heating purposes, to and among present and future inhabi-

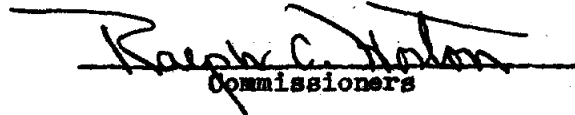
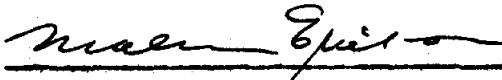
tants thereof, as their needs may require, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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 (20) days from date.

Failure of applicant to comply as above ordered shall nullify and automatically revoke at the end of said period the authorization herein granted, subject to any further action or modification the Commission may order.

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 April, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
FRANK PLESS, LA SALLE, COLORADO, TO)
TRANSFER CERTIFICATE NO. 528 TO)
EDWARD D. MARTIN AND P. J. PETERSON,)
LA SALLE, COLORADO.)

APPLICATION NO. 1724-BB-A

April 10, 1946.

Appearances: Marion F. Jones, Esq., Denver, Colorado,
for applicants;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Storage
Company.

S T A T E M E N T

By the Commission:

On February 16, 1931, Frank Pless was authorized to operate as a
common carrier by motor vehicle (PUC 528) for the transportation of:

Milk and cream from the following described territory, to-wit:
5 miles on both sides of U. S. Highway No. 85 from a point
2 miles north of the town of La Salle to the town of Platteville;
2 miles on the west side and five miles on the east side of
said highway between Platteville and Fort Lupton; no territory
on the west side and 5 miles on the east side of said highway
from Fort Lupton to 2 miles south of Ft. Lupton, the southern
point in said territory, all more fully described in Exhibit D,
which by reference thereto is made a part hereof, to Denver,
Colorado, and the transportation of ice cream from Denver to
La Salle and intermediate points on U. S. Highway No. 85.

He now seeks authority to transfer said PUC No. 528 to Edward D.
Martin and P. J. Peterson, of La Salle, Colorado.

At the hearing in Denver on March 13, 1946, it appeared that the
consideration for the transfer is the sum of \$14,000.00, payable as follows:
\$5,000.00 in cash, and balance of \$9,000.00 to be paid in monthly installments
of \$250.00 each, with interest at the rate of eight (8) per cent per annum on
the unpaid balance, said payments to commence one month after approval of transfer
of the certificate by the Commission.

It further appeared that there are no outstanding unpaid obligations
against said operation and that transferor has operated continuously under said

certificate since date of issue.

The operating experience and pecuniary responsibility of transferees were established to the satisfaction of the Commission, both having been engaged in trucking for many years in the State of Missouri.

Ton-mile tax deposit of transferor is to be transferred to account of transferees.

The matter was taken under advisement.

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

ORDER

IT IS ORDERED:

That Frank Pless, of La Salle, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 528 to Edward D. Martin and P. J. Peterson, of La Salle, Colorado, said transferor to have a lien on said certificate until balance of purchase price (to-wit \$9,000.00 with interest) has been paid in full.

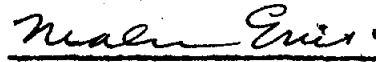
That the ton-mile tax deposit is to be transferred to account of transferees.

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 10th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LENA BLAKLEY AND ALICE FRANCES HOYT,)
DOING BUSINESS AS "BLAKLEY &)
BLAKLEY," UNION STOCKYARDS, DENVER,)
COLORADO, FOR AUTHORITY TO LEASE A)
PORTION OF PUC NO. 435 TO ETHEL E.)
SORENSEN, DOING BUSINESS AS "SOREN-)
SON TRUCK SERVICE," LONGMONT, COLO-)
RADO.)

APPLICATION NO. 1404-AA

April 11, 1946

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants;
Chris Sorenson, Longmont, Colo-
rado, for Sorenson Truck
Service.

S T A T E M E N T

By the Commission:

Lena Blakley and Alice Frances Hoyt, co-partners, doing business as "Blakley & Blakley," as successors to Lena Blakley, as Administratrix of the Estate of Charles P. Blakley, deceased, herein seek authority, pursuant to petition filed on July 11, 1945, to lease a portion of their certificate of public convenience and necessity, PUC No. 435, to Ethel E. Sorenson, doing business as "Sorenson Truck Service," the terms of said lease arrangement being set forth in a written instrument attached to the petition, entitled "Partial Lease of Certificate," of date June 13, 1945.

The matter, pursuant to prior setting and appropriate notice to all parties in interest, was heard at Denver, Colorado, October 3, 1945, and taken under advisement.

Said Blakley and Blakley propose to lease that portion of said certificate authorizing the transportation of:

livestock between Denver, Colorado, and the area lying within the territory described as: commencing at a point on U. S. Highway No. 85 where

it intersects Colorado Highway No. 7, thence east to U. S. Highway No. 185, thence north on U. S. Highway No. 185 to a point due east of Erie, thence east to a point due south of Johnstown, thence north through Johnstown to Highway No. U. S. 34, thence west on U. S. Highway No. 34 to the Continental Divide, thence along the Continental Divide to a point due west of the point of beginning, thence east to the point of beginning,

excepting, however, from the territory leased, the right to serve:

Loveland and the sugar factory feed lots, located about two miles south of Loveland,

for a period of five years, the agreement to be subject to cancellation by written notice by either party, said notice to be given six months or more in advance of cancellation date.

The lease further provides that the "parties shall share office facilities at Denver, Colorado." In other words, under the lease, transferees will acquire the right, if the lease agreement is approved, to establish an office in Denver.

Mrs. Hoyt, testifying for transferors, stated that under their authority, Blakley and Blakley had the right to transport livestock between all points in the State of Colorado; that they did not have enough equipment to adequately satisfy the needs of shippers requiring transportation of livestock from Denver to feed lots located in the territory to be leased; that they had too much business in the eastern part of the State which required their service, so that they could not satisfy other demands promptly; that while recognizing the fact that Mrs. Sorenson, under her certificate, not only has the right to furnish livestock service in much of the territory sought to be leased, she also is authorized to furnish occasional service in other parts of the State for transportation of livestock, in competition with Blakley Service retained, and other commodities, she thinks that "they will be able to police each other satisfactorily," -- that is, that Sorenson will not, by solicitation in Denver, acquire business which Blakleys otherwise would handle in that part of their territory which they expect to retain, and that Sorenson's customers, through long habit, will contact them at his office in Longmont when they want service, instead of trying to contact him in Denver at the Blakley and Blakley office.

Mr. Sorenson stated that he manages the business of Sorenson Truck Service; that he wants to make the arrangement contemplated because it would give "customers facilities to locate us in Denver, instead of telephoning and hunting over the yards for us."

Sorenson Truck Service, as now constituted, is limited to maintenance of an office in Longmont. Mr. Sorenson admitted that the effect of the arrangement would be to give Sorenson Truck Service an office in Denver, and that it would be possible to solicit business, generally, in the State -- not only for the transportation of livestock, but other commodities, but stated that if the office is established, they would limit their solicitation to interstate business, plus business from and to the leased territory.

Testifying in opposition, Ralph E. Yockey, who, by purchase, acquired the right to operate PUC No. 451, with headquarters in Denver, and authority, state-wide, to handle livestock, stated that he maintained a great number of pieces of equipment, in size ranging from 30 feet to 40 feet, in Denver, to handle business originating there; that his chief business consists of the transportation of feeder cattle to feed yards at Loveland, Fort Collins, Johnstown, Berthoud, and points in the territory which Sorenson seeks to lease; that a great number of other carriers haul livestock in and out of Denver, and some have Denver offices; that the effect of the proposed leasing arrangement will be the establishing of a new Denver carrier, with a Denver office, authorized to serve the area in question; that the Blakley Estate has authority to operate in the territory, and furnishes service there, along with its other business; that he fears if Sorenson is authorized to serve, Sorenson will undertake an intensive campaign in Denver to acquire all the business in leased territory and other parts of the State; that he will be in a position to do so, and obviously would not pay out money for lease and incur expense of a Denver office and solicitors, unless he expects to get business thereby; that it is unfair to carriers, generally, and especially to carriers now authorized to serve in Denver to authorize another carrier to operate; that the operation "cannot be policed," and the manner in which it will be handled will depend solely

upon the good faith of Mr. Sorenson and the extent of his desire for business.

It also appeared that, heretofore, Sorenson Truck Service, by application, sought to obtain an extension to serve substantially the same territory which she now will be entitled to serve if the petition here under consideration is granted, and also sought authority to establish an office in Denver. Both applications were denied. The application to establish an office in Denver -- being Application No. 1530-BB -- contemplated that business to be solicited out of said office should be limited to substantially the same territory which Sorenson Truck Service is now seeking authority to serve. This application was denied by our Decision No. 24544, reference to which is hereby made. We there discussed position of Sorenson Truck Service, and found public convenience and necessity did not require proposed service.

In part, Sub-Paragraph (c) of Rule 6 of our Rules and Regulations Governing Motor Vehicle Carriers, effective November 1, 1939, provides that an application to sell, assign, lease, or transfer a certificate of public convenience and necessity:

"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."

It is the opinion of the Commission that the proposed arrangement not only will not benefit the public, but -- viewed in its broader aspects -- definitely is not in the public interest. It is not calculated to bring about a better regulation of common carrier service. Some very undesirable results might follow. Blakley and Blakley suggested that it would cut their maintenance expense, and that Sorenson's customers would continue to contact Sorenson Truck Service in Longmont. After all, the expense which Sorenson Truck Service would incur under the arrangement would not be justified unless Applicant Sorenson Truck Service could develop new business. This business could be obtained only at the expense of other livestock haulers. It could be business other than livestock hauling, which would take

business from Denver carriers engaged in furnishing such service. Mrs. Hoyt, one of the co-partners of Blakley and Blakley, and Mr. Sorenson suggested that it might be a benefit to their respective customers in the territory -- she because Blakleys were not taking care of the business, and he because the customers whom Mrs. Hoyt thought would contact Sorenson Truck Service in Longmont could locate Sorenson in Denver. We think it is obvious that primarily the arrangement is one designed to permit Sorenson Truck Service to get more business. It did not appear that shippers desiring livestock hauling service in the territory are not getting adequate service from now-authorized carriers, including Sorenson, or that there would be any substantial benefits accruing to the shippers which would justify the entry of an order contrary to the general provision of our Rule 6 (c). The only substantial benefits accruing from proposal would go to Sorenson Truck Service and to Blakley and Blakley. This, at the expense of other authorized carriers, without corresponding or definite benefits to the public.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed leasing arrangement is not in the public interest; that the application to lease a portion of the operating rights of Blakley and Blakley to Sorenson Truck Service, and to establish an office in Denver, should be denied.

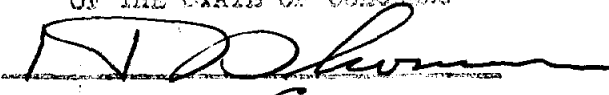
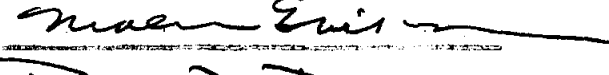
O R D E R

THE COMMISSION ORDERS:

That application of Blakley and Blakley to lease a portion of their operating rights to Ethel E. Sorenson, doing business as "Sorenson Truck Service," 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

Commissioner

Dated at Denver, Colorado,
this 11th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
MILTON SINGER AND MAX SINGER, DOING)
BUSINESS AS "MAX SINGER," 1370)
GROVE STREET, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 6964-PP

April 11, 1946

Appearances: Max Singer, Denver, Colorado,
 pro se;
 Milton Singer, Denver, Colo-
 rado, pro se;
 A. J. Fregeau, Denver, Colorado,
 for Weicker Transfer and
 Storage Company;
 John Windecker, Denver, Colorado,
 for Windecker Brothers.

S T A T E M E N T

By the Commission:

Milton Singer and Max Singer, co-partners, doing business as "Max Singer," herein seek authority to operate as Class "B" private carriers by motor vehicle for hire between points within a radius of twenty-five miles of Denver, Colorado.

At the hearing, it appeared that applicants have been engaged in the transportation business in Denver for thirty years; that, chiefly, their service has been limited to delivering household furnishings and furniture in Denver for Newman Furniture Company, although they have hauled some building materials for Home Lumber Company and Peerless Alloy Company, and during the war, have delivered some beer from Main Distributing Company and poolroom equipment and supplies for Bromfield Ritter & Company, to Army Camps and Army Depots adjacent to Denver. They started with one truck, but at time of hearing, had four trucks.

Max Singer stated that they did not care to operate more than ten miles from Denver, but since the hearing, has filed a petition with

the Commission, asking to increase the distance to fifteen miles, this area being within the limits of their original application.

It also appeared that they have had a large experience in setting up pool tables and taking them down -- in fact, they claim to be "pool table specialists." In this capacity, they furnish special service not ordinarily obtainable by shippers from carriers, in addition to their carrier service.

On cross-examination, they withdrew their application to haul beer to the Army Camps, and agreed not to haul any commodities between Littleton and Denver, and not to operate in competition with Windecker Truck Line, which is authorized to transport:

freight between Denver and in the portion of Jefferson, Douglas and Park Counties included in the following area: beginning at Watertown; thence south via South Platte to Deckers; thence west via Buffalo and Estabrook to Bailey; thence along Highway No. 8 to Conifer Junction and 5 miles on each side of the described route from Watertown to Conifer Junction, which service shall be conducted via Highways Nos. 8, 126, 124, county roads, and via extension of Highway No. 126, along the Platte River to Watertown, when the same is completed, provided applicants will not conduct any transportation service along Highway No. 85.

FINDINGS

THE COMMISSION FINDS:

That the applicants should be authorized to operate as Class "B" private carriers, with authority as set forth in the Order following:

ORDER

THE COMMISSION ORDERS:

That Max Singer, and Milton Singer, doing business as "Max Singer," Denver, Colorado, be, and they hereby are, authorized to operate as Class "B" private carriers by motor vehicle for hire for the transportation of used building materials and junk, wood boxes, and re-milled lumber, between points within a radius of fifteen miles of Denver: pool and billard tables, and supplies therefor, from and to points in said area, to and from Denver, for Bromfield Ritter & Company, only, and new and used furniture from and to Denver, to and from points in said area, for the Newman Furniture Company

only, without the right to handle commodities ordinarily handled by line-haul motor vehicle common carriers between Denver and Littleton, or to furnish any service in competition with Windecker Brothers (PUC No. 996).

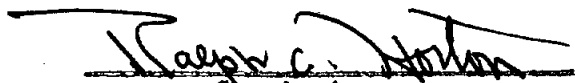
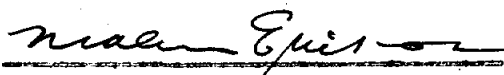
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 11th day of April, 1946.

BY

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

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

APPLICATION NO. 7285-PP

April 11, 1946

Appearances: I. D. Kiggins, Rifle, Colorado,
pro se;
Eldon W. Wallace, Rifle, 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 appropriate notice to all parties in interest, was heard at Glenwood Springs, Colorado, February 20, 1946, and taken under advisement.

By application filed June 20, 1945, I. D. Kiggins seeks authority to operate as a Class "B" private carrier by motor vehicle for hire for the transportation of freight and express, generally, between points within the City of Rifle, Colorado, and within a radius of one mile of the City Limits of Rifle, Colorado.

At the hearing, he stated that he started operations as a carrier by truck in January, 1945 "because Mr. King wanted me to haul for him," and later decided "as long as I was gonna truck for him, might as well have a transfer business along with it;" that, having arrived at that conclusion, he began operating a transfer and cartage business; that he served Martin and neighbors who wanted his service; that, later, he began furnishing pick-up and delivery service for the railroad, and a short time prior to the hearing, sold his rail contract and a truck. He seemed to be under the impression that authority from the Commission was not required before he could perform cartage service in Rifle, and apparently sought the permit only to cover the one-mile area outside the City Limits.

The application was opposed by Eldon W. Wallace, who operates under PUG No. 802.

Inasmuch as the testimony at the hearing showed that applicant does not desire to operate as a private carrier by motor vehicle for hire, and if he serves the public, generally, in Rifle, will not be in a position to furnish contracts made with his customers for service before such service is furnished, it will be necessary to deny the application. If applicant still desires to furnish said service, he should apply for a certificate of public convenience and necessity, and make the showing necessary to get said certificate, and obtain it before he goes into business. If he is now operating, he should discontinue doing so.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be denied.

O R D E R

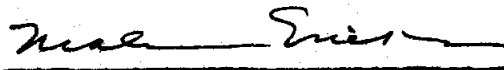
THE COMMISSION ORDERS:

That application of I. D. Kiggins, Rifle, Colorado, for a Class "B" private carrier permit, 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 11th day of April, 1946.

mw

original

(Decision No. 25803)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
M. A. CANNELL, GLENWOOD SPRINGS,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY.)

APPLICATION NO. 7283

April 11, 1946

Appearances: Allyn Cole, Esq., Glenwood
Springs, Colorado, for
applicant;
Myron H. Burnett, Esq., Denver,
Colorado, for Common Carrier
Division of The Colorado
Motor Carriers' Association,
Ralph Earnest, Daryl Hinkle,
G. W. Dodge;
T. A. White, Esq., Denver, Colo-
rado, for Rio Grande Motor
Way, Inc.

STATEMENT

By the Commission:

Applicant, M. A. Cannell, herein seeks a certificate of public convenience and necessity to operate a general transfer and cartage business for the transportation of freight (except coal) on call and demand in the area covered by the City of Glenwood Springs, Colorado and points within a radius of twenty-five miles thereof.

The matter was heard in Glenwood Springs, Colorado, pursuant to appropriate notice to all parties in interest, on February 20, 1946, and taken under advisement.

At the hearing, it appeared that applicant, about three years prior to the hearing, established a dock in Glenwood Springs for the handling of freight for Rio Grande Motor Way, Inc.; that he, at that time, also purchased a pick-up which he used to furnish pick-up and delivery service for Motor Way in the City of Glenwood Springs; that, later, he furnished the same service for Martin Truck Line and Ringsby Truck Line; that

after he had been in operation for some time, he occasionally had to take shipments out of town; that the service furnished as pick-up and delivery, or in the subsequent movements of freight out of town, were one-way hauls; that later, he acquired a three-fourths-ton pick-up and a straight job one and one-half-ton Dodge; that he did not have a certificate of public convenience and necessity from the Commission to perform this service, and did not seek one, because he had been informed, and thought, that it was not necessary to have authority from the Commission to perform service within the city limits and points within a radius of one mile thereof; that later, residents of Glenwood Springs asked him to perform transfer and cartage work for them, and he developed some general transfer, cartage and draying business in the town; that he moved some people in the town from one residence to another; that apparently no one authorized to perform service by the Commission cared for said business, or "was set up for that kind of business" -- at least they did not perform the service, and did not object to performance of such service by him; that his dock at Glenwood Springs is the only dock in the city, and in fact, is the only dock maintained in the area served by him, except one belonging to Hinkle, at Carbondale.

Applicant stated that about a year or so prior to the filing of his application for a certificate of public convenience and necessity, the demands upon him, or requests for service, extended into the area which he now seeks to serve; that, occasionally, shipments of freight arriving by Martin Truck Line and Ringsby Truck Line at Glenwood Springs required further movement to ranches or mines in the area; that consignees were unable to get service from carriers operating under certificates issued by the Commission, and asked him to haul the freight to their places; that, occasionally, he furnished such service; that he also hauled coal, hay, and grain, occasionally; that he has operated under a Commercial Carrier Permit since September, 1945, and ordinarily bought and sold coal, ashes, and grain; that in so doing, he made a charge or profit, depending upon the view taken of the transaction, of not less than ten cents up to one hundred pounds, (which, in effect, amounted to a

charge for transportation service); that, at times, he charged two dollars an hour for the use of a man and truck for transportation of farm produce; that in August of 1945, he was contacted by an Inspector of the Commission and the Patrolman in charge of the district, and was told that his operations were illegal, objection especially being taken to his operations outside of the City of Glenwood Springs; that thereupon, he made arrangements with one Howard Holgate, who, under his Permit No. B-1624, has private carrier authority to transport:

farm products, road equipment, machinery, and farm supplies and equipment, including used household goods, from point to point within a radius of fifteen miles of Carbondale, Colorado, and from and to points in said area, to and from any point in the State of Colorado, without the right to haul any commodities except farm products between towns (and to perform other service not herein pertinent),

to haul under his permit; that, in effect, Holgate loaned him the use of his number, because Holgate did not enter into any contractual arrangements with the customers served, did not keep a record of the service, did not report the haul to the Commission, did not pay ton-mile tax thereon, and in furnishing the service, applicant used his truck, paid the expenses incident to the haul, and was not, at any time, under the direction or control of Holgate; that, using Holgate's number, he hauled a load of furniture from Glenwood Springs to Cortez. While Glenwood Springs is within the fifteen-mile radius of Carbondale, service between towns is expressly prohibited by Holgate's permit, so that Holgate, personally, could not have made the haul under his permit -- even though the necessary contractual arrangements between Holgate and the customer, one Ronald Maloney, had been effected and approved by the Commission prior to the haul. The charge for the service, applicant stated, was based on "his working knowledge," and the rate prescribed by the Commission was not assessed. Similarly, applicant moved horses, hauled ore, sheep, etc., using Holgate's number as authority to perform the service. He stated that he has kept a record of his hauling activities, and is prepared to make report to the Commission and pay the tax.

He stated that he had furnished this service because the people

in the community "depend upon me;" that when they want service, they think of him and say, "Mike, do so and so;" that, as heretofore stated, people in Glenwood Springs have been unable to get service from Earnest, Hinkle, or Dodge; that, similarly, miners, sheep men, livestock men, and other ranchers have been unable to get feed when they want it, or to have their livestock moved or their camp equipment hauled, or to get ore moved, or to have farm machinery, furniture, and other emigrant moveables or building materials handled within a reasonable time; that he wants to expand because of the demands of customers, the public, the county, and his friends; that he has filed the application because in August he learned he was in violation of the law and PUC regulations.

Ralph A. Earnest, with authority under PUC No. 865 to transport:

farm products, farm supplies, and farm equipment from farm to farm, farm to town, and town to farm in an area extending ten miles south, fourteen miles west, ten miles north, twenty-five miles east of Glenwood Springs, excluding any overlap of area fifteen miles around Carbondale, allocated to Bert Hinkle and G. W. Dodge; including transportation of bulk farm products from said area to Grand Junction, and livestock from ranch to ranch in said area, and from ranches to loading points and to Denver,

Daryl Hinkle, of Carbondale, Colorado, who, under his PUC No. 781 is authorized to transport:

general commodities, except used household goods and furniture, between points within a radius of thirty-five miles of Carbondale, and to and from points in said area, from and to points in the State of Colorado, excepting service in competition with line-haul motor vehicle common carriers operating between points served by them on schedule, and used furniture and household goods between points within a radius of thirty-five miles of Carbondale, and from points in said area, to points in the State of Colorado, and from points in that part of the State of Colorado west of the Continental Divide, to points within a radius of thirty-five miles of Carbondale,

and Eldon W. Wallace, who, under his PUC No. 802, is authorized to transport:

freight and livestock from point to point within that part of Garfield County which is west of a line drawn north and south through New Castle, Colorado; livestock from all points in said area to markets in Pueblo and Denver; farm machinery and farm products and supplies, coal, furniture,

and household goods (excluding merchandise) from and to points within said area, to and from points within the state; brick and building materials to and from points in Mesa and Garfield Counties, from and to points in the territory authorized to be served, with certain limitations,

testified in opposition to the granting of the authority sought.

Mr. Earnest stated that he has two trucks; that it has been impossible to get enough for-hire business to keep going; that he runs a coal business, and buys and sells coal and gravel, in order to supplement his for-hire income; that he never has been requested by applicant to furnish service which applicant has performed without authority; that he regularly has been able to furnish service on demand not later than the morning of the second day after request for service; that he is equipped to move horses, farm machinery, furniture, ore, building supplies, and all other commodities except those requiring special equipment, and has furnished such service when requested; that he was not asked to haul furniture from Glenwood Springs to Cortez; that applicant hauled the furniture for \$115.00; that prescribed rate is \$150.00 for the first ton, plus \$1.65 for each additional one hundred pounds; that he has not refused to perform service within the City Limits, or to perform pick-up and delivery service for Martin and Ringsby, but he has not solicited or sought such business; that he does not have any objection to the performance by applicant of pick-up and delivery service, or to a general cartage and drayage business in the town; that applicant did not begin to haul generally until the Summer of 1945; that he specializes in livestock hauling, and has a three-ton Dodge truck on order; that during the Fall of the year, his trucks have operated to capacity during the forepart of each week, but always have been available for general service during the latter part of the week; that he does not have any small trucks; that he does not anticipate any substantial demand for service at Crystal Creek, Woody Creek, or other places in the County mentioned by applicant where applicant anticipates there will be some demand for movement of ore; that if such demand develops, he has equipment to handle the service, and will welcome the business.

Daryl Hinkle stated that he had authority to handle the household

goods movement from Glenwood Springs to Cortez, and would have performed the service if he had been asked to do so; that he has been able to serve his territory, and generally speaking, a radius of thirty-five miles of Glenwood Springs with in and out rights, adequately; that he has a Model A Ford, with eight-foot bed, and other trucks, and has ordered an additional truck; that in addition to the common carriers named, a number of private carriers, including Colter, Kutz, and Holgate, serve all or a part of the territory applicant seeks to serve; that now-authorized carriers have coordinated their services, and "worked together;" that they have been able to serve the territory adequately; that he ordered the new truck because he anticipated a request to furnish transportation service for Superior Oil Company, who is about to start a deep test in his territory; that he hauled compressor and tractor to Crystal Springs last year, and although there may be some new mine developments in the area, he is in a position to furnish the service; that he specializes in heavy hauling, and movement of livestock, farm products, farm supplies, emigrant moveables, etc.; that the granting of the authority to serve outside the Town of Glenwood Springs will adversely affect his service.

Eldon W. Wallace stated that the area which applicant seeks to serve overlaps his authorized territory, and if applicant operates in Wallace's territory, the operation will adversely affect his business; that the service furnished by him and other carriers, in his opinion, is adequate; that he hauls everything; that he has the necessary equipment -- some of which is new -- and expects to have additional equipment which will be operated by his sons, who have been in the Military Service.

Ordinarily, the Commission does not grant a certificate of public convenience and necessity to a carrier who persistently and consistently has flouted the law. Here, applicant apparently was under the impression that he could operate in the City of Glenwood Springs and points within a radius of one mile thereof without a certificate. According to Protestant Earnest, he did not perform any other service, except on a few occasions, until the Summer of 1945. When he began to expand, he was stopped by the Patrol and Inspectors of the Commission. He then made arrangements to continue to haul

by using Holgate's permit, and applied for a certificate. Obviously, he and Holgate thought the arrangement made was within the law, but under the circumstances, and considering the fact that authorized carriers claim service is adequate and applicant did not produce any witnesses to testify in support of his application, or to show that the existing common carrier service furnished by now-authorized common carriers in the territory adjacent to Glenwood Springs has been inadequate, or cannot be made adequate under the direction of the Commission.

Apparently his service in Glenwood Springs has been needed. He has furnished it regularly, without opposition on the part of other carriers. Mr. Earnest stated that he did not object to a continuance of such service. Daryl Hinkle does not furnish local cartage service in Glenwood Springs. His headquarters are located at Carbondale. Such showing was not made as to territory outside of Glenwood Springs.

Before a certificate of public convenience and necessity can issue over objections of authorized carriers, such showing must be made.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the proposed general cartage and transfer service of applicant for the transportation of freight, on call and demand, within the area covered by the City of Glenwood Springs, Colorado, and a distance of one mile thereof, and that certificate of public convenience and necessity should issue therefor; that public convenience and necessity do not require his service within the balance of the area he seeks to serve, and that said application, in said respects, should be denied.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of applicant for the transportation of freight within the area covered by the City of Glenwood Springs, Colorado, and a distance of one mile thereof, and this order shall be taken, deemed, and held to be a certificate of public convenience

and necessity therefor.

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.

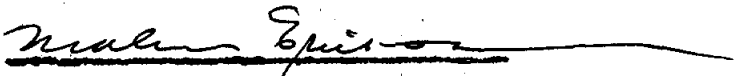
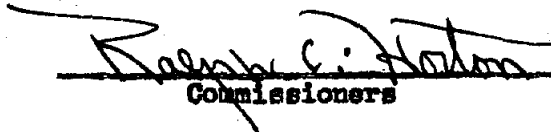
The applicant shall operate his carrier system in accordance with the order of the Commission, except when prevented by Act of God, the public enemy, or extreme conditions.

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

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

A handwritten signature in dark ink, appearing to be "D. D. Shum", written over a horizontal line.A handwritten signature in dark ink, appearing to be "Walter E. Quinn", 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 11th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
WILLIAM R. FIELDHOUSE, 4010 SOUTH)
LOGAN STREET, ENGLEWOOD, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE)
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)

APPLICATION NO. 7248-PP

April 11, 1946

Appearances: William R. Fieldhouse, Engle-
wood, Colorado, pro se;
Harold D. Torgan, Esq., Denver,
Colorado, for the Colorado
Transfer and Warehousemen's
Association;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and Stor-
age Company;
E. J. Trenberth, Idaho Springs,
Colorado, for Curnow Livery
and Transfer Company;
Harold Swena, Golden, Colorado,
for Swena Transfer & Express;
John Windecker, 1550 West Dakota
Avenue, Denver, Colorado, for
Windecker Brothers;
Marion F. Jones, Esq., Denver,
Colorado, for South Park Motor
Lines, Leamon Resler.

S T A T E M E N T

By the Commission:

The above matter, pursuant to prior setting and appropriate notice to all parties in interest, was heard at Denver, Colorado, February 1, 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 mining and drilling equipment, steel used in construction work -- such as sheet iron, reinforcing iron, etc. -- cinder blocks, lumber, and cement, between points within a radius of fifty miles of Denver, Colorado.

It further appeared that building steel, primarily, will move from Denver; that cinder blocks and brick will be hauled from factory in or near Denver to building jobs in the area mentioned; that lumber will move from mills in the mountains west of Denver, to Denver, and from Denver yards, and from said forest mills, to points within a radius of fifty miles of Denver; that applicant has never engaged in trucking for hire, although he has handled and driven trucks, large and small; that he has a one and one-half-ton truck, a tractor, and semi-trailer; that truck is equipped with flat bed; that a large number of carriers are now serving the area, and if asked for service probably could serve the people whom he expects to serve; that he would not handle single articles weighing in excess of 5,000 pounds; that he does not have contracts with individuals or company for service, as he has not received any requests to perform service.

E. J. Trenberth, who is Manager of Curnow Livery and Transfer, testified in opposition. He stated that his company furnishes a line-haul service between Denver and Idaho Springs and intermediate points, under PUC No. 49; that it also has call and demand authority in a number of counties west of Denver; that while the company has fifteen to seventeen pieces of equipment, it has very little business and needs all the business that it can obtain in order to maintain the line-haul service, which serves the transportation needs of the people of Idaho Springs and towns on U. S. Highway No. 40 between Denver and Idaho Springs. He stated that Barten Machine Company and Atlas Machine Company, two of the concerns whom applicant stated he hoped to be able to serve (the others being Pete Colman, and Bill McDonough) have been his customers; that he has been hauling their freight to Clear Creek and Gilpin Counties; that they have not complained about his service, and he has assumed that it has been adequate for their needs.

Harold Swena, owner and manager of Swena Transfer and Express, a line-haul and call and demand service having headquarters at Golden, Colorado, stated that he operates under PUC No. 701, and furnishes line-haul service between Golden and Denver and all intermediate points, and a

call and demand service between points within a radius of fifteen miles of Golden; that he has nineteen trucks, and for a long period of time has been equipped to handle, and has handled, transportation of brick, tile, and machinery in the area; that for a number of months, his trucks have not been busy, and in fact he has been actively soliciting business which he needs to keep going; that his loss in 1945 was substantial; that the granting of permit to applicant will tend to impair the efficiency of his operation, for he needs all the business now available in his territory to maintain equipment generally, and especially to keep special equipment — such as winch-equipped trucks, heavy-duty trucks, tandem trucks, etc., — available to supply the needs of the community.

John Windecker, PUC No. 996, who is authorized to serve:

Conifer, Bailey, Decker and Watertown and a radius of five miles on each side of the route,

stated that he has three trucks; that he does not have enough business to keep them in service; that if he loses any business, he will be unable to maintain the equipment that is required to care for the needs of the public in his community during seasons when considerable equipment is required; that he hauls lumber, brick, cinder blocks, and other building materials, when asked, from Denver to points in his territory; that he hauls house logs and other lumber from lumber mills near Cheeseman Lake, above Pine, on the Graham Ranch, to Denver; that when necessary to move house logs, he rents a pole trailer; that it has been necessary, in the past fifteen years, to rent the pole trailer on only three occasions; that, in his judgment, his service is adequate; that the granting of additional service in the territory would impair the efficiency of his operation, and that application as to service in his territory should be denied.

A. J. Fregeau, for Reicker Transfer and Storage Company, testified that in his opinion the service in the territory sought to be served by applicant is adequate; that business is "falling off;" that, personally, he was not resisting the application on account of objections to applicant as an individual, but that carriers now serving don't want him, or any others, in the trucking business, on account of the fact that there now is "plenty truck service."

It would appear from the evidence that the existing service in the territory served by protestants is adequate. All the carriers apparently lately have had some idle equipment, although, for a number of years last past, they have not been able to satisfy the demands. However, a very extensive building program is contemplated in Denver and the territory adjoining. It is doubtful that -- considering the difficulty in obtaining trucks -- protestants will be able to handle brick, cement, cinder blocks, and similar materials moving to house-building and other construction in the territory. We apprehend that the limited service to be furnished by applicant will not impair the efficiency of the protestants' respective operations. It would appear from the testimony and appearance of applicant that he is well qualified to carry on the operation, and will not indulge in unfair practices. There was some testimony to the effect that he did not have customers, and would obtain customers by solicitation. Such solicitation in the City and County of Denver for service in Denver is not under our jurisdiction. As a private carrier serving outside the City Limits, applicant cannot solicit business or advertise. We are satisfied that if the authority sought is granted, he will comply with the rules and regulations of the Commission.

FINDINGS

THE COMMISSION FINDS:

That the proposed service will not impair the efficiency of now-adequate common carrier service, and that the authority sought should be granted.

ORDER

THE COMMISSION ORDERS:

That William R. Fieldhouse, 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 mining and drilling equipment, steel used in construction work -- such as sheet iron, reinforcing iron, etc., -- cinder blocks, lumber, and cement, between points within a radius of fifty miles of Denver, Colorado, without the right to handle commodities ordinarily handled by motor vehicle line-haul common carriers operating on

schedule, between points served by such motor vehicle line-haul carriers on schedule.

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

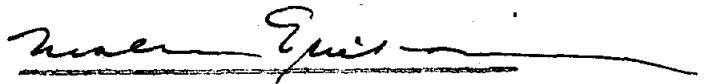
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 11th day of April, 1945.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
BERNARD L. LOCKERMAN, 2622 WEST
25TH AVENUE, DENVER, COLORADO, FOR
A CLASS "B" PERMIT TO OPERATE AS A
PRIVATE CARRIER BY MOTOR VEHICLE
FOR HIRE.

APPLICATION NO. 7245-PP

April 11, 1946

Appearances: Bernard L. Lockerman, Denver,
Colorado, pro se;
Harold Swena, Golden, Colo-
rado, for Swena Transfer &
Express;
John Windecker, Denver, Colo-
rado, for Windecker Brothers;
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company;
George C. Garrett, 223 Main
Street, Longmont, Colorado,
for McKie Transfer Company.

STATEMENT

By the Commission:

The above matter, pursuant to prior setting and appropriate notice to all parties in interest, was heard at Denver, Colorado, February 1, 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 building materials, including sheet steel, between points within a radius of ten miles of Denver, and from and to points in said area, to and from points within a radius of one hundred fifty miles of Denver.

At the hearing, it appeared that applicant has a 1942 Chevrolet one and one-half-ton tractor, a 24-foot flat bed semi-trailer, and a 1942 G. I. straight job truck.

Applicant stated that building materials he would haul would consist chiefly of cinder blocks, brick and lumber; that he expected to

haul sheet steel for the Government, or others, from Government warehouses or camps where buildings were being dismantled, to ordnance depots or storage places in the State, or to places where customers whom he expected to get who had purchased the material from the Government wanted it delivered; that he did not have any customers, but expected to get them; that he had ridden through the territory he wanted to serve in a car, and had found a number of individuals who were not getting service, although it appeared that demand for transportation service, generally, was decreasing. He does not propose to handle any merchandise between towns served by authorized motor vehicle common carriers.

By reference, the testimony given in opposition to the granting of the authority sought by William R. Fieldhouse, in Application No. 7248-PP, heard the same day, by Protestants E. J. Trenberth, Harold Swena, and John Windecker was made a part of the record in the instant matter.

There, E. J. Trenberth, Manager of Carnow Livery and Transfer, testified that his company furnishes a line-haul service between Denver and Idaho Springs and intermediate points, under PUC No. 49; that it also has call and demand authority in a number of counties west of Denver; that while the company has fifteen to seventeen pieces of equipment, it has very little business and needs all the business that it can obtain in order to keep the line-haul service, which serves the transportation needs of the people of Idaho Springs and towns on U. S. Highway No. 40 between Denver and Idaho Springs; that he has been hauling their freight to Clear Creek and Gilpin Counties; that they have not complained about his service, and he has assumed that it has been adequate for their needs.

Harold Swena, owner and manager of Swena Transfer and Express, a line-haul and call and demand service having headquarters at Golden, Colorado, stated that he operates under PUC No. 701, and furnishes line-haul service between Golden and Denver and all intermediate points, and a call and demand service between points within a radius of fifteen miles of Golden; that he has nineteen trucks, and for a long period of time has been equipped to handle, and has handled, transportation of brick, tile, and machinery in the area; that for a number of months, his trucks have

not been busy, and in fact he has been actively soliciting business which he needs to keep going; that his loss in 1945 was substantial; that the granting of permit to applicant will tend to impair the efficiency of his operation, for he needs all the business now available in his territory to maintain equipment generally, and especially to keep special equipment -- such as winch-equipped trucks, heavy-duty trucks, tandem trucks, etc., -- available to supply the needs of the community.

John Windecker, PUC No. 996, who is authorized to serve:

Conifer, Bailey, Decker and Watertown and a radius of five miles on each side of the route,

stated that he has three trucks; that he does not have enough business to keep them in service; that if he loses any business, he will be unable to maintain the equipment that is required to care for the needs of the public in his community during seasons when considerable equipment is required; that he hauls lumber, brick, cinder blocks, and other building materials, when asked, from Denver to points in his territory; that he hauls house logs and other lumber from lumber mills near Cheeseman Lake, above Pine, on the Graham Ranch, to Denver; that when necessary to move house logs, he rents a pole trailer; that it has been necessary, in the past fifteen years, to rent the pole trailer on only three occasions; that, in his judgment, his service is adequate; that the granting of additional service in the territory would impair the efficiency of his operation, and that said application as to service in his territory should be denied.

A. J. Fregeau, for Weicker Transfer and Storage Company, testified that in his opinion the service in the territory sought to be served by applicant is adequate; that business is "falling off;" that, personally, he was not resisting the application on account of objections to applicant as an individual, but that carriers now serving don't want him, or any others, in the trucking business, on account of the fact that there now is "plenty truck service."

It would appear from the evidence that the existing service in the territory served by protestants is adequate. All the carriers apparently lately have had some idle trucks, although, for a number of years last

past, they have not been able to satisfy the demands. However, a very extensive building program is contemplated in Denver and the territory adjoining. It is doubtful that -- considering the difficulty in obtaining trucks -- complainants will be able to handle brick, cement, cinder blocks, and similar materials moving to house-building and other construction in the territory. We apprehend that the limited service to be furnished by applicant will not impair the efficiency of the protestants' respective operations. It would appear from the testimony and appearance of applicant that he is well qualified to carry on the operation, and will not indulge in unfair practices. There was some testimony to the effect that he did not have customers, and would obtain customers by solicitation. Such solicitation in the City and County of Denver for service in Denver is not under our jurisdiction. As a private carrier serving outside the City limits, applicant cannot solicit business or advertise. We are satisfied that if the authority sought is granted, he will comply with the rules and regulations of the Commission.

FINDINGS

THE COMMISSION FINDS:

That the proposed service will not impair the efficiency of now-adequate common carrier service, and that the authority sought should be granted.

ORDER

THE COMMISSION ORDERS:

That Bernard L. Lockerman, 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 building materials, including sheet steel, between points within a radius of ten miles of Denver, and from and to points in said area, to and from points within a radius of one hundred fifty miles of Denver, Colorado, without the right to haul commodities ordinarily handled by line-haul motor vehicle carriers between towns served by said carriers on schedule.

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

W. D. Shuman

Wm. E. ...

Ralph C. ...
Commissioners

Dated at Denver, Colorado,
this 11th day of April, 1946.

WV

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
TONY MESSANO, DELTA, COLORADO, FOR
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO OPERATE A HAULING SER-
VICE IN DELTA, COLORADO, AND WITHIN
A RADIUS OF FIFTY MILES THEREOF.

APPLICATION NO. 7277

April 16, 1946.

Appearances: Fairlamb and Fairlamb, Esqs., Delta,
Colorado, for applicants;
T. A. White, Esq., Denver, Colorado,
for Rio Grande Motor Way, Inc.;
Allen Brown, Esq., Delta, Colorado,
for W. A. Hamilton;
C. J. Moberly, Montrose, Colorado,
for San Miguel Stages;
Orville Dunlop, Montrose, Colorado,
pro se.

STATEMENT

By the Commission:

As limited by the testimony offered at the hearing in Delta, Colorado, on February 19, 1946, applicant herein seeks a certificate of public convenience and necessity authorizing him to operate as a common carrier by motor vehicle for hire for the transportation of farm products, excluding livestock, between points within an area extending 11 miles south, 11 miles west, 20 miles east, and 20 miles north of Delta, Colorado; coal from Fairview Mine in Delta County, to points within a radius of 11 miles of Delta, Colorado.

Applicant, testifying in his own behalf, stated that he lived in Delta, Colorado, and is the owner of a 1937 1½-ton truck; that he had net assets of approximately \$2,000.00; that he now holds temporary authority from the Commission and had numerous requests for service during harvest season for the transportation of farm products, and coal from Fairview Mine to Austin for shipment by rail, and to farmers living in the Delta area.

The evidence also disclosed that applicant has had some experience

in the trucking business.

R. J. Stevens, of Delta, Colorado, a produce dealer, testified that a farm produce hauling service is badly needed during the months of August, September and October; that he had been unable to secure trucks for hauling farm produce during the harvest season.

W. J. Marlow appeared on behalf of protestants and testified that on November 19, 1945, he sold to W. A. Hamilton his Certificate No. 1204, which authorizes, generally, the transportation of fruit, farm products, livestock, coal, and household furniture, from point to point within a 50-mile radius of Cedaredge, Colorado. He further stated that the only need for farm service was during the harvest season, beginning August 1 and ending November 1; that their equipment was busy at that time of the year, but during the balance of the year it was idle. He further testified that most of the coal from their area was handled by "C" carriers, and as a result they had not been able to secure any substantial portion of the coal haul.

W. A. Hamilton, the present owner of Certificate No. 1204, stated that his testimony would be similar to that of W. J. Marlow. Other protestants withdrew their objections.

The Commission appreciates the position of protestants Hamilton and Marlow regarding transportation of farm products. This movement is seasonal, and after the heavy shipping season, there is very little business. On the other hand, the evidence would indicate applicant's requests for service are for that territory lying adjacent to Delta, and it appears that there is a definite need for farm service during the harvest season. Applicant's coal haul has been for the Fairview Mine, and we believe it should be confined to that property.

After careful consideration of the record and the evidence submitted, the Commission is of the opinion, and finds, that public convenience and necessity require the proposed motor vehicle operations of Tony Messano, of Delta, Colorado, as hereinafter ordered, and that certificate of public convenience and necessity should issue therefor.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require the proposed motor vehicle operations of Tony Messano, of Delta, Colorado, for the transportation of farm produce, excluding livestock, between points within the area extending 11 miles south, 11 miles west, 15 miles east, and 5 miles north of Delta, Colorado; coal from Fairview Mine in Delta County to points in said area, and this order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

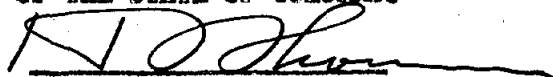
Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

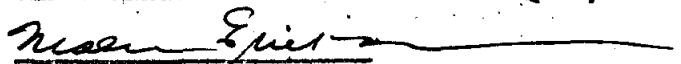
Applicant shall operate his carrier system in accordance with the order of the Commission, except when prevented by Act of God, the public enemy or extreme conditions.

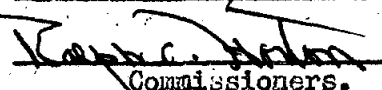
This order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.

This order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

Dated at Denver, Colorado,
this 16th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
L. E. LILLY, 1277 SOUTH BANNOCK)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7362-PP

April 16, 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 have indicated, heretofore, that 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 L. E. Lilly, 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.

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

[Signature]

[Signature]

[Signature]
Commissioners.

Dated at Denver, Colorado,
this 16th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
MARIE G. & JAMES F. BURK, DOING)
BUSINESS AS YELLOW CAB COMPANY, AND/)
OR BOULDER TAXI COMPANY, 3158 - 11th)
STREET, BOULDER, COLORADO, TO TRANS-)
FER PUC NO. 1358 TO CHARLES R. REEKS)
AND N. E. CLEMONS, 2220 - 15th ST.,)
BOULDER, COLORADO. 15)

APPLICATION NO. 5048-A

April 29, 1946.

Appearance: Chas. R. Reeks and N. E. Clemens,
2220 - 15th St., Boulder,
Colorado, for the
Alene Hanson, Boulder, Colorado,
for City Taxi Service.

STATEMENT

By the Commission:

On April 13, 1946, the Commission received the following communication from James F. Burk:

"Public Utilities Commission
The State of Colorado
Denver, Colorado.

"Gentlemen:

"Will you please advise whether or not PUC Permit number 1358 was transferred to Charles Reeks? We made application to have this permit transferred from James F. Burk and Marie Burk, doing business as the Yellow Cab Co. in Boulder, Colorado, to Charles Reeks. Mr. Reeks has not kept his part of the agreement and we should like to cancel this application, if possible.

"Will appreciate a reply. Thank you.

"Very truly,

(Signed) James F. Burk."

After careful consideration of said request, the Commission is of the opinion, and finds, that Application No. 5048-A should be dismissed.

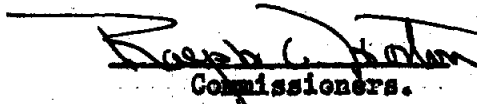
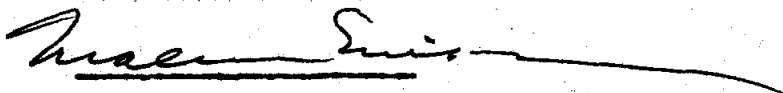
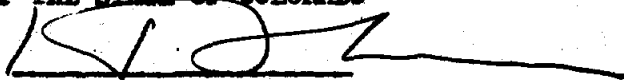
ORDER

THE COMMISSION ORDERS:

That Application No. 5048-A be, and the same hereby is, dismissed
upon request of applicant.

This order shall become effective twenty days from date.

**THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**


Commissioners.

Dated at Denver, Colorado,
this 29th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE PROPOSED CHANGE IN JOINT THROUGH
RATES BY MOTOR VEHICLE CARRIERS,
PARTIES TO MOTOR TRUCK COMMON CARRI-
ERS' ASSOCIATION, AGENT, TARIFF NO.
2-B, COLO. P.U.C. NO. 5.

INVESTIGATION AND SUSPENSION
DOCKET NO. 263

April 4, 1946

S T A T E M E N T

By the Commission:

On March 7, 1946, The Motor Truck Common Carriers' Association, Agent, by E. Robert Baker, Executive Secretary-Treasurer, filed an amendment containing schedules stating new rates and charges to become effective on the 7th day of April, 1946, designated as follows:

The Motor Truck Common Carriers' Association, Agent, Amendment No. 35 to Local and Joint Freight Tariff No. 2-B, Colo. PUC No. 5.

In the said amendment, under Rule 17, it is proposed to make certain increases in joint line rates whereby the rights and interests of the public may be injuriously affected; and it being the opinion of the Commission that the effective date of said schedules contained in said amendment should be postponed pending a hearing and decision thereon:

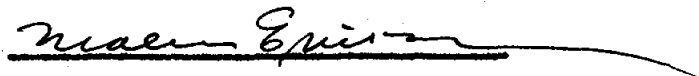
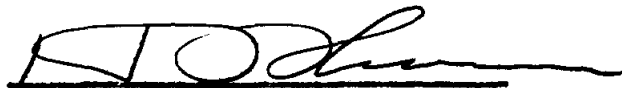
O R D E R

IT IS ORDERED, That the Commission, upon complaint, without formal pleading, enter upon a hearing concerning the lawfulness of the rates and charges stated in the said schedules contained in said amendment, viz., Rule 17, 1st paragraph, Amendment No. 35 to Motor Truck Common Carriers' Association, Agent, Local and Joint Freight Tariff No. 2-B, Colo. PUC No. 5; that the operation of the said schedules contained in said amendment be suspended, and that the use of the rates, charges, regulations and practices therein stated be deferred 120 days or until the 5th day of August, 1946, unless otherwise ordered by the Commission, and no change shall be made in such rates, charges, regulations and practices during the said period of suspension; that the rates and charges and the regulations and practices thereby sought to be altered shall not be

changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of, or until the period of suspension or any extension thereof has expired; that a copy of this order be filed with said schedules in the office of the Commission, and that copies thereof be forthwith served upon The Motor Truck Common Carriers' Association, Agent, Kumer-Empson Company, The Great Western Sugar Company, The Hallack & Howard Lumber Company, The Merchants Biscuit Company, Lumber Dealers, Inc., and American Crystal Sugar Company;

That this proceeding be, and the same is hereby, assigned for hearing before the Commission on Monday, April 29, 1946, 10 o'clock A.M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 4th day of April, 1946

jh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RALPH LITHERLAND, ELIZABETH,)
COLORADO.)

CASE NO. 34465-T
PUC NO. 521

April 10, 1946.

S T A T E M E N T

By the Commission:

On October 8, 1945, by Decision No. 34465-T, PUC No. 521 was revoked and cancelled because of failure to keep effective tariffs on file.

On December 14, 1945, Ralph Litherland, of Kiowa, Colorado, filed a petition, by his attorney, asking for reinstatement of his certificate, stating:

"That he formerly lived at Elizabeth, Colorado, and there received his mail. That some four or five months ago, he changed his residence to Kiowa, Colorado. That evidently he failed and neglected to notify the Commission and the Colorado Motor Carriers' Association of his change of address. That, as a result thereof, revocation notice of the Colorado Motor Carriers' Association was evidently sent to Elizabeth, and the show cause case of this Commission was evidently sent to Elizabeth, as the same were never received by the petitioner, and in fact, your petitioner's first knowledge of said revocation case was received on December 10, 1945, when he was so advised by an inspector of the Commission. That petitioner's failure to maintain his tariff was entirely through misunderstanding and misadventance. That he has reinstated his operation in good standing with the Colorado Motor Carriers' Association, and that the Association stands ready, able and willing to file and maintain his tariff upon the granting of this petition, as signified by the attached letter."

Letter from the Colorado Motor Carriers' Association, addressed to Mr. Jones, attorney for respondent, states:

"This is to advise you that your client, Ralph Litherland, of Kiowa, Colorado, is a member, in good standing, of this Association.

"Also, we plan to enter his name as a participating carrier in The Motor Truck Common Carriers' Association's Local and Joint Freight Tariff No. 2-B, Colo. P.U.C. No. 5, as soon as his certificate No. 521 is reinstated by the Public Utilities Commission."

After careful consideration of the record, the Commission is of the opinion, and finds, that our Decision No. 34465-T should be set aside and cancelled, and said Certificate No. 521 restored to its former status.

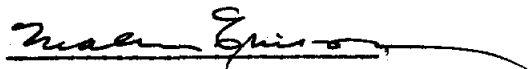
O R D E R

IT IS ORDERED:

That Decision No. 34465-T be set aside and cancelled, and Certificate No. 521 be restored to its former status, effective as of October 8, 1945.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners.

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

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
O. R. ALBIN, DOING BUSINESS AS)
"FRANKTOWN TRUCK LINE," FRANKTOWN,)
COLORADO, FOR AUTHORITY TO TRANSFER)
AUTHORITY GRANTED IN APPLICATIONS)
NOS. 307-AAAAA-B-AAA-B AND 6585-AAA)
TO BERT HALL, DOING BUSINESS AS)
"HALL TRUCK COMPANY," PARKER, COLORADO.)

APPLICATIONS NOS. 307-AAAAA-B-
AAA-BA — 6585-AAA-A

Appearances: O. R. Albin, Franktown,
Colorado, pro se;
Bert Hall, Parker, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

The above matter was heard at Denver, Colorado, March 27, 1946.

O. R. Albin, Franktown, Colorado, seeks authority to transfer all authority now owned by him under PUC No. 1580 to Bert Hall, doing business as "Hall Truck Company," Parker, Colorado.

The consideration for the transfer is \$8500.00, — \$1500.00 of which has been paid, balance to be paid upon approval of the transfer by the Commission.

There is no indebtedness against the operation.

Transferee, under PUC No. 491, operates a common carrier motor vehicle service, and has had nineteen years' experience in the trucking business.

If approval of the transfer is granted, Hall requests the right to consolidate his operations under PUC Nos. 1580 and 491, operations to be conducted under the latter number.

The parties request the road tax deposit be transferred to account of transferee.

FINDINGS

THE COMMISSION FINDS:

That the transfer should be authorized.

ORDER

THE COMMISSION ORDERS:

That O. R. Albin, doing business as "Franktown Truck Line," Franktown, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1580 to Bert Hall, doing business as "Hall Truck Company," Parker, Colorado, said transferred operating rights to be consolidated with and operated under PUC No. 491.

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.

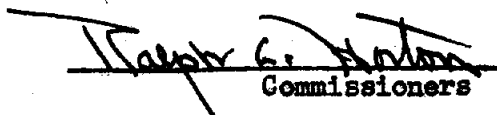
That ten-mile tax deposit of transferor be transferred to account of transferee.

That this order shall become effective twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO






Commissioners

DATED this 10th day of April, 1946,
at Denver, Colorado.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
B. S. SPINDLE, COMO, COLORADO, FOR
AUTHORITY TO TRANSFER PERMIT NO.
B-2268 TO HENRY M. ANCELL AND ALBERT
G. ANCELL, CO-PARTNERS, DOING BUSI-
NESS AS "ANCELL BROS.," COMO, COLORADO.

APPLICATION NO. 4189-PP-A

Appearances: B. S. Spindle, Como, Colorado,
pro se;
Edward Z. Klahr, Esq., Denver,
Colorado, for Transferees.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, March 27, 1946.

By Decision No. 10988, of date November 20, 1937, B. S.

Spindle, Jefferson, Colorado, was authorized to operate as a Class "B"
private carrier by motor vehicle for hire, for the transportation of:

Livestock, hay, grain and ranch supplies between
points within the following described area: East
from Hartsel to a line running north and south
through Tarryall, south from Hartsel a distance
of eighteen miles, west from Hartsel a distance
of eight miles and north from Hartsel to Kenosha
Pass, and from and to points in said area to and
from Buena Vista, Divide, Colorado Springs, San
Luis Valley and the City and County of Denver;
provided applicant will not engage in any trans-
portation of livestock and farm machinery between
Colorado Springs and that part of his area over-
lapped and served by Jim's Truck Line or service
of competitive character between points on Highway
8 and U. S. Highways 24 and 50, along the sched-
uled route of common carriers.

Said permit holder now seeks authority to transfer said oper-
ating rights (Permit No. B-2268) to Henry M. Ansell and Albert G. Ansell,
co-partners, doing business as "Ansell Bros.," Como, Colorado.

There is no indebtedness against the operation.

The consideration is Five Hundred Dollars (\$500.00), to be paid upon approval of the transfer by the Commission.

Transferees are co-partners, with net worth of \$20,000.00, and are experienced in the trucking business.

The parties requested that the ton-mile tax deposit be transferred to account of transferees.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That B. S. Spindle, Como, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-2268 to Henry M. Ancell and Albert G. Ancell, co-partners, doing business as "Ancell Bros.," Como, Colorado.

That 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.

That this order is made a part of the permit authorized to be transferred.

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

That 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 10th day of April, 1946

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GUSTAVE VANDERSTRAETEN AND CARL)
PARKS, DOING BUSINESS AS "LAKEWOOD)
SCAVENGER SERVICE," 9390 WEST SIXTH)
AVENUE, LAKEWOOD, COLORADO, FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)

APPLICATION NO. 7308

IN THE MATTER OF THE APPLICATION OF)
ROY E. JOHNSON, 5517 WEST SIXTH)
AVENUE, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)

APPLICATION NO. 7309

April 15, 1946

Appearances: Gustave Vanderstraeten, Lakewood,
Colorado, pro se;
Carl Parks, Lakewood, Colorado,
pro se;
Roy E. Johnson, Denver, Colorado,
pro se;
Harold Swena, Golden, Colorado,
for Swena Transfer & Express.

S T A T E M E N T

By the Commission:

The above matters were heard at Denver, Colorado, March 19, 1946.

Both applications were for substantially the same service, but for different areas, and were, upon agreement of all parties, consolidated for hearing.

Lakewood Scavenger Service, at the hearing, amended its application to request a certificate of public convenience and necessity "for the transportation of garbage and trash in an area in Jefferson County, Colorado, from Sheridan Boulevard, west to Kipling Street, and from Alameda Avenue north to Twenty-Ninth Avenue; coal from mines within a fifty-mile radius of Lakewood to points within said fifty-mile radius of Lakewood," eliminating from the application the request for transportation of sand

and gravel.

Roy E. Johnson amended his application at the hearing to request a certificate of public convenience and necessity "for the transportation of garbage and trash in an area in Jefferson County, Colorado, from Sheridan Boulevard, west to Kipling Street, and from Alameda Avenue north to Twenty-Ninth Avenue," eliminating transportation of coal.

Neither the Lakewood Scavenger Service nor Roy E. Johnson objected to the application of the other, as amended, stating that they felt there was a demand for service by both.

Applicants testified that the County Commissioners of Jefferson County had requested the proposed services for the protection of the health of the citizens of Jefferson County; that there is no similar service at the present time, and that trash and garbage has been dumped in every vacant lot.

Vanderstraeten and Parks are co-partners, Vanderstraeten possessing a net worth of approximately \$2500.00, and Parks having no tangible net worth.

Roy E. Johnson has a net worth of from \$6,000.00 to \$7,000.00.

Both Lakewood Scavenger Service and Roy E. Johnson possess sufficient financial responsibility and operating reliability, in the opinion of the Commission, to conduct the proposed operations.

Lakewood Scavenger Service has had several requests for the transportation of coal from mines to the area described in the application, as amended.

With amendments as stated, Swana withdrew his protest.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the proposed motor vehicle common carrier services of applicants, and that certificates 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 operations of Applicants Gustave Vanderstraeten and Carl Parks, doing business as "Lakewood Scavenger Service," Lakewood, Colorado, for the transportation of garbage and trash between points in an area in Jefferson County, Colorado, from Sheridan Boulevard west to Kipling Street, and from Alameda Avenue north to Twenty-Ninth Avenue; coal from mines within a fifty-mile radius of Lakewood to points within said fifty-mile radius of Lakewood, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That public convenience and necessity require the motor vehicle common carrier operations of Applicant Roy E. Johnson, for the transportation of garbage and trash between points in an area in Jefferson County, Colorado, from Sheridan Boulevard west to Kipling Street, and from Alameda Avenue north to Twenty-Ninth Avenue, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

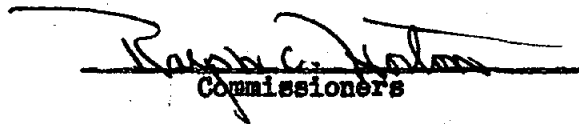
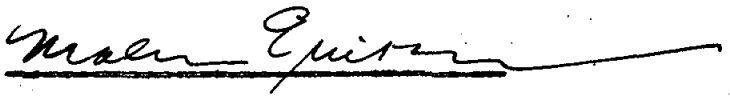
That applicants shall file tariffs of rates, rules and regulations, as required by the rules and regulations of this Commission, within twenty (20) days from date.

That applicants shall operate their carrier systems 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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of April, 1946.

Original

(Decision No. 25815)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
LOMAN M. WARNER, RICHARD HOWARD)
WARNER, AND ROBERT C. WARNER, DOING)
BUSINESS AS "WARNER TRENCHING COM-)
PANY," 2827 EATON STREET, DENVER,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY.)

APPLICATION NO. 7310

April 15, 1946

Appearances: Gorsuch and Kirgis, Esqs.,
Denver, Colorado, by
Leonard M. Campbell, Esq.,
for applicants;
John C. Street, Esq., Denver,
Colorado, for The Colorado
and Southern Railway Com-
pany; Chicago, Burlington
and Quincy Railroad Company;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
Grant, Shafroth and Toll, Esqs.,
Denver, Colorado, by William
Grant, Esq., for The Atchison,
Topeka, and Santa Fe Railway
Company;
Marion F. Jones, Esq., Denver,
Colorado, for Dawson-Corbett,
Nelson Brothers;
Harold Torgan, Esq., Denver,
Colorado, for The Colorado
Transfer and Warehousemen's
Association, Gallagher Trans-
fer Company.

STATEMENT

By the Commission:

The above matter was called for hearing on March 21, 1946, at
Denver, Colorado.

Applicants amended their application by striking from Paragraph
3 thereof, the words:

"plus making available for hire and service for
moving other machinery, etc.,"

and from the prayer, the words:

"and issue permission to hire his equipment to the public."

Applicants further requested that the instant hearing be vacated, and that they be allowed ninety days from the date thereof within which to amend the application to request authority to operate as Class "B" private carriers by motor vehicle for hire.

The requests of applicants were granted. All protestants agreed to the granting of such requests.

FINDINGS

THE COMMISSION FINDS:

That applicants be granted ninety days from March 21, 1946, within which to amend their application to request authority to operate as Class "B" private carriers by motor vehicle for hire; that if such amended application is filed, and the same involves only the same transportation as private carriers by motor vehicle for hire as was originally requested in the application for common carrier authority, only those appearing at the instant hearing need be served with Notice.

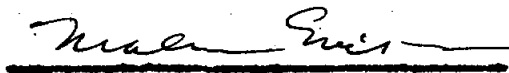
ORDER

THE COMMISSION ORDERS:

That applicants are hereby granted ninety days from March 21, 1946, within which to file amended application.

That if such amended application involves the same transportation as private carriers by motor vehicle for hire as was herein requested for common carrier authority, only those appearing at the hearing on March 21, 1946, shall be notified of the pendency of the amended application.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
JOSEPH H. LEE, FOWLER, COLORADO, }
FOR REISSUANCE OF PUC NO. 517. }

APPLICATION NO. 7219

April 15, 1946

Appearances: T. A. Stockton, Jr., Esq.,
Denver, Colorado, for
applicant;
A. J. Fregeau, Denver, Colo-
rado, for Weicker Transfer
and Storage Company;
M. F. Jones, Esq., Denver,
Colorado, for John Law,
Claude Silvers, Carroll
Line, John Green, J. S.
Wright;
G. S. Cosand, Esq., La Junta,
Colorado, for Hubbard Trans-
fer Company;
R. M. Jackson, Rocky Ford,
Colorado, for Jackson's
Transfer and Storage.

STATEMENT

By the Commission:

The above-styled matter, pursuant to prior setting and appropriate notice to all parties in interest, was heard in La Junta, Colorado, January 24, 1946, and taken under advisement.

On October 21, 1942, by Decision No. 19905, Joseph H. Lee, at his request, was authorized to suspend his operations under PUC No. 517 for a period of not to exceed six months from October 1, 1942, with the proviso that upon failure to reinstate said certificate prior to the expiration of suspension period, it should stand revoked, without right to reinstate. His ten-mile cash deposit has been refunded. At that time, he represented that he was employed as a fireman at the Ordnance Depot near Pueblo.

On March 24, 1943, he asked for an additional suspension period of six months from April 1, 1943. Notwithstanding we theretofore had not

granted such extensions, except in cases where applicant was actually a member of the Armed Forces of the United States, the extension was granted upon the same terms. Again, on October 26, 1943, he requested a similar extension. Under date of October 30, 1943, he was informed:

"The Commission is in receipt of your letter of October 25, requesting an additional suspension of your operations under PUC 517, for the year from October 1, 1943, to October 1, 1944.

"PUC 517 is a common carrier authority for the transportation of:

"'livestock and farm products from farms within a radius of 50 miles north of Fowler, Colorado, 20 miles east, 40 miles south, to any point within this area and to any point in Colorado.'

"The Commission is of the opinion, from information, which has been gathered by its officers and employees, that there is a present need for this type of transportation in the Fowler district, and, therefore, cannot grant the suspension as requested.

"I am sure that if you would request a reinstatement of this authority within the next few days, the Commission would probably grant a reinstatement."

He did not reply, but on February 23, 1944, he wrote the Commission, enclosing check for \$10.00 as deposit for taxes, and asked that his permit be reinstated.

By letter, of date February 24, 1944, he was informed it would not be possible to reinstate his certificate without hearing.

His attorney, Roy A. Payton, Esq., of Pueblo, Colorado, thereafter contacted the Commission about the matter, and on February 28, 1944, he was informed of the situation, and of the Commission's conclusions in the following language:

"Since Mr. Lee's certificate was suspended, and subsequently by the terms of the order allowing the suspension, cancelled, we have granted a number of extensions to common carriers serving portions of the territory he was authorized to serve, and have issued some new permits or extended some old ones, in order that the farmers badly in need of for-hire service might have their crops hauled. Manifestly, it is unfair to indefinitely suspend certificates and permit the holder, who when the certificate is granted, is obligated to serve, to accept employment which he considers more lucrative, and then later, after other carriers have

gone into the field, made investments and served the public, to reinstate his certificate and compete with fellows who have 'been on the job.'

"We are of the opinion that we have no authority to set aside our order in the absence of a showing that public convenience and necessity require it.

"I suggest that Mr. Lee follow the suggestion of Mr. Carter and file a new application, or file a formal application to reinstate the certificate, reciting the reasons why he thinks public convenience and necessity require that such action should be taken."

On October 19, 1945, he filed application to reinstate the certificate.

At the hearing, he asked that in the event his authority should be reinstated, the term "household goods" therein, should be changed to read "emigrant moveables."

He stated that he had been employed as a fireman at the Ordnance Depot near Pueblo continuously from the time he suspended his permit to take that job to the time of hearing; that he expected to continue in that position as long as he was able to retain the job, but did not know how long it would last, because "jobs were now being given to veterans;" that when he took the job he had not expected to be there long, but thought it would be a change, so he sold his truck and asked for a refund of the deposit; that he did not have a truck at the time of hearing, but had arranged to lease a truck from one Davis, a filling station operator in Fowler; that during the entire period from the time he suspended his operations down to the date of hearing, he thought it had been difficult for farmers to get truck service when they wanted it -- especially during the harvest season and livestock-marketing season at the end of the year; that business was slack at time of hearing, but that ordinarily is true every year; that probably some additional service had been authorized during the period that he had not been in business, and there could be "a lot of service in area," that he did not know about; that he thought this service was not entirely satisfactory; that under current schedule of hours at Ordnance Plant, he worked twenty-four hours on and twenty-four hours off, with forty-eight hours off once weekly; that when he first went to work at the plant, he

worked eight hours daily, six days weekly, and did not have time to do any trucking. His 1942 road reports were made a part of the record. He stated that when he quit operations, satisfactory help was not available.

Dr. Clark, a veterinarian, who also engaged in stock raising and who operates a small packing plant at Fowler, testified that sometimes it was difficult to get truck service -- especially the use of a small bob-tail in local hauling; that he buys and sells livestock, does some feeding and some slaughtering; that he handles from 3,000 to 3,500 hogs per year; that he has used the service of Wright, Green, and Light, who are "cattle specialists," and Fowler Truck Line, a certificated carrier, now and then, and occasionally some unauthorized hauler for a small job around his ranch or packing plant; that he also ships hay, hides, corn, wool, lambs, and cake; that he has a ranch about forty-five miles northwest of Fowler, and another nearer Fowler; that even when Lee was on the job, there were delays; that he never called Hubbard at La Junta, or Silvers at Rocky Ford, for service, but thought that he "couldn't hire them for three or four dollars to get a couple of cows to me;" that while Lee, if certificate is reissued, might not be available regularly, Lee could handle hides to Pueblo once weekly and five or six hogs or two or three cows for him, if he were authorized to do so.

John D. Ingram, a rancher and sheep raiser residing about twelve miles west of Fowler, stated that he and his associates had been running about six thousand sheep, which means two thousand to six thousand lambs and sheep, in and out yearly, movement of wool to rail-head, feed and cake to the ranch; that he had some difficulty getting service in November; that Wright, of Fowler Truck Line, and Green's service has been excellent where large equipment was required, and generally speaking, the service has been satisfactory -- although a time or two they could not handle a large shipment of approximately three thousand sheep; that he never had any trouble getting feed; that Lee never had more than one small truck, and it was strictly a personal service operation.

Mr. Davis, of Fowler, stated that he is acquiring the Fowler Truck Line; that he now has a stock and grain trailer, 28 feet in length,

a semi, equipped with stock and grain box, 24 feet in length, a 2½-ton Nash, a 1½-ton truck, equipped with stock and grain racks, a 1½-ton dump truck, which can be changed to stock and grain racks; that, at times, he has leased trucks to Green, Carroll Line, and Fowler Truck Line; that he is willing to lease his equipment -- or part of it -- to Lee; that Fowler Truck Line now has one bob-tail, one truck, and some line-haul equipment; that presently he is in the wholesale and retail gas and oil business; that, for more than three years past, people, at times, have asked him to serve, but he always has leased his truck to carriers instead of operating, personally; that if the transfer is allowed, and business warrants it, he will get additional equipment; that J. S. Wright, a livestock hauler, on occasions, has helped Green. On cross-examination, he denied that Lee was trying to get his certificate reinstated in order that he might transfer it to Davis, or otherwise supplement the authority which Davis expects to get from Fowler Truck Line, Lee's authority being much broader than the authority of Fowler Truck Line. He stated that he has agreed to lease the truck to Lee, instead of to John Green, if Lee could get his certificate reinstated.

Mr. Silvers, of Rocky Ford, one of Silvers Brothers, who operate under PUC No. 1025, testified that Rocky Ford is 18 miles from Fowler; that Silvers Brothers have three semis, combination stock and grain racks; three bob-tails with stock and grain racks, two bob-tails with grain racks; that they have been common carriers since 1939, and have authority to serve the Fowler area; that they haul livestock, if requested, although they do not specialize in livestock hauling; that they have an office, a telephone, engage in personal solicitation, advertise in the newspapers, and in the classified section of the telephone directory; that they have hauled beans, farm machinery, tractors, household goods, and other freight in the considered territory; that they have purchased additional equipment since 1942, and "stayed in and pitched when the going was tough;" that operating conditions are better now, and they want a chance to stay in business and make a return on their investment of \$16,000.00 to \$17,000.00; that they can handle large lots or small lots of freight; that they never have been

contacted by Clark for service, or by anyone whom they have turned down -- although, on occasions, they have been compelled to postpone service for short periods of time, not to exceed two days; that help is now plentiful, and there will be no delays in service in the future.

R. M. Jackson, who operates under PUC No. 284 at Rocky Ford, and under PUC No. 385 at La Junta, firm names being, respectively, "Jackson Transfer and Storage," and "Dallas Transfer and Storage," testified in opposition to the granting of the authority sought. He stated that he has fifteen pieces of equipment -- one being a four-ton tractor with stock trailer 24 feet in length, five bob-tails, and stock racks; that he has not had any business at Fowler, but has operated at other places in the territory; that he hauls anything he can get and all he can get; that he advertizes in the telephone directories, newspapers, etc.; that he maintains two offices, and has an investment of \$20,000.00; that trucks have been idle thirty percent of the time since the airbase closed, early last fall.

John Green, with headquarters at Fowler, operates under PUC No. 515, and serves substantially the same territory Lee wants to serve. He stated that he does not have any bob-tail equipment, but has an investment of \$16,000.00; that, for years, he has specialized in livestock hauling; that, at times, he has been unable to serve promptly when requested; that he had some difficulty getting help; that he has been able to lease equipment from Davis and others; that if Mr. Lee operated as before, he would not hurt Green or other operations much, or be of any particular service to the public in rush seasons, when it is difficult to serve on short notice; that if, as heretofore, he would use only one bob-tail truck, and wanted the certificate for his own use, Green would not particularly object to reinstatement; that when operating, his service practically was limited to the transportation of coal; that he hauled very little, if any, livestock or farm products, and, definitely, did not furnish a farm service; that he could not see where the community would be benefitted by reinstatement of the certificate so that Lee could use Davis' equipment which Davis had been leasing to Green; that service, in his opinion, except during the peak

movements in the Fall of the year, has been adequate; that Was V. McKaughan, Carroll Line, L. O. Light, J. S. Wright, Forest Green, and others, with ample equipment, have been available for service, and have served; that Fowler Truck Line, which Davis proposes to acquire, has bob-tails and authority is limited to a fifteen-mile radius of Fowler, plus service to and from the area; that if the Lee Certificate is reinstated and, in effect, consolidated with the Fowler Truck Line, by letting Davis handle both of them, the operation could be very harmful to now-authorized common carrier service.

J. S. Wright, PUC No. 1178, and a state-wide Class "B" permit, No. B-48, has headquarters near Boone, Colorado. He stated that he has three tractors, three trailers -- two of them being 34 feet long, and one being 24 feet long; that he has a K-7 tractor on order, and expects to make a 16-foot bob-tail; that he specialized in moving livestock, prepared feeds, migrant moveables, farm products, and when necessary, he leases equipment from others; that other truck companies lease his truck; that on the day of hearing, he had leased three trucks to another operator; that trucks, since the fall livestock-shipping season, have not been busy all the time; that he has \$23,000.00 invested in three units -- two units costing him \$10,000.00 each, the other \$3,000.00; that more trucks are now operating in the considered territory than when Lee was serving; that a number of boys have returned from the Army, and recently Forest Green has been granted a certificate which he may not have been granted if Lee had been operating.

The records and files of the Commission show that recently Forest Green, of La Junta, was granted authority to serve the territory extending west as far as the Otero-Pueblo County Line. In the opinion of the Commission, the testimony offered did not show that public convenience and necessity require Mr. Lee's service, and when we give consideration to the fact that another was authorized to serve as a common carrier in the area prior to the filing of Mr. Lee's application, so that the situation already had been bettered, if more service in that particular area than was required, as we found, we cannot consistently reinstate his certificate and put another carrier in business who was not serving at the time Forest Green made his

application, and who was not serving when other carriers were granted extensions in the territory. We are not disposed to give any weight to the fact that Mr. Lee, at one time, was an operating carrier. He preferred to take a more lucrative position, and to allow his certificate to be cancelled and permit other carriers to take care of the transportation requirements of the persons whom he now seeks authority to serve. Even at the time of the hearing, he expected to remain in his position as long as possible, and to serve only on off days. Unless he turned the operation over to Mr. Davis, or hired someone to handle it, he would not be in a position to furnish the service that the public has a right to expect from a common carrier. Reinstatement would be merely for his convenience, and to give him a little "insurance for the future," if he did not sell it or turn it over to Mr. Davis, as competing carriers fear may happen.

FINDINGS

THE COMMISSION FINDS:

That public convenience and necessity do not require the reinstatement of PUC No. 517, or the service applicant proposes to furnish thereunder; that said application should be denied.

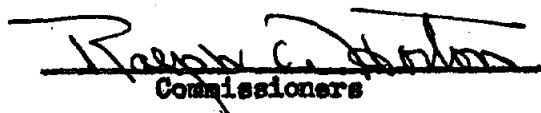
ORDER

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 15th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
FRANK CARVER AND CURTIS BALLARD,
DOING BUSINESS AS "DEERTRAIL TRUCK
LINE," DEERTRAIL, COLORADO, FOR
AUTHORITY TO TRANSFER PERMIT NO.
A-639 TO FRANK CARVER, DOING BUSI-
NESS AS "DEERTRAIL TRUCK LINE,"
DEERTRAIL, COLORADO.

APPLICATION NO. 2275-PP-AAA-AA

IN THE MATTER OF THE APPLICATION OF
FRANK CARVER AND CURTIS BALLARD,
DOING BUSINESS AS "DEERTRAIL TRUCK
LINE," DEERTRAIL, COLORADO, FOR
AUTHORITY TO TRANSFER PUC NO. 424
TO FRANK CARVER, DOING BUSINESS AS
"DEERTRAIL TRUCK LINE," DEERTRAIL,
COLORADO.

APPLICATION NO. 1408-AAAA-AA

April 15, 1946

Appearances: T. A. Stockton, Jr., Esq.,
Denver, Colorado, for ap-
plicants.

S T A T E M E N T

By the Commission:

In Application No. 1408-AAAA-AA, Frank Carver and Curtis Bal-
lard, doing business as "Deertrail Truck Line," Deertrail, Colorado, seek
authority to transfer PUC No. 424 to Frank Carver, doing business as
"Deertrail Truck Line," Deertrail, Colorado.

In Application No. 2275-PP-AAA-AA, Frank Carver and Curtis
Ballard, doing business as "Deertrail Truck Line," Deertrail, Colorado,
seek authority to transfer their Private Carrier Permit No. A-639 to
Frank Carver, doing business as "Deertrail Truck Line," Deertrail, Colo-
rado.

Pursuant to prior setting and appropriate notice to all parties
in interest, said matters, after being consolidated for purpose of hearing,

were heard in Denver, Colorado, February 15, 1946, and taken under advisement.

Said operating authorities were acquired by Frank Carver and Curtis Ballard, doing business as "Deertrail Truck Line," from Byron S. Bunker, pursuant to authority contained in Decision No. 24063, where the respective authorities and operating rights were set out in detail said decision being made a part of this Statement, by reference.

It appeared that said partners have agreed to dissolve their business, Frank Carver to acquire all right, title, and interest of the partnership in and to said permit and said certificate for the sum of Three Thousand Dollars (\$3,000.00) in cash; that while, to the best of transferors' knowledge and belief, there are no outstanding unpaid operating obligations, if any develop, they will be paid by Frank Carver.

The ton-mile tax deposit is to be transferred to transferee's account.

FINDINGS

THE COMMISSION FINDS:

That said transfer should be authorized.

ORDER

THE COMMISSION ORDERS:

That authority be, and the same hereby is, granted to Frank Carver and Curtis Ballard, doing business as "Deertrail Truck Line, Deertrail, Colorado, to transfer all their right, title, and interest in and to PUC No. 424 and Private Carrier Permit No. A-639, to Frank Carver, doing business as "Deertrail Truck Line," Deertrail, Colorado, said Frank Carver not to, directly or indirectly, consolidate operations thereunder.

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.

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 authority herein transferred.
That ton-mile tax deposits be transferred to account of trans-
ference.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

1500

Walter E. Egan

Robert C. Egan
Commissioners

Dated at Denver, Colorado,
this 15th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
LEE TAPP AND RUTH TAPP, 1068 SOUTH
HURON STREET, DENVER, COLORADO, FOR
AUTHORITY TO TRANSFER PERMIT NO.
B-2557 TO JOHN H. HANKINS AND LEE
TAPP, DOING BUSINESS AS "HANKINS AND
TAPP," 1068 SOUTH HURON STREET,
DENVER, COLORADO.

APPLICATION NO. 5469-PP-BA

April 15, 1946

Appearances: Lee Tapp, Denver, Colorado, for
Transferors;
John H. Hankins, Denver, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, March 19, 1946.

By Decision No. 15983, of date October 7, 1940, Lee Tapp
and Ruth Tapp, Denver, Colorado, were authorized to operate as Class
"B" private carriers by motor vehicle for hire for the transportation
of:

dirt, sand, gravel, and oil mix between all
points within a radius of fifty miles of
pits and supply points in the State of Colo-
rado to road construction jobs within said
area, excluding service in Boulder, Clear
Creek, and Gilpin Counties.

By Decision No. 18045, of date December 16, 1941, said operat-
ing rights (Permit No. B-2557) were extended to include the right to
transport:

timber from timber camps in the mountains west
of Boulder, and coal from mines in the nor-
thern 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 concentrates from said mill to smel-
ter near Leadville.

Said permit-holders now seek authority to transfer Permit No. B-2557 to John H. Hankins and Lee Tapp, doing business as "Hankins and Tapp," Denver, Colorado.

The testimony disclosed that transferees, recently purchased equipment, including a caterpillar dozer and carry-all pick-up truck, a dump truck, and a low-boy trailer at a total price of between \$7,000.00 and \$8,000.00 -- each paying one-half of the total purchase price. The consideration for the transfer of permit was the purchase of this equipment by transferees.

There is no indebtedness against the operation.

Both transferees have had more than twenty years experience in the trucking business. Both parties desire the road tax deposit to be transferred to transferees' account.

Ruth Tapp, co-owner of said permit, did not sign the application, but upon order of the Commission, appeared at the offices of the Commission after the hearing and executed the application as one of the transferors.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That Lee Tapp and Ruth 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 H. Hankins and Lee Tapp, doing business as "Hankins and Tapp," 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 be transferred to account of transferees.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

R. D. Johnson

Wm. E. Sisk

Ralph C. Hutton
Commissioners

Dated at Denver, Colorado,
this 15th day of April, 1946.

EW

original

(Decision No. 25819)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
LLOYD ALLEN, LOVELAND, COLORADO,
FOR AUTHORITY TO LEASE PUC NO. 498
TO WILLIAM E. CLARK, DOING BUSINESS
AS "CLARK & SONS DRAYAGE AND WARE-
HOUSING COMPANY," LOVELAND, COLO-
RADO.

APPLICATIONS NOS. 711-AE-AA-A
1659-AA

April 15, 1946

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicants.

STATEMENT

By the Commission:

Pursuant to Decision No. 17532, of date August 25, 1941, Lloyd Allen acquired certificate of public convenience and necessity, PUC No. 498, from Harry Mattison, with authority to:

conduct a general moving and cartage business in the City of Loveland and in the County of Larimer, with the right to furnish occasional service throughout the State of Colorado.

Pursuant to authority contained in Decision No. 18443, of date February 27, 1942, said Allen acquired from Luther Fincher, PUC No. 226, which authorized transportation of:

freight and express between Loveland and Estes Park via Big Thompson River and the North Fork thereof and all intermediate points; freight between Loveland and points within a radius of five and one-half miles of the Village of Estes Park,

said operation, by said decision, being consolidated with the authority acquired by Allen from Mattison, PUC No. 498.

By Decision No. 19277, of date July 17, 1942, he was permitted to suspend his operations on schedule:

between Loveland and Estes Park and points within a radius of five and one-half miles of Estes Park during the war in which the United States

Government is now engaged, with the right to conduct operations not on schedule between said points if and when he has sufficient tonnage offered to him to meet the requirements of "ODT" orders.

He now seeks authority to transfer said certificate and his operating rights thereunder to William E. Clark, doing business as "Clark & Sons Drayage and Warehousing Company," Loveland, Colorado, for a consideration of Two Thousand Dollars (\$2,000.00), payable in cash upon approval of the transfer, and asks that, pending hearing on the application to transfer, Clark be allowed to conduct said business, under lease.

F I N D I N G S

THE COMMISSION FINDS:

That said lease should be approved.

O R D E R

THE COMMISSION ORDERS:

That Lloyd Allen, Loveland, Colorado, be, and he hereby is, authorized to lease his certificate of public convenience and necessity PUC No. 498, to William E. Clark, doing business as "Clark & Sons Drayage and Warehousing Company," Loveland, Colorado, until such time as his application to sell said operating rights to said Clark has been disposed of.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 15th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

original

IN THE MATTER OF THE APPLICATION OF
JOHN HANKINS, 19 ELATI STREET, DEN-
VER, COLORADO, FOR AUTHORITY TO
TRANSFER PERMIT NO. B-2704 TO EDGAR
A. NELSON, 560 SOUTH LIPAN STREET,
DENVER, COLORADO.

APPLICATION NO. 5815-PP-A

April 15, 1946

Appearances: John Hankins, Denver, Colorado,
 PRO SE;
 Edgar A. Nelson, Denver, Colo-
 rado, PRO SE.

S T A T E M E N T

By the Commission:

The above matter was heard at Denver, Colorado, March 27, 1946.

By Decision No. 18050, of date December 17, 1941, John Hankins
was 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 within a radius
of fifty miles of Denver to points within said
area, excluding service in Boulder, Clear Creek,
and Gilpin Counties; coal from mines in the nor-
thern Colorado coal fields to Denver, Colorado.

Said permit-holder herein seeks authority to transfer said operating
rights (Permit No. B-2704) to Edgar A. Nelson, Denver, Colorado.

The consideration for the transfer of the permit and one 1942 Ford
Truck is the sum of \$1200.00. Approximately \$500.00 of this has been paid,
and a written contract entered into between the parties, but which was not
produced at the hearing, will be relied upon by the transferor for the balance
of purchase price, without recourse to the Commission.

There is no indebtedness against the operation.

Transferee has net worth of approximately \$1500.00, and adequate

operating experience.

The parties desire the road tax deposit to be transferred to account of transferee.

FINDINGS

THE COMMISSION FINDS:

That the transfer should be authorized.

ORDER

THE COMMISSION ORDERS:

That John Hankins, Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-2704 to Edgar A. Nelson, 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 transferor 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 15th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. D. MILLER, ROUTE 1, BOX 443,)
ARVADA, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7075-PP

April 15, 1946

Appearances: R. D. Miller, Arvada, Colorado,
pro se;
Harold Swena, Golden, Colorado,
for Swena Transfer & Express.

S T A T E M E N T

By the Commission:

The above matter was heard at Denver, Colorado, March 19, 1946.

Applicant sought, in his application, 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 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 Arvada; kindling wood within a fifty-mile radius of Arvada; grain from farms to markets and storage points within a radius of twenty-five miles of Arvada.

At the hearing, applicant eliminated request for authority to transport grain from his application, and stated that he would transport kindling wood only when the same accompanied an order for coal.

Applicant has had twelve years' trucking experience, and his net worth is approximately \$1500.00.

He has operated under temporary authority from the Commission, transporting kindling wood for Routt County Coal Yard at Arvada, Federal

Feed and Coal Company at Denver, and Pikes Peak Fuel Company in Denver.

Applicant has sufficient financial responsibility and operating reliability for the proper conduct of the proposed operation.

Swena withdrew his protest to the application, as amended.

F I N D I N G S

THE COMMISSION FINDS:

That a Class "B" permit, as limited in the Order following, should issue to applicant herein.

O R D E R

THE COMMISSION ORDERS:

That R. D. Miller, 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 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 Arvada, Colorado, kindling wood from point to point within a radius of fifty miles of Arvada, only when same accompanies the transportation of coal.

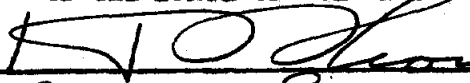
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
JOHN WINDECKER AND WILLIAM WINDECKER,
DOING BUSINESS AS "WINDECKER
BROS.," 1550 WEST DAKOTA STREET,
DENVER, COLORADO, FOR AUTHORITY TO
TRANSFER PUC NO. 996 TO JOHN WIN-
DECKER, 1550 WEST DAKOTA STREET,
DENVER, COLORADO.

APPLICATION NO. 3471-A

April 15, 1946

Appearances: John Windecker, Denver, Colo-
rado, for applicants.

STATEMENT

By the Commission:

This matter was heard at Denver, Colorado, March 19, 1946.

By Decision No. 8592, of date October 28, 1936, John Windecker and William Windecker, doing business as "Windecker Brothers," were granted a certificate of public convenience and necessity (PUC No. 996), authorizing the transportation, on schedule, of:

freight between Denver, and in that portion of Jefferson, Douglas and Park Counties included in the following-described area: beginning at Watertown; thence south via South Platte to Dec-
kers; thence west via Buffalo and Estabrook to Bailey; thence along Highway No. 8 to Conifer Junction and five miles on each side of the described route from Watertown to Conifer Junction, service to be conducted via Highways Nos. 8, 126, 124, county roads, and via extension of Highway No. 26, along the Platte River to Water-
town, when completed, provided that no service shall be conducted along Highway No. 85.

Said certificate-holders now seek authority to transfer said operating rights (PUC No. 996) to John Windecker, Denver, Colorado.

The consideration for the transfer is \$1200.00, \$500.00 of which has been paid in cash, the balance of \$700.00 to be paid upon approval of

the transfer by the Commission. The equipment is to be divided equally between the parties.

John Windecker is purchasing the interest of his brother, William Windecker.

There is no indebtedness against the operation, except current road tax.

John Windecker has had sixteen years experience in the trucking business.

The parties desire the road tax deposit to be transferred to the account of transferee.

There was, at the date of hearing, a balance of \$3.11 road tax due, which transferee asserted would be paid by either transferors or transferee.

F I N D I N G S

THE COMMISSION FINDS:

That the transfer should be authorized.

O R D E R

THE COMMISSION ORDERS:

That John Windecker and William Windecker, doing business as "Windedker Bros.," Denver, Colorado, be, and they hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 996 to John Windecker, Denver, 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 the Commission.

That ton-mile tax deposit of transferors 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 15th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
PAUL R. MILLER, ROXWOOD PARK,)
BOULDER, COLORADO, FOR A CLASS "B") APPLICATION NO. 7288-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

April 16, 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 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 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.

Said matter was regularly set for hearing at Denver, Colorado, February 27, 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, the files were made a part of the record, and the matter taken under advisement.

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

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 Paul R. Miller, 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 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 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.

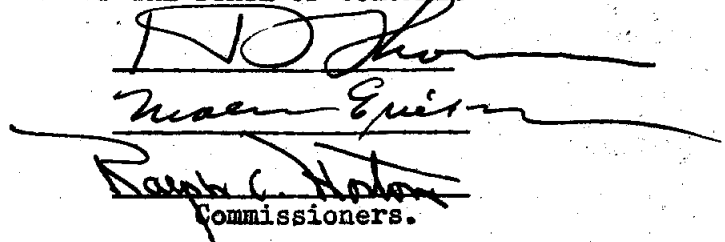
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 16th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
CONDELLO OLGUIN, WALSENBURG, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7257-PP

April 16, 1946.

Appearances: Condello Olguin, Walsenburg,
Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and appropriate notice to all parties in interest, was heard at Trinidad, Colorado, February 11, 1946, and taken under advisement.

Applicant herein seeks authority to operate as a Class "BW private carrier by motor vehicle for hire for the transportation of coal from coal mines located in Huerfano County and the north one-half of Las Animas County, to the City of Walsenburg and points within a radius of fifteen miles thereof; wood, slabs, and native lumber from sawmills and forests within a radius of twenty-five miles of Walsenburg to Walsenburg and points in said radius of fifteen miles of Walsenburg; sand and gravel from points within a radius of fifteen miles of Walsenburg to points in said area; grain and hay from farms within a radius of twenty-five miles of Walsenburg, to Walsenburg, Colorado.

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 granting of the permit, and the furnishing of service by applicant thereunder, would tend to impair the efficiency of any authorized motor vehicle common carrier service with whom applicant will compete, or that the service now furnished by common carriers in said territory for the

transportation of commodities sought to be handled by applicant is adequate.

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 Condello Olguin, Walsenburg, 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 coal mines located in Huerfano County and the north one-half of Las Animas County, to the City of Walsenburg and points within a radius of fifteen miles thereof; wood, slabs, and native lumber from sawmills and forests within a radius of twenty-five miles of Walsenburg, to Walsenburg and points in said radius of fifteen miles of Walsenburg; sand and gravel from points within a radius of fifteen miles of Walsenburg to points in said area; grain and hay from farms within a radius of twenty-five miles of Walsenburg, to Walsenburg, 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

[Signature]

[Signature]

[Signature]
Commissioners.

Dated at Denver, Colorado,
this 16th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ROBERT S. LONDON, BOX 20, JOHNSTOWN,)
COLORADO, FOR A CLASS "A" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 6843-PP-B

April 16, 1946.

Appearances: A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at Greeley, Colorado, on March 29, 1946, 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, the files were made a part of the record, and the matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and 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 be, and it 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

[Signature]

[Signature]

[Signature]
Commissioners.

Dated at Denver, Colorado,
this 16th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
R. O. BROWN, GROVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE, FOR THE TRANSPORTATION OF)
GENERAL MERCHANDISE BETWEEN GREELEY)
AND BRIGGSDALE, GROVER, AND HEREFORD,)
COLORADO.)

APPLICATION NO. 7319-PP

April 16, 1946.

Appearances: No appearance for applicant.
A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Court House in Greeley, Colorado, on Friday, March 29, 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, 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.

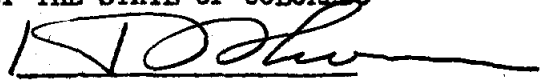
O R D E R

THE COMMISSION ORDERS:

That the instant application should be, and 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 16th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ARTHUR MAGNUSON, 326 - 17th STREET,)
GREELEY, COLORADO, FOR AN EXTENSION)
OF PERMIT B-3175 TO INCLUDE THE)
TRANSPORTATION OF SYRUP FOR MIXED)
STOCK FEED BETWEEN POINTS IN THE)
STATE OF COLORADO, EXCLUDING)
JACKSON COUNTY.)

APPLICATION NO. 6844-PP-BBBB

April 16, 1946.

Appearances: A. J. Fregeau, Denver, Colorado,
for Weicker Transfer and
Storage Company;
M. S. Weber, Greeley, Colorado,
for Union Delivery Company.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing at Greeley, Colorado, on Friday, March 29, 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.

Protestants moved that said application be dismissed for lack of prosecution, and in support of their motion, stated that they had brought witnesses to the hearing for the purpose of protesting the above application.

The matter was taken under advisement.

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

O R D E R

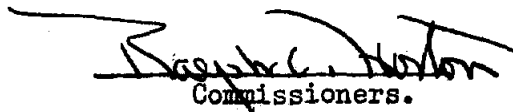
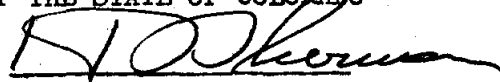
IT IS ORDERED:

That the above-styled application be, and 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 16th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
WARREN C. SULLIVAN, DOING BUSINESS
AS "SULLIVAN'S PACKAGE DELIVERY,"
807 SECOND AVENUE, LONGMONT, COLO-
RADO, FOR A CLASS "B" PERMIT TO OP-
ERATE AS A PRIVATE CARRIER BY MOTOR
VEHICLE FOR HIRE.

APPLICATION NO. 7243-PP
(AMENDED APPLICATION NO.
7243)

April 16, 1946

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicant;
George C. Garrett, 223 Main
Street, Longmont, Colorado,
for McKie Transfer Company.

S T A T E M E N T

By the Commission:

The above-styled application, pursuant to prior setting and appropriate notice to all parties in interest, was heard at Denver, Colorado, February 1, 1946, and taken under advisement.

Warren C. Sullivan, doing business as "Sullivan's Package Delivery," herein seeks authority to operate as a common carrier by motor vehicle for hire for the transportation of packages between points within the area included in the City of Longmont and a one-mile radius thereof, and from and to points in said area, to and from the municipal airport, without the right to transport sugar from sugar factory, located in said radius.

Originally, applicant requested authority to serve as a private carrier by motor vehicle for hire, but asked leave at the hearing to amend his application to seek common carrier authority, which amendment was permitted.

Primarily, he expects to deliver merchandise for stores in Longmont to points in the city and other points in the radius indicated, and

to move packages to and from the bus depot and railroad station, from and to points in said area. He, however, does not intend to handle freight to or from the depot.

It appeared that although a number of common carriers are authorized to furnish such service in Longmont, no one is operating a general transfer and cartage business -- especially for movement of smaller packages.

George C. Garrett, of McKie Transfer Company, and Chris Sorenson, Manager of Sorenson Truck Line, both common carrier operations, J. A. Brillhart, a grocer, and Leo McClelland, another grocer from Longmont, testified in support of the application.

FINDINGS

THE COMMISSION FINDS:

That public convenience and necessity require the proposed package delivery service of applicant; that applicant is fit, willing, and able to perform said service; that the authority sought should be granted, and that certificate of public convenience and necessity should issue therefor.

ORDER

THE COMMISSION ORDERS:

That public convenience and necessity require the common carrier motor vehicle transportation service of applicant, on call and demand, for the transportation of packages between points within the area included in the City of Longmont and a one-mile radius thereof, and from and to points in said area, to and from the municipal airport, without the right to transport sugar from sugar factory, located in said radius.

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

L. D. Johnson

Walter E. Evers

Ralph H. Hahn
Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
PETE JUANGO, DOING BUSINESS AS
"GRAY TRUCK LINE," CRAIG, COLORADO,
FOR AUTHORITY TO TRANSFER PUC NO.
880 TO LEONARD GRAY, DOING BUSINESS
AS "GRAY TRUCK LINE," CRAIG, COLO-
RADO.

APPLICATION NO. 2825-BB-AA

April 16, 1946

Appearances: Truman A. Stockton, Jr., Esq.,
Denver, Colorado, for appli-
cants.

S T A T E M E N T

By the Commission:

This matter was heard at Denver, Colorado, March 19, 1946.

Pete Juango, doing business as "Gray Truck Line," who, pursuant to authority contained in Decision No. 21851, of date January 20, 1944, acquired PUC No. 880 from Leonard Gray, Craig, Colorado, which certificate (Decisions Nos. 7383, 10564, 13554, and 17810) authorizes the transportation of:

farm products, including livestock, farm supplies and farm equipment, including household goods from ranch to ranch, from town to ranch, and from ranch to town and shipping points within Moffat County and in that portion of Routt County lying west of the eastern boundary line of Range 38; but no town to town movement along the route of The Larson Transportation Company and the Coast Motor Express, scheduled common carriers, nor within one mile on either side of their routes, nor from Greystone, Sunbeam, Maybell, Massadona, Caisson, Fortification, Great Divide, Hamilton and Axial, without first obtaining the consent of such common carriers; and from and to ranches in said area, to and from places outside of the area, for customers residing within the above-described area; general commodities from point to point (excluding points served by scheduled line haul motor vehicle common carrier service) in Moffat County and that part of Routt County west of the range line between Ranges 37 and 38, and the

transportation of farm products, livestock, farm supplies and equipment and oil well equipment, into and out of points in said area, excluding, however, the transportation of all commodities except livestock and farm products in bulk between points on U. S. Highway No. 40, and within one mile of either side of said highway, and from and to Greystone, Sunbeam, Maybell, Massadona, Caisson, Fortification, Great Divide, Hamilton and Axial, and also excluding the right to transport livestock from or to Craig, Colorado; emigrant moveables from and to points in Moffat County, and that part of Routt County west of the range line between Ranges 87-W and 88-W, on the one hand, and, on the other, to and from that part of Routt County lying east of the range line between Ranges 87-W and 88-W, and the north eight-mile strip of Rio Blanco County, and between points in said Rio Blanco County strip on the one hand, and, on the other, that part of Routt County which lies east of the range line between Ranges 87-W and 88-W, and the transportation of livestock and farm products from and to that part of Routt County lying east of the range line between Ranges 87-W and 88-W, to and from points in the State of Colorado, and livestock and farm products from and to the north eight-mile strip of Rio Blanco County, to and from points in the State of Colorado,

herein seeks authority to transfer said operating rights to Leonard Gray, doing business as "Gray Truck Line," Craig, Colorado.

The consideration for the transfer is Twelve Thousand Dollars (\$12,000.00), -- \$5,000.00 of which has been paid in cash, \$6,000.00 to be paid upon approval of the transfer by the Commission, and the balance of \$1,000.00 to be represented by a secured note, to be given at the time of said approval.

Gray is an experienced truck operator, with a net worth of approximately \$14,000.00.

Juango agreed to pay all obligations to February 1, 1946. He stated that he owed approximately \$2,000.00, but that he gave his bookkeeper \$2,500.00, with instructions to pay this indebtedness. Gray testified that he was satisfied that Juango would take care of all obligations against the operation, and Juango agreed that the balance of the purchase price could be applied to the debts of the operation, if necessary.

The parties desire the road tax deposit to be transferred to the account of transferee, and Gray assumed payment of back road tax, in the event the same is not paid by Juango.

FINDINGS

THE COMMISSION FINDS:

That the transfer should be authorized.

ORDER

THE COMMISSION ORDERS:

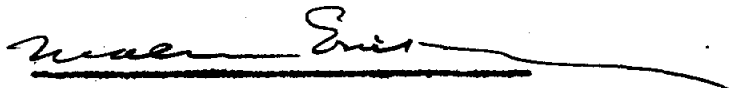
That Pete Juango, doing business as "Gray Truck Line," Craig, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 880 to Leonard Gray, doing business as "Gray Truck Line," Craig, Colorado.

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

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 16th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
HOMER M. JESSUP, DOING BUSINESS AS
"ELBERT TRANSFER CO.," ELBERT,
COLORADO, FOR AUTHORITY TO TRANSFER
A PORTION OF PUC NO. 322 TO J. H.
FAUGHMAN, ELBERT, COLORADO.

APPLICATION NO. 1964-1

April 16, 1946

STATEMENT

By the Commission:

On March 9, 1946, Homer M. Jessup, doing business as "Elbert Transfer Co.," Elbert, Colorado, filed application with this Commission for authority to transfer a portion of his certificate of public convenience and necessity, PUC No. 322, to J. H. Faughman, Elbert, Colorado.

The Commission is now in receipt of a communication, of date March 25, 1946, from T. A. Stockton, Jr., attorney for applicants, as follows:

"The purpose of this letter is to inform you that Mr. J. H. Faughman, the applicant transferee in the above-entitled matter, has with Mr. Jessup's consent withdrawn from his contract to purchase and Mr. Jessup has asked that we withdraw the application heretofore filed with you on or about March the 8th."

FINDINGS

THE COMMISSION FINDS:

That the instant application should be dismissed.

ORDER

THE COMMISSION ORDERS:

That the above-styled application be, and the same hereby is, dismissed, upon request of attorney for applicants.

This order shall become effective twenty (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

Ralph C. Hooten
Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1946.

EW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DAVID NEIWERT, 3512 AMES STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7346-PP

April 16, 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 within a radius of fifty miles of Denver, to jobs in 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 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 David Neiwert, 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 in said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

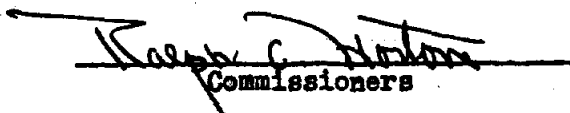
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DEXTER BAILEY, 915 CLARKSON STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7347-PP

April 16, 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 association, 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 Dexter Bailey, 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.

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 16th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT E. MILLER, 145 SOUTH CORONA)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7348-PP

April 17, 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 lime rock and silica from point to point within a radius of fifteen miles of 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 in said fifty-mile radius, 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 Robert E. Miller, Denver, Colorado, be, and he hereby is, authorized, to operate as a Class "B" private carrier by motor ve-

hicle for hire for the transportation of lime rock and silica from point to point within a radius of fifteen miles of 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 in said fifty-mile radius, 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.

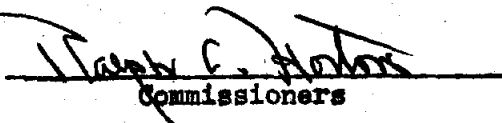
The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. C. WEST, 1407 NAVAJO STREET, DEN-)
VER, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7349-PP

April 17, 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.

O R D E R

THE COMMISSION ORDERS:

That C. C. West, 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.

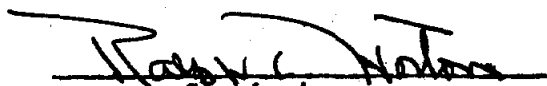
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 17th day of April, 1946.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARMINE RUSCETTA, 2499 19TH STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7350-PP

April 17, 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 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 Carmine Ruscetta, 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 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.

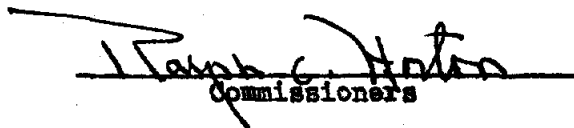
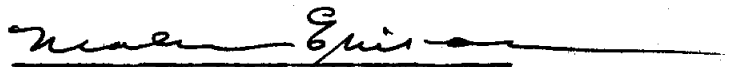
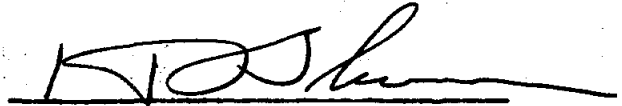
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 17th day of April, 1946.

MW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
L. H. ADAMSON, ROUTE 1, BOX 173,)
GOLDEN, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7352-PP

April 17, 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 within a radius of fifty miles of Denver, to jobs in 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 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 L. H. Adamson, Golden, 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 within a radius of fifty miles of Denver, to jobs in said area, excluding service in Boulder, Clear Creek, and Gilpin Counties; coal from mines in the northern Colorado coal fields to Denver, Colorado.

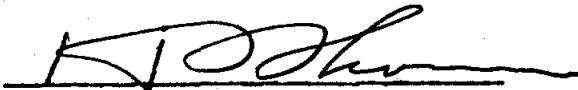
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 (20) days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOMER R. STIGALL, 950 SANTA FE)
DRIVE, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7353-PP

April 17, 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.

O R D E R

THE COMMISSION ORDERS:

That Homer R. Stigall, 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.

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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE H. BARR, 3392 WEST OHIO)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7354-PP

April 17, 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.

O R D E R

THE COMMISSION ORDERS:

That George H. Barr, 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.

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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROLAND R. GREENWOOD, 3289 PERRY)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7355-PP

April 17, 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 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 Roland R. Greenwood, 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, dirt, 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 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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELDON E. ISELI, 5525 WEST COLFAX)
AVENUE, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7356-PP

April 17, 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.

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 Eldon E. Iseli, 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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VIRGIL P. LOGAN, 605 EAST AMHURST,)
ENGLEWOOD, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7357-PP

April 17, 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, and to points within a radius of five 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 Virgil P. Logan, 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 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.

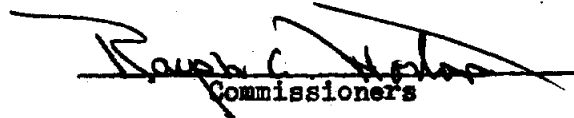
The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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 17th day of April, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD DODD AND LOUIS DONDELINGER,)
1921 EAST COLFAX AVENUE, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS PRIVATE CARRIERS BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7358-PP

April 17, 1946

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 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 Harold Dodd and Louis Dondelinger, 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 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 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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DOYLE STIGALL, 650 LIPAN STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7361-PP

April 17, 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.

O R D E R

THE COMMISSION ORDERS:

That Doyle Stigall, 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.

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

K. D. Shuman

Walter E. Quinn

Samuel C. Watson
Commissioners

Dated at Denver, Colorado,
this 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
ORANGE HAYWARD SCOTT, 2234 JULIAN)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7363-PP

April 17, 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 within a radius of fifty miles of Denver to jobs in 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 authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Orange Hayward Scott, 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 within a radius of fifty miles of Denver, to jobs in said area, excluding service in Boulder, Clear Creek, and Gilpin Counties.

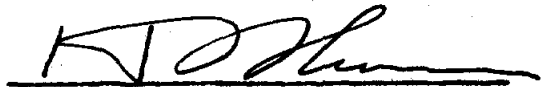
All operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

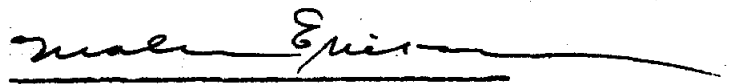
This order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured identification cards.

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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARRY LOVISON, 1526 SOUTH CORONA)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 7364-PP

April 17, 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.

O R D E R

THE COMMISSION ORDERS:

That Harry Lovison, 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.

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.

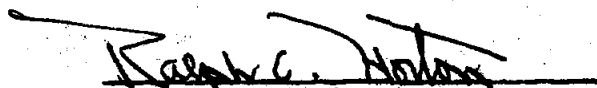
The right of applicant to operate hereunder shall depend upon his compliance with all present and future laws and rules and regulations of the Commission.

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 17th day of April, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN S. ROYBAL, 2815 CHAMPA STREET,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7365-PP

April 17, 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.

O R D E R

THE COMMISSION ORDERS:

That John S. Roybal, 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.

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 17th day of April, 1946.

HW

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEOPOLDO VIGIL AND STEVE D. MAR-)
TINEZ, 2663 CURTIS STREET, DENVER,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS PRIVATE CARRIERS BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 7366-PP

April 17, 1946

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 within a radius of fifty miles of Denver, to jobs in 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 Leopoldo Vigil and Steve D. Martinez, 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 jobs in 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.

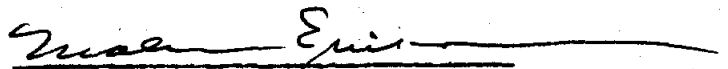
This order is the permit herein provided for, but it shall not become effective until applicants have filed a statement of their customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and have secured identification cards.

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 17th day of April, 1946.

mw

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
CHARLES CASTAGNA, FLORENCE, COLORADO,)
TO TRANSFER PERMIT B-1430 TO CANON) APPLICATION NO. 3089-PP-BA
SHAMROCK COAL COMPANY, BOX 151,)
FLORENCE, COLORADO.)

April 17, 1946.

Appearances: Charles Castagna, Florence, Colorado,
pro se.

S T A T E M E N T

By the Commission:

On February 8, 1941, by Decision No. 16848, the authority of Charles Castagna was limited to the transportation of coal, only, from point to point within a radius of 150 miles of Canon City, Colorado.

At the hearing in Colorado Springs, Colorado, it appeared that Charles Castagna, John DeAngelo, and Joseph A. Cresto, have entered into a co-partnership, doing business as "Canon Shamrock Coal Company," Florence, Colorado.

Applicant now desires to transfer Permit No. B-1430 to the co-partnership, and states there is no consideration.

It also appeared that there are no outstanding unpaid obligations against said operation, and that ten-mile tax deposit is to be transferred to account of transferees.

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

The matter was taken under advisement.

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

O R D E R

IT IS ORDERED:

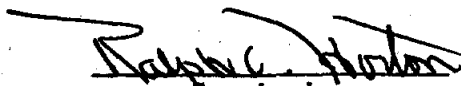
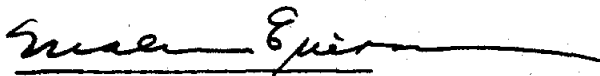
That Charles Castagna, of Florence, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. 1430 to John DeAngelo, Joseph A. Cresto and Charles Castagna, co-partners, doing business as "Canon Shamrock Coal Company", of Florence, Colorado, with the definite requirement that in conducting said operation, they shall operate as co-partners, and not as individuals, using same permit number.

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

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 twenty days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 17th day of April, 1946.

BH

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF
FRANCIS E. LOW, BOX 33, SIMLA, COLORADO,
FOR A CLASS "B" PERMIT TO
OPERATE AS A PRIVATE CARRIER BY MOTOR
VEHICLE FOR HIRE FOR THE TRANSPORTATION
OF FARM PRODUCTS (NO LIVESTOCK), FEED,
AND BUILDING MATERIALS BETWEEN POINTS
WITHIN A FIFTY-MILE RADIUS OF SIMLA,
AND FROM AND TO POINTS WITHIN SAID
AREA, TO AND FROM POINTS WITHIN A
RADIUS OF 150 MILES OF SIMLA.

APPLICATION NO. 7293
(Amended application No. 7293-PP)

April 16, 1946.

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for applicant;
Myron H. Burnett, Esq., Denver,
Colorado, for Van Goodwin & Sons,
Jens F. Sellers, Dennis A. Burroughs,
G. Barnhill, and H. M. Jessup.

STATEMENT

By the Commission:

On March 16, 1944, applicant filed an amended application, asking for a certificate of public convenience and necessity for the transportation as a common carrier by motor vehicle of farm products (excluding livestock), feed and building materials, between points within a 30-mile radius of Simla, Colorado, and to and from points within said 30-mile radius of Simla, Colorado, from and to points within the State of Colorado.

At the hearing, which was held in Colorado Springs, on Wednesday, March 20, 1946, applicant, through his attorney, asked to amend his application as follows: Transportation of farm products (excluding livestock), feed and building materials, between points within an area extending 12 miles west, 12 miles north, 30 miles east, and 30 miles south of Simla, Colorado, and to and from points in said area from and to points within the State of Colorado.

There was no objection to either amendment, and protestants, after filing of the amendment limiting the territory, withdrew all objections to the granting of the certificate.

The evidence disclosed that applicant is the owner of a 1942 GMC truck equipped with grain bed, and has sufficient financial backing to successfully carry on the proposed operation, and that he is experienced in truck operations.

Applicant had eight witnesses at the hearing, consisting of farmers and residents of the Simla area, for the purpose of testifying as to the need for applicant's service, one of whom was Herman Schuster, a farmer who lives eight miles south and east of Simla. He stated that this service was definitely needed in the Simla area; that he and his neighbors had experienced considerable difficulty in securing trucks for transporting their farm products, feed and building material, especially during the harvest season.

Applicant's attorney offered to put on other witnesses who would testify as to the need for this service, but as there were no formal protests to the granting of the authority, he felt a statement to the effect that they would testify substantially the same as Witness Schuster, would be sufficient.

The matter was taken under advisement.

After careful consideration of the record, the Commission is of the opinion, and finds, that the public convenience and necessity require the proposed operations of applicant as hereinafter ordered, and that a certificate of public convenience and necessity should issue therefor.

O R D E R

IT IS ORDERED:

That the public convenience and necessity require the proposed motor vehicle operations of Francis E. Low, Box 33, Simla, Colorado, for the transportation of farm products (excluding livestock), feed, and building materials, between points within the area extending 12 miles west, 12 miles north, 30 miles east and 30 miles south of Simla, Colorado, and to and from points in said area from and to points within the State of Colorado, and this order shall be taken, deemed and held to be a certificate of public

convenience and necessity therefor.

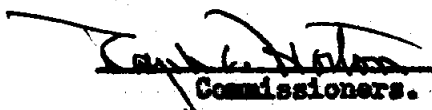
Applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 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 16th day of April, 1946.

RE