(Decision No. 49015)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF W. J. WEBER, DOING BUSINESS AS "WEBER'S HAULING SERVICE," 3645 IVY STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15607

November 6, 1957

Appearances: Robert E. McLean, Esq., Denver, Colorado, for Applicant;
R. B. Danks, Esq., Denver, Colorado, for The Colorado Transfer and Warehousemen's Association.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, to engage in the hauling of freight and light moving, from and to all points within the City and County of Denver, State of Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, August 16, 1957, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On August 15, 1957, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Louis J. Carter, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of said Examiner states that at the hearing, W. J. Weber, applicant herein, testified that he has been engaged in the transportation business within the City and County of Denver for seven years, and has a Transfer License issued by the City; that his hauling has consisted of general commodities, including furniture and light moving; that he has three employees; that he conducts his business from his home; that his net worth is $25,000; that he owns and operates one Express Van, with rated capacity of one ton, and three stake body trucks.

J. M. McKnight testified that he is Supervisor of the Denver Union Station Terminal; that he has used applicant's services, and that said services were good.

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

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

It appears that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the service herein sought; that he has been engaged in the transportation business within the City and County of Denver for the past seven years, and was so engaged on January 1, 1955, being the effective date of Constitutional Amendment, giving The Public Utilities Commission of the State of Colorado jurisdiction over common carriers operating in home-rule cities, thereby establishing "Grandfather Rights."

Report of the Examiner recommends that certificate of public convenience and necessity issue to applicant herein.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That public convenience and necessity require applicant's motor vehicle common carrier service, on call and demand, and that

certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of W. J. Weber, doing business as "Weber's Hauling Service," Denver, Colorado, for the transportation of general commodities, including furniture, between points within the City and County of Denver, State of Colorado, provided, however, that in the transportation of furniture and household goods, applicant shall be limited to vehicles of rated capacity of one ton, 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 days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph W. Hanlon

John P. Thompson

Joseph F. Hogan

Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.

ea

(Decision No. 49016)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 80, SESSION LAWS OF COLORADO, 1951, FOR EMERGENCY MOVEMENT OF GRAIN SORGHUM CROP.

APPLICATION NO. 15856

November 4, 1957

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency exists in the matter of trucks for transportation of the grain sorghum crop in the Counties of Prowers, Cheyenne, Kit Carson, and Kiowa, State of Colorado, and that said emergency will probably continue for a period of approximately thirty days.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for the seasonal transportation of said crop in the Counties above mentioned.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for transportation of the grain sorghum crop in the Counties of Prowers, Cheyenne, Kit Carson, and Kiowa, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for the operation of motor vehicles for transportation of said crop to market

or place of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period of thirty days, or from November 4, 1957, to December 4, 1957, both dates inclusive.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity should be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of the grain sorghum crop, to markets or places of storage in the Counties of Prowers, Cheyenne, Kit Carson, and Kiowa, State of Colorado, said certificates to become effective November 4, 1957, and to continue in force up to and including December 4, 1957, no such certificate to issue for transportation of such product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of November, 1957.

mls

Original

(Decision No. 49017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LOUIS N. ALBRIGHT, STAR ROUTE, BAYFIELD, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15699
SUPPLEMENTAL ORDER

November 6, 1957

Appearances: Eakes & Hamilton, Esqs., Durango, Colorado, by E. B. Hamilton, Esq., for Applicant.

S T A T E M E N T

By the Commission:

By the application in this matter, the applicant sought to have his motor vehicle private carrier authority Permit No. B-1629 and Permit No. B-1629-I converted to common carrier authority.

After hearing, this Commission, by Decision No. 48824, dated October 1, 1957, granted the application and issued the requested common carrier authority, effective October 21, 1957. Through inadvertence, however, the private carrier authority which was converted was not cancelled, as should have been done, effective as of the date of conversion. An Order will be entered to correct this oversight.

F I N D I N G S

THE COMMISSION FINDS:

That Permit No. B-1629 and Permit No. 1629-I should be cancelled.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-1629 and Permit No. B-1629-I should be, and the same hereby are, cancelled, effective October 21, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hodson

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.

mls

(Decision No. 49018)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
RONALD ROBEN, 3385 NEWPORT STREET,)
DENVER 7, COLORADO.) PERMIT NO. B-5047
)
)

November 13, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ronald Roben, Denver, Colorado, requesting that Permit No. B-5047 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5047, heretofore issued to Ronald Roben, Denver, Colorado be, and the same is hereby, declared cancelled effective October 25, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins

Jon V. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957.

mjm

(Decision No. 49019)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
WALTER V. TUNSTEAD, BOX 3, HIDEAWAY)
PARK, COLORADO.) PERMIT NO. B-5326
)
)

November 13, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter V. Tunstead, Hideaway Park, Colorado, requesting that Permit No. B-5326 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5326, heretofore issued to Walter V. Tunstead, Hideaway Park, Colorado, be, and the same is hereby, declared cancelled effective October 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 13th day of November, 1957.

mjm

(Decision No. 49020)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
FLOYD EARL BOTTS, 262 ELATI STREET,)
DENVER 23, COLORADO.) PERMIT NO. B-5069
)
)

November 13, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Floyd Earl Botts, Denver, Colorado, requesting that Permit No. B-5069 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5069, heretofore issued to Floyd Earl Botts, Denver, Colorado, be, and the same is hereby, declared cancelled effective October 5, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 13th day of November, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 49021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
F. A. GORMAN, 140 WEST MIDWEST,)
CASPER, WYOMING.)
) PUC NO. 3224-I
)
)
)

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from F. A. Gorman, Casper, Wyoming, requesting that Certificate of Public Convenience and Necessity No. 3224-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 Certificate No. 3224-I heretofore issued to F. A. Gorman, Casper, Wyoming, be, and the same is hereby, declared cancelled effective October 26, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
Jon P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 49022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BLAINE SMITH, RFD #1, SPARTA,)
MISSOURI.)
)
) PUC NO. 2474-I
)
)
)

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Blaine Smith, Sparta, Missouri,

requesting that Certificate of Public Convenience and Necessity No. 2474-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 Certificate No. 2474-I heretofore issued to Blaine Smith, Sparta, Missouri,

be, and the same is hereby, declared cancelled effective October 18, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 49023)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LE ROY R. WAMSLEY, 2518 HILLSIDE)
DRIVE, SALT IAKE CITY, UTAH.)
)
) PUC NO. 3444-I
)
)
)

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from LeRoy R. Wamsley, Salt Lake City, Utah,

requesting that Certificate of Public Convenience and Necessity No. 3444-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 Certificate No. 3444-I heretofore issued to LeRoy R. Wamsley, Salt Lake City, Utah,

be, and the same is hereby, declared cancelled effective October 18, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Roy E. Horton
John P. Thompson
Joseph P. Higro
Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957

mjm

REINSTATEMENT ORDER--PRIVATE CARRIER

(Decision No. 49024)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CLIFFORD ANDERSON, BOX 41,)
FORT MORGAN, COLORADO.)
) PERMIT NO. B-3918
)
)
- - - - - - - - - - - - - - - - - -

November 13, 1957

S T A T E M E N T

By the Commission:

On August 8, 1957, the Commission authorized Clifford Anderson, Fort Morgan, Colorado, to suspend operations under his Permit No. B-3918 until November 3, 1957.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-3918 should be, and the same hereby is; reinstated as of October 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Hostert
Ann F. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,
this 13th day of November 1957.

mjm

REINSTATEMENT ORDER--PRIVATE CARRIER

(Decision No. 49025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF BMB CLAY HAULERS INC., 929 EAST ELLSWORTH AVENUE, DENVER 9, COLORADO.

PERMIT NO. B-3648

November 13, 1957

S T A T E M E N T

By the Commission:

On August 20, 1957, the Commission authorized B M B Clay Haulers, Inc., Denver, Colorado, to suspend operations under their Permit No. B-3648 until February 26, 1958.

The Commission is now in receipt of a communication from the above-named permittees requesting that their 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-3648 should be, and the same hereby is, reinstated as of October 29, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert E. Thurston
Ivan L. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 13th day of November 1957.

mjm

SUSPENSION ORDER--COMMON CARRIER

(Decision No. 49026)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ALEX GREENWALT, 6570 EAST 70TH PLACE, DERBY, COLORADO.

PUC NO. 3341

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 3341 be suspended for six months from October 24, 1957.

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 Alex Greenwalt, Derby, Colorado, be, and he is hereby, authorized to suspend operations under PUC No. 3341 until April 24, 1958.

That unless said certificate-holder 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

Robert E. Woodward
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,
this 13th day of November 1957

mjm

SUSPENSION ORDER--COMMON CARRIER

(Decision No. 49027)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ORVAL L. SEBRING, BOX 382, GUNNISON, COLORADO.

PUC NO. 2343-I

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 2343-I be suspended for six months from November 1, 1957.

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 Orval L. Sebring, Gunnison, Colorado, be, and he is hereby, authorized to suspend operations under PUC No. 2343-I until May 1, 1958.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 13th day of November 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49028)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ORVAL L. SEBRING, BOX 382,)
GUNNISON, COLORADO.)
)
)
)

PERMIT NO. B-3903

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3903 be suspended for six months from November 1, 1957.

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 Orval L. Sebring, Gunnison, Colorado,

be, and he is hereby, authorized to suspend his operations under Permit No. B-3903 until May 1, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49029)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. C. COOPER, ROUTE 3, BOX 106,)
AURORA, COLORADO.)
)
)
)

PERMIT NO. B-5187

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5187 be suspended for six months from October 22, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That W. C. Cooper, Aurora, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-5187 until April 22, 1958.

That unless said permit-holder 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

Robert E. Hoobler

John P. Thompson

Joseph F. Higgins

Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49030)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
LOUIS B. ANDERSON, LARKSPUR,) PERMIT NO. B-5063
COLORADO.)
)
)
)

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5063 be suspended for six months from November 1, 1957.

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 Louis B. Anderson, Larkspur, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-5063 until May 1, 1958.

That unless said permit-holder 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

Ralph C. Hoskins

John P. Thompson

Joseph T. Negro

Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49031)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DEAN W. KONZ, DOING BUSINESS AS)
"KONZ TRUCKING COMPANY", 3290) PERMIT NO. B-3827
SOUTH ELATI STREET, ENGLEWOOD,)
COLORADO.)
)

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3827 be suspended for six months from September 24, 1957.

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 Dean W. Konz, d/b/a Konz Trucking Company, Englewood, Colorado, be, and is hereby, authorized to suspend his operations under Permit No. B-3827 until March 24, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 13th day of November, 1957.

mjm

(Decision No. 49032)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO, 900 FIFTEENTH STREET, DENVER, COLORADO, FOR AN ORDER AUTHORIZING IT TO PLACE INTO EFFECT A NEW SCHEDULE OF RATES, ROUTES, AND TIME SCHEDULES FOR ITS CITY OF BOULDER BUS OPERATION AND FOR AN ORDER AUTHORIZING IT TO COMMENCE TEMPORARY SERVICE FOR A PERIOD OF NINETY DAYS OVER NEW ROUTES IN SAID CITY OF BOULDER, STATE OF COLORADO.

SUPPLEMENTAL APPLICATION NO. 13354

November 6, 1957

Appearances: Lee, Bryans, Kelly and Stansfield, Esqs., Denver, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

On October 8, 1957, the above-styled Supplemental Application No. 13354 was filed with the Commission by Public Service Company of Colorado, by its Attorneys, Lee, Bryans, Kelly and Stansfield, requesting authority to place into effect a new schedule of rates, routes, and time schedules for its City of Boulder bus operation and for an Order authorizing it to commence temporary service for a period of ninety days over new routes in said City of Boulder, State of Colorado.

The Commission is now in receipt of "Motion to Withdraw Application," filed with the Commission in said above-styled matter.

F I N D I N G S

THE COMMISSION FINDS:

That said Motion should be granted.

O R D E R

THE COMMISSION ORDERS:

That Supplemental Application No. 13354, filed with the Commission on October 8, 1957, by Public Service Company of Colorado, by its Attorneys, Lee, Bryans, Kelly and Stansfield, should be, and the same hereby is, dismissed, at request of Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hudson

John P. Thompson

Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.

mls

Original

(Decision No. 49033)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EAGLE TRUCK LINE, INC., BOX 24, NEWCASTLE, WYOMING, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15051-PP SUPPLEMENTAL ORDER

November 6, 1957

Appearances: Clair Weir, Newcastle, Wyoming, for Applicant;
Marion F. Jones, Esq., Denver, Colorado, and
Alvin J. Meiklejohn, Jr., Esq., Denver, Colorado, for R. B. "Dick" Wilson, Inc., et al;
Barry and Hupp, Esqs., Denver, Colorado, for Basin Truck Company, et al.

S T A T E M E N T

By the Commission:

On April 11, 1957, the Commission entered its Decision No. 47691, in Application No. 15051-PP, granting to Eagle Truck Line, Inc., Newcastle, Wyoming, a Class "B" permit, authorizing operation as a private carrier by motor vehicle for hire, for the transportation of:

> oil field equipment and petroleum products, to and from points in the eastern half of the State of Colorado, being that portion of Colorado lying east of the Continental Divide, from and to the drilling sites of the C. R. McKay Drilling Company and Black Hills Drilling Company, only, in said area, equipment and petroleum products being only such as are to be used by said drilling companies in their drilling operations up to the time of production; and the transportation of petroleum and petroleum products owned by said drilling companies at the time of production, from their drilling sites to other points in the eastern half of the State of Colorado,

issuance of said permit being conditioned upon applicant meeting certain requirements set forth in said Decision No. 47691.

It now appears that applicant herein has not met the requirements set forth in the Order contained in Decision No. 47691, of date April 11, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That authority granted applicant herein by Decision No. 47691, of date April 11, 1957, should be set aside, vacated, and held for naught.

O R D E R

THE COMMISSION ORDERS:

That Class "B" permit granted to Eagle Truck Line, Inc., Newcastle, Wyoming, by Decision No. 47691, of date April 11, 1957, in Application No. 15051-PP, should be, and the same hereby is, cancelled and revoked.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.

mls

original

(Decision No. 49034)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FLOYD T. HARRIS, 25 SOUTH TAFT HILL)
ROAD, FORT COLLINS, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 15794
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

November 6, 1957

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, unprocessed farm crops, products and commodities, namely small grains, millet, corn and ensilage in connection with his harvesting, threshing and combining business on a farm to market basis at and within the territorial limits of the Counties of Larimer, Weld, and Morgan, within the State of Colorado.

Said application was regularly set for hearing before the Commission at the County Court House, District Court Room, Greeley, Colorado, at ten o'clock A. M., October 29, 1957, due notice thereof being forwarded to all parties in interest.

On October 28, 1957, as provided by law, the Commission designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application; he thereafter submitted a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing said application, neither the Applicant nor his attorney entered an appearance. Previous notice had been verbally given to the Commission that due to circumstances beyond control, the

Applicant could not be present at this hearing.

Report of said Examiner recommends that this matter be continued, to be re-set at the convenience of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be continued, to be re-set for hearing before the Commission at a future date to be determined by the Commission, with notice to all parties in interest.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Application No. 15794 should be, and the same hereby is, continued, to be re-set for hearing before the Commission at a future date to be determined by the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins

John P. Thompson

Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.

mls

(Decision No. 49035)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
COLORADO BEDDING COMPANY, 476) PERMIT NO. M-3805
SOUTH BROADWAY, DENVER, COLORADO.) CASE NO. 82205-INS.
- - - - - - - - - - - - - - - - - - -)

- - - - - - - - -
November 6, 1957
- - - - - - - - -

S T A T E M E N T

By the Commission:

On September 20, 1957, the Commission entered its Order in Case No. 82205-Ins., revoking Permit No. M-3805 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has now been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-3805 should be, and the same hereby is, reinstated, as of September 20, 1957, revocation order entered by the Commission on said date in Case No. 82205-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hatton

John P. Thompson

Joseph F. Negri
Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.

ea

Original

(Decision No. 49036)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF UNION RURAL ELECTRIC ASSOCIATION, INC., BRIGHTON, COLORADO, FOR AUTHORITY TO EXTEND FACILITIES IN NE¼ SECTION 6, TOWNSHIP 2-SOUTH, RANGE 66-WEST, ADAMS COUNTY.	APPLICATION NO. 15810-Extension

November 6, 1957

S T A T E M E N T

By the Commission:

On October 18, 1957, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its lines to serve a new house or cabin owned by Robert Younger. The extension will consist of three-quarters of a mile of primary single-phase line in the Northeast Quarter of Section 6, Township 2-South, Range 66-West, Adams County, Colorado. Service was requested by Robert Younger, owner of the cabin. The estimated cost of the new extension is $1,125.00.

This application was filed pursuant to the Commission's order in Application No. 13576--Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing, if it so decides, and if there are no protests.

The Commission has examined the record and files herein and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order granting the construction as requested. The

Commission has received a letter from the Public Service Company of Colorado, dated October 28, 1957, and a letter from the Colorado Central Power Company, dated October 30, 1957, both of said letters stating, in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074 previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to the new house or cabin owned by Robert Younger, at a location in the Northeast Quarter of Section 6, Township 2-South, Range 66-West of Adams County, Colorado, all in accordance with the application for electric service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 6th day of November, 1957.

Commissioners.

ea

(Decision No. 49037)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF UNION RURAL ELECTRIC ASSOCIATION, INC., BRIGHTON, COLORADO, FOR AUTHORITY TO EXTEND FACILITIES IN SE¼, SECTION 20, TOWNSHIP 2-SOUTH, RANGE 72-WEST, GILPIN COUNTY.

APPLICATION NO. 15808-Extension

November 6, 1957

S T A T E M E N T

By the Commission:

On October 15, 1957, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its lines to serve a new house or cabin owned by Victor Braecher. The extension will consist of 963 feet of primary single-phase line, in the Southeast Quarter of Section 20, Township 2-South, Range 72-West, Gilpin County, Colorado. Service was requested by Victor Braecher, owner of the cabin. The estimated cost of the new extension is $688.00.

This application was filed pursuant to the Commission's order in Application No. 13576--Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and files herein and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order granting the construction as requested. The Commission has received a letter from the Public Service Company of Colorado,

dated October 28, 1957, and a letter from the Colorado Central Power Company, dated October 18, 1957, both of said letters stating, in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074, previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to the new house or cabin owned by Victor Braecher at a location in the Southeast Quarter of Section 20, Township 2-South, Range 72-West, Gilpin County, Colorado, and that Union Rural Electric Association, Inc., should be authorized to render said service.

O R D E R

THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to serve the new house or cabin owned by Victor Braecher, at a location in the Southeast Quarter of Section 20, Township 2-South, Range 72-West, Gilpin County, Colorado, all in accordance with the application for Electric Service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Hodges

Robert L. Knepper

Joseph F. Higgins

Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.
ea

original

(Decision No. 49038)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EDWIN C. CHRISTY, DOING BUSINESS AS "COLFAX EXPRESS," 2888 WEST COLFAX AVENUE, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 14146 SUPPLEMENTAL ORDER

November 6, 1957

Appearances: Harold D. Torgan, Esq., Denver, Colorado, for Applicant; H. D. Hicks, Denver, Colorado, for Weicker Transfer and Storage Company.

S T A T E M E N T

By the Commission:

On April 4, 1956, the Commission entered its Decision No. 45552, in Application No. 14146, granting to Edwin C. Christy, doing business as"Colfax Express," Denver, Colorado, a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, for the transportation of:

> general commodities, except commodities which, because of size or weight, require special equipment, and except package delivery service, as such, between points in the City and County of Denver, State of Colorado,

issuance of said certificate being conditioned upon applicant meeting certain requirements set forth in said Decision No. 45552.

It now appears that applicant herein has not met the requirements set forth in the Order contained in Decision No. 45552, of date April 4, 1956.

F I N D I N G S

THE COMMISSION FINDS:

That authority granted applicant herein by Decision No. 45552, of date April 4, 1956, should be set aside, vacated, and held for naught.

O R D E R

THE COMMISSION ORDERS:

That certificate of public convenience and necessity granted to Edwin C. Christy, doing business as "Colfax Express," Denver, Colorado, by Decision No. 45552, of date April 4, 1956, in Application No. 14146, should be, and the same hereby is, cancelled and revoked.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 6th day of November, 1957.

ea

Original

(Decision No. 49039)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF H. H. HARP, AS MORTGAGEE OF BEE FREIGHT LINES, INC., MEEKER, COLORADO, TRANSFEROR, FOR AUTHORITY TO TRANSFER CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PUC NOS.152 AND 152-I TO H. H. HARP, DOING BUSINESS AS "HARP TRANSPORTATION LINE," MEEKER, COLORADO, TRANSFEREE.	APPLICATION NO. 15806-Transfer

November 6, 1957

Appearances: E. B. Evans, Esq., Denver, Colorado, and Thomas J. Mitchell, Esq., Denver, Colorado, for Applicant;
Marion R. Smyser, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc., and Larsen Transportation Company;
John F. Mueller, Esq., Denver, Colorado,
Albert A. Norbont, Esq., Denver, Colorado, and
Eugene St. M. Hamilton, Denver, Colorado, for Ringsby Truck Lines, Inc.;
A. H. Wright, Denver, Colorado, for B. K. Sweeney Co.;
Clarence E. Penrod, Grand Junction, Colorado, for Salt Lake Hardware Co.

S T A T E M E N T

By the Commission:

By application filed September 19, 1957, the applicant, as mortgagee of Bee Freight Lines, Inc., seeks to have transferred to him PUC No. 152 and PUC No. 152-I, granting the following authority:

Between Rifle and Meeker and intermediate and adjacent territory thereto. Transportation of freight in loads not less than 4000 pounds to and from Grand Junction and Glenwood Springs from and to points in Rio Blanco County. Transportation not on schedule, of freight between points in Rio Blanco County and between points in Rio Blanco County and all other points in Colorado. Authority from PUC 718 is: Passengers, freight and express between Rifle and Meeker, Colorado. Transferred from PUC 1661 and 1661-I and consolidated herewith: Transportation in intrastate and interstate commerce, of commodities, generally, except household goods and heavy machinery requiring special equipment (but not excluding emigrant moveables) between points in Rio Blanco County, and from and to points in said County to and from points in the State of Colorado, without the right to furnish service under said certificate between towns on Colorado 13, Rifle to Craig, both points inclusive, and without the right to transport machinery, materials, equipment, supplies and facilities used in or incidental to or in connection with the discovery, development, production and preservation of natural gas and petroleum, including pipelines, storage facilities, refining plants, etc., from Craig to points in Rio Blanco County, said exception, however, not to apply to such commodities for water wells.

Decision No. 31711 extended to: Transportation of freight, on schedule, between Denver, Colorado, and Rangely, Colorado, and the Rangely Oil Fields, and points intermediate between Rifle and Rangely, via U. S. 6, 24, 13 and Colorado 64, in scheduled service. Decision No. 32884 extended to: Transportation of freight, on schedule, between Craig and Meeker, Colorado, and intermediate points, via State Highway No. 13. Decision No. 39181 extended to: Operation over an alternate route for operating convenience only, in connection with present regular route operations between Denver, Colorado, and Meeker, Colorado, and Rangely, Colorado, said alternate route being described as: Beginning at the junction of U. S. 6 and U. S. 40, located approximately 7½ miles west of the west city limits of Denver, Colorado; thence westerly via U. S. 6 (Clear Creek Canon) to the junction of said U. S. 6 with U. S. 40 at the foot of Floyd Hill, said point being approximately 4.6 miles east of the junction of Colorado 103 and U. S. Nos. 6 and 40 in Idaho Springs, Colorado.

Upon due notice to interested persons, the matter was regularly set for hearing and hearing commenced at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, on October 25, 1957. After recess and upon notice, further hearing was had at the Hearing Room of the Commission, in Denver,

Colorado, on November 4, 1957, at the conclusion of which the matter was taken under advisement and now stands submitted for decision.

It appears from the evidence that by our Decision No. 40432, dated May 5, 1953, we authorized the transfer of these authorities and PUC No. 1613 from H. H. Harp to Bee Freight Lines, Inc., subject to the payment of any indebtedness then outstanding against said operations, and authorized Bee Freight Lines, Inc., to mortgage the three certificates to secure the payment of its promissory note, payable to H. H. Harp, in the amount of $112,000. It appears that Bee Freight Lines, Inc., later having defaulted upon the note, Harp repossessed and foreclosed his chattel mortgage, and with temporary authority from this Commission resumed operating the present two authorities himself, on August 15, 1957. Neither the seniority of his lien nor the procedure adopted in foreclosing the mortgage are challenged. The only evidence is that the lien was senior and that the foreclosure and sale were legal and lawful. Evidence was introduced sufficient to establish that Harp is qualified financially and by experience and has equipment suitable to perform the operation of the presently-considered authorities.

Certain creditors of Bee Freight Lines, Inc., appeared in protest of the application, alleging that Bee Freight Lines owes them money and that Harp, as the predecessor and successor of Bee Freight Lines, Inc., should be required to pay off their indebtedness.

Our order will merely direct that our records concerning the title to this authority should be changed to show that Harp is now the owner and operator of this authority. If the creditors have any legal remedy against Harp for the debts of Bee Freight Lines, Inc., or otherwise, they must pursue them in the courts. If their claims are senior to those of Harp, the courts will recognize them. If they are not senior, nothing we can do would grant them a seniority to which they are not entitled. We will accordingly order our records changed to show Harp to be the operator of the authorities.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That the records of the Commission should be changed to show that H. H. Harp, doing business as "Harp Transportation Line," Meeker, Colorado, to be the owner and operator of PUC No. 152 and PUC No. 152-I.

O R D E R

THE COMMISSION ORDERS:

That the records of the Commission pertaining to PUC Nos. 152 and 152-I be changed to show that H. H. Harp, doing business as "Harp Transportation Line," Meeker, Colorado, became the operator of these authorities on August 15, 1957, and is now the record owner of these authorities.

This Order shall be construed as authorizing the transfer of these authorities from Bee Freight Lines, Inc., to H. H. Harp, doing business as "Harp Transportation Line," Meeker, Colorado.

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

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates, the transfer of interstate operating rights authorized herein being subject to the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at D enver, Colorado,
this 6th day of November, 1957.

ea

original

(Decision No. 49040)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF W. J. DIGBY, INC., A CORPORATION, 3108 BRIGHTON BOULEVARD, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE, FOR THE TRANSPORTATION OF AGRICULTURAL COMMODITIES, BETWEEN ALL POINTS WITHIN THE STATE OF COLORADO.	)	APPLICATION NO. 15859

November 7, 1957

Appearances: Barry, Hupp and Dawkins, Esqs., Denver, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

On June 6, 1957, the above-styled application was filed with the Commission by W. J. Digby, Inc., a corporation, seeking a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire.

The Commission is now in receipt of a communication from Barry, Hupp and Dawkins, Attorneys for Applicant herein, requesting dismissal of said application.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15859 should be, and the same hereby is, dismissed at request of Attorneys for Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Hollon

John P Thompson

Joseph F Nigro

Commissioners.

Dated at Denver, Colorado,
this 7th day of November, 1957.

ea

Original

(Decision No. 49041)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOE A. HARRIS, DOING BUSINESS AS "HARRIS TRUCK LINE," RATON, NEW MEXICO, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO RED BALL MOTOR FREIGHT, INC., P.O. BOX 3148, DALLAS, TEXAS.	PUC NO. 411-I-Transfer

November 7, 1957

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

S T A T E M E N T

By the Commission:

Heretofore, Joe A. Harris, doing business as "Harris Truck Line," Raton, New Mexico, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 411-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Red Ball Motor Freight, Inc., Dallas, Texas.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness against said operation, if any there be.

O R D E R

THE COMMISSION ORDERS:

That Joe A. Harris, doing business as "Harris Truck Line," Raton, New Mexico, should be, and he hereby is, authorized to transfer

all his right, title and interest in and to PUC No. 411-I to Red Ball Motor Freight, Inc., Dallas, Texas, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 7th day of November, 1957.

ea

original

(Decision No. 49042)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LEROY A. LONHART, DOING BUSINESS AS "LONHART MILK LINE," 701 25TH AVENUE, GREELEY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-4612.	)	APPLICATION NO. 15799-PP-Extension

November 7, 1957

Appearances: Leroy A. Lonhart, Greeley, Colorado, pro se.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at the Court House, Greeley, Colorado, at 10:00 o'clock A. M., October 29, 1957, due notice thereof being forwarded to all parties in interest.

On October 25, 1957, the Commission, as provided by law, designated Anthony L Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitted a report of said proceedings to the Commission.

By the above-styled application, applicant herein seeks authority to extend operations under Permit No.B-4612 to include the right to transport milk from points within a radius of fifteen (15) miles of Cornish, Colorado, to Fort Collins, Colorado.

Leroy A. Lonhart, the Applicant appeared pro se.

Report of the Examiner states that at the hearing, Applicant

testified that he is the owner of Permit No. B-4612 and that his present authority is transportation of:

> milk, only, from points within a radius of 12 miles of Greeley, Colorado, to the Frink Creamery Company, only, at Fort Collins, Colorado, with the right to return empty cans or containers;
>
> Decision No. 45727, extended to: transportation of milk to points in Denver and within a radius of 10 miles thereof, from points within a radius of 12 miles of Greeley, Colorado, provided, however, that in that portion of said territory which may overlap the area certificated to Colorado Milk Transport, Inc., under PUC-375, he shall be permitted to add to his customer list and serve, only, Ray Misinger, William Burke, Arthur Frey, and Earl Tood, and in that portion of said territory which may overlap the area certificated to W. H. Short, under PUC-555; Consolidated Milk Lines, under PUC-557; Denio Milk Route, under PUC-556; Ed Mapes, under PUC-1425; and Harry Connell, under PUC-1427, he shall be permitted to add to his customer list and serve, only those customers whom he was serving on the date of hearing, to-wit: March 7, 1956, without authority to add any other customers residing in such over-lapping areas to his customer list without prior authorization from the Commission first obtained therefor.

That his present Statement of Customers and Description of Equipment, as filed, is substantially correct, and that he intends to immediately bring these filings up to date; that he has frequent demands for the service applied for and that he has been in operation continuously for approximately 5 years.

The next witness was Mrs. F. W. Baster, testifying in support of the application. The witness testified she operates a facility for the production of milk and cream in the area applied for, and that by means of the service offered by the Applicant, she would benefit financially by better grading, and that she would use the service of Applicant, if authority herein sought were granted.

Robert L. Frink, of Denver, Colorado, testified in support of the application, stating that if this application were granted, his business, Frink Creamery Company of Fort Collins, Colorado, would

be enhanced, and that the traffic of applicant is now being handled by his company.

Report of the Examiner further states that applicant is qualified, by experience, and is financially able to carry on the proposed extended operation; that there is a need for this service in the area applied for.

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

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

Report of the Examiner recommends that authority sought should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That applicant herein should be authorized to extend operations under Permit No. B-4612, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and hereby is, approved.

That Leroy A. Lonhart, doing business as "Lonhart Milk Line," Greeley, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-4612, to include the right to transport milk, from points within a radius of fifteen miles of Cornish, Colorado, to Fort Collins, Colorado.

This Order is made a part of the permit granted to appli-

cant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 7th day of November, 1957.

mls

(Decision No. 49043)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES AND REGULATIONS IN THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, FREIGHT TARIFF NO. 14, COLORADO P.U.C. NO. 13, ISSUED BY J. R. SMITH, CHIEF OF TARIFF BUREAU, 4060 ELATI STREET, DENVER 16, COLORADO; ALSO MOTOR TARIFF SERVICE, FREIGHT TARIFF NO. 1-A, COLORADO P.U.C. NO. 3, ISSUED BY JOHN P. NORMAN, MANAGER, 1410 16TH STREET, DENVER, COLORADO.

CASE NO. 1585

November 8, 1957

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission by the Motor Truck Common Carriers' Association and Motor Tariff Service on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective November 16th and 18th, 1957, respectively, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provisions of Rule 18, Paragraph C-(1)-(A) of the said Rules of Procedure, following the protest deadline (ten days prior to the proposed effective date) an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received in the office of the Commission relative to the proposed changes.

The following reasons have been submitted by the carriers in support of the changes.

For the account of Rio Grande Motor Way, Inc., and Southwestern Transportation Company:

Item No. 260, Section I (Commodity Rates), Motor Truck Common Carriers' Association, Tariff No. 14, Colorado P.U.C. No. 13, is being amended by adding brick, building, minimum weight 30,000 pounds, from Pueblo, Colorado to Canon City, Colorado, at a rate of 13 cents per 100 pounds, subject to the present existing conditions as provided for in this item and shown in Appendix "A".

The carrier states as justification for this addition being that substantial movements will develop from Pueblo to Canon City and the present rate is 18 cents on a minimum weight of 10,000 pounds, whereas the present item now covers brick, fire and/or fire clay (high temperature bonding mortar) from Canon City to Minnequa which is in the reverse direction at a 13 cent rate, minimum weight 30,000 pounds.

The bricks will be palletized and loaded and unloaded by consignor and consignee the same as for the fire bricks. The carrier states the bricks without exception now move in loads of 30,000 to 40,000 pounds.

Under the same circumstances and conditions there does not appear any justification for a difference in rates from Pueblo to Canon City than in the reverse direction.

For the account of Denver-Climax Truck Line, Inc.:

The above carrier, a party to Motor Tariff Service, Freight Tariff No. 1-A, Colorado P.U.C. No. 3, is increasing its class rates between Denver, Colorado, on the one hand, and Climax and Kokomo, Colorado, on the other hand, by 15 per cent.

In support of the above increases, the carrier submitted to this Commission a balance sheet and income and expense statement for a period April 30 to September 30, 1957, reflecting the following: Total revenue, $52,491.12; total expenses, $58,718.62, and a net operating loss of $6,227.50.

Decision No. 48058, dated June 4, 1957, the above authority was transferred from a partnership consisting of the estate of Ralph B. Grabill, Norman Ashlock and Barbara Ashlock, to the Denver-Climax Truck Line, Inc.

The annual report for the year ending December 31, 1956, shows freight revenues, $110,522.97; operating expenses, $109,979.99, and a net operating profit of $542.98; the operating ratio being 99 per cent. On the basis of said report, the revenue per ton mile is $.15894 and cost per ton mile of $.15816.

The Commission has been advised by the publishing agent that the revised pages reflecting the increases were mailed to the New York Office of the Climax Molybdenum Company on October 14, 1957. No protests have been received.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in Appendix "A", attached hereto, and made a part hereof, appear to represent just, fair and reasonable rates and charges and should be authorized and an order entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement, findings and Appendix "A", be, and the same are hereby made a part hereof.

2. This order shall become effective forthwith.

3. The rates, rules, regulations and provisions set forth in Appendix "A" shall on November 16th and 18th, 1957, be the prescribed rates, rules, regulations and provisions of the Commission.

4. All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

5. On and after November 16th and 18th, 1957, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in Appendix "A" shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

6. On and after November 16th and 18th, 1957, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. This order shall not be construed so as to compel a private carrier by motor vehicle to be, or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

9. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 8th day of November, 1957.

mem

APPENDIX "A"

For the account of Rio Grande Motor Way, Inc., and Southwestern Transportation Company:

Item No. 260, Motor Truck Common Carriers' Association, Tariff No. 14, Colorado P.U.C. No. 13, as follows:

Rates in Cents per 100 Pounds

COMMODITY	FROM	TO	RATES
Bricks, building, minimum weight 30,000 pounds.	Pueblo, Colorado	Canon City, Colorado	13
Subject to shipper's load and count and consignee's unload and count. Applies only on palletized shipments. One hour's free loading time and one hour's free unloading time will be allowed. All delays (not caused by the carrier or his agent) in excess of the free time allowed will be charged for at a rate of $5.50 per hour.			

For the account of Denver-Climax Truck Line, Inc.:

Section I (Class Rates), Motor Tariff Service, Tariff No. 1-A, Colorado P.U.C. No. 3 as follows:

Rates in Cents per 100 Pounds

BETWEEN / AND	Denver, Colorado											
	L. T. L.				Minimum Weight 5,000 Pounds				Minimum Weight 10,000 Pounds			
	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th
Climax	190	164	139	109	166	139	114	89	118	100	83	66
Kokomo	185	160	133	101	154	135	108	86	108	91	75	59

(Decision No. 49044)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF W. B. OWENS AND E. M. CLICKNER, CO-PARTNERS, GENERAL DELIVERY, CORTEZ, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15345
IN THE MATTER OF THE APPLICATION OF W. B. OWENS, GENERAL DELIVERY, CORTEZ, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15345-Amended
IN THE MATTER OF THE APPLICATION OF W. B. OWENS, GENERAL DELIVERY, CORTEZ, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENDED OPERATIONS UNDER PUC NO. 3785.	APPLICATION NO. 15694-Extension

INTERMEDIATE ORDER

November 8, 1957

Appearances: Garrison, Dilts & Hancock, Esqs., Cortez, Colorado, for Applicant;
McKelvey and McKelvey, Esqs., Durango, Colorado, for J. H. Strahan.

S T A T E M E N T

By the Commission:

On January 30, 1957, W. B. Owens and E. M. Clickner filed application with this Commission for authority to operate as a motor vehicle common carrier for the transportation of general freight, including household goods, equipment and appliances, and the storage of the same, between points located within the corporate limits of the City of Cortez, Colorado. The application was subsequently amended

to eliminate E. M. Clickner as an applicant.

This application was duly heard in Durango, Colorado, on May 17, 1957, and as a result of that hearing, our Decision No. 48033 issued June 3, 1957, granting the authority sought.

For some reason not indicated by the record, no notice of that application was sent to Dolores Truck Line at Dolores; to the owner of PUC-1592 (which is now owned by Pat O. Burns of Dolores); to Montezuma Truck Line at Durango; to Mr. J. A. Strahan at Durango; to Ed Haines of Durango; nor to Mr. Bill Wood at Cortez, all of whom may have some authority as motor vehicle common carriers to perform the service proposed.

On July 30, 1957, the applicant filed his present application by which, as amended, he seeks to have the authority granted by our Decision No. 49033 extended so as to authorize the same transportation between all points in Montezuma County and points abutting U. S. Highway 160 in Dolores County, including point to point service within the Town of Dove Creek, Colorado.

This extension application was set down for hearing and heard in Durango, Colorado, on September 17, 1957, upon due notice to Dolores Truck Line, Montezuma Truck Line and J. M. Strahan, among others.

The matter being called up for hearing, J. M. Strahan appeared; he protested the original grant of authority on the basis that it had been granted without notice to him, nor an opportunity to be heard in protest; he opposed the extension application also. Strahan asked that our Decision No. 48033 be vacated and held for naught and that the applicant be denied both the original and the extended authority he sought. Briefs in support of the views of the parties have been received and considered by the Commission, and the parties offered evidence in support of their views. The records of the Commission indicate that shipper witnesses appeared in support

of the original application at the time it was heard in June, and the extension application, when it was heard in September, to testify that they had found the existing common carrier service in Montezuma County and in western Dolores County inadequate. None of these witnesses knew of the availability of any service of the protestant Strahan in those two Counties. Mr. Strahan states that his main office is in Durango, some 48 miles from Cortez and 100 miles from Dove Creek. Nevertheless, he has apparent authority to perform the service the applicant seeks to perform and equipment available to perform it. Although he does not advertise through any local medium in Cortez, Dolores, or Dove Creek, and maintains no office nor telephone in any of these communities, he would like to obtain whatever business he can obtain there.

The problem to be resolved is not an easy one, if it is to be disposed of in fairness to all. It appears that in compliance with our Order the applicant has acquired equipment and commenced serving the public inside the City of Cortez. It does not appear that his operations have materially injured Strahan, or any other common carrier in the San Juan basin. The initial authority was granted the applicant only upon the testimony of public witnesses that the existing service in Cortez was inadequate. On the other hand, if Strahan, or any other common carrier in that territory, has committed finances and equipment particularly to serve the people of Cortez, that carrier should in all fairness be given an opportunity to make his showing as to what he is doing to serve the people of Cortez and how his operation might be adversely affected by the granting of additional authority there.

Upon mature consideration of the entire matter, we have concluded that no action should be taken to change the existing situation, nor enter any new final orders in the matter, until all of the persons who might be interested in, or affected by, the

original and the extension application have had notice and an opportunity to appear and present their cases in their entirety de novo. Upon the basis of the evidence presented at that time, we will dispose of the objections of any of the parties raised at that time. All persons who receive notice and a copy of this intermediate decision are advised that for purposes of hearing they should renew any objections they should wish to renew, and any objections not asserted and supported at the de novo hearing, will be disregarded, as will all of the evidence from prior hearings in this matter, unless re-introduced at the new hearing. An Order will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

That Application No. 15345-Amended and Application No. 15694-Extension should be re-set de novo at Durango, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15345-Amended and Application No. 15694-Extension be, and the same hereby are, re-set de novo at 1:30 P. M., November 20, 1957, at the County Commissioners' Hearing Room, New Court House, Durango, Colorado.

This decision shall not constitute, nor be considered, a final Order in these matters, but is an intermediate procedural Order only, entered for the purpose of advising all persons in interest of the present state of these proceedings.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1957.

mls

(Decision No. 49045)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PUBLIC SERVICE COMPANY OF COLORADO, 900 - 15TH STREET, DENVER, COLORADO, FOR AN ORDER AUTHORIZING IT, IN CONNECTION WITH ITS BUS OPERATIONS IN THE CITY OF BOULDER, TO COMMENCE TEMPORARY SERVICE FOR A PERIOD OF 90 DAYS OVER NEW ROUTES IN SAID CITY OF BOULDER.	APPLICATION NO. 15842

November 7, 1957

S T A T E M E N T

By the Commission:

In the instant application, as captioned above, request is made by Public Service Company of Colorado (hereinafter called the "Applicant" or the "Company"), for an order by this Commission to authorize the temporary trial operation of Applicant's Bus transportation system over certain extended routes within the City of Boulder, Colorado, all being within the territory as certificated to Applicant for Bus service and so authorized in this Commission's Decision No. 46281, dated August 13, 1956, Application No.13354 (PUC No. 3719)

The matter of extended bus routes in the City of Boulder was one of many items presented to this Commission at a public hearing held on May 4 and 5, 1955, at the Court House in Boulder, Colorado, when the above-mentioned Application No. 13354 was there heard. At that time, extensive construction work, street extensions, and annexation of new residential subdivisions was under way and no readily workable plan or route for service extensions was agreed upon. Therefore, in order to secure further information, the Commission appointed a three-man investigating Committee, composed of a representative from the local Bus Company,

from the City of Boulder, and from the staff of this Commission. In the assignment of its various duties pertaining to a study of rates, schedules, and service, the Committee was also charged with carrying out an investigation of the then-existing Bus routes in the City, and the possible extension of those routes or the establishment of new routes; as well as the feasibility of starting service on a trial basis to the new subdivisons or other areas in the City where service was requested.

After some delays, the Committee completed its report and submitted same concurrently to the City Council of the City of Boulder, Public Service Company of Colorado, and to this Commission. Report to the Commission was filed on September 3, 1957, and reference is hereby made to the following as contained in the report:

ROUTING (New Areas)

"In studying the requests for bus service to new areas, we have given attention to the information received at our public hearing and have made a series of trips over the various streets to determine the safest and the most practical routes. We suggest a trial re-routing of the North No. 1 route to turn east at Elder and Broadway, extend to 17th Street, south on 17th to Cedar, east on Cedar to 19th, south on 19th to Balsam, and west on Balsam to Broadway. This would serve parts of Edgewood Subdivision until certain other streets are opened up and improved so that better coverage could be obtained in the Edgewood and Green Meadows Subdivisions.

We are recommending a trial installation to serve the Bureau of Standards, Highland Park, Martin Acres area by operating the bus on Route No. 1 (East University) from 18th and Baseline along Baseline to Marshall Road, south on Marshall Road through the Bureau of Standards to 27th, thence on 27th to Lashley Lane, Lashley Lane to 28th, on 28th to Dahlia, on Dahlia to 30th, on 30th to Birch, on Birch to 31st, on 31st to Ash, on Ash to Martin Drive, on Martin Drive to 41st, on 41st to South Boulder Road, on South

Boulder Road to Marshall Road, return via Marshall Road and Lashley Lane to Baseline, and on Baseline to 18th Street.

It is our conclusion, that while these areas are still developing, it may be necessary to make certain route adjustments; further, we propose a trial period of 90 days during which time the riding habits and patronage along the routes will be studied and tabulated. In order to continue the extension beyond the trial period, it will be necessary that the patronage and revenues on a bus mile basis of the extension shall at least equal the average patronage and revenue of the remainder of the system. Because there are no areas of heavy riding concentration to support light riding, it is necessary that each extension should at least meet the same average level of operations as established by the city-wide operation."

F I N D I N G S

THE COMMISSION FINDS:

Resulting from the testimony as presented in our earlier hearing; from information as developed in a series of investigations by representatives of the Bus Company, by the Traffic Consultant of the City of Boulder, by the staff of this Commission, and, finally, from the Report as submitted by the Bus Service Committee; we have acquired extensive knowledge pertaining to the transportation needs in the City of Boulder.

It appears that Boulder has enjoyed a sizeable growth in area and population; improved access roads and the location of new industries in the surrounding areas have all contributed to a new type of suburban living and expansion. The request for public transit facilities into these new areas is readily understandable, but we still have the unknown element of patronage by those residents.

Therefore, after consideration of the Report of the Bus Service Committee, together with an approval thereof, as granted by the City Council of Boulder in Resolution No. 50 (Series 1957),

and in order to determine the economic feasibility and justification for approving permanent transit service extensions in the City of Boulder, Colorado, we will herewith authorize the institution and maintenance of a trial bus operation by Public Service Company of Colorado, as follows:

1. Type, schedule and route: To provide the following described extended service as a part of its regular operations and in conformance with the proposed tariff and schedules as filed with this Commission on October 8, 1957, to become effective November 7, 1957.

   (a) Edgewood and Green Mountain Subdivisions - At Elder and Broadway to extend Route No. 1 east on Elder Avenue to 17th Street; south on 17th to Cedar Avenue; east on Cedar to 19th Street; south on 19th to Balsam Avenue, and west on Balsam to Broadway and return to regular route.

   (b) Highland Park - Martin Acres - At 18th Street and Baseline to extend Route No. 1 east on Baseline to Marshall Road; south on Marshall Road through the Bureau of Standards to 27th Street; thence on 27th to Lashley Lane; on Lashley Lane to 28th; on 28th to Dahlia; on Dahlia to 30th; on 30th to Birch; on Birch to 31st; on 31st to Ash; on Ash to Martin Drive; on Martin Drive to 41st; on 41st to South Boulder Road; on South Boulder Road to Marshall Road; return via Marshall Road and Lashley Lane to Baseline; on Baseline to 18th Street and return to regular route.

2. Conditions:

   (a) That the proposed trial services be established only with the understanding that the operation will be terminated at the end of a ninety-day trial period if there is not sufficient patronage and revenue on a bus-mile basis over the extension to at least equal the average patronage and revenue of the whole system.

   (b) That if patronage does not justify continuance of the proposed service beyond the ninety-day trial period, then it shall be discontinued after three days' notice to the public in the area involved and without a public hearing; unless the Company makes request to this Commission for further extension of the trial operation.

(c) That before and during the trial operation, there should be ample publicity to describe the proposed service and to give notice that the service is on a preliminary trial to determine rider needs.

(d) That the Company keep an accurate record of passengers carried on the proposed extensions and to forward to the Commission a twice-monthly statement to show the number of patrons, and total revenues earned. Said statement shall also show the extension patronage per bus-mile as compared with the average per bus-mile Revenue and Expense of the whole system.

The above routing extensions are offered only as tentative proposals for the purpose of this trial operation and may be adjusted or altered as operating data may indicate; however, any route changes shall be subject to approval and issuance of appropriate authority by the City of Boulder, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company should be, and hereby is, permitted to institute service in accordance with the Findings hereinbefore set forth, and which, by reference, are made a part hereof.

That service under this Order shall be at the same rates and charges, and upon the same schedules as filed with this Commission on October 8, 1957, and shall concurrently become effective therewith on November 7, 1957.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins

John P. Thompson

Joseph F. Mayo

Commissioners.

Dated at Denver, Colorado,
this 7th day of November, 1957.

ea

(Decision No. 49046)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE FARES AND TIME SCHEDULES)
OF THE PUBLIC SERVICE COMPANY) CASE NO. 5140
OF COLORADO BUS OPERATION IN)
BOULDER, COLORADO.)

November 7, 1957

S T A T E M E N T

By the Commission:

On October 8, 1957, Public Service Company of Colorado filed with the Commission new schedules of fares, time of operation of busses and routes for application in the City of Boulder, to become effective November 7, 1957.

The present and proposed fares and time schedules are as follows:

RATE:

PRESENT

Fare per passenger for passengers over 12 years of age - - - - - - - - - - - - - - - - $.10

Fare per passenger for passengers between ages of 5 and 12 - - - - - - - - - - - - - - - - .05

PROPOSED

Fare per passengers over 12 years of age, - - - $.15
or
Adult token fares (4 tokens for $.50) - - - - - - .125

Fare per passenger for passengers between ages of 5 and 12, - - - - - - - - - - - - - - - - .10
or
Token fares (4 tokens for $.25) - - - - - - - - - .0625

REGULAR SCHEDULES:

PRESENT

	Approximate Hours	Time Interval
Weekdays and Saturdays	6:45 A.M. to 10:00 A.M.	30 Minutes
	10:00 A.M. to 6:00 P.M.	20 Minutes
	6:00 P.M. to 11:00 P.M.	30 Minutes
Sundays and Holidays	6:45 A.M. to 11:00 P.M.	30 Minutes

REGULAR SCHEDULES: (Continued) PROPOSED

	Approximate Hours	Time Interval
Weekdays and Saturdays	6:45 A.M. to 6:30 P.M.	30 Minutes
Sundays and Holidays*	9:00 A.M. to 5:00 P.M.	30 Minutes

* - Excluding New Year's Day, Christmas Day, Memorial Day, Fourth of July, Labor Day and Thanksgiving Day. No service will be rendered on these days.

REGULAR ROUTES:

There is practically no proposed change in the routes; therefore, no good purpose would be accomplished by setting forth the routes in this statement.

In Application No. 13354, Decision No. 46281, dated August 13, 1956, the Commission recommended that a Bus Service Committee be created composed of a representative of the Commission, the industry and the City of Boulder, for the purpose, inter alia, of conducting an investigation of the existing bus service in Boulder, the needs of service to new areas, the time schedules, rates and overall public transportation requirements which can be reasonably provided by the bus company. The report of that Committee was filed with the Commission on September 3, 1957; the schedule and fare changes filed to become effective November 7, 1957 are as recommended by that report.

On October 25, 1957, there was filed with the Commission objections to the proposed changes in fares and time schedules of service by John J. Pudlik, a resident and citizen of the City of Boulder, Colorado, and a member of the City Council of said city, through his attorneys, James H. Snyder and John H. Schultz, 212 Majestic Building, Denver, Colorado.

This instrument filed by the above named parties sets forth its objections to the proposed changes, but it contains no request or prayer for the suspension of the said schedules containing the proposed changes.

Complaint by letter was also made November 4, 1957, by K. E. Barnhill of Boulder, Colorado, concerning the reduction in frequency and duration of service.

Using its discretionary power as authorized in 115-6-11, 1953, C.R.S., the Commission has decided not to suspend the proposed changes to become effective on the advertised date, viz: November 7, 1957. However, the Commission, in order to assure that substantial justice has been accomplished, feels that it should enter upon a hearing concerning the reasonableness and justness of the increased fares and the curtailment of the bus service, so that those dissatisfied with the new fares and schedules may present their views directly to the Commission.

F I N D I N G S

THE COMMISSION FINDS:

1. That it should enter into an investigation of the bus operation of the Public Service Company of Colorado in the City of Boulder.

2. That the said Public Service Company of Colorado should be required at a hearing hereinafter designated to show good and sufficient evidence to justify the proposed fares and time schedules.

3. That any party having an interest herein should be prepared to present evidence and testimony at the hearing in support of his position.

4. That this proceeding is not one wherein its staff should assume the burden of proof in and by themselves. In other words, the Commission is interested in getting the facts from whatever source such facts may be produced.

O R D E R

THE COMMISSION ORDERS, That:

1. This order shall become effective forthwith.

2. The statement and findings be and they are hereby made a part hereof.

3. An investigation of the fares, rates and routes of the Public Service Company of Colorado of its bus operation in the City of Boulder, be and the same is hereby instituted by the Commission on its own motion.

4. The Public Service Company of Colorado be and it is hereby required to present good and sufficient evidence and testimony in justification of its proposed fares and time schedules.

5. That this proceeding be, and the same is hereby assigned for hearing December 4, 1957, 10:00 O'Clock, A.M., in the County Court House in Boulder, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 7th day of November, 1957.

mem

original

(Decision No. 49047)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE PREBISH, JR., DOING BUSINESS)
AS "PREBISH'S GRAVEL PIT," ROUTE 1,)
KERSEY, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 15796-PP-Transfer
TRANSFER PERMIT NO. B-5180 TO R. O.)
BROWN, BOX 73, KERSEY, COLORADO.)
- -

- - - - - - - - - -
November 12, 1957
- - - - - - - - - -

Appearances: R. O. Brown, Kersey, Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, George Prebish, Jr., doing business as "Prebish's Gravel Pit," Kersey, Colorado, seeks to transfer Permit No. B-5180 to R. O. Brown, Kersey, Colorado.

Said application was regularly set for hearing before the Commission at the Court House in Greeley, Colorado, at ten o'clock A. M., on October 29, 1957, due notice thereof being forwarded to all parties in interest.

On October 25, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing; he thereafter submitted a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing the transferor, George Prebish, Jr., doing business as "Prebish's Gravel Pit," seeks to transfer Permit No. B-5180, which includes the following authority:

Transportation of lumber, building supplies and materials, from yards of Kersey Lumber Company at Kersey, Colorado, to customers of said company within a radius of ten miles of Kersey, Colorado; coal, from mines in the northern Colorado coal fields, and from Fort Lupton, Colorado, to Kersey, Colorado, and to points within a radius of ten miles thereof; tile, from Denver, Colorado, to Kersey, Colorado, and to customers of said company within a radius of ten miles of Kersey, Colorado, operations under said permit to be limited to service to the one customer only, viz., Kersey Lumber Company, Kersey, Colorado, with no authority to add other customers unless permission from this Commission is first had and obtained.

The witness and transferee, R. O. Brown, Kersey, Colorado, testified that he is the owner of a 1949, 2-ton Ford Truck with a value of $1,000; that his net worth is $7,500; that he has had experience in the trucking business since 1940; that he is familiar with and will comply with all the rules and regulations of this Commission and the State of Colorado.

Report of the Examiner further states that applicant is qualified by experience and is financially able to carry on the operations under this application and it is recommended that a permit be granted as defined in the application.

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

Report of the Examiner recommends that the instant application be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said operation, if any there be.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That George Prebish, Jr., doing business as "Prebish's Gravel Pit," Kersey, Colorado, should be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-5180 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to R. O. Brown, Kersey, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

This Order is made a part of the permit authorized to be transferred.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hudson

John L. Thompson

Joseph J. Hijar

Commissioners.

Dated at Denver, Colorado,
this 12th day of November, 1957.

mls

original

(Decision No. 49048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ERNEST T. BAESSLER AND PAUL D.BOYER, CO-PARTNERS, DOING BUSINESS AS "BOYER & BAESSLER," 2225 AMES, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO PAUL BOYER, 2225 AMES, DENVER, COLORADO.	PUC NO. 3617-I-Transfer

November 8, 1957

S T A T E M E N T

By the Commission:

Heretofore, Ernest T.Baessler and Paul D. Boyer, co-partners, doing business as "Boyer & Baessler," Denver, Colorado, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 3617-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Paul Boyer, Denver, Colorado, said Ernest Baessler being desirous of withdrawing from said partnership.

The records and files of the Commission fail to disclose any reason why said transfer should not be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Ernest T. Baessler and Paul D. Boyer, co-partners, doing business as "Boyer & Baessler," Denver, Colorado, should be, and they hereby are, authorized to transfer all right, title and

interest in and to PUC No. 3617-I to Paul Boyer, Denver, Colorado, said Ernest T. Baessler being hereby authorized to withdraw from said partnership.

That transfer of operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1957.

ea

(Decision No. 49049)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF FRED RANKIN, DOING BUSINESS AS "RANKIN ELECTRICAL COMPANY," 9620 EAST COLORADO AVENUE, DENVER, COLORADO.	PERMIT NO. M-4591 CASE NO. 82772-INS.

November 8, 1957

S T A T E M E N T

By the Commission:

On October 25, 1957, the Commission entered its Order in Case No. 82772-Ins., revoking Permit No. M-4591 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-4591 should be, and the same hereby is, reinstated, as of October 25, 1957, revocation order entered by theCommission on said date in Case No. 82772-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph V. Negro
Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1957.
ea

(Decision No. 49050)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF JOHN V. RYAN AND EVERETTE R. BAILEY, CO-PARTNERS, DOING BUSINESS AS "ACKLEY TRUCK LINE," 2002 DELGANY STREET, DENVER, COLORADO.	PERMIT NO. A-18 CASE NO. 82365-INS.

November 8, 1957

S T A T E M E N T

By the Commission:

On September 20, 1957, the Commission entered its Order in Case No. 82365-Ins., revoking Permit No. A-18 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. A-18 should be, and the same hereby is, reinstated, as of September 20, 1957, revocation order entered by the Commission on said date in Case No. 82365-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph F. Keyes

Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1957.

ea

(Decision No. 49051)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF JAMES H. CLARK, P. O. BOX 155, EAST OREM, UTAH.	PERMIT NO. M-11617 CASE NO. 82605-INS.

November 8, 1957

S T A T E M E N T

By the Commission:

On October 25, 1957, the Commission entered its Order in Case No. 82605-Ins., revoking Permit No. M-11617 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-11617 should be, and the same hereby is, reinstated, as of October 25, 1957, revocation order entered by the Commission on said date in Case No. 82605-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
John P. Thompson
Joseph F. Higgins
Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1957.

ea

(Decision No. 49052)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RANCHAVEN INDUSTRIES, INC., BOX) PERMIT NO. M-4835
539, GLENWOOD SPRINGS, COLORADO.) CASE NO. 82589-INS.
- - - - - - - - - - - - - - - - - -)

- - - - - - - -
November 8, 1957
- - - - - - - -

S T A T E M E N T

By the Commission:

On October 25, 1957, the Commission entered its Order in Case No. 82589-Ins., revoking Permit No. M-4835 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-4835 should be, and the same hereby is, reinstated, as of October 25, 1957, revocation order entered by the Commission on said date in Case No. 82589-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1957.

ea

(Decision No. 49053)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SAN ISABEL ELECTRIC ASSOCIATION, INC., 316 WEST 15TH STREET, PUEBLO, COLORADO, A COLORADO CORPORATION, FOR AN ORDER AUTHORIZING IT TO ENTER INTO EXTENSION AGREEMENTS WITH THE RURAL ELECTRIFICATION ADMINISTRATION AS TO LOANS PREVIOUSLY AUTHORIZED FROM SAID ADMINISTRATION IN THE SUMS OF $780,000.00 AND $89,788.65 RESPECTIVELY.	APPLICATION NO. 15812-Securities

November 8, 1957

Appearances: Leo S. Altman, Esq., Pueblo, Colorado, for Applicant;
Robert F. Welborn, Esq., Denver, Colorado, for the Colorado Fuel and Iron Corporation, Pueblo, Colorado;
J. M. McNulty, Denver, Colorado, and
E. R. Thompson, Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, San Isabel Electric Association, Inc., a Colorado Corporation, seeks authority from this Commission to enter into two extension agreements concerning two mortgage notes, one dated November 1, 1955, in the sum of $780,000.00, and one dated November 2, 1955, in the sum of $89,788.65.

The matter was set for hearing, after due notice to all interested parties, on Tuesday, November 5, 1957, at 10:00 o'clock A. M., at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and was there heard by the Commission, and taken under advisement.

Applicant is engaged in the business of purchasing, acquiring, accumulating, transmitting, distributing, furnishing and selling electricity to its members and non-members on its lines in the Counties of Pueblo, Custer, Huerfano, Otero, Fremont and Las Animas, in the State of Colorado. The principal office of the applicant is at Pueblo, Colorado.

Testimony at the hearing revealed that applicant previously had entered into notes payable to The United States of America, one dated November 1, 1955, in the amount of $780,000.00 with a final maturity date of November 1, 1990, and one dated November 2, 1955, in the amount of $89,788.65 with a final maturity date of November 2, 1980. In Application No. 13592, Decision No. 44551, this Commission approved applicant's assumption of obligation to the United States Government comprising the issuance of a mortgage note for $780,000.00 and the assumption of the unadvanced loan to Monument Electric Company in the amount of $89,788.65. It is with regard to these respective notes on which funds have not been advanced that applicant is now seeking approval by this Commission of extension agreements thereto, Exhibits Nos. 1 and 2 herein. Fees for approval by this Commission of such indebtedness were paid at the times such approvals were granted.

Applicant's witness stated that the San Isabel Electric Association, Inc., is current on all of its payments, both as to principal and interest on all of its outstanding loans from the Rural Electrification Administration. In support of its current financial status, applicant introduced in evidence a Balance Sheet as of September 30, 1957, Exhibit No. 3, and a Statement of Income and Expense for the Twelve Months Ending September 30, 1957, Exhibit No. 4. Exhibits Nos. 1, 2, 3, and 4 are made a part of this Statement by reference.

No protests were filed with the Commission in regard to this matter and no one appeared at the hearing in opposition to the

granting of the authority sought.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of San Isabel Electric Association, Inc., as to the subject matter of the instant application.

That the Commission is fully advised in the premises.

That the execution by San Isabel Electric Association, Inc., of an Extension Agreement with relation to the note dated November 1, 1955, in the amount of $780,000.00, Exhibit No. 1, should be authorized and approved.

That the execution and delivery by San Isabel Electric Association, Inc., of the Extension Agreement with relation to the note dated November 2, 1955, in the amount of $89,788.65, Exhibit No. 2, should be authorized and approved.

That within one hundred twenty (120) days after the execution of any of the instruments authorized herein, applicant should file an executed copy of said instrument with the Commission.

O R D E R

THE COMMISSION ORDERS:

That the execution of an Extension Agreement with relation to the note dated November 1, 1955, in the principal amount of $780,000.00 payable to The United States of America in the form set forth in the Extension Agreement which is Exhibit No. 1, be, and it is hereby, authorized and approved.

That the execution of an Extension Agreement with relation to the note dated November 2, 1955, in the principal amount of $89,788.65, payable to The United States of America in the form set forth in the Extension Agreement, which is Exhibit No. 2, be, and it is hereby, authorized and approved.

That within one hundred twenty (120) days of the execution of any of the instruments authorized herein, applicant shall file an executed copy of said instrument with the Commission.

That the authorizations and approvals above given apply only to the portion of the above described notes which have to do with the properties subject to the jurisdiction of this Commission.

That nothing herein contained shall be construed to imply any recommendation or guarantee of, or obligation with respect to, said securities on the part of the State of Colorado.

That the Commission retains jurisdiction of the proceedings to the end that it may make such further Order or Orders in the premises that it may deem to be proper and desirable.

That the authority herein granted shall be authorized from and after this date, this Order being made effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 8th day of November, 1957.

mls

(Decision No. 49054)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JAMES S. WHEATLEY, ROBERT S.MITCHELL, AND NATHAN R. KOBEY, 704 EQUITABLE BUILDING, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE OPERATION OF A WATER UTILITY, SERVING AREAS IN JEFFERSON, DOUGLAS AND ARAPAHOE COUNTIES, STATE OF COLORADO.	APPLICATION NO. 15600

November 12, 1957

Appearances: Kobey and Mitchell, Esqs., by Nathan R. Kobey, Esq., Denver, Colorado, for Applicants;
A. L. Mueller, Esq., Everett R. Thompson, and J. M. McNulty, all of Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

On June 10, 1957, the above-entitled application was filed with this Commission requesting that a certificate of public convenience and necessity be granted for the rendering of water service and sewage disposal service in a certain area as described in said application.

The matter was duly set for hearing by the Commission, upon notice to all interested parties, on Thursday, October 17, 1957, at ten o'clock A. M., in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and at the conclusion of the hearing, the matter was taken under advisement by the Commission.

The application, as originally filed, was in the names of James S. Wheatley, Robert S. Mitchell, and Nathan R. Kobey, on behalf of Colorado Water and Power Company (Water Company or Applicant),

then in the process of being organized. At the hearing, the Applicant requested that Applicant be designated as said Colorado Water and Power Company, a corporation duly organized in the State of Delaware and authorized to do business in the State of Colorado. There being no objection, the Commission permitted said change.

The Directors of the Colorado Water and Power Company are listed as T. R. Gillenwaters, Denver, Colorado; J. Richard Pierce, Pine Bluff, Arkansas; and Robert S. Mitchell, Denver, Colorado. The officers and executives are T. R. Gillenwaters, as President; Sam J. Joseph, Vice-President and General Manager; Robert S. Mitchell, Secretary-Treasurer. The Certificate of Incorporation of the Colorado Water and Power Company was filed in the instant matter as Exhibit No. 3. The certificate for the authorization to do business in the State of Colorado was filed as Exhibit No. 2, and the By-Laws of the Corporation were filed as Exhibit No. 1.

Mr. Gillenwaters, as President of the Colorado Water and Power Company, testified at the hearing that the purpose of the formation of said corporation was to furnish water and sewage disposal service on certain lands under option to purchase by Giant Community Development Corporation, (Giant), of which he is also the President. As shown by Exhibit No. 6, identified by the witness, the Colorado Water and Power Company, as of September 20, 1957, had cash on hand in the amount of $7,000, and has issued 9,000 shares of $1.00 par capital stock, 2,000 shares of which have been exchanged for services rendered. In order to take care of initial development of the water and sewer plants, it is estimated that $500,000 will be required. Giant will loan to the Water Company the $500,000 without security, and at one-quarter of one per cent more than Giant will have to pay for its money. In addition, Giant will pay the direct operating losses, if any, of the Water Company for a period of three years to the extent not exceeding $20,000, which amount has been estimated as the possible loss for said period. A letter of

agreement between the Water Company and Giant was identified by the witness and introduced as Exhibit No. 5. This agreement provides, among other things, that if and when a certificate of public convenience and necessity is granted by this Commission to the Water Company, Giant will transfer to the Water Company all of its interests, rights, and title in and to the water rights which Giant at the present time has an option to purchase, at an agreed price of not to exceed $1,000 per inch of river water, and at a price to be negotiated for storage facilities. The amounts due Giant shall be paid by the Water Company by the execution and issuance of income participating certificates bearing interest not to exceed one-quarter of one per cent per annum more than Giant pays as interest on its borrowed funds. The participating certificates shall assign 15% of gross revenue, or 30% of net income, or 100% of all net income in excess of $25,000 per annum, whichever is largest, for the payment of said loan. Giant will also grant a moratorium on interest on said certificates for a period of two years unless the income from the Water Company shall be adequate to pay the same. Cross-examination revealed that if the interest is not paid, it will not be added to the principal. The participating certificates, however, under the agreement have a priority over any subsequent mortgages or liens on the property.

The witness also identified Exhibit No. 8, a letter of agreement by and between the Water Company, Mr. Joseph and Mr. Pierce, the General Manager and Utility Consultant, respectively. This agreement states the terms and conditions and the policy to be followed by and between the parties in regard to the management and operation and remuneration for services. Mr. Joseph is presently acting as General Manager of the Water Company and Mr. Pierce is presently an officer in that same Company. The experience of these men as operators of a water and sewage utility is of record with this Commission.

The $500,000 to be loaned by Giant is for the purpose of getting the water and sewer company plant under construction and does not represent the total amount of money that will be finally invested as the contemplated project moves to completion. It is anticipated that initial construction will consist of shallow water wells, transmission mains, water treatment and storage facilities, outfall sewer lines and sewage disposal plant. It is contemplated that home builders in the area will install both water distribution and sewage collection lines under the specifications and supervision of the Water Company, which in turn will be donated to said Water Company. Since this type of investment will be donated, it is contemplated that this investment will not become a part of the rate base for rate-making purposes.

It is estimated that in the area sought to be certificated herein, 3,500 homes can be built in addition to churches, schools and shopping centers. The water to supply the community will come from three principal sources: shallow wells, deep wells to both the Arapahoe and Fox Hills formations, and by purchase of water from the City of Littleton. This Commission on numerous previous occasions has stated that one of the primary functions of a water company is to furnish water service and in order to do so the Applicant must have adequate water and the legal right to use such water. The Commission ordinarily requires at least two different sources of water so that in the event of failure of one source, service can continue from the alternate source. The testimony in the instant application reveals that if this project as now contemplated were finalized, it would need all of the water it now claims from all its sources in order to supply the area sought to be certificated. This would require six wells to the Arapahoe and six wells to the Fox Hills, together with all presently-held surface water rights and a part of the water available from the City of Littleton.

Mr. E. G. Waggoner, Engineer-Geologist, testified that, in his opinion, it would be possible to drill deep wells in the area sought to be certificated and that these wells should produce a minimum of 50 gallons per minute, making a total of 600 gallons per minute, according to his estimate. While no deep wells have actually been dug by the Applicant, and no others are presently located in the area, he based his knowledge on wells located a short distance away from the area sought to be certificated. He also felt that possibly some of these wells would produce more than the minimum 50 gallons a minute, and that it would be possible to use this water continuously without damage to the well. However, the actual performance by a well can only be judged after the well has been drilled and tested.

The surface water rights now held by Giant that are to be transferred to the Water Company are in the Nevada Ditch, Last Chance Ditch, and the Brown Ditch. These rights were established under various decrees as shown on Page 7 of Exhibit No. 10, and considering the historic average daily diversion during the irrigating season, and the portion to be owned by the water company, there would be available 1.36 cubic feet per second, or 610 gallons of water per minute. It is proposed to divert this amount of water by digging shallow wells into the alluvium of the stream, rather than by surface diversion, thus reducing filtration problems. This is about the same amount that would be available from the deep wells mentioned above, if the estimated minimum of 50 gallons per minute only were obtained. Exhibit No. 10 also sets forth, on Page 19, the estimated theoretical requirements in gallons per capita per day, and the maximum usage shown therein approximates 260 gallons. Since we are concerned with the availability and deliverability of water to the project, we will accept for the purpose of calculation the 260 gallons per capita figure. This same exhibit uses the figure 3.5 persons per tap in arriving at a population study, and we will accept this figure

also for the purpose of calculation. Assuming the 260 gallons per day per capita and 3.5 persons per house, a residence connection would require 910 gallons per day. The 610 gallons per minute from the shallow wells would produce 878,400 gallons per day and, at the rate of 910 gallons per house, this amount of water would provide service to 965 houses. Since the deep wells on a minimum basis would provide approximately the same amount of water from another source, there should be adequate water for this number of houses. After the sewage plant is built, Applicant proposes to deposit effluent in the stream, using water from the deep wells in the effluent, and to withdraw from the stream through shallow wells, an amount equal to the water contained in the effluent. This plan, if followed, would provide additional support for whatever withdrawal may be made from the stream by means of the shallow wells. However, until such time as the deep wells are producing water and the sewage plant is in operation, the amount of this water is unknown. In all events,the effluvia involves the use of deep well water already mentioned, and thus has already been taken into account. Applicant has an agreement with the City of Littleton for the purchase of up to two million gallons a day, providing Littleton does not need this water for its own use. The source of this water is from two deep wells and from surface water rights of irrigation ditches, including certain ditches that the water company will use as its source, and of course the time of year when the Applicant would have maximum need for this water is the very time when the City of Littleton could also have maximum need for it.

The shallow well water which Applicant proposes to use is based on ditch rights as previously stated, but the Applicant proposes to take this water from shallow wells rather than from the ditches. This may be considered a change of point of diversion. As far as this record reveals, the water under the ditch rights is agricultural water and Applicant herein proposes to use it for domestic

purposes, which in turn involves a change in nature as well as the volume of the use. Since we are not dealing with adjudicated rights for the purpose intended, there may be some question raised in the future as to these rights, or at least as to the amount of water under the rights which Applicant might be entitled for its use. We feel it incumbent upon us therefore, in order to protect the home-buying public, that until such time as Applicant can prove to the Commission that it is entitled beyond question to use all of the surface water it claims, for the purposes here intended, we will require that this surface water be reinforced by deep well water. The testimony in this proceeding shows that Applicant will ultimately develop six deep wells and it appears that based on the estimated minimum production of these wells, approximately 600 gallons per minute will be available, which will provide reinforcement of the shallow well water. It would not be economically feasible at the outset of the project to drill all six wells in order to firm up the shallow well water and so in our Order to follow, we will provide for a method whereby Applicant can proceed in an orderly manner on a piece-meal basis. It is the intent of Applicant to develop this area in segments, and our Order should not prove a hinderance to the plans as proposed, but will afford an opportunity to evaluate the source and quantity of water as it is developed. By having deep well water of proven quantity, Applicant can then draw from its shallow wells the full amount up to its historic average daily diversion in the amount of 610 gallons per minute. As conditions warrant, Applicant can make further showing before this Commission as to the source of additional water with sufficient proof to satisfy the Commission that it has a right to use said water for the purposes intended.

Testimony was offered at the hearing in regard to the type of plant to be constructed for both water and sewage facilities and the Water Company has agreed to furnish to the Commission a copy of the approval of the Sanitation Department of the State Board of Health

in regard to these plans. The proposed area of service has been platted showing the ultimate layout of the proposed community. Apparently, this area will lend itself to the development proposed with a minimum of changes in topography. There has been considerable planning in regard to the development of the site, and it was apparent from the testimony of the witnesses that they believed this project is not only feasible but very desirable. Testimony from one of the witnesses who had considerable experience in home building was to the effect that he was interested in building in the area and believed that the location was excellent and should prove a desirable development.

Since Giant is to loan the money to the Water Company, there was some testimony in the record in regard to the financing by Giant. The testimony as to the success of the financing was in part predicated upon the issuance of a certificate of public convenience and necessity to the Water Company. If this occurred, then it was believed that Giant would be able to sell debenture securities on the open market and in turn loan money to the Water Company up to the $500,000 previously mentioned. The Commission, as a condition precedent to granting the certificate, must be assured that there is adequate financing on a firm basis to perform under the certificate. Since the proposed financing is on a contingent basis, we feel the certificate to be granted herein must be on a contingent basis as we have no assurance on the record that the Water Company will have any money available to it other than the $7,000 cash on hand it had as of September 20, 1957. Accordingly, in our Order to follow, we will grant the certificate sought herein with certain restrictions necessitated by the type of financing planned.

After reviewing the testimony and exhibits presented herein, we feel that public convenience and necessity require the granting of a certificate with certain restrictions as set forth in the Order to follow.

The fee for the issuance of the certificate sought herein shall be based on the estimated amount of capital to be invested by

the Applicant in the amount of $500,000. This fee is due and payable at the start of construction of the initial project.

F I N D I N G S

THE COMMISSION FINDS:

That the above Statement be made a part of these Findings by reference.

That this Commission has jurisdiction of the subject matter of the instant application.

That the Commission is fully advised in the premises.

That public convenience and necessity require the construction, maintenance and operation of both a water and sewage system in the area as proposed under the conditions set forth in our Order to follow.

O R D E R

THE COMMISSION ORDERS:

That this Order shall be taken, deemed and held to be a certificate of public convenience and necessity to the Colorado Water and Power Company for the construction, maintenance and operation of both a water and a sewage system, to supply service in the following area:

> All of Section 25, Township 5-South, Range 69-West of the Sixth Principal Meridian except the Northeast One-quarter thereof.
>
> And all of Section 36, Township 5-South, Range 69-West of the Sixth Principal Meridian.
>
> And all of Section 31, Township 5-South, Range 68-West of the Sixth Principal Meridian lying West and North of the South Platte River except the North one-half of the North One-half of Section 31.
>
> And all of that part of the North One-half of the Northeast One-quarter of Section 1, Township 6-South, Range 69-West of the Sixth Principal Meridian lying North and West of the South Platte River.
>
> And that part of the North One-half, Northwest One-quarter of Section 6, Township 6-South, Range 68-West of the Sixth Principal Meridian lying North and West of the South Platte River.

That the certificate granted herein is contingent upon the following conditions:

(1) That Applicant shall, at a hearing to be held before this Commission, show that it has obtained the $500,000 in funds necessary to carry out its plans prior to the start of construction of either the water or sewer system, in such manner as to have a sound and stable capital structure.

(2) That the authority granted by the certificate herein shall be for the initial construction of 500 houses until such time as Applicant can obtain from the Commission a supplemental order granting authority to serve additional housing units, upon a showing that it has acquired or developed suitable additional water.

That at such time as Applicant begins construction of the water and sewage system authorized herein, it shall report in writing to the Commission, beginning quarterly on January 1, April 1, July 1, and October 1, the status of the development of both the water and sewage construction; this report to show as it pertains to the water system and the number of wells drilled both deep and shallow, the production in gallons per minute from each well with the corresponding draw-down, if known; the number and type of wells planned to be drilled in the next quarter period; the number of houses connected to the system; the number of houses expected to be connected to the system in the next quarter; the water storage available, together with the amount of water in storage; the proposed construction and the capacity thereof of any new storage planned in the next quarter.

That Applicant shall obtain and file with the Commission copies of the approval of the State Department of Health prior to the rendering of any water or sewage service in the area to be certificated.

That Applicant shall construct, maintain and operate both the water and sewer systems in accordance with good engineering practices and in conformity with the rules and regulations of this Commission and the Department of Public Health of the State of Colorado.

That at least fifteen (15) days prior to the rendering of either water or sewage service in the designated area, Applicant shall file with this Commission, the rates, rules and regulations under which it proposes to render said service.

That Applicant shall concurrently with its development of shallow well water, develop from a deep well source at least an equal amount of water.

That Applicant shall file with the Commission separate rates, rules and regulations for water service and for sewage service.

That Applicant shall at the completion of its construction program file with this Commission separately, the "as constructed" plans of the water and sewage system, together with the itemized cost of said system.

That Applicant shall keep separate as between the water and sewage systems the property accounts, records, income and expenses and it shall maintain its accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That the Commission shall retain jurisdiction of this matter to issue such further order or orders as may be necessary.

That this Order shall become effective twenty-one (21) days from the date hereof.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 12th day of November, 1957.

ea

original

(Decision No. 49055)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
H. D. SCOTT AND EDNA H. SCOTT, DOING)
BUSINESS AS "SCOTT TRAILER SALES,")
3011 TENTH STREET, GREELEY, COLORADO,) APPLICATION NO. 15793-Transfer
FOR AUTHORITY TO TRANSFER PUC NO.)
3078 TO JOHN J. ORTEGA, P. O. BOX)
1227, GREELEY, COLORADO.)

November 12, 1957

Appearances: Harold D. Torgan, Esq., Denver, Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, H. D. Scott and Edna H. Scott, partners, doing business as "Scott Trailer Sales," Greeley, Colorado, seek authority to transfer PUC No. 3078 to John J. Ortega, Greeley, Colorado, said PUC No. 3078 being the right to:

> "Transport by towing mobile homes (house trailers) between points in Weld County, Colorado, and between points in Weld County on the one hand and points and places in the State of Colorado on the other hand."

Said application was regularly set for hearing before the Commission at the Court House, Greeley, Colorado, at 10:00 o'clock A. M., October 29, 1957, due notice thereof being forwarded to all parties in interest.

On October 25, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conduct-

ing the hearing. He thereafter submitted a report of said proceedings to the Commission.

Motion was made and allowed to change the Commission records regarding transferee from Artego to Ortega.

By the above-styled application, applicant herein seeks authority to transfer PUC No. 3078 to John J. Ortega, Greeley, Colorado.

John J. Ortega, transferee herein, testified he has had experience, since 1948, in the trucking business; that he has two pieces of equipment which are: one 1951 International one-ton pickup truck and one 1953 Chevrolet one-half-ton pickup truck; that he is title owner of two houses and a passenger car; that his estimated net worth on this date is $7,500.

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

Report of the Examiner recommends that transfer herein requested be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said operation, if any there be.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That H. D. Scott and Edna H. Scott, doing business as "Scott Triler S les," Greeley, Colorado, should be, and they hereby

are, authorized to transfer all right, title, and interest in and to PUC No. 3078 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to John J. Ortega, Greeley, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferors of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 12th day of November, 1957.

mls

Original

(Decision No. 49056)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WALTER C. BEERY AND ROBERT BREWER, CO-PARTNERS, ROUTE 3, BOX 374, FORT COLLINS, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 1125.

APPLICATION NO. 15385-Extension

November 12, 1957

Appearances: Rex Wells, Esq., Fort Collins, Colorado, for Applicants; Barry, Hupp & Dawkins, Esqs., Denver, Colorado, for Colorado Milk Transport, Inc.

S T A T E M E N T

By the Commission:

By their application as filed March 20, 1957, the applicants seek to have their motor common carrier authority in the Fort Collins area extended to permit service to a larger area.

Upon due notice to interested parties, hearing upon this application commenced in Greeley on June 4, 1957. After offering a portion of their evidence, the applicants asked that the matter be recessed to a future time, for preparation and submission of additional data, and that they be allowed to amend their application in writing, to seek clarification of their existing authority as an alternative to its extension. The matter was thereupon recessed.

Since that time, the applicants have sold and transferred their authority, and now have no authority to clarify or extend. The buyer has not substituted itself as applicant; no amended application has been filed; no additional data have been submitted.

In the circumstances, no reason appears for continuing this docket further. If the buyer should wish to pursue the matter, it can file a new application, and the matter can be heard de novo, without prejudice. An Order dismissing this application will accordingly be entered.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That the instant application should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15385-Extension be, and the same hereby is, dismissed.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 12th day of November, 1957.

mls

original

(Decision No. 49057)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF UNION RURAL ELECTRIC ASSOCIATION, INC., BRIGHTON, COLORADO, FOR AUTHORITY TO EXTEND FACILITIES IN NE¼ SECTION 6, TOWNSHIP 2-SOUTH, RANGE 66-WEST, ADAMS COUNTY.	APPLICATION NO. 15810-Extension SUPPLEMENTAL ORDER

November 13, 1957

S T A T E M E N T

By the Commission:

The Commission on November 6, 1957, by Decision No. 49036, authorized an extension as requested in the above-entitled application. Inadvertently, the Commission failed in its order to grant a certificate of public convenience and necessity, after making a Finding that public convenience and necessity required such an order.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 49036 should be amended nunc pro tunc to conform to the facts as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 49036, of date November 6, 1957, should be, and hereby is, amended, nunc pro tunc as of said sixth (6th) day of November, 1957, by adding thereto the following:

> "That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to serve Robert Younger at a location in the Northeast Quarter of Section 6, Township 2-South, Range 66-West, Adams County, Colorado, all in accordance with the application for Electric Service signed by and between the parties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof."

That, except as herein amended, Decision No. 49036 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 13th day of November, 1957.

ea

(Decision No. 49058)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WALTER C. BEERY AND ROBERT BREWER, CO-PARTNERS, ROUTE 3, BOX 374, FORT COLLINS, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1125 TO FREDERIC A. BETHKE, ROSINA A. BETHKE AND E.BONABEL DAVIS, CO-PARTNERS, DOING BUSINESS AS "CONSOLIDATED MILK LINES," GILCREST, COLORADO.	APPLICATION NO. 15502-Transfer SUPPLEMENTAL ORDER

November 13, 1957

Appearances: Marion F. Jones, Esq., Denver, Colorado, for Applicant;
Barry, Hupp & Dawkins, Esqs., Denver, Colorado, by Albert B. Dawkins, Esq., for Colorado Milk Trans-Port, Inc.

S T A T E M E N T

By the Commission:

By Decision No. 48495, of date August 8, 1957, the Commission authorized the transfer of PUC No. 1125 from Walter C. Beery and Robert Brewer, co-partners, Fort Collins, Colorado, to Frederic A. Bethke, Rosina A. Bethke and E. Bonabel Davis, co-partners, doing business as "Consolidated Milk Lines," Gilcrest, Colorado.

On August 13, 1957, Petition for Rehearing was filed in said matter by Barry, Hupp & Dawkins, Attorneys for Colorado Milk Transport, Inc.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Petition for Rehearing filed herein, and each and every allegation thereof, and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by Attorneys for Colorado Milk Transport, Inc. should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter, filed by Attorneys for Colorado Milk Transport, Inc., be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Hoban

John P Thompson

Joseph T Rigo

Commissioners.

Dated at Denver, Colorado,
this 13th day of November, 1957.

ea

(Decision No. 49059)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE L. JOHNSON, 905 NORTH 5TH)
STREET, GRAND JUNCTION, COLORADO.)
) PERMIT NO. M-1385
)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clarence L. Johnson requesting that Permit No. M-1385 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1385, heretofore issued to Clarence L. Johnson be, and the same is hereby, declared cancelled effective October 22, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Brown
Jim L. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 1957.

ma

(Decision No. 49060)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FRANK JENSEN AND LA MONTE JENSEN,)
DOING BUSINESS AS " FRANK JENSEN &)
SONS, 191 EAST 8TH NORTH, SPANISH) PERMIT NO. M-1861
FORKS, UTAH.)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank Jensen and LaMonte Jensen dba Frank Jensen & Sons requesting that Permit No. M-1861 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1861, heretofore issued to Frank Jensen and La Monte Jensen dba Frank Jensen & Sons be, and the same is hereby, declared cancelled effective October 17, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horn
John V. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 195 7.

ma

(Decision No. 49061)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
K. E. BARNHILL AND K. E. BARNHILL,JR.,)
DOING BUSINESS AS "BARNHILL COMPANY,")
112 EAST 1ST STREET, SALIDA, COLORADO) PERMIT NO. M-5225
)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from K. E. Barnhill and K. E. Barnhill, Jr., dba Barnhill Company requesting that Permit No. M-5225 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5225, heretofore issued to K. E. Barnhill and K. E. Barnhill, Jr., dba Barnhill Company be, and the same is hereby, declared cancelled effective October 9, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Brown
John P. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 1957.

ma

(Decision No. 49062)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HAROLD E. BROWN, 111 WEST 11TH STREET)
PUEBLO, COLORADO.)
) PERMIT NO. M-8272
)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harold E. Brown requesting that Permit No. M-8272 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8272, heretofore issued to Harold E. Brown be, and the same is hereby, declared cancelled effective March 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Horton
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 195 7.

ma

(Decision No. 49063)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
MAX VEGA, 4086 EAST 71ST AVENUE,)
ADAMS,CITY, COLORADO.)
) PERMIT NO. M-13121
)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Max Vega requesting that Permit No. M-13121 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13121, heretofore issued to Max Vega be, and the same is hereby, declared cancelled effective November 2, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Hoover
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 1957.

ma

(Decision No. 49064)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CLYDE W. PRESTON, 735 RALEIGH, DENVER,)
COLORADO.)
) PERMIT NO. M-13318
)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clyde W. Preston

requesting that Permit No. M-13318 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13318, heretofore issued to Clyde W. Preston be,

and the same is hereby, declared cancelled effective October 7, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph P. Negro
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 1957.

ma

(Decision No. 49065)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
LESTER D. PROCTOR, 411 CHESTNUT,)
ROCKY FORD, COLORADO.)
) PERMIT NO. M-13393
)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lester D. Proctor requesting that Permit No. M-13393 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13393, heretofore issued to Lester D. Proctor be, and the same is hereby, declared cancelled effective October 24, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Woodward
John P. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 14th day of November, 1957

ma

(Decision No. 49066)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
MARK STARK, CHARLES HAMPLE, ISAAC AND)
ABLE SAMORA, DOING BUSINESS AS "TASTE)
RITE BAKERY," 3444 NAVAJO, DENVER 11,) PERMIT NO. M-13597
COLORADO.)
)

November 14, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Mark Stark, Charles Hample, Isaac and Able Samora dba Taste Rite Bakery requesting that Permit No. M-13597 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13597, heretofore issued to Mark Stark, Charles Hample, Isaac and Able Samora dba Taste Rite Bakery be, and the same is hereby, declared cancelled effective October 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 14th day of November, 1957.

ma

(Decision No. 49067)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GERALD V. MYERS, ROUTE 1, GRAND) PERMIT NO. B-5280
JUNCTION, COLORADO.)

November 14, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5280 be suspended for six months from November 3, 1957.

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 Gerald V. Myers, Route 1, Grand Junction, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-5280 until May 3, 1958.

That unless said permit-holder 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

Ralph C. Hoyt

John P. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,
this 14th day of November 1957.

ma

(Decision No. 49068)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
PAUL J. KIRSTEN, 4436 WEST TENNESSEE)
AVENUE, DENVER 19, COLORADO.)
) PERMIT NO. M-7565
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul J. Kirsten, Denver, Colorado, requesting that Permit No. M-7565 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7565, heretofore issued to Paul J. Kirsten, Denver, Colorado, be, and the same is hereby, declared cancelled effective November 2, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoyt

John P. Thompson

Joseph F. Higro

Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957.

mjm

(Decision No. 49069)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FROELICH G. KAISER, THOMAS E. CASS,)
ROBERT C. NELSON, & ARTHUR M.)
STEPISNIK, DOING BUSINESS AS "LINCOLN) PERMIT NO. M-12756
MINE & MILL," 106 HARRISON AVENUE,)
LEADVILLE, COLORADO.)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lincoln Mine & Mill, Leadville, Colorado, requesting that Permit No. M-12756 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12756, heretofore issued to Lincoln Mine & Mill, Leadville, Colorado, be, and the same is hereby, declared cancelled effective September 29, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957.

mjm

(Decision No. 49070)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
AIR TEMPERATURE CORPORATION, 2130)
MARKET STREET, DENVER 5, COLORADO.)
) PERMIT NO. M-12154
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Air Temperature Corporation, Denver, Colorado, requesting that Permit No. M-12154 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12154, heretofore issued to Air Temperature Corporation, Denver, Colorado, be, and the same is hereby, declared cancelled effective October 18, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Hardy
John C. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957.

mjm

(Decision No. 49071)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DELFINO MEDINA, ROUTE 2, BOX 99,)
SAN PABLO, COLORADO.)
) PERMIT NO. M-12202
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Delfino Medina, San Pablo, Colorado, requesting that Permit No. M-12202 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12202, heretofore issued to Delfino Medina, San Pablo, Colorado, be, and the same is hereby, declared cancelled effective November 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoyt

John P. Thompson

Joseph F. Higro

Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957

mjm

(Decision No. 49072)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM ANAYA, 1305 EAST 13 STREET,)
PUEBLO, COLORADO.)
) PERMIT NO. M-2362
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William Anaya, Pueblo, Colorado, requesting that Permit No. M-2362 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2362, heretofore issued to William Anaya, Pueblo, Colorado, be, and the same is hereby, declared cancelled effective September 19, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoover
John V. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,
this 22nd day of November, 1957.

mjm

(Decision No. 49073)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
O. W. STEPHENS, DOING BUSINESS AS)
"STEPHENS COAL & SUPPLY COMPANY,")
334 WEST MAIN, GRAND JUNCTION,) PERMIT NO. M-8711
COLORADO.)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from O. W. Stephens, d/b/a Stephens Coal & Supply Company, Grand Junction, Colo., requesting that Permit No. M-8711 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8711, heretofore issued to O. W. Stephens, d/b/a Stephens Coal & Supply Company, Grand Junction, Colorado, be, and the same is hereby, declared cancelled effective July 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Horton
John P. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,
this 22nd day of November, 1957.

mjm

(Decision No. 49074)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
J. C. HILL, 1243 N. W. 21 STREET,)
MIAMI, FLORIDA.)
) PERMIT NO. M-10081
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. C. Hill, Miami, Florida, requesting that Permit No. M-10081 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10081, heretofore issued to J. C. Hill, Miami, Florida, be, and the same is hereby, declared cancelled effective October 28, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Horton
Tom P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957.

mjm

(Decision No. 49075)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE E. PRICE, ARAPAHOE, COLORADO.)
)
) PERMIT NO. M-11598
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George E. Price, Arapahoe, Colorado, requesting that Permit No. M-11598 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11598, heretofore issued to George E. Price, Arapahoe, Colorado, be, and the same is hereby, declared cancelled effective October 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Brown
John V. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957.

mjm

(Decision No. 49076)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
EVA L. & N. F. CHECK, DOING BUSINESS)
AS "C & B TIRE RECAP COMPANY", 260)
ROOD STREET, GRAND JUNCTION, COLORADO) PERMIT NO. M-1600
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eva L. & N. F. Check, d/b/a C & B Tire Recap Company, Grand Junction, Colorado, requesting that Permit No. M-1600 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1600, heretofore issued to Eva L. & N. F. Check, d/b/a C & B Tire Recap Company, Grand Junction, Colorado, be, and the same is hereby, declared cancelled effective November 7, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph T. Negro

Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957.

mjm

(Decision No. 49077)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT V. WHITNEY, 911 PARK AVENUE,)
CANON CITY, COLORADO.)
) PERMIT NO. M-12045
)
)

November 22, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert V. Whitney, Canon City, Colorado, requesting that Permit No. M-12045 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12045, heretofore issued to Robert V. Whitney, Canon City, Colorado, be, and the same is hereby, declared cancelled effective October 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 22nd day of November, 1957

mjm

SUSPENSION ORDER--COMMON CARRIER

(Decision No. 49078)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ROBERT V. WHITNEY, 911 PARK AVENUE, CANON CITY, COLORADO.

PUC NO. 3666-I

November 22, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 3666-I be suspended for six months from October 10, 1957.

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 Robert V. Whitney, Canon City, Colorado, be, and he is hereby, authorized to suspend operations under PUC No. 3666-I until April 10, 1958.

That unless said certificate-holder 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

Robert E. Woodward
John P. Thompson
Joseph F. Negron
Commissioners

Dated at Denver, Colorado,
this 22nd day of November 1957

mjm

(Decision No. 49079)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF AURORA MOVING AND STORAGE CO., INC., 1475 LIMA STREET, AURORA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 2241.

APPLICATION NO. 15813-Extension

November 15, 1957

Appearances: Harold D. Torgan, Esq., Denver, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

On September 20, 1957, the above-styled application was filed with the Commission.

The matter was duly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 6, 1957. When the application was called for hearing, attorney for applicant requested that the application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application (No. 15813-Extension) be, and it is hereby, dismissed, at the request of attorney for applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John P. Thompson

Joseph F. Rigis

Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of November, 1957.
mls

(Decision No. 49080)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
AUDREY P. WOOD, ADMINISTRATRIX OF)
THE ESTATE OF GUY L. WOOD, DECEASED,)
2633 GRAY STREET, DENVER, COLORADO,) APPLICATION NO 15815-PP-Transfer
FOR AUTHORITY TO TRANSFER PERMIT NO.)
B-3007 TO BOB GRAHAM, 3230 CHASE)
STREET, DENVER, COLORADO.)

November 15, 1957

Appearances: Bob Graham, Denver, Colorado, Transferee, pro se.

S T A T E M E N T

By the Commission:

This matter was duly set for hearing on the 6th day of November, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, where the matter was heard and taken under advisement.

Permit No. B-3007 was held by Guy L. Wood, which provides as follows:

> 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 (50) miles of said pits and supply points, excluding service in Boulder, Clear Creek and Gilpin Counties; and coal from mines in the northern Colorado coal fields to Denver, Colorado.
>
> Transportation of sand, gravel and other road-surfacing materials, from pits and supply points in the State of Colorado, to mixer and processing plants within a radius of fifty (50) miles of said pits and supply points; and transportation of sand and gravel from pits and supply points in the State of Colorado to railroad loading points and to homes and small construction jobs within a radius of fifty (50) miles of said pits and supply points; and the transportation of insulrock from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty (50) miles of said pits and supply points.

Mr. Wood is deceased and Audrey P. Wood, Administratrix of the Estate of Guy L. Wood, Deceased, seeks to transfer said Permit No. B-3007 to Bob Graham.

The experience, training and financial ability of transferee were established to the satisfaction of the Commission. No one appeared in protest to the proposed transfer.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Audrey P. Wood, Administratrix of the Estate of Guy L. Wood, Deceased, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-3007 -- with authority as set forth in the above and foregoing Statement, which, by reference, is made a part hereof -- to Bob Graham, 3230 Chase Street, Denver, Colorado, subject to outstanding indebtedness against said permit, whether secured or unsecured.

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

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

This Order is made a part of the permit authorized to be transferred.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of November, 1957.

mls

original

(Decision No. 49081)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HAROLD J. KNOWLES, DOING BUSINESS AS "KNOWLES' TRAILER AND REPAIR SERVICE," 5401 WEST COLFAX AVENUE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15708-PP

November 15, 1957

Appearances: Harold J. Knowles, Denver, Colorado, pro se;
Harold D. Torgan, Esq., Denver, Colorado, for Alfred's Trailer Transport; Aurora Trailer Supply; Colorado Trailer Transport; Denver Trailer Sales & Supply; Mead Trailer Sales; Rocky Mountain Mobile Home Towing Service, Inc.; Scott Trailer Sales; Terry's Trailer Court; Thorson Trailer Service; Trailer Home Rental Service; Trailer Towing Service.

S T A T E M E N T

By the Commission:

This matter was duly set for hearing on the 6th day of November, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, where the matter was heard and taken under advisement.

This is an application for a private carrier permit for the transportation of house trailers to and from all points within the State of Colorado, for Aetna Trailer Sales Company, only, which application also seeks interstate authority.

Evidence adduced at the hearing established that Harold J. Knowles is the operator of a trailer repair shop, and is a partner with the Aetna Trailer Sales Company in an adjacent sales lot. His operation in the repair business is as an individual, while the sales business is as a partner.

Applicant's principal occupation is the repair of trailers that are brought into the shop or which he must pick up at various points for various customers. He likewise delivers trailers for the partnership to purchasers, returning trade-ins to the lot. All of this operation is based in Denver but may reach any part of Colorado. It was conceded by the applicant that he seeks to carry trailers for no one else but Aetna Trailer Sales Company located here in Denver, or for his own repair shop. He has no desire to indulge in the general transportation of hauling trailers for any other purpose or customers other than those specifically mentioned above.

There was a vigorous protest to the granting of this authority from other common carriers who are engaged in the trailer moving business.

From the nature of the testimony, it is obvious that this applicant is in an unusual situation in that the transportation service that he seeks to render is primarily not for-hire but rather incidental to the conduct of his own repair business and incidental to the sales business in which he is a partner. The service of hauling trailers in connection with his repair business cannot be authorized under a Commercial Carrier Permit, but at the same time it does not possess the elements of the ordinary Private Carrier Permit and, most certainly, it would be impractical to require the applicant to comply with all of the usual requirements that are generally imposed upon private carriers.

In our Decision No. 48422, issued July 30, 1957, "In the Application of Pratt Adjustment Bureau for a Private Carrier Permit," this Commission was faced with substantially the same issues presented here. There the Adjustment service sought to haul wrecked cars in connection only with its own business. In that case we said:

"It seems clear to us that the applicant should be authorized to perform this specialized service described above, as a necessary adjunct of his principal business of repossession, and that a method should be provided for him to comply with whatever rules and regulations necessarily apply to such an operation. We have accordingly determined to issue private carrier authority to the applicant in the form set forth in the following Order. Many of our regulations applicable to the ordinary private carrier of freight for hire are not applicable to the situation now confronting us, and we have accordingly determined to exempt the applicant from certain of our regulations in connection with his operation."

It is our opinion that the rule enunciated in that case is applicable here and should be invoked.

The financial responsibility, training and experience of applicant were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement be made a part of these Findings by reference.

That the authority sought is compatible with the public interest, will not impair the ability of existing common carriers to serve, and should be granted.

O R D E R

THE COMMISSION ORDERS:

That Harold J. Knowles, doing business as "Knowles' Trailer and Repair Service," 5401 West Colfax Avenue, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, in intrastate and interstate commerce, for the transportation of trailers only, to and from the repair shop of the applicant and the sales lot of Aetna Trailer Sales lot located in Denver, Colorado, to and from any point in the State of Colorado, and only in connection with the repair of said trailers by the applicant or the sale or trade-in of trailers by any person to the Aetna Trailer Sales Company in Denver, Colorado, interstate operating rights herein granted to be subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

The applicant shall be required to file tariffs as all other private carriers and he shall be required to file cargo insurance, but he shall not be required to file his contracts or customer lists nor to maintain any bills of lading, load sheets, or manifests, however, the driver of any vehicle engaged in the transportation under this authority shall have in his possession at all times a description of the vehicle so transported and the name and address of the customer for whom the vehicle is being transported, and the applicant shall maintain a record of every movement so made, which record shall contain a description of the trailer moved, the points between which it was moved, the date or dates of the movement, the name and address of the customer for whom the movement was made, and the charge that was made for said transportation, and this Order shall be taken, deemed and held to be authority therefor.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

CHAIRMAN HORTON NOT PARTICIPATING.
Dated at Denver, Colorado,
this 15th day of November, 1957.

ea

original

(Decision No. 49082)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MARIE KATRINA WOLFE, ADMINISTRATRIX OF THE ESTATE OF JOHN J. WOLFE, DECEASED, 4540 SAULSBURY COURT, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 3483 TO MARIE KATRINA WOLFE, 4540 SAULSBURY COURT, DENVER, COLORADO.	)	APPLICATION NO. 15814-Transfer

November 15, 1957

Appearances: Robert McLean, Esq., Denver, Colorado, for Transferor and Transferee.

S T A T E M E N T

By the Commission:

This matter was duly set for hearing on the 6th day of November, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, where the matter was heard and taken under advisement.

PUC No. 3483 was held by John J. Wolfe, which provided for:

> The transportation of ashes, trash and other refuse, between points in the City and County of Denver, and from points in the City and County of Denver, to regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe and Jefferson, State of Colorado.

Mr. Wolfe is deceased, and a Decree of Final Settlement and Determination of Heirship from the County Court of Jefferson County, Colorado, designated Marie Katrina Wolfe as the transferee of the certificate.

Transferee's net worth, training, experience, and ability to operate this certificate were established to the satisfaction of the Commission, and no one appeared to protest the application for transfer.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Marie Katrina Wolfe, Administratrix of the Estate of John J. Wolfe, deceased, be, and she is hereby, authorized to transfer all right, title and interest in and to PUC No. 3483 -- with authority as set forth in the Statement herein, which is made a part hereof by reference -- to Marie Katrina Wolfe, 4540 Saulsbury Court, Denver, Colorado, subject to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John P. Thompson

Joseph F. Nigro

Commissioners.

CHAIRMAN RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of November, 1957.

ea

(Decision No. 49083)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASE IN RATES ON MILK IN SHIPPING CANS FROM NORTHERN COLORADO ORIGINS TO DENVER, GOLDEN, AND A RADIUS OF FIVE MILES OF THE CITY LIMITS OF DENVER, BOULDER, LONGMONT, FORT LUPTON AND BRIGHTON, COLORADO, VIA COLORADO MILK TRANSPORT, INC.

INVESTIGATION AND SUSPENSION DOCKET NO. 407

November 15, 1957

S T A T E M E N T

By the Commission:

There has been filed with The Public Utilities Commission of the State of Colorado on statutory notice, issued October 4, 1957, to become effective November 16, 1957, the following schedules contained in The Motor Truck Common Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, issued by J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver 16, Colorado.

1st Revised Page No. 265

Item No. 3290 - Milk, in shipping cans. To Golden, Denver and a radius of 5 miles of the City Limits of Denver, from Northern Colorado Origins.

	PRESENT		PROPOSED	
DISTANCE - MILES	Less than 10 cans per day (9)	10 cans or more per day (9)	Less than 10 cans per day (9)	10 cans or more per day (9)
Zone 1 - 15 miles or less	27	22	31	25
Zone 2 - 25 miles and over 15 miles	30	24	35	28
Zone 3 - 35 miles and over 25 miles	35	27	40	31
Zone 4 - 45 miles and over 35 miles	37	31	43	36
Zone 5 - 55 miles and over 45 miles	40	34	46	39
Zone 6 - 65 miles and over 55 miles	43	37	49	43
Zone 7 - 75 miles and over 65 miles	46	40	53	46

(9) Rates are in cents per can and cover the average number of cans daily for any semi-monthly period. Rates include return of empty cans.

1st Revised Page No. 266

Item No. 3310 - Milk, in shipping cans, to Boulder and Longmont from Northern Colorado Origins.

DISTANCE - MILES	PRESENT			PROPOSED		
	Less than 4 cans per day	4 cans but less than 10 cans per day	10 cans or more per day	Less than 4 cans per day	4 cans but less than 10 cans per day	10 cans or more per day
Zone 1 - 4 miles or less	22	19	15	25	22	17
Zone 2 - 15 miles and over 4	24	22	20	28	25	23
Zone 3 - 25 miles and over 15	27	26	24	31	30	28
Zone 4 - Over 25 miles	34	32	31	39	37	36

Rates are in cents per can and cover the average number of cans for any semi-monthly period.
Rates include return of empty cans.

1st Revised Page No. 267

Item No. 3320 - Milk, in shipping cans. To Fort Lupton and Brighton, from Northern Colorado Origins.

To Fort Lupton

Any Quantity

DISTANCE - MILES	PRESENT	PROPOSED
Zone 1 - 15 miles or less	26	30
Zone 2 - Over 15 miles	31	36

To Brighton

DISTANCE - MILES	PRESENT		PROPOSED	
	Less than 10 cans per day	10 cans or more per day	Less than 10 cans per day	10 cans or more per day
15 miles or less	25	19	29	22
Over 15 miles	27	22	31	25

Rates are in cents per can and cover the average number of cans for any semi-monthly period.
Rates include return of empty cans.

The said schedules make increases in the rates on milk in shipping cans 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 schedule contained in said tariff should be postponed pending a hearing and decision thereon.

F I N D I N G S

THE COMMISSION FINDS:

1. That it should enter upon a hearing concerning the lawfulness of the rates stated in said schedules contained in said tariff.

2. That the effective date of said schedules should be postponed pending the said hearing and decision thereon.

O R D E R

THE COMMISSION ORDERS, That:

1. Upon its own motion without formal pleading it enter upon a hearing concerning the lawfulness of the rates stated in the following schedules:

> The Motor Truck Common Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11, 1st Revised Page No. 265, Item No. 3290; 1st Revised Page No. 266, Item No. 3310; 1st Revised Page No. 267, Item No. 3320.

2. The operation of the said schedules contained in the said tariff be suspended and that the use of the rates, charges, regulations and practices therein stated be deferred 120 days, or until the 15th day of March, 1958, unless otherwise ordered by the Commission, and no change shall be made in said rates, charges, regulations and practices during the said period of suspension.

3. The rates and charges and 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.

4. A copy of this Order shall be filed with said schedules in the office of the Commission and that a copy hereof be forthwith served upon:

> J. R. Smith, Chief of Tariff Bureau, Motor Truck Common Carriers' Association, 4060 Elati Street, Denver 16, Colorado
>
> Paul M. Hupp, Attorney at Law, Majestic Bldg., Denver 2, Colo.
>
> Kenneth M. Martin, President, Colorado Milk Transport, Inc., Route 1, Box 141, Broomfield, Colorado
>
> Walter C. Moore, Denver Milk Producers, Inc., 945 11th St., Denver 4, Colorado

5. This proceeding be, and the same is hereby, assigned for hearing December 5, 1957, at 10:00 A.M., in the Hearing Room of the Commission, Room 330, State Office Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 15th day of November, 1957.

mem

original

(Decision No. 49084)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF R. F. JEROME, DOING BUSINESS AS "AARON & SANTA FE MOVING & STORAGE CO.," 400 SANTA FE DRIVE, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15843

November 19, 1957

Appearances: Barry, Hupp and Dawkins, Esqs., Denver, Colorado, by Paul Hupp, Esq., for Applicant;
R. B. Danks, Esq., Denver, Colorado, for Colorado Transfer & Warehousemen's Association;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer & Storage Co.

S T A T E M E N T

By the Commission:

By application filed October 3, 1957, the applicant seeks authority from this Commission to operate as a motor vehicle common carrier of general commodities between all points within the City and County of Denver, Colorado, claiming that he is entitled to continue operating as such by virtue of "Grandfather Rights" obtained before this Commission acquired jurisdiction in Denver.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 12, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

Mr. R. F. Jerome, the applicant, testified in support of his application. He stated that he himself has done business under

the trade name "Aaron & Santa Fe Moving & Storage Co.," since October 1951, and that his predecessors did business under that name for many years before him. His transportation has been confined entirely to the City Limits of the City and County of Denver. He has transported household goods and many other commodities, but not commodities which because of their size and weight require the use of special equipment. He has at all times material to this proceeding held himself out to the public as a common carrier, he said. He offered in evidence a list of his equipment and a financial statement sufficient to satisfy the Commission of his ability to perform the service for which he seeks authority.

It also appears from his testimony that he has been engaged in the business of renting motor vehicle equipment to shippers. He said that he is familiar with the fact that the Commission prohibits carriers for hire from releasing control of their equipment to any person or organization which is not a carrier for hire, and understands that if he is granted the authority he seeks, he will have to stop his business of leasing to shippers. This restriction upon his activities is acceptable to him, he said.

The applicant and protestants agreed that no protest would be offered if the application were restricted so as to prohibit the transportation of heavy commodities, and the applicant agreed to restrict his operation so as not to transport "single pieces weighing in excess of 5,000 lbs. which because of their size and weight require the use of special equipment." This restriction is not in the usual form, which is designed to protect the portion of the industry known as the heavy haulers from unwarranted encroachment upon their industry. The restriction placed in the following Order is the standard form of restriction and will be adopted in this case.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service of "Aaron & Santa Fe Moving & Storage Co.," Denver, Colorado, for the transportation of general commodities between points within the City and County of Denver, subject to the restriction that no commodities or articles which because of size or weight require the use of special equipment shall be transported under this authority, 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 days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hollant

John P. Thompson

Joseph F. Rigio

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957.
mls

Original

(Decision No. 49085)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GOLDSTEIN TRANSPORTATION & STORAGE,)
INC., 3434 WALNUT STREET, DENVER,) APPLICATION NO. 15844-PP-Extension
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. A-787.)

November 19, 1957

Appearances: E. B. Evans, Esq., Denver, Colorado, for Applicant;
R. B. Danks, Esq., Denver, Colorado, and Howard Hicks, Denver, Colorado, for Centennial Truck Lines, Inc.;
Herbert M. Thompson, Denver, Colorado, for General Services Administration.

S T A T E M E N T

By the Commission:

By application filed October 1, 1957, applicant seeks to have its line-haul private carrier authority extended to authorize service between Peterson Field, near Colorado Springs, and points presently served under its Permit No. A-787.

Said application was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M., November 12, 1957, at which time and place hearing commenced.

After offering a portion of its evidence, the applicant asked that the matter be recessed to a future time convenient to the Commission, so that it might produce as witnesses its President, who is now hospitalized, and an additional shipper. There being no objection, the matter was accordingly recessed and should not be set for further hearing.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be re-set for further hearing at a future date convenient to the Commission.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15844-PP-Extension should be, and the same hereby is, re-set for further hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M., on December 20th, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957.

mls

original

(Decision No. 49086)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD P. JOHNSON, ROUTE 2, BOX 285,)
GOLDEN, COLORADO, FOR A CLASS "B") APPLICATION NO. 15845-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

November 19, 1957

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M., November 12, 1957, 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. His failure to appear is not explained.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be denied.

O R D E R

THE COMMISSION ORDERS:

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Newton

John P. Thompson

Joseph F. Hayes

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957.
mls

(Decision No. 49087)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MARCEL A. DRANSFELDT, DOING BUSINESS AS "GILPIN COUNTY FREIGHT LINE," 3511 SOUTH CORONA STREET, ENGLEWOOD, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1127 TO THOMAS D. LANE, DOING BUSINESS AS "THOMAS D. LANE TRUCK LINE," BOX 5472, TERMINAL ANNEX, DENVER, COLORADO.	APPLICATION NO. 15333-Transfer SUPPLEMENTAL ORDER

November 19, 1957

Appearances: George F. Harsh, Esq., Denver, Colorado, for Transferor;
Thomas D. Lane, Denver, Colorado, pro se;
Kenneth Williamson, Golden, Colorado, for Westway Motor Freight, Inc.

S T A T E M E N T

By the Commission:

By our Decision No. 48030, dated June 3, 1957, hearing of this matter was recessed until such time as data relative to the indebtedness of the transferor could be obtained.

On November 12, 1957, a statement was filed by George F. Harsh, Attorney in Fact for the transferor, stating upon information and belief that no indebtedness is attached to the operation. It now appears that we should allow sufficient time for persons interested in the matter to examine the affidavit, and then proceed to further hearing, in order that the matter may be disposed of and our docket cleared. The following Order setting the matter for further hearing is entered to accomplish these purposes.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be re-set for further hearing.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15333-Transfer should be, and the same hereby is, re-set for further hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at 9:30 o'clock A. M., November 25, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957

mls

original

(Decision No. 49088)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF L. E. TAYLOR, DOING BUSINESS AS "COLORADO TRUCK LINE," 627½ - 8TH AVENUE, GREELEY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. A-809.	)	APPLICATION NO. 15797-PP-Extension

November 19, 1957

Appearances: Southard and Southard, Esqs., Greeley, Colorado, for Applicant;
H. D. Hicks, Denver, Colorado, for Centennial Truck Lines, Inc.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing before the Commission at the Court House, Greeley, Colorado, on October 29, 1957, at 10:00 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 25, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proveedings to the Commission.

By the above-styled application, applicant herein seeks authority to extend operations under Permit No. A-809 to include the right to transport freight, in pick-up and delivery service, from and to all points within a radius of five miles of the city limits of the City and County of Denver, and from and to all points within a radius of five miles of the city limits of the City of Greeley, Colorado.

Report of the Examiner states that at the hearing applicant testified that he has had nineteen years' experience in the operation of this business and that his Statement of Customers and Description of Equipment list, as filed with the Commission, is current and in good order; that he has numerous calls to pick up and deliver beyond the city limits of Denver and beyond the city limits of Greeley, Colorado, for the hauling of general freight, and that he has been granted temporary authority from the Commission to perform this operation. On cross-examination, the witness testified that he has no intention to render any service point to point in the terminal areas of Greeley or Denver.

Gene Wood, Manager of Rucker Furniture Company, Greeley, Colorado, testified that they have a store in the city of Greeley, Colorado, and one beyond the city limits of Greeley, and that he has need for service outside the city of Greeley, on freight movements originating in Denver; that he prefers the service offered by the applicant; that he needs the service applied for, and that his company has from one to six pick-ups per day. On cross-examination by H. D. Hicks, Mr. Wood testified that they had no trouble obtaining adequate service from present carriers but that the applicant offers a more convenient schedule for the operation of his business, and also that in his personal knowledge he does not have any distributor beyond the city limits of Denver.

Al Williamson, Assistant Manager of the Mawson Lumber Company, Greeley, Colorado, appearing for the applicant, testified that they have from ten to twenty pick-ups per month, and that some deliveries are delivered direct to the customer from Denver and are delivered by the applicant direct and that he needs service from Greeley, Colorado, to points beyond, especially between the fringe area of Denver to Greeley and in the radius applied for around Greeley; that he has used other carriers and has found the service of the applicant more satisfactory to his needs. On cross-examination, the witness testified that for service at the present time it is necessary to use

their own transportation beyond the city limits of Greeley, and that he would prefer to use the service of the applicant if it were available.

In opposition to the granting of the authority herein sought, H. D. Hicks, representing Centennial Truck Lines, Inc., Denver, Colorado, made a statement that he is General Traffic Manager for Centennial Truck Lines, Inc., and that he was employed for more than fifteen years in the transportation department of Weicker Transfer and Storage Company; that his company at the present time has authority to serve an area five miles beyond the city limits of Denver, Colorado; that they have received no complaints on shipments made to Greeley, Colorado; that there is a daily schedule arrival from Denver to Greeley at 6:00 o'clock A. M. On cross-examination, the witness testified that they have applied to the Commission for an extension five miles beyond the city limits of Denver; that on this date his company has no authority to serve either beyond the city limits of Denver nor Greeley; that under the present operation of his company, freight must be reloaded for delivery outside the city limits at Greeley, Colorado.

We find a five-mile radius necessary to serve the commercial zone of Denver; two miles is adequate fully to enclose the commercial zone of Greeley, Colorado, however.

Report of the Examiner further states that applicant is qualified by experience and is financially able to carry on proposed extension; that there is a need for the service, and that the granting of this authority would not tend to impair the service now being conducted by certificated carriers in the area.

Report of the Examiner recommends that the instant application be granted, provided that all requirements under the Commission's rules for the filing of reports and equipment list, are made current.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part

of these Findings, by reference, and Report of the Examiner referred to therein should be approved, subject only to the limitations imposed by the following Order.

That the above-styled application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings, should be, and the same hereby is approved.

That the authority contained in Permit No. A-809 should be, and the same is hereby, extended so as to authorize pick-up and delivery service at points within five miles of the city limits of Denver and two miles of the city limits of Greeley, for the pick up and delivery of merchandise having a prior or subsequent movement in the line-haul service authorized under authority No. A-809.

That this Order is made part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957.

ea

Original

(Decision No. 49089)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
REX R. RICKARD, BOX 251, EVANS,)
COLORADO, FOR A CLASS "B" PERMIT) APPLICATION NO. 15795-PP
TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-)

- - - - - - - - -
November 19, 1957
- - - - - - - - -

Appearances: Marion F. Jones, Esq., Denver, Colorado, for R. B. "Dick" Wilson, Inc.; Rex R. Rickard, Evans, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, October 29, 1957, at ten o'clock A. M., due notice thereof being forwarded to all interested parties.

On October 25, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that at the hearing, by stipulation it was agreed between the parties that the application would be amended to limit the operation to the movement of commodities capable of being hauled in dump trucks only. With this amendment, the protestant withdrew his protest.

Report of the Examiner further states that applicant testified that he is the owner of one 1956 2-ton GMC dump truck; that the present value of this truck is $3,000.00, and that there is a $1,200.00 chattel mortgage outstanding; that his net worth is $3,500.00; that he has had six years' experience in the type of operation applied for; that his Statement of Customers as on file with the Commission is correct; and that if this authority is granted, he will comply with the rules and regulations of this Commission.

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

Report of the Examiner recommends that the instant application should be granted,as limited in the following Order.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the instant application should be granted, as limited in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That Rex R. Rickard, Evans, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operation to be limited to the use of dump trucks only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Horton

John P. Thompson

Joseph F. Rigis

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957.

ea

original

(Decision No. 49090)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF C. J. BURRESS, JR., DONALD A. HELLESEN, AND PAUL W. FARMER, DOING BUSINESS AS "AA TAXICAB COMPANY," 801 NORTH GRAND STREET, PUEBLO, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15557 SUPPLEMENTAL ORDER

November 19, 1957

Appearances: Franklin R. Stewart, Esq., Pueblo, Colorado, for Applicant;
Harry S. Peterson, Esq., Pueblo, Colorado, for Pueblo Transportation Co.;
Merritt L. Gordon, Esq., Pueblo, Colorado, as Receiver for the Estate of Veterans Taxicab & Transportation Company;
Howard W. Carr, Pueblo, Colorado, pro se;
Carl Perricone, Esq., Denver, Colorado, for City Cab Co.

S T A T E M E N T

By the Commission:

By Decision No. 48937, of date October 24, 1957, the Commission granted to Applicants herein authority to operate a taxicab service within the City of Pueblo, Colorado, and within Pueblo County within a 15-mile radius of the City of Pueblo, Colorado, as set forth in said Order.

On November 4, 1957, Petition for Rehearing was filed in said matter by Carl M. Perricone, Attorney for Protestant City Cab Co.

The Commission has reviewed the evidence adduced at the hearing on said application, and has carefully considered Petition for Rehearing filed herein, and each and every allegation thereof,

and is of the opinion that said Petition should be denied.

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by Attorney for Protestant City Cab Co. should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing in the above-styled matter, filed by Attorney for Protestant City Cab Co., be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957.

ea

(Decision No. 49091)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
TED R. HOWE, DOING BUSINESS AS "TED'S)
FRUIT CO.," 311 COURT STREET, BEATRICE,)
NEBRASKA.) PERMIT NO. M-369
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ted R. Howe dba Ted's Fruit Co. requesting that Permit No. M-369 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-369, heretofore issued to Ted R. Howe dba Ted's Fruit Co. be, and the same is hereby, declared cancelled effective November 3, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hoskins
Ben V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of November, 195 7.

ma

(Decision No. 49092)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ALVIN C. ELLIOTT, NORTH 11TH STREET,)
GUNNISON, COLORADO.)
) PERMIT NO. M-5381
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Alvin C. Elliott requesting that Permit No. M-5381 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5381, heretofore issued to Alvin C. Elliott be, and the same is hereby, declared cancelled effective November 2, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hardy
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 20th day of November, 1957.

ma

(Decision No. 49093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HEBER DOTY, ROUTE #2, BOX 117,)
MONTROSE, COLORADO.)
) PERMIT NO. M-7531
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Heber Doty requesting that Permit No. M-7531 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7531, heretofore issued to Heber Doty be, and the same is hereby, declared cancelled effective October 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoyt

John P. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 20th day of November, 195 7.

ma

(Decision No. 49094)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
NICK DI GIACOMO, 2326 FEDERAL BLVD.,)
DENVER 11, COLORADO.)
) PERMIT NO. M-7798
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Nick DiGiacomo requesting that Permit No. M-7798 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7798, heretofore issued to Nick Di Giacomo be, and the same is hereby, declared cancelled effective November 11, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robt. C. Horton
John V. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 20th day of November, 1957.

ma

(Decision No. 49095)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ARNOLD V. HOLMEN, 1550 OAK PLACE,)
DENVER 16, COLORADO.)
) PERMIT NO. M-8123
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arnold V. Holmen requesting that Permit No. M-8123 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8123, heretofore issued to Arnold V. Holmen be, and the same is hereby, declared cancelled effective November 2, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Horton
Tom P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 20th day of November, 1957.

ma

(Decision No. 49096)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
C. H. "JACK" VILM AND DOLLIE MARIE)
VILM, DOING BUSINESS AS "JACK VILM)
SCALE & MACHINERY CO.," 1225 LARIMER) PERMIT NO. M-10343
STREET, DENVER 4, COLORADO.)
_____)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. H. "Jack" Vilm and Dollie Marie Vilm dba Jack Vilm Scale & Machinery Co. requesting that Permit No. M-10343 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10343, heretofore issued to C. H. "Jack" Vilm & Dollie Marie Vilm dba Jack Vilm Scale & Machinery Co. be, and the same is hereby, declared cancelled effective March 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 20th day of November, 195 7.

ma

(Decision No. 49097).

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FRED HERBST, JR., P. O. BOX 942,)
GREELEY, COLORADO.)
) PERMIT NO. M-10817
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Fred Herbst, Jr. requesting that Permit No. M-10817 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10817, heretofore issued to Fred Herbst, Jr. be, and the same is hereby, declared cancelled effective November 12, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hurlbut

John P. Thompson

Joseph F. Higro

Commissioners

Dated at Denver, Colorado,

this 20th day of November, 1957.

ma

(Decision No. 49098)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
C. M. WADE, BOX 440, EDGEMONT, SOUTH)
DAKOTA.)
) PERMIT NO. M-12295
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. M. Wade requesting that Permit No. M-12295 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12295, heretofore issued to C. M. Wade be, and the same is hereby, declared cancelled effective October 7, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hoyt
Wm. L. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of November, 1957.

ma

(Decision No. 49099)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD J. FITZPATRICK, 2314 NORTH)
PROSPECT, COLORADO SPRINGS, COLORADO.)
) PERMIT NO. M-12868
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Richard J. Fitzpatrick requesting that Permit No. M-12868 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12868, heretofore issued to Richard J. Fitzpatrick be, and the same is hereby, declared cancelled effective November 5, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert E. Horton
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 20th day of November, 195 7.

ma

(Decision No. 49100)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NICK DI GIACOMO, 2326 FEDERAL BLVD.,) PUC NO. 3050-I
DENVER 11, COLORADO.)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 3050-I be suspended for six months from November 11, 1957.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Nick DiGiacomo be, and he is hereby, authorized to suspend his operations under PUC No. 3050-I until May 11, 1958.

That unless said certificate-holder 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 theright to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hudson
John P. Thompson
Joseph F. Tegro
Commissioners.

Dated at Denver, Colorado,
this 20th day of November 1957.

ma

(Decision No. 49101)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES E. HECKEL, AUSTIN, COLORADO.)
)
) PERMIT NO. B-5147
)
)

November 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles E. Heckel requesting that Permit No. B-5147 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5147, heretofore issued to Charles E. Heckel be, and the same is hereby, declared cancelled effective November 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
Ken L. Thompson
Joseph E. Higgins
Commissioners

Dated at Denver, Colorado,

this 20th day of November, 195 7.

ma

(Decision No. 49102)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HUBERT P. SHIRRELL, WALDEN, COLORADO.) PERMIT NO. B-5226

November 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5226 be suspended for six months from November 13, 1957.

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 P. Shirrell, Walden, Colorado, be, and he is hereby, authorized to suspend his operations under Permit No. B-5226 until May 13, 1958.

That unless said permit-holder 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

Robert E. Hanlon
John P. Thompson
Joseph F. Negro
Commissioners.

Dated at Denver, Colorado
this 20th day of November 1957.

ma

Original

(Decision No. 49103)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BUILDING MOVERS, INC., A COLORADO CORPORATION, 570 GARFIELD STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15846

November 19, 1957

Appearances: B. F. Napheys, Jr., Esq., Denver, Colorado, for Applicant.

STATEMENT

By the Commission:

By application filed August 27, 1957, the applicant, a Colorado corporation, seeks authority from this Commission to operate as a motor vehicle common carrier for the transportation of houses and buildings between points within a radius of fifty miles of and including the City and County of Denver.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 14, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The principal officers of the company testified in support of the application, as did a prospective customer and a telephone company engineer.

The substance of the testimony of the company officials was that they have independently engaged for several years in the wrecking business. Some buildings could have been salvaged at greater value if they could be moved, but they have encountered difficulty from time to time in finding building movers who had the equipment and inclination

to act promptly in the movement of buildings. On occasion, when an established mover would not come within a reasonable time, it was necessary to wreck the building in order to avoid penalties provided by contract. The owners of the present business have therefore acquired equipment of their own, have given special study to the matter in order to learn all about it, and have experimentally moved two buildings they purchased, thereby establishing to their own satisfaction that they are qualified and able to move buildings for hire. Evidence was offered sufficient to establish that they are qualified financially and by experience and have equipment sufficient to perform the proposed service.

Mr. Alec Lindquist, a Denver building wrecker, not associated with the applicant except as a prospective customer, testified that he frequently has not been able to get adequate service, nor prompt service, from existing carriers, and has consequently suffered loss by having to wreck a building in order to meet a contract deadline. This happened in connection with two buildings in September of this year, he said, on which occasion he called several building movers, except one whom he considers to be quite high-priced. He feels that additional building movers are needed in Denver, he said.

Mr. Spencer Wyant, District Engineer for Mountain States Telephone and Telegraph Company, testified that he is familiar with the building moving business and had observed the applicant moving a masonry building in Denver recently. He was much impressed with the operation, planning and equipment, and had no hesitancy in recommending the applicant as being well qualified to perform the proposed service.

There was no appearance or testimony in protest of the application, and no reason appears why it should not be granted.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier motor vehicle, call and demand service of Building Movers, Inc., a Colorado corporation, Denver, Colorado, for the transportation of houses and buildings between points within a radius of 50 miles of and including the City and County of Denver, Colorado, 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 days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Norton

John P. Thompson

Joseph F. Negri

Commissioners.

Dated at Denver, Colorado,
this 19th day of November, 1957.

ea

Original

(Decision No. 49104)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DONALD L. MIKELSON, DOING BUSINESS AS "BRIGHTON-FT. LUPTON TRANSFER," P. O. BOX 236, BRIGHTON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15839-PP

November 20, 1957

Appearances: Donald L. Mikelson, Brighton, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 beet samples, for Great Western Sugar Company, between points in Northeastern Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commision, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

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

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Donald L. Mikelson, doing business as "Brighton-Ft. Lupton Transfer," Brighton, 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 beet samples, for Great Western Sugar Company, between points in Northeastern Colorado.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton

John P. Thompson

Joseph F. Higgins

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

ea

Original

(Decision No. 49105)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF VIRGIL D. STORK, STAR ROUTE, MORRISON, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15840-PP

November 20, 1957

Appearances: Virgil D. Stork, Morrison, Colorado, pro se;
John Windecker, Pine, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of rough lumber, poles, and posts, from forests located within a radius of fifty miles of Morrison, Colorado, to railroad loading places and markets within a radius of fifty miles of Morrison, Colorado, for Ed Hart's, of Morrison, Colorado, only, and requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-2541," being the number of a permit formerly held by him.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant failed to produce any customer witnesses to testify for the need of his proposed service.

In opposition to the granting of the authority sought, John Windecker contended that the granting of the instant application would impair his services.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be denied, for the reason that applicant had no customer witnesses present at the hearing to testify to a need for his proposed services.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15840-PP should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Horton

John P Thompson

Joseph F. Negri

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

ea

Original

(Decision No. 49106)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CARL AINSWORTH, 16400 EAST COLFAX AVENUE, AURORA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15841-PP

November 20, 1957

Appearances: Harold D. Torgan, Esq., Denver, Colorado, for Applicant;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, as amended at the hearing, applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of dirt, sand, gravel, and clay used in construction for Griffin Brothers, from point to point within the City and County of Denver, and points within a radius of fifty miles thereof, limited to the use of dump trucks, only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

No one appeared in opposition to the granting of the authority sought, as limited by the amendment to the application.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier

operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Carl Ainsworth, Aurora, 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 dirt, sand, gravel, and clay used in construction for Griffin Brothers, from point to point within the City and County of Denver, and points within a radius of fifty miles thereof, limited to the use of dump trucks,only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 20th day of November, 1957.

Commissioners.

ea

Original

(Decision No. 49107)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RICHARD J. AGEE, 2635 WEST 33RD AVENUE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15816-PP

November 20, 1957

Appearances: Don J. Smith, Denver, Colorado,
for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M., November 7, 1957, due notice thereof 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.

At the hearing, Don J. Smith, appearing for R. B. "Dick" Wilson, Inc., stated his company would have no objection to the granting of authority herein sought by applicant, if such authority were limited to the use of dump trucks.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Richard J. Agee, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a

radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operations to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

mls

original

(Decision No. 49108)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTTER OF THE APPLICATION OF K. H. HUSTEDE, W. W. HUSTEDE, AND H. J. HUSTEDE, CO-PARTNERS, DOING BUSINESS AS "ALCOTT COAL & ICE COMPANY," 5820 WEST 56TH, ARVADA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15817-PP

November 20, 1957

Appearances: H. J. Hustede, Arvada, Colorado, for Applicants;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

Applicants herein seek 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 used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing

Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, H. J. Hustede, one of applicants herein, testified that the net worth of the co-partnership herein applying for authority is $75,000.00; that it would be agreeable to have any authority herein granted limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

The operating experience and financial responsibility of applicants were established to the satisfaction of the Commission.

It did not appear that applicants' proposed operations, as hereinafter limited, will impair the efficiency of any common carrier service operating in the territory sought to be served by applicants.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicants herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That K. H Hustede, W. W. Hustede, and H. J. Hustede, co-partners, doing business as "Alcott Coal & Ice Company," Arvada, Colorado, should be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel,

dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

That this order is the permit herein provided for, but it shall not become effective until 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.

That 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.

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

Peter L. Campbell

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

mls

(Decision No. 49109)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THEODORE BENNETT, JR., 4881 WEST MAPLE PLACE, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15818-PP

November 20, 1957

Appearances: Theodore Bennett, Jr., Denver, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, and requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-4340," being the number of a permit formerly held by him.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated his company would have no objection to issuance of authority herein sought, if said operating rights were limited to the use of dump trucks.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the Order following, said operating rights to be known as "Permit No. B-4340."

O R D E R

THE COMMISSION ORDERS:

That Theodore Bennett, Jr., Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone,

and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insul-rock, from pits and supply points within the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That permit herein granted shall bear the number "B-4340."

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

mls

original

(Decision No. 49110)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KELSEY E. BOTTS, 5410 MORRISON ROAD,)
DENVER, COLORADO, FOR A CLASS "B") APPLICATION NO. 15819-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

November 20, 1957

Appearances: Kelsey E. Botts, Denver, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado,

November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant herein testified that his net worth is $6,000; that it would be agreeable, in the event authority herein sought is granted, that operations thereunder be limited to the use of dump trucks.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Kelsey E. Botts, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply

points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

mls

Original

(Decision No. 49111)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EDWARD E. GILBERT, DOING BUSINESS AS "TEX GILBERT," 5310 EAST 65TH WAY, DERBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15825-PP

November 20, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated he had no objection to the granting of authority herein sought by applicant, if said operating rights would be limited to the use of dump trucks.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of the service of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Edward E. Gilbert, doing business as "Tex Gilbert," Derby, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said

jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

ea

Original

(Decision No. 49112)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EDWARD D. WARD, 1221 RUTH WAY, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15838-PP

November 20, 1957

Appearances: Edward D. Ward, Denver, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant appeared in his own behalf, stating that his net worth was $5,000; that it would be agreeable to him, in the event authority herein sought is granted, that operations be limited to the use of dump trucks and flat beds.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Edward D. Ward, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump and flat bed trucks.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Horton

John P. Thompson

Joseph J. Regis

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

ea

Original

(Decision No. 49113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN H. WAGNER, 6840 MAGNOLIA, DERBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15837-PP

November 20, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated that his company had no objections to the granting of authority herein sought by applicant if said operating rights would be limited to the use of dump trucks.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That John H. Wagner, Derby, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under authority herein granted to be limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Horton

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

ea

original

(Decision No. 49114)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PASCHAL H. SPERO, 5450 PRIMROSE)
LANE, DENVER, COLORADO, FOR A CLASS) APPLICATION NO. 15836-PP
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

- - - - - - - - - -

November 20, 1957

- - - - - - - - - -

Appearances: Faith Spero, Denver, Colorado, for Applicant;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colcrado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado,

November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Mrs. Faith Spero appeared in behalf of applicant, stating she was applicant's wife, and that applicant's net worth was $5,000.

Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated his company would have no objection to granting of authority herein sought, in the event such operating rights were limited to the use of dump trucks, only.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the following Order:

O R D E R

THE COMMISSION ORDERS:

That Paschal H. Spero, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a

radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

mls

original

(Decision No. 49115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SALVATORE J. SPATARO, 162 SOUTH YATES WAY, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15835-PP

November 20, 1957

Appearances: Mrs. Marjorie Spataro, Denver, Colorado, for Applicant;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing

Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Mrs. Marjorie Spataro, wife of applicant, appeared in his behalf, stating applicant's net worth was $4,500.

Don J. Smith, appearing for R. B. "Dick" Wilson, Inc., stated his company would have no objection to issuance of authority herein sought by applicant, if said operation were limited to the use of dump trucks.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Salvatore J. Spataro, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand, and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to

and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be restricted to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoburt

John P. Thompson

Joseph T. Nigro

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

mls

original

(Decision No. 49116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALBERT H. SHELTON, 13801 EVERGREEN AVENUE, AURORA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15834-PP

November 20, 1957

Appearances: Albert H. Shelton, Aurora, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado,

November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that his net worth was $6,000; that he would have no objection to the limitation of the use of dump trucks, only, in the event authority herein sought was granted.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the following Order.

O R D E R

THE COMMISSION ORDERS:

That Albert H. Shelton, Aurora, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits

and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins

John P. Thompson

Joseph F. Myers

Commissioners.

Dated at Denver, Colorado,
this 20th day of November, 1957.

mls

Original

(Decision No. 49117)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF A. M. QUINBY, 7070 EAST 66TH PLACE, DERBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15833-PP

November 21, 1957

Appearances: A. M. Quinby, Derby, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

By the above-styled application, A. M. Quinby, Derby, Colorado, seeks 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 used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant stated that in the event authority herein sought is granted, operating rights may be limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as restricted by the Order following.

O R D E R

THE COMMISSION ORDERS:

That A. M. Quinby, Derby, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under authority herein granted to be limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

original

(Decision No. 49118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DANIEL B. NICCOLI, DOING BUSINESS AS "BRUNO NICCOLI," 1345 SOUTH VRAIN STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15832-PP

November 21, 1957

Appearances: Daniel B. Niccoli, Denver, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7,

1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified, stating it was agreeable that any authority herein granted be limited to the use of dump trucks.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Daniel B. Niccoli, doing business as "Bruno Niccoli," Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points, sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be restricted to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

Original

(Decision No. 49119)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EDGAR C. MOCABEE, 7400 RALSTON,)
ARVADA, COLORADO, FOR A CLASS "B") APPLICATION NO. 15831-PP
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
- -)

- - - - - - - - - -
November 21, 1957
- - - - - - - - - -

Appearances: Edgar C. Mocabee, Arvada, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that in the event authority herein sought is granted, said operating rights may be limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operation will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Edgar C. Mocabee, Arvada, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

Original

(Decision No. 49120)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HENRY E. MAI, 1705 VANCE STREET,)
LAKEWOOD, COLORADO, FOR A CLASS "B") APPLICATION NO. 15830-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

November 21, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated that his company had no objection to the granting of authority herein sought by applicant, if said operating rights would be limited to the use of dump trucks.

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

It does not appear that the applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Henry E. Mai, Lakewood, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse,

from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

Original

(Decision No. 49121)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THEMATTER OF THE APPLICATION OF HARRY O. LAMBETH, c/o VILLAGE TRAILER COURT, 13851 EAST COLFAX AVENUE, AURORA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15829-PP

November 21, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated that his company had no objection to the granting of authority herein sought by applicant, if said operating rights would be limited to the use of dump trucks.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Harry O. Lambeth, Aurora, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse,

from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton

John P. Thompson

Joseph F. Myers

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

(Decision No. 49122)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF STANLEY T. KIELIAN, 7460 GREENWOOD BOULEVARD, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15828-PP

November 21, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated that his company had no objection to the granting of authority herein sought by applicant, if said operating rights would be limited to the use of dump trucks.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Stanley T. Kielian, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse,

from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

Original

(Decision No. 49123)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT W. HICKS, 3437 WEST MANSFIELD,)
FORT LOGAN, COLORADO, FOR A CLASS "B") APPLICATION NO. 15827-PP
PERMIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-)

- - - - - - - - - -
November 21, 1957
- - - - - - - - - -

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, ro road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, appearing for protestant, R. B. "Dick" Wilson, Inc., stated he had no objection to the granting of authority herein sought by applicant, if said operating rights would be limited to the use of dump trucks.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of the service of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That applicant herein should be authorized to operate as a Class "B" private carrier by motor vehicle for hire, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Robert W. Hicks, Fort Logan, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within

a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

(Decision No. 49124)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JACOB HENKEL, JR., 6830 OLIVE STREET, DERBY, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15826-PP

November 21, 1957

Appearances: Jacob Henkel, Jr., Derby, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; coal, from mines in the Northern Colorado coal fields, to Denver, and to points within a radius of five miles of Denver, and requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-3738," being the number of a permit formerly held by him.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of

the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that his net worth is $15,000; that it would be agreeable with him that any operating rights herein granted be limited to the use of dump trucks.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Jacob Henkel, Jr., Derby, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; coal, from mines in the

Northern Colorado coal fields to Denver, and to points within a radius of five miles of Denver, Colorado, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That operating rights herein granted shall be known as "Permit No. B-3738," being the number of a permit formerly held by applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

(Decision No. 49125)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LEWIS J. GARDNER, 4669 CODY STREET, ARVADA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15824-PP

November 21, 1957

Appearances: Mrs. Vivian Gardner, Arvada, Colorado, for Applicant; Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Mrs. Vivian Gardner appeared, stating she was the wife of applicant herein; that applicant's net worth is $1,000.00.

Don J. Smith, Denver, Colorado, appearing on behalf of R. B. "Dick" Wilson, Inc., protestant, stated his company would have no objection to the granting of authority herein sought, if such operating rights were restricted to the use of dump trucks, only.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Lewis J. Gardner, Arvada, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

original

(Decision No. 49126)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DALE DUNKLE, 1389 STUART STREET,)
DENVER, COLORADO, FOR A CLASS "B") APPLICATION NO. 15823-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

November 21, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, representing protestant R. B. "Dick" Wilson, Inc., stated his company would have no objection to the granting of the authority herein sought, in the event said operating rights were restricted to the use of dump trucks, only.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the following Order.

O R D E R

THE COMMISSION ORDERS:

That Dale Dunkle, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a

radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoban

John P. Thompson

Joseph F. Magin

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

Original

(Decision No. 49127)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROLAND L. DUNCAN, 1375 IOLA, AURORA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15822-PP

November 21, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J. Smith, representing protestant R. B. "Dick" Wilson, Inc., stated his company would have no objection to the granting of the authority herein sought, in the event said operating rights were restricted to the use of dump trucks, only.

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

It does not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the following Order.

O R D E R

THE COMMISSION ORDERS:

That Roland L. Duncan, Aurora, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a

radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins

Chas. P. Thompson

Joseph F. Rogers

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

(Decision No. 49128)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CHARLES E. DECKER, 945 JACKSON STREET, DENVER, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15821-PP

November 21, 1957

Appearances: Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, at ten o'clock A. M., due notice thereof 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.

At the hearing, Don J Smith, appearing for R. B. "Dick" Wilson, Inc., stated his company would have no objection to the granting of authority herein sought, if such authority were limited to the use of dump trucks, only.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Charles E. Decker, Denver, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a

radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, operations under the authority herein granted to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

Original

(Decision No. 49129)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ARTHUR B. CLARK, DOING BUSINESS AS "CLARK EXCAVATING COMPANY," 3998 GARRISON STREET, WHEATRIDGE, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15820-PP

November 21, 1957

Appearances: Arthur B. Clark, Wheatridge, Colorado, pro se;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; clay, from pits and supply points within the State of Colorado, to processing plants within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 7, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that his net worth was $10,000; that he was agreeable that any authority herein granted be limited to the use of dump trucks, only.

No one appeared in opposition to the granting of the authority sought, as limited by applicant's testimony.

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

It did not appear that applicant's proposed operations, as hereinafter limited, will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein, as limited by the Order following.

O R D E R

THE COMMISSION ORDERS:

That Arthur B. Clark, doing business as "Clark Excavating Company," Wheatridge, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and

supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; clay, from pits and supply points in the State of Colorado, to processing plants within a radius of fifty miles of said pits and supply points, operations hereunder to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoban

John P. Thompson

Joseph T. Rigo

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

Original

(Decision No. 49130)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF UNION RURAL ELECTRIC ASSOCIATION, INC., BRIGHTON, COLORADO, FOR AUTHORITY TO EXTEND FACILITIES IN THE NW¼ OF SECTION 23, TOWNSHIP 3 NORTH, RANGE 66 WEST.	)	APPLICATION NO. 15902-Extension

November 21, 1957

S T A T E M E N T

By the Commission:

On November 13, 1957, Union Rural Electric Association, Inc., Brighton, Colorado, filed an application with this Commission for authority to extend its lines to serve the new house or cabin of Lawrence E. Dlver. The extension will consist of about 425 feet of primary single-phase line to be located in the Northwest Quarter of Section 23, Township 3 North, Range 66 West. The estimated cost of the new extension is $363.13.

This application was filed pursuant to the Commission's order in Application No. 13576-Case No. 5108, Decision No. 47074, of January 7, 1957, which set forth the procedure for obtaining authority to extend facilities distances exceeding 300 feet in length. Applicant has elected by the instant application plan (b) of said Order, which provides for the Commission to issue the authority without a hearing if it so decides, and if there are no protests.

The Commission has examined the record and files herein and believes that this matter is one which can be decided without a formal hearing, and being fully informed in the matter, will issue its Order granting the construction as requested. The Commission

has received a letter from the Public Service Company of Colorado, dated November 13, 1957, and a letter from the Colorado Central Power Company, dated November 14, 1957, both of said letters stating, in effect, that the respective companies have no objection to the granting of the authority sought by the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission is fully advised in the premises.

That Applicant has complied with the Commission's Order in Decision No. 47074 previously referred to, and there being no objection by interested parties, the authority as requested should be issued without hearing.

That public convenience and necessity require the rendering of electric service to the new house or cabin of Lawrence E. Dlver, located in the Northwest Quarter of Section 23, Township 3 North, Range 66 West, Weld County, Colorado, and that Union Rural Electric Association, Inc., should be authorized to render said service.

O R D E R

THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., Brighton, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to serve the new house or cabin of Lawrence E. Dlver, located in the Northwest Quarter of Section 23, Township 3 North, Range 66 West, Weld County, Colorado, all in accordance with the application for electric service signed by and between theparties, a copy of which was filed with the Commission in the instant matter, and which, by reference, is made a part hereof.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Dolson

Joseph F. Rigio

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.
mls

Original

(Decision No. 49131)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN R. LAWSON, DOING BUSINESS AS "LAWSON TRUCK LINE," 918 - 14TH STREET, GREELEY, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. A-765.	APPLICATION NO. 15798-PP-Extension

November 21, 1957

Appearances: Southard & Southard, Esqs., Greeley, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

By the instant application, John R. Lawson, doing business as "Lawson Truck Line," Greeley, Colorado, seeks authority to extend operations under Permit No. A-765 to include the right to transport freight, in pick-up and delivery service, from and to all points within a radius of five miles of the city limits of the City and County of Denver, and from and to all points within a radius of five miles of the city limits of the City of Greeley, Colorado. By amendment, the application is limited to movements in origin or terminal area where prior or subsequent movement is required.

Said application was regularly set for hearing before the Commission at the Court House, 3rd Floor, District Court Room, in Greeley, Colorado, at ten o'clock A. M., on October 29, 1957, due notice thereof being forwarded to all parties in interest. At this time and place the hearing was concluded and the matter taken under advisement.

On October 25, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

The applicant, John R. Lawson, Greeley, Colorado, testified that he has been the owner and operator of this permit for fifteen years past and that his present description of equipment list, and statement of customers, as filed with the Commission, are correct; that he has frequent calls for service beyond the city limits of both Greeley and Denver, Colorado; that it is now necessary for a movement which terminates beyond the city limits of either Greeley or Denver to be reloaded.

Witness A. E. Tegtman, Greeley, Colorado, testified that he has need for movement of mill work and other freight moving out of the Denver area beyond Denver to Greeley and areas beyond the city limits of Greeley, and that the Applicant offers service with covered trucks; that no similar service is now offered by other carriers, and that it is essential that his shipments be protected from weather damage.

Witness Gene Shaeffer, Greeley, Colorado, representing Farr Farms Co., an employee with seven years experience, testified that they have freight shipments originating beyond the city limits of Greeley for termination in Denver, and that he prefers and needs the service of the applicant.

Witness August Hart, residing $2\frac{1}{2}$ miles west of Greeley, Colorado, testified that he is the owner of Professional Heating Service; that he has used the service of the applicant for over five years; that he can receive more prompt service for the needs of his business if the applicant's authority is granted.

Witness Martin Williams resides $3\frac{1}{2}$ miles east of Greeley; is a truck gardener, and markets his produce in Denver, doing business as "Williams Brothers Onion Sales." He testified that he needs the service offered by the applicant and would use it if granted.

Witness Kenneth Grossaint resides 2½ miles southeast of Greeley, Colorado, and testified that he has used service of the applicant during the past fifteen years. The service required includes pickup beyond the city limits of Greeley to points beyond the city limits of Denver, but included in the radius of five miles beyond respective city limits; that the requirements of his service, although seasonal, extend from early fall and cover a period of approximately six months.

Report of the Examiner further states that applicant is qualified by experience and is financially able to carry on the operations under this application, and it is recommended that a permit be granted as defined in the application.

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

Report of the Examiner recommends that the instant application be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference, and Report of the Examiner referred to therein should be approved.

That the above-styled application should be granted.

It does not appear that the granting of the application will tend to impair the existing service of any common carrier.

O R D E R

THE COMMISSION ORDERS:

That the Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is, approved.

That Permit No. A-765 shall be extended to include the right to transport freight, in pick-up and delivery service, from and to all points within a radius of five miles of the city limits of the City and County of Denver, and from and to all points within

a radius of five miles of the city limits of the City of Greeley, Colorado, limited to movements where prior or subsequent line-haul movement is required, and this Order shall be taken, deemed and held to be authority therefor.

That this Order is made part of the permit granted to applicant, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

original

(Decision No. 49132)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF UNION RURAL ELECTRIC ASSOCIATION, INC., BRIGHTON, COLORADO, COLORADO P. U. C. TARIFF NO. 1, SECOND REVISED SHEET NO. 18 AND ORIGINAL SHEET NO. 18A.	INVESTIGATION AND SUSPENSION DOCKET NO. 402

November 21, 1957

S T A T E M E N T

By the Commission:

It appearing that a hearing will not be held in this matter prior to December 5, 1957, the presently effective date of suspension on P. U. C. Tariff No. 1, Second Revised Sheet No. 18 and Original Sheet No. 18A, of Union Rural Electric Association, Inc., Brighton, Colorado, said effective date should be further suspended.

F I N D I N G S

THE COMMISSION FINDS:

That the effective date of Union Rural Electric Association, Inc., Residential Service Rate, set forth on Second Revised Sheet No. 18 and Original Sheet No. 18A should be further suspended on the Commission's own motion, and a hearing held in the matter at a date to be set later by the Commission.

O R D E R

THE COMMISSION ORDERS:

That the effective date of Union Rural Electric Association, Inc., Brighton, Colorado, Colorado P. U. C. Tariff No. 1, Second Revised Sheet No. 18, and Original Sheet No. 18A for Residential Service, being Association Rate R-C, be, and it hereby is, further suspended for a period of four months from December 5, 1957, or

until April 5, 1958, unless otherwise ordered.

That a hearing be held by the Commission on said matter at a date to be set later by the Commission.

That copies of this Order be filed in Investigation and Suspension Docket No. 402, and copies served on all those receiving service under our prior decisions.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

(Decision No. 49133)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RAYMOND H. LUNN, JR., 415 EAST LOCUST STREET, LITTLETON, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15666
SUPPLEMENTAL ORDER

November 21, 1957

Appearances: John T. Shafroth, Esq., Denver, Colorado, for Applicant;
Robert E. McLean, Esq., Denver, Colorado, for Arapahoe Rubbish Removal, Harvey Davis, Englewood Pickup, Freddie's Rubbish Removal, Clyde Persinger.

S T A T E M E N T

By the Commission:

On October 25, 1957, the Commission entered its Decision No. 48975 in the above-styled application, granting to applicant herein a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, and other waste materials, as set forth in said Decision No. 48975.

On November 12, 1957, "Application for Rehearing by Raymond H. Lunn" was filed with the Commission, by John F. Shafroth, Attorney for Applicant.

The Commission has re-examined the record and evidence in said matter, and is unable to find anything therein to justify the granting of said Petition for Rehearing.

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of its Decision No. 48975; that no useful purpose would be served by granting rehearing herein, and that said Application for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing in the above-styled matter, filed by John F. Shafroth, Attorney for Applicant herein, on November 12, 1957, should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

mls

Original

(Decision No. 49134)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF COLORADO P. U. C. TARIFF NO. 1, SECOND REVISED SHEET NO. 1 OF ROCKY MOUNTAIN NATURAL GAS CO., INC., 503 FARMERS UNION BUILDING, DENVER, COLORADO, PROPOSING TO INCREASE RATES FOR NATURAL GAS SERVICE.	INVESTIGATION AND SUSPENSION DOCKET NO. 408

November 21, 1957

S T A T E M E N T

By the Commission:

On October 25, 1957, the Rocky Mountain Natural Gas Company, Inc., through its Secretary-Treasurer, Edna R. Knutson, filed with the Public Utilities Commission of the State of Colorado, a new schedule for natural gas service proposing to increase the rates charged for natural gas in the communities of Wellington and Nunn, Colorado, and the adjacent fringe territory and rural districts in Larimer and Weld Counties, Colorado, where natural gas is available from the Company's mains.

The Company duly notified its customers by letter on October 26, 1957, of the increases as provided by law and the rules and regulations of the Commission. The Commission to date has received a complaint from the Town of Nunn, Colorado, protesting the proposed raise of gas rates.

F I N D I N G S

THE COMMISSION FINDS:

That in order to protect the interests of all concerned, and in view of the protest of the Town of Nunn, the effective date of the Rocky Mountain Natural Gas Company's natural gas rate for Residential and Commercial gas service set forth on Second Revised Sheet No. 1, should be suspended and an investigation and hearing

held in the matter at a date to be set by the Commission.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the Rocky Mountain Natural Gas Company, Inc., Colorado P. U. C. Tariff No. 1, Second Revised Sheet No. 1 for Residential and Commercial natural gas service be, and it hereby is, suspended for a period of one hundred twenty (120) days from November 26, 1957, to March 26, 1958, unless otherwise ordered.

That the rates be made the subject of an investigation and a hearing to be held by the Commission on said matter at a date to be set later by the Commission.

That a copy of this Order be filed with Colorado P. U. C. Tariff No. 1, Second Revised Sheet No. 1 of Rocky Mountain Natural Gas Company, Inc., and copies also be served on said Rocky Mountain Natural Gas Company, Inc., the Town of Nunn and the Town of Wellington, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 21st day of November, 1957.

ea

original

(Decision No. 49135)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GRAND JUNCTION AIRCRAFT, INC., A COLORADO CORPORATION, WALKER FIELD, GRAND JUNCTION, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING TRANSPORTATION, BY AIRPLANE, OF PASSENGERS AND PROPERTY, NOT ON SCHEDULE, FROM, TO, AND BETWEEN ALL POINTS WITHIN THE STATE OF COLORADO.	APPLICATION NO. 15774

November 25, 1957

Appearances: Lincoln D. Coit, Esq., Grand Junction, Colorado, for Applicant;
Parkison and Stewart, Esqs., Glenwood Springs, Colorado, by
Charles Stewart, Esq., Glenwood Springs, Colorado, for Monarch Aviation, Inc., Western States Aviation;
Groves, Dufford, Turner, and Nelson, Esqs., Grand Junction, Colorado, by
Donald J. Dufford, Esq., Grand Junction, Colorado, for James P. Rigg, Jr.;
Willard F. Bridgeman, Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

By the present application, filed September 9, 1957, applicant corporation seeks authority from this Commission to operate as an air common carrier, not on schedule, from, to, and between all points within the State of Colorado.

Upon notice to interested parties, the matter was originally set for hearing at Grand Junction, Colorado, October 16, 1957. Apparently the presiding Examiner permitted the case to be started, but after two or three witnesses were heard, it was necessary to

adjourn said matter, and in said adjournment, the matter was set as a hearing de novo, at Grand Junction, Colorado, on November 14, 1957.

On November 14, 1957, Application No. 15774 was again called for hearing, and by agreement of counsel, a de novo hearing was had.

At the hearing, applicant presented several public witnesses, testifying as to the need for a certificate of public convenience and necessity for airplane service based in Grand Junction.

Thomas R. Wilson, the Acting General Manager of Applicant, testified as to the history of the company, its financial status, and the company's plans, if said certificate was granted.

It appears that applicant is running a sales and maintenance service for airplanes in Grand Junction, and due to requests received, they determined to file an application for a call and demand service by airplane in the State of Colorado.

Applicant, in presenting its witnesses, only had one or two instances where the service was in intrastate travel. The majority of the requests had by applicant for service was to points outside the State of Colorado.

On the other hand, protestants, by various public witnesses, testified that the service in Grand Junction offered by presently-certificated carriers is ample and adequate to take care of all needs.

In determining an application of this kind, we have the feeling, after hearing the evidence, that the presently-certificated carriers are taking care of all intrastate business that presents itself. The few instances, as disclosed by the record, where there was a delay, appears to be in interstate commerce. However, we have the feeling that protestants are giving priority to their regular customers. Nevertheless, we cannot say from the evidence before us that a certificate for an additional service is needed in Grand Junction. We now have two certificates authorized to do business

out of the Grand Junction Airport, and to grant another certificate, we do not believe would be in the public interest.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity do not require applicant's proposed operations, and that said application should be denied, for the reasons heretofore set forth in the preceding Statement, which, by reference, is made a part of these Findings.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15774 should be, and the same is hereby, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Norton

John P. Thompson

Joseph T. Nigro
Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

ea

Original

(Decision No. 49136)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH J. DUNN, MOAB, UTAH, FOR AU-)
THORITY TO TRANSFER INTERSTATE OP-) PUC NO. 2581-I-Transfer
ERATING RIGHTS TO MOAB TRUCK CENTER,)
INC., P. O. BOX 116, MOAB, UTAH.)
- - - - - - - - - - - - - - - - - - - -)

- - - - - - - - - -
November 25, 1957
- - - - - - - - - -

S T A T E M E N T

By the Commission:

Heretofore, Ralph J. Dunn, Moab, Utah, was authorized to operate as a common carrier by motor vehicle for hire, in interstate commerce, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and PUC No. 2581-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Moab Truck Center, Inc., a corporation, Moab, Utah.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said operation, if any there be, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

O R D E R

THE COMMISSION ORDERS:

That Ralph J. Dunn, Moab, Utah, should be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2581-I to Moab Truck Center, Inc., a corporation, Moab, Utah,

subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

ea

original

(Decision No. 49137)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF A. W. GOLDSTEIN, GERTRUDE BENNETT, INDEPENDENT EXECUTRIX, AND C. M. MC ELHANNON, DOING BUSINESS AS "BONDED WAREHOUSE COMPANY," 1324 EAST LANCASTER, FORT WORTH, TEXAS, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO C. M. MC ELHANNON, DOING BUSINESS AS "BONDED WAREHOUSE CO.," 1324 EAST LANCASTER, FORT WORTH, TEXAS.	PUC NO. 1388-I-Transfer

November 25, 1957

S T A T E M E N T

By the Commission:

By the above-styled application, A. W. Goldstein, Gertrude Bennett, Independent Executrix, and C. M. McElhannon, doing business as "Bonded Warehouse Company," Fort Worth, Texas, seek authority to transfer PUC No. 1388-I to C. M. McElhannon, doing business as "Bonded Warehouse Co.," Fort Worth, Texas.

The records and files of the Commission fail to disclose any reason why said request should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness against said operation, if any there be, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

O R D E R

THE COMMISSION ORDERS:

That A. W. Goldstein, Gertrude Bennett, Independent Executrix, and C. M. McElhannon, doing business as "Bonded Warehouse Company," Fort Worth, Texas, should be, and they hereby are, authorized to

transfer all right, title and interest in and to PUC No. 1388-I to C. M. McElhannon, doing business as "Bonded Warehouse Co.," Fort Worth, Texas, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

ea

(Decision No. 49138)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF PATRICK MC KANNAN, DOING BUSINESS AS "NUCLA CAB COMPANY," NUCLA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15852

November 25, 1957

Appearances: John Hoyman, Esq., Nucla, Colorado, for Applicant;
Cecil Haynie, Esq., Grand Junction, Colorado, for Crosby Taxi Company;
Charles Petrie, Esq., Montrose, Colorado, for Fast Taxi Service;
Fairlamb and Fairlamb, Esqs., Delta, Colorado, for Harvey Head.

S T A T E M E N T

By the Commission:

On October 14, 1957, Patrick McKannan, Nucla, Colorado, filed his application with the Commission, seeking a certificate of public convenience and necessity to operate a taxicab service in Nucla, Colorado, and from points in Nucla, Colorado, to points within the Counties of Mesa, Montrose, Delta, San Miguel, Montezuma, and Dolores, and to operate under the name of "Nucla Cab Company."

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 13, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant herein resides in the Town of Nucla, Colorado, and has purchased a 1957 Plymouth for use in his proposed taxicab operations.

At the hearing, applicant amended his application, as follows:

> "For the operation of a taxicab service between points within a twelve-mile radius of Nucla, Colorado, and from points within said twelve-mile radius of Nucla, Colorado, to points within the Counties of Mesa, Montrose, Delta, San Miguel, Montezuma, and Dolores, State of Colorado, applicant to have the right to perform a round-trip service, but will not be permitted to originate service out of said twelve-mile radius of Nucla, Colorado."

After this amendment, all protestants, except Harvey Head, of Delta, Colorado, withdrew objection to the granting of the authority herein sought, Mr. Head protesting applicant's going into Delta County.

Mr. Head contended that applicant should carry a passenger to his territory, and then call Delta Cab Company, who would meet him at his boundary and would carry the passenger on into Delta.

This appears to be a restriction rather for the benefit of a carrier, and not that of the public.

It is the opinion of the Commission, after listening to the evidence, that the public is entitled to a taxicab service out of Nucla, Colorado. We agree that the Nucla Taxicab Company should not originate business in territories now being served by common carrier taxicab operations.

Taxicab service is generally recognized as an emergency service and it is not practical for someone residing in Nucla to call taxicabs located in Delta, Montrose, or Grand Junction to come to Nucla to pick up a passenger to go to hospitals or meet airplanes, or other emergency services. If a passenger who is in Montrose or Delta wishes to go to Nucla, he has a service available -- either in Montrose or Delta -- to take care of that service, and we do not think that applicant should originate business in either Montrose, Grand Junction, or Delta, Colorado.

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

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's proposed motor vehicle common carrier call and demand transportation service, and that a certificate of public convenience and necessity should issue therefor, as set forth in the Order following.

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 Patrick McKannan, doing business as "Nucla Cab Company," Nucla, Colorado, for the operation of a taxicab service between points within a twelve-mile radius of Nucla, Colorado, and from points within said twelve-mile radius of Nucla, Colorado, to points within the Counties of Mesa, Montrose, Delta, San Miguel, Montezuma, and Dolores, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor, applicant to have the right to perform a round-trip service, but is not permitted to originate service out of said twelve-mile radius of Nucla, Colorado.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

mls

Original

(Decision No. 49139)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JESUS CASTILLO, 344 WEST MAIN,)
MONTROSE, COLORADO, FOR A CLASS "B") APPLICATION NO. 15853-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

November 25, 1957

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 logs and rough lumber, from point to point within a radius of fifty miles of Montrose, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Montrose, Colorado, November 13, 1957, at ten o'clock A. M., due notice thereof 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.

The files of the Commission show that applicant herein is the owner of a 1942 one and one-half-ton Chevrolet truck, with which he will conduct his proposed operations.

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

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein.

O R D E R

THE COMMISSION ORDERS:

That Jesus Castillo, 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 logs and rough lumber, from point to point within a radius of fifty miles of Montrose, Colorado.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

mls

original

(Decision No. 49140)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRED TATUM, GENERAL DELIVERY, DELTA,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 15854-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

November 25, 1957

S T A T E M E N T

By the Commission:

By the above-styled application, Fred Tatum, Delta, Colorado, seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of logs and rough lumber, from point to point within a radius of fifty miles of Delta, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Montrose, Colorado, November 13, 1957, at ten o'clock A. M., due notice thereof 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.

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

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

It did not appear that applicant's proposed operations will impair the efficiency of any common carrier operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That permit should issue to applicant herein.

O R D E R

THE COMMISSION ORDERS:

That Fred Tatum, Delta, 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 logs and rough lumber, from point to point within a radius of fifty miles of Delta, Colorado.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Dalton

John P. Thompson

Joseph F. Rigis

Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

mls

Original

(Decision No. 49141)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF OWEN BISHOP, BOX 74, NATURITA, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15850

November 25, 1957

Appearances: Owen Bishop, Naturita, Colorado, pro se;
Cecil Haynie, Esq., Grand Junction, Colorado, for Rocky Mountain Trailer Towing Service, et al.

S T A T E M E N T

By the Commission:

On September 19, 1957, applicant herein filed his application with the Commission, seeking a certificate of public convenience and necessity, authorizing him to operate as a common carrier by motor vehicle for hire, for the transportation of trailer houses within a one-hundred-mile radius of Norwood, Nucla, Naturita, and Uravan, all within the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, November 13, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant, residing in Naturita, Colorado, has an agency for trailers, and he had numerous requests to transport trailers in the west end of Montrose County, to the mines and small towns located within a radius of twenty-five miles of Naturita, Colorado.

It appears that the nearest domiciled common carrier with authority to transport trailer houses is located in Grand Junction,

and that most of the protestants are in Denver and the larger towns in Colorado. It further appears that there is a local towing service needed in Naturita and a radius of twenty-five miles thereof.

At the hearing, protestants stated they would withdraw objection to granting of the authority herein sought, if applicant's operations would be limited to the towing of trailer houses from point to point within a radius of twenty-five miles of Naturita, Colorado.

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

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's motor vehicle common carrier call and demand operations, and that certificate of public convenience and necessity should issue therefor, as limited by the following Order.

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 Owen Bishop, Naturita, Colorado, for the transportation of trailer houses, from point to point within a radius of twenty-five miles of Naturita, Colorado, 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 days from date.

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

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

That the above-styled application, in all other respects, should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

ea

Original

(Decision No. 49142)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DARRELL W. BLAIR, DOING BUSINESS AS "BLAIR'S URANIUM EXPRESS," MONTROSE, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1345 TO HARRY B. HAWKS, MONTROSE, COLORADO.	APPLICATION NO. 15851-Transfer

November 26, 1957

Appearances: T. L. Brooks, Esq., Montrose, Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, Darrell W. Blair, doing business as "Blair's Uranium Express," Montrose, Colorado, seeks authority to transfer PUC No. 1345 to Harry B. Hawks, Montrose, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Montrose, Colorado, November 13, 1957, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing said application, T. L. Brooks, Attorney for Applicants herein, requested that said matter be continued for hearing at a future date, due to the fact that both transferor and transferee were ill.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, continued, to be re-set for hearing before the Commission

at a future date to be determined by the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 26th day of November, 1957.

ea

(Decision No. 49143)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF FLOYD B. TALLEY, DOING BUSINESS AS "TALLEY REFRIGERATION SERVICE," 223 SOUTH CASCADE, COLORADO SPRINGS, COLORADO.	PERMIT NO. M-10563 CASE NO. 82538-INS.

November 25, 1957

S T A T E M E N T

By the Commission:

On October 25, 1957, the Commission entered its Order in Case No. 82538-Ins., revoking Permit No. M-10563 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-10563 should be, and the same hereby is, reinstated, as of October 25, 1957, revocation order entered by the Commission on said date in Case No. 82538-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 25th day of November, 1957.

ea

(Decision No. 49144)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF ISSUANCE OF TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER CHAPTER 80, SESSION LAWS OF COLORADO, 1951, FOR EMERGENCY MOVEMENT OF SUGAR BEETS.	)	APPLICATION NO. 15914

November 22, 1957

S T A T E M E N T

By the Commission:

Report has been received by the Commission from Louis J. Carter, Supervisor, Complaint and Investigation Division of this Commission, to the effect that an emergency exists in the matter of trucks for transportation of sugar beets in the Counties of Logan, Morgan, and Weld, State of Colorado, and that said emergency will continue for a period of approximately thirty days.

Request is made for an Order of the Commission relative to issuance of temporary certificates of public convenience and necessity for seasonal transportation of sugar beets in said counties.

F I N D I N G S

THE COMMISSION FINDS:

That an emergency exists because of the shortage in certificated trucks for transportation of sugar beets in the Counties of Logan, Morgan, and Weld, State of Colorado, and that public convenience and necessity require that temporary certificates of public convenience and necessity should issue for operation of motor vehicles for transportation of sugar beets to market or places of storage, as provided by Chapter 80, Session Laws of 1951, said certificates to be effective for a period from November 25, 1957, to and including December 25, 1957.

O R D E R

THE COMMISSION ORDERS:

That temporary certificates of public convenience and necessity should be, and are hereby, authorized to be issued for the operation of motor vehicles, for the transportation of sugar beets, to markets or places of storage, in the Counties of Logan, Morgan, and Weld, State of Colorado, said certificates to become effective November 25, 1957, and to continue in force up to and including December 25, 1957, no such certificate to issue for the transportation of such product by motor vehicle to any point beyond the boundaries of the State of Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John P. Thompson

Joseph F. Rigio

Commissioners.

CHAIRMAN RALPH C. HORTON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 22nd day of November, 1957.

ea

(Decision No. 49145)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HERBERT J. SCHILLING, 2215 QUINCE ST.,)
DENVER 8, COLORADO.)
)
) PERMIT NO. M-4925
)
)

November 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Herbert J. Schilling requesting that Permit No. M-4925 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4925, heretofore issued to Herbert J. Schilling be, and the same is hereby, declared cancelled effective November 11, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert E. Hoskins
Lyn L. Thompson
Joseph F. Figaro
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 1957.

ma

(Decision No. 49146)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
W. D. BURTON, 4322 NORTH 4TH N. W.,)
ALBUQUERQUE, NEW MEXICO.)
) PERMIT NO. M-6587
)
)

November 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. D. Burton requesting that Permit No. M-6587 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6587, heretofore issued to W. D. Burton be, and the same is hereby, declared cancelled effective August 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 27th day of November, 1957.

ma

(Decision No. 49147)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
MARTYN H. TEMPLE AND WESLEY N. TEMPLE,)
DOING BUSINESS AS "TEMPLE BROTHERS,")
BOX 73, EVERGREEN, COLORADO.) PERMIT NO. M-7253
)
)

November 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Martyn H. Temple and Wesley N. Temple dba Temple Brothers requesting that Permit No. M-7253 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7253, heretofore issued to Martyn H. Temple and Wesley N. Temple dba Temple Brothers be, and the same is hereby, declared cancelled effective June 30, 1956.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph F. Higro

Commissioners

Dated at Denver, Colorado,

this 27th day of November, 1957.

ma

(Decision No. 49148)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
O. E. MILLER, DOING BUSINESS AS)
"GREEN VALE MARKET," 501 SOUTH RACE,)
DENVER, COLORADO.) PERMIT NO. M-9679
)
)

November 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from O. E. Miller dba Green Vale Market requesting that Permit No. M-9679 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9679, heretofore issued to O. E. Miller dba Green Vale Market be, and the same is hereby, declared cancelled effective November 9, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Hoyt
Tom P. Thompson
Joseph T. Rigos
Commissioners

Dated at Denver, Colorado,

this 27th day of November, 195 7.

ma

(Decision No. 49149)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HENRY M. QUINTERO, DOING BUSINESS AS)
"STANDARD MATTRESS CO.," 1134 LARIMER)
STREET, DENVER 4, COLORADO.) PERMIT NO. M-11682
)
)

November 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Henry M. Quintero dba Standard Mattress Co. requesting that Permit No. M-11682 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11682, heretofore issued to Henry M. Quintero dba Standard Mattress Co. be, and the same is hereby, declared cancelled effective April 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 27th day of November, 1957.

ma

(Decision No. 49150)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JOHN PAUL CULBERTSON, 6677 WEST)
CEDAR AVENUE, DENVER, COLORADO.)
) PERMIT NO. M-13738
)
)

November 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John Paul Culbertson requesting that Permit No. M-13738 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13738, heretofore issued to John Paul Culbertson be, and the same is hereby, declared cancelled effective November 19, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 27th day of November, 1957.

ma

(Decision No. 49151)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. M. THOMPSON, 1312 HIGHLAND AVE.,) PUC NO. 2850
PUEBLO, COLORADO.)

November 27, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 2850 be suspended for six months from October 23, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That W. M. Thompson, Pueblo, Colorado, be, and he is hereby, authorized to suspend his operations under PUC No. 2850 until April 23, 1958.

That unless said certificate-holder 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

Ralph C. Horton

Wm. J. Thompson

Joseph T. Negro

Commissioners

Dated at Denver, Colorado,
this 27th day of November 1957.

ma

(Decision No. 49152)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SIMPSON MARCUS, FRED BARTLE, AND RALPH BARTLE, CO-PARTNERS, DOING BUSINESS AS "WESTERN TRANSFER & STORAGE CO.," 901 WAZEE STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 3458.	APPLICATION NO. 15900-Extension

November 27, 1957

Appearances: E. B. Evans, Esq., Denver, Colorado, for Applicant;
Howard D. Hicks, Denver, Colorado, for Centennial Truck Lines, Inc.;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer and Storage Company;
R. B. Danks, Esq., Denver, Colorado, for Colorado Transfer and Warehousemen's Association.

S T A T E M E N T

By the Commission:

This matter came on for hearing on November 21, 1957, at 330 State Office Building, Denver, Colorado, due and proper notice thereof having been sent to all interested parties.

The applicant is the holder of PUC No. 3458 providing for the transportation of general commodities between points in the City and County of Denver, excepting therefrom the transportation of commodities which, because of size or weight, require the use of special equipment.

This is an application for an extension of said authority to include the delivery of the authorized commodities to points and places within a radius of ten miles of the city limits of the City and County of Denver.

At the commencement of the hearing, upon motion of applicant's attorney, and without objection from any of the protestants, the application was amended to request authority for delivery to points and places of the authorized commodities within a radius of five miles of the city limits of the City and County of Denver, and excluding the Ramo-Wooldridge plant in Arapahoe County.

The applicant is a co-partnership doing business as "Western Transfer Company." It maintains the storage warehouse at 901 Wazee Street, Denver, Colorado. Most of its transfer and trucking operations are carried on for those customers who store materials in the applicant's warehouse. With the expansion of Denver, the customers of the applicant seek delivery of commodities stored in applicant's warehouse to the shipper customers outside the city limits but within the Metropolitan Area that has literally become a part of Denver.

Fred C.Bartle, a partner of the applicant, stated that their primary interest in this extension is to pick up and deliver commodities in the enlarged territory to and from their warehouse, and to deliver commodities from their warehouse to specific customers in the new territory sought on an unscheduled basis, thus limiting the extension to shipments that originated at or were destined for the warehouse of the applicant.

Public convenience and necessity was sought to be shown by establishing that this would provide faster service for the customers of the applicant's warehouse who already stored great quantities of material for delivery within the corporate limits of Denver under applicant's present authority.

This application was supported by the representative of the Gould National Batteries manufacturers who are located in Denver. This shipper uses the applicant's warehouse for the storage of component parts of batteries and for the storage of the finished product. The applicant is able to make distribution of the finished product within the corporate limits but is unable at the present time to make distribution in the area around Denver. This shipper is likewise

faced with the situation of lack of space. The storage of the finished product at their home plant is not feasible at the present time, and it is a convenience to separate the operation by storing the finished product at the applicant's warehouse and having the shipments made directly from there.

A representative of the Public Distributing Company likewise appeared in support of the application, and corroborated the testimony of the Gould National Battery witness that the extension would provide quicker and faster delivery service to customers in the area outside the city limits of Denver.

Both of these shipper-witnesses have used the applicant's services in the past and have found them eminently satisfactory. One of the shipper-witnesses testified that he did have difficulty in times past with other existing common carriers.

It is obvious that this is merely the situation of a carrier who already has authority to operate within the City and County of Denver seeking to extend his authority to an area that is physically a part of the populated area of Denver known as Metropolitan area, but which is, nevertheless, beyond its corporate limits. In the normal course of events the corporate limits of Denver would have extended to include the area sought to be obtained by this application. The fact is, however, that the political boundaries have not been changed to keep pace with the actual physical growth of the city. There can be little doubt, however, that the area within a five-mile radius of Denver, as presently constituted, is an integral part of the economy of the entire city, and it is to the benefit of the shippers and their customers to have one carrier available in the entire integrated economic area.

The applicant's experience and financial ability to render the additional service were established to the satisfaction of the Commission.

The only testimony produced in opposition was that of Centennial Truck Lines, which was to the effect that a scheduled

carrier was operated by it between Denver and Littleton; however, it was conceded by this protestant that the type of service to be offered by the applicant in the extended territory was different from that of the protestant.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That public convenience and necessity require the extension of the authority sought by the applicant, and that said application, as amended, should be granted.

O R D E R

THE COMMISSION ORDERS:

That PUC Certificate No. 3458, of Western Transfer & Storage Co., be, and the same is hereby extended to include the transportation of commodities authorized thereunder originating at the warehouse of the applicant in the City and County of Denver, or destined therefor, to and from all points within a radius of five miles of the city limits of the City of Denver as they are presently constituted, excluding therefrom service to the Ramo-Wooldridge plant located in Arapahoe County, Colorado, 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 days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 27th day of November, 1957.

ea

Original

(Decision No. 49153)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF A. E. SNIDER AND MARGARET J. SNIDER, CO-PARTNERS, DOING BUSINESS AS "NEWS AND FILM SERVICE," 1896 SOUTH CANOSA COURT, DENVER, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMITS NOS. A-4500 AND A-4500-I.	APPLICATION NO. 15862-PP-Extension

November 27, 1957

Appearances: Bruce Ownbey, Esq., Denver, Colorado, for Applicant;
Marion R. Smyser, Esq., Denver, Colorado, and
R. E. Turano, Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

This matter came on for hearing before the Commission on November 21, 1957, at 330 State Office Building, Denver, Colorado, after due and proper notice to all interested parties.

The applicant is the holder of Private Carrier Permit No. A-4500 and A-4500-I, which generally authorizes the transportation of newspapers and film, both intrastate and interstate, between various points in the State of Colorado, but particularly from Denver to Leadville, Colorado.

This is an application to extend said authority to transport newspapers between the following points, including all intermediate points, between Leadville and Salida, over Colorado Highway No. 24, and return to Denver over Colorado Highway No. 24 and U. S. Highway No. 285.

During the course of the hearing, applicant moved to amend its application to include all intermediate points on the return trip over U. S. Highway No. 285.

Protestant Rio Grande Motor Way, Inc. moved for dismissal of the application on the basis that such an amendment constituted an enlargement, and insufficient notice was given to other carriers who might have been interested if they had been apprized of the extent of the application as amended.

A. E. Snider, the owner of the authority, seeks to have the authority extended to enable him to deliver newspapers from Leadville to Buena Vista and Salida, and to return to Denver via U. S. Highway No. 285, serving all intermediate points.

The applicant's customer for this service will be the Denver Post, and the purpose of the extension is to enable the citizens of these several communities to receive earlier editions of the Denver Post, both daily and on Sundays. It was developed that the applicant would leave after the 7:30 edition of the Sunday Denver Post was published on Saturday evening, and would proceed to Salida via Leadville, making deliveries at all required intermediate points, returning to Denver via U. S. Highway No. 285, serving the several intermediate points requiring the service. The same route would be followed for the delivery of daily papers but there would be less use for the service during the week than on Sunday.

According to a representative of the Denver Post, the prime purpose of this authority would be to enable the Denver Post to deliver later editions of its papers to the nearby Denver towns. At the present time, the Denver Post is using other carriers, but it dispatches special editions which are printed much earlier for distribution in these outlying towns and cities, the most distant of which that affects this operation being Farmington, New Mexico. Obviously, points at such a distance cannot be served with up-to-the-minute editions. It is the feeling of the Denver Post that the cities in the area sought are close enough to Denver that they are entitled to newspapers of later edition.

It is the opinion of this Commission that the service sought would not only be of tremendous benefit to the particular shipper, but will provide a better service to the citizens in the area sought to be served. Although there was a protest, no evidence was adduced in opposition to the granting of the authority.

Directing our attention to the several motions made by the protestants, it is our opinion that the application as drawn is sufficient to authorize service between intermediate points on U. S. Highway No. 285. From the testimony of the principal witness, a return service to intermediate points on U. S. Highway No. 285 will be substantially limited except for Sunday deliveries.

It is fully understood that there is no fixed schedule and that times may be changed and adjusted to suit the convenience of those communities taking the Denver Post. It was also established that the Denver Post will continue to use its present carriers where that use is more efficient on the U. S. Highway No. 285 route. Thus, the net effect of the granting of this extension, as we see it, will be to provide an improved service and the delivery of the Denver Post in the Buena Vista and Salida areas, both daily and Sunday, and improved service along U. S. Highway No. 285 on the Sunday service. It was indicated that the small amounts to be delivered in the several respective towns would not be feasible as individual operations, and the entire route is necessary to make this a feasible operation. For this reason, and the fact that we do not feel that the amendment substantially enlarged the application, the protestant's motion to dismiss is overruled.

The applicant's training, experience and financial responsibility to conduct this extension were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

The above and foregoing Statement is made a part of these Findings by reference.

That the extension sought herein is compatible with the public interest, will not impair the ability of common carriers to serve, and should be granted.

O R D E R

THE COMMISSION ORDERS:

That operations of A. E. Snider and Margaret J. Snider, co-partners, doing business as "News and Film Service," under Permit No. A-4500 and Permit No. A-4500-I, be, and the same hereby are extended to authorize the transportation of newspapers for the Denver Post only, between Leadville and Salida and all intermediate points, over Colorado Highway No. 24, and from Salida to Denver, including all intermediate points, over Colorado Highway No. 24 and U. S. Highway No. 285, interstate operating rights being subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

That this Order is made part of Permit No. A-4500 and Permit No. A-4500-I, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph T. Rigio

Commissioners.

Dated at Denver, Colorado,
this 27th day of November, 1957.

ea

(Decision No. 49154)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
UNITED SAND AND GRAVEL COMPANY,) PERMIT NO. M-8564
BOX 476, GRAND JUNCTION, COLORADO.) CASE NO. 83074-INS.
- - - - - - - - - - - - - - - - - -)

- - - - - - - - - -
November 26, 1957
- - - - - - - - - -

S T A T E M E N T

By the Commission:

On November 20, 1957, the Commission entered its Order in Case No. 83074-Ins., revoking Permit No. M-8564 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-8564 should be, and the same hereby is, re-instated, as of November 20, 1957, revocation order entered by the Commission on said date in Case No. 83074-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Norton

John P Thompson

Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of November, 1957.

ea

(Decision No. 49155)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE D. THOMPSON, 4130) PERMIT NO. M-11868
ADAMS STREET, DENVER, COLORADO.) CASE NO. 83154-INS.
- - - - - - - - - - - - - - - - - -)

- - - - - - - - - -
November 26, 1957
- - - - - - - - - -

S T A T E M E N T

By the Commission:

On November 20, 1957, the Commission entered its Order in Case No. 83154-Ins., revoking Permit No. M-11868 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-11868 should be, and the same hereby is, reinstated as of November 20, 1957, revocation order entered by the Commission on said date in Case No. 83154-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Hoban
John P. Thompson
Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of November, 1957.

ea

(Decision No. 49156)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF STAR BAKING COMPANY, DOING BUSINESS AS "TOWN TALK BREAD," 421 SOUTH TEJON STREET, COLORADO SPRINGS, COLORADO.

PERMIT NO. M-258
CASE NO. 82950-INS.

November 26, 1957

S T A T E M E N T

By the Commission:

On November 20, 1957, in Case No. 82950-Ins., the Commission entered its Order, revoking Permit No. M-258 of the above-captioned Respondent, for failure of said Respondent to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights hould be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-258 should be, and the same hereby is, reinstated, as of November 20, 1957, revocation order entered by the Commission on said date in Case No. 82950-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Nature
John P. Thompson
Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of November, 1957.

ea

Original

(Decision No. 49157)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLIAM MC LINDEN, DOING BUSINESS AS "WILLIAM MC LINDEN TRASH HAULING," 860 SOUTH LIPAN STREET, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 3742 TO WALLACE H. HOLLBERG, 4500 EAST JEWEL, DENVER, COLORADO.	APPLICATION NO. 15864-Transfer

November 27, 1957

Appearances: Wallace H. Hollberg, Denver, Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, William McLinden, doing business as "William McLinden Trash Hauling," Denver, Colorado, owner and operator of PUC No. 3742, seeks authority to transfer said operating rights to Wallace H. Hollberg, Denver, Colorado, said PUC No. 3742 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

> ashes, from point to point within the city limits of Denver, Colorado, and from points in said area, to dumps in Adams, Arapahoe, and Jefferson Counties, State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 21, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Wallace H. Hollberg, transferee herein, testified that the consideration for transfer of said operating rights and one 1952 3/4-ton G.M.C.Truck is the sum of $1,100; that his net worth is $200,000.00.

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

The operating experience and financial responsiblity of transferee were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said operating rights, if any there be.

O R D E R

THE COMMISSION ORDERS:

That William McLinden, doing business as "William McLinden Trash Hauling," Denver, Colorado, should be, and he hereby is, authorized to transfer PUC No. 3742 -- with authority as set forth in the preceding Statement, which is made a part of these Findings by reference -- to Wallace H. Hollberg, Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if

any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of November, 1957.

ea

Original

(Decision No. 49158)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF MARCEL A. DRANSFELDT, DOING BUSINESS AS "GILPIN COUNTY FREIGHT LINE," 3511 SOUTH CORONA STREET, ENGLEWOOD, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1127 TO THOMAS D. LANE, DOING BUSINESS AS "THOMAS D. LANE TRUCK LINE," BOX 5472, TERMINAL ANNEX, DENVER, COLORADO.	APPLICATION NO. 15333-Transfer SUPPLEMENTAL ORDER

November 27, 1957

Appearances: George Harsh, Esq., Denver, Colorado, for Transferee.

S T A T E M E N T

By the Commission:

By the above-styled application, authority is sought from the Commission, transferring operating rights known as "PUC No. 1127" from Marcel A. Dransfeldt, doing business as "Gilpin County Freight Line," Englewood, Colorado, to Thomas D. Lane, doing business as "Thomas D. Lane Truck Line," Denver, Colorado, said PUC No. 1127 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

> Freight, between Central City and Blackhawk and Denver, Colorado, without the right to render any service between Golden and Denver and Denver and Golden, and including the right to make such trips to Russell Gulch as traffic may require; freight, as a common carrier, between Denver, Colorado, and Central City, Russell Gulch, and Black hawk, via U. S. #40 and Colorado #119; said route may be used as an alternate route to the one over which applicant is authorized to operate via Golden Gate Canon; transportation of ore and concentrates, from mines within a twenty-mile radius of Central City to points in said area, and to mills and railroad loading points at Colorado City, Leadville and Malta; mining and milling machinery and mine supplies from Central City or Blackhawk to mines within said twenty-mile radius; general cartage service from point to point within Gilpin County, on call and demand.

Said application was originally heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, May 10, 1957, at which time and place evidence was adduced relative to sale of said operating rights, it appearing that Norman R. Blake, former owner and operator of said PUC No. 1127 held a mortgage on said operating rights. At that time, said hearing was continued to a future date, for the taking of evidence regarding indebtedness, if any, against said operating rights.

Subsequently, and on November 25, 1957, pursuant to prior setting, after appropriate notice to all parties in interest, the above-styled application was heard and taken under advisement by the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado.

At the hearing, it appeared that only one claim has been submitted against said operating rights, being a claim in the amount of $12.50 by Westway Motor Freight, which, as testified to by Norman R. Blake, had been paid.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said certificate, if any there be.

O R D E R

THE COMMISSION ORDERS:

That Marcel A. Dransfeldt, doing business as "Gilpin County Freight Line," Englewood, Colorado, should be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1127 -- with authority as set forth in the preceding Statement, which

is made a part hereof, by reference -- to Thomas D. Lane, doing business as "Thomas D. Lane Truck Line," Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of November, 1957.

ea

(Decision No. 49159)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CARL AINSWORTH, 16400 EAST COLFAX AVENUE, AURORA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO 15841-PP SUPPLEMENTAL ORDER

November 27, 1957

Appearances: Harold D. Torgan, Esq., Denver, Colorado, for Applicant;
Don J. Smith, Denver, Colorado, for R. B. "Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

On November 20, 1957, the Commission entered its Decision No. 49106 in Application No. 15841-PP, granting to applicant herein a Class "B" permit, authorizing him to operate as a private carrier by motor vehicle for hire, for the transportation of:

> "dirt, sand, gravel, and clay used in construction for Griffin Brothers, from point to point within the City and County of Denver, and points within a radius of fifty miles thereof, limited to the use of dump trucks, only."

The Commission is now in receipt of a communication from Harold D. Torgan, Attorney for Applicant herein, requesting amendment of said Decision No. 49106, so that authority thereby granted will not be restricted to serve for Griffin Brothers, only.

F I N D I N G S

THE COMMISSION ORDERS:

That said request should be granted, and Decision No. 49106 amended, nunc pro tunc, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 49106, of date November 20, 1957, should be, and the same hereby is, amended, nunc pro tunc, as of said 20th day of November, 1957, by striking therefrom the first paragraph of the Order contained therein, appearing on Page 2 thereof, and inserting in lieu thereof the following:

> "That Carl Ainsworth, Aurora, 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 dirt, sand, gravel, and clay used in construction, from point to point within the City and County of Denver, and points within a radius of fifty miles thereof, limited to the use of dump trucks, only."

That, except as herein amended, said Decision No. 49106 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Hinton

John P Thompson

Commissioners.

COMMISSIONER NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of November, 1957.

(Decision No. 49160)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES AND REGULATIONS IN THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, FREIGHT TARIFF NO. 12-A, COLORADO P.U.C. NO. 11, ISSUED BY J. R. SMITH, CHIEF OF TARIFF BUREAU, 4060 ELATI STREET, DENVER 16, COLORADO.

CASE NO. 1585

November 27, 1957

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective November 30, 1957, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provisions of Rule 18, Paragraph C-(1)-(A) of the said Rules of Procedure, following the protest deadline (ten days prior to the proposed effective date) an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received in the office of the Commission relative to the proposed changes.

The following reasons have been submitted by the carriers in support of the changes.

For the account of Centennial Truck Lines, Inc., Larson Transportation Company and Rio Grande Motor Way, Inc.:

Item No. 730, Articles seven feet in height or lengthy articles, is being amended to provide for the above carriers, only a new section, namely No. 3, wherein "freight charges on articles seven feet or more in height or forty feet or more in length will take the first class rate if that rate is higher than the applicable rate under the rating provided in

the classification; otherwise, at the rating provided in the classification and rate provided herein." Special Permission No. 14203, dated November 15, 1957, was issued to the publishing agent to correct the reading of the above addition to read "exceeding forty feet in length in lieu of forty feet or more in length."

Mr. H. D. Hicks, General Traffic Manager, Centennial Truck Lines, Inc., states in support of this change that much of the trailer equipment now used is forty feet long and he does not see any necessity for a penalty rating when the articles can be handled in their regular equipment. The item was originally published to provide a higher rating when it was necessary to furnish special equipment to handle lengthy articles of thirty feet or more. The other two carriers assent to the above changes.

For the account of Centennial Truck Lines, Inc.:

Item No. 970, Pick-Up and Delivery Service, is being amended to provide an exception to the above rule so as freight having a prior or subsequent movement over the line of the above carrier pick-up and delivery service will be extended to points and places in an area extending five miles beyond and contiguous to the city limits of Denver, Colorado. In Decision No. 48861, dated October 9, 1957, the Commission granted this carrier authority to extend its pick-up and delivery service within the area described above for shipments having a prior or subsequent movement via its line, but not including point to point service from the five-mile radius to Denver nor to other points within the five-mile radius. The tariff changes were published to be effective October 29, 1957, in accordance with Decision No. 48861; therefore, the effect of this order will be nunc pro tunc as of October 29, 1957, insofar as this extension is concerned.

This carrier also under the decision above enumerated was granted authority to serve on a scheduled basis the Ramo-Woolridge Plant site located near the intersection of South Colorado Boulevard with the County Line between Arapahoe and Douglas Counties, from and to points served by this carrier, including Denver, Colorado. The carrier has published specific rates between Denver on the one hand and Ramo-Wooldrige

Corporation Plant on the other the same as the present L.T.L., 5,000 and 10,000 pound mileage scale for a distance of 15 miles. The staff of the Rate Department measured this mileage to the plant site, using Colfax and Broadway, Denver, to determine this distance.

Item No. 970, Pick-Up and Delivery Service, for that portion of the item, quote, "In the event shippers desire placement or pick-up of shipments at points other than the ground floor door or dock", the charges are being increased from five cents to twenty cents per one hundred pounds, and the minimum charge of twenty-five cents to sixty cents, which shall be in addition to the line haul transportation charges. This charge will apply generally to the participants of this tariff excepting the carriers who have provided otherwise in this item.

Mr. K. Williamson of the Westway Motor Freight, Inc., has submitted to the Commission as justification for this change that actual labor cost for his line is $2.40 per hour or four cents per minute. In many of the cases involved, the driver has taken fifteen minutes effecting such service, and figuring on a basis of four cents per minute the present minimum charge of twenty-five cents would not be compensatory in that its labor cost alone would amount to sixty cents.

The Westway people are the only ones who have submitted a justification for the proposed changes. However, its cost of performing these additional services should not be foreign to the cost of other carriers, especially when the general increased cost of doing business is a matter of common knowledge.

For the account of Rio Grande Motor Way, Inc., and Plateau Valley Stage Line:

The above carriers have published specific class rates between Denver, Colorado, on the one hand, and Vega Dam, on the other hand, as set forth on the following page.

BETWEEN / AND	Denver, Colorado											
	L.T.L.				Minimum Weight 5,000 Pounds				Minimum Weight 10,000 Pounds			
	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th
Vega Dam (Present)	303	258	213	169	297	252	207	163	291	247	201	157
Vega Dam (Proposed)	328	278	231	180	271	227	190	146	216	185	155	117
Collbran (Present)	303	255	211	166	246	210	172	136	197	168	140	109

In support of this publication, the carriers state that Vega Dam is located approximately fifteen miles beyond Collbran, which is over rough and unimproved roads. In lieu of using the present prescribed distance mileage scale the carriers propose to keep the rates in the same proportions as now for other points served in this area, also taking into consideration the fifteen miles of rough and unimproved road beyond Collbran. In general, comparing the applicable present distance mileage scale with the proposed rates the L.T.L. rates are somewhat higher; however, the five and ten thousand pound minimum rates are lower.

For the account of Larson Transportation Company and Ringsby Truck Lines, Inc.

The above carriers have published specific class rates between Denver and Union Carbide and Carbon Company Plant located near Maybell, Colorado. The same basis as the present rates to Maybell, Colorado, are being used to this plant. Ringsby Truck Lines, Inc., informs the Rate Department that the plant is located four miles east of Maybell and two miles north from U. S. Highway No. 40.

For the account of Milliken-Johnstown Truck Line, Centennial Truck Lines, Inc., and Rio Grande Motor Way, Inc.:

Item No. 2250, covering milk, condensed or evaporated, liquid or paste, with or without vegetable fats, in barrels, or boxes, minimum weight 10,000 pounds, subject to Item No. 970, between Johnstown, Colorado, and Canon City, Colorado, is being amended by publishing a rate of 82 cents. The above item is classified in The National Motor Freight Classification No. 14 as fourth class. The present combination of local fourth class rates between Johnstown and Canon City is 82 cents per 100 pounds on 10,000 pounds. The only purpose of the proposed specific adjustment is for clarification.

For the account of North Eastern Motor Freight, Inc., and Brooks Transportation Company:

The above carriers are increasing the L.T.L. class rates between various local points on the line of the North Eastern Motor Freight, Inc., and points served jointly with the Brooks Transportation Company by seven per cent. The various points affected are between Brush and points surrounding Brush; between Denver and points in Northeastern Colorado; between Fort Morgan and points surrounding Fort Morgan; between Greeley and points surrounding Greeley; between Julesburg and points surrounding Julesburg; between Sterling and points surrounding Sterling. Also, various points named between these headline points are being eliminated as they have in the past served no useful purpose on account of no shipments being made to them, according to Mr. J. R. Arnold of North Eastern Motor Freight, Inc.

In support of the seven per cent increase Mr. Arnold states that up to July of this year the company has operated at a loss. During July a small profit of $1,081.89 was made and again in August losses occurred so that by September 1st a small profit of $225.19 remained. The profit of $225.19 is supported by a statement of operating revenues and expenses. It is also stated as a general rule that during the months of November and December a decline occurs and he feels this increase is necessary in order to show a profit for the year.

By Decision No. 48737, dated September 18, 1957, the above carrier reduced its 5,000 and 10,000 pounds class rates with the thought in mind that this action would secure additional traffic and by this reduction the above rates were brought more in line with its rail competitors.

It appears this carrier is confronted, like so many others, with circumstances beyond its control and in order to continue to operate efficiently and at the same time attempt to produce a profit, management must exercise its best judgment in advancing changes which in its opinion will attain these results.

The carriers are also extending the expiration date of the reduced rates on class rated minimum volume rates of 5,000 and 10,000 pounds between Denver and points in Northeastern Colorado to expire December 31, 1958, in lieu of an expiration date of December 31, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in Appendix "A", attached hereto, and made a part hereof, appear to represent just, fair and reasonable rates and charges and should be authorized and an order entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement, findings and Appendix "A", be, and the same are hereby made a part hereof.

2. This order shall become effective forthwith.

3. The rates, rules, regulations and provisions set forth in Appendix "A" shall on November 30, 1957, be the prescribed rates, rules, regulations and provisions of the Commission.

4. All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

5. On and after November 30, 1957, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in Appendix "A" shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

6. On and after November 30, 1957, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. This order shall not be construed so as to compel a private carrier by motor vehicle to be, or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

9. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoyt

John P. Thompson

Commissioners

COMMISSIONER NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of November, 1957.

mem

APPENDIX "A"

For the account of Centennial Truck Lines, Inc., Larson Transportation Company and Rio Grande Motor Way, Inc.:

Amend Item No. 730 (Articles seven feet in height or lengthy articles) as follows:

Section No. 3: Freight charges on articles seven feet or more in height or exceeding forty feet in length will take the first class rate if that rate is higher than the applicable rate under the rating provided in the classification; otherwise, at the rating provided in the classification and rate provided herein.

For the account of Centennial Truck Lines, Inc.:

Amend Item No. 970 (Pick-Up and Delivery Service) as follows:

Exception:

Pick-up and delivery service within the city limits of Denver, Colorado, when shipment is moving via Centennial Truck Lines, Inc., will also include pick-up and delivery service in an area extending five miles beyond and contiguous to the city limits of Denver, Colorado, on shipments having a prior or subsequent movement over the line haul route of Centennial Truck Lines, Inc.

Further amend Item No. 970, generally for all carriers participants to this tariff, excluding the exceptions, as follows:

In the event shippers desire placement of pick-up of shipments at points other than the ground floor door or dock, the minimum rate for such additional service shall be twenty cents per one hundred pounds, subject to a minimum charge of sixty cents, which shall be in addition to the line haul transportation charges.

For the account of Milliken-Johnstown Truck Line, Centennial Truck Lines, Inc., and Rio Grande Motor Way, Inc.:

Amend Item No. 2250 to add the following:

	FROM	TO	RATE
Milk, condensed or evaporated, liquid or paste, with or without vegetable fats, in barrels, or boxes. Minimum weight 36,000 pounds, except as noted. (1) Minimum weight 10,000 pounds. Subject to Item No. 770.	Johnstown, Colorado	Canon City, Colorado	(1) 82

CLASS RATES IN CENTS PER 100 POUNDS

BRUSH, COLORADO

BETWEEN / AND	L. T. L.				Minimum Weight 5,000 Pounds				Minimum Weight 10,000 Pounds				Route
	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th	
Atwood	100	88	70	52									32
Crook	136	114	95	75	No change in rates on								32
Ft. Morgan	83	71	61	45	5 and 10 M pounds,								32
Goodrich	100	88	70	52	except as otherwise shown.								32
Haxtun	140	119	96	76									4
Hillrose	83	71	61	45									32
Holyoke	156	132	110	88									4
Iliff	119	102	83	67									32
Julesburg	162	138	114	89									32
Merino	95	79	67	51									32
Orchard	100	88	70	52									32
Ovid	156	132	110	88									32
Proctor	127	109	89	70									32
Sedgwick	149	128	105	83									32
Sterling	105	89	75	58									32
Weldona	91	76	63	50									32
Wiggins	95	79	67	51									32

DENVER, COLORADO

Amherst	212	184	149	119									4
Atwood	181	153	122	96									32
Brush	161	136	112	89									32
Crook	196	169	136	109									32
Dailey	200	170	140	110									4
Fleming	196	169	136	109									4
Fort Morgan	149	128	105	83									32
Goodrich	156	132	110	88									32
Grover	186	157	132	102									32
Haxtun	200	170	140	110									4
Hereford	186	157	132	102									32
Hillrose	162	138	114	89									32
Holyoke	209	181	148	114									4
Iliff	189	162	135	105									32
Julesburg	212	184	149	119									32
Keota	171	147	119	95									32
Merino	171	147	119	95									32
New Raymer	171	147	119	95									32
Orchard	149	128	100	83									32
Ovid	209	181	148	114									32
Padroni	189	162	135	105									32
Paoli	207	172	144	112									4
Peetz	196	169	136	109									32
Proctor	196	169	136	109									32
Ramo-Wooldridge Corp. Plant	79	67	55	44	74	61	49	38	68	55	44	32	47
Sedgwick	207	172	144	112									32
Sterling	186	157	132	102									32
Union Carbide & Carbon Co. Plant near Maybell	278	234	196	152	228	191	158	125	180	155	128	99	107
Vega Dam	328	278	231	180	271	227	190	146	216	185	155	117	168
Weldona	161	136	112	89									32
Wiggins	136	114	95	75									32

CLASS RATES IN CENTS PER 100 POUNDS

FORT MORGAN, COLORADO

BETWEEN / AND	L. T. L.				Minimum Weight 5,000 Pounds				Minimum Weight 10,000 Pounds				Route
	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th	
Atwood	110	93	76	61									32
Brush	83	71	61	45									32
Crook	147	122	102	77									32
Goodrich	91	76	63	50									32
Haxtun	149	128	105	83									4
Hillrose	91	76	63	50									32
Holyoke	162	138	114	89									4
Iliff	132	112	93	71									32
Julesburg	171	147	119	95									32
Merino	105	89	75	58									32
Orchard	91	76	63	50									32
Ovid	162	138	114	89									32
Proctor	136	114	95	75									32
Sedgwick	161	136	112	89									32
Sterling	114	96	79	62									32
Weldona	83	71	61	45									32
Wiggins	89	75	62	49									32

No change in rates on 5 and 10 M pounds, except as otherwise shown.

GREELEY, COLORADO

Amherst	200	170	140	110									4
Atwood	162	138	114	89									32
Brush	140	119	96	76									32
Crook	186	157	132	102									32
Dailey	186	157	132	102									4
Fleming	181	153	122	96									4
Fort Morgan	132	112	93	71									32
Goodrich	114	96	79	62									32
Haxtun	189	162	135	105									4
Hillrose	147	122	102	77									32
Holyoke	196	169	136	109									4
Iliff	181	153	122	96									32
Julesburg	200	170	140	110									32
Merino	161	136	112	89									32
Orchard	110	93	76	61									32
Ovid	196	169	136	109									32
Padroni	141	121	98	80									32
Paoli	189	162	135	105									4
Peetz	154	131	109	83									32
Proctor	181	155	122	96									32
Sedgwick	196	169	136	109									32
Sterling	165	140	114	91									32
Weldona	119	102	83	67									32
Wiggins	114	96	79	62									32

CLASS RATES IN CENTS PER 100 POUNDS

JULESBURG, COLORADO

BETWEEN / AND	L. T. L.				Minimum Weight 5,000 Pounds				Minimum Weight 10,000 Pounds				Route
	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th	
Atwood	136	114	95	75									32
Brush	162	138	114	89									32
Crook	105	89	75	58									32
Fort Morgan	171	147	119	95									32
Goodrich	181	153	122	96									32
Haxtun	162	138	114	89									4
Hillrose	161	136	112	89									32
Holyoke	171	147	119	95									4
Iliff	119	102	83	67									32
Merino	147	122	102	77									32
Orchard	186	157	132	102									32
Ovid	83	71	61	45									32
Proctor	110	93	76	61									32
Sedgwick	89	75	62	49									32
Sterling	132	112	93	71									32
Weldona	181	153	122	96									32
Wiggins	181	153	122	96									32

No change in rates on 5 and 10 M pounds, except as otherwise shown.

STERLING, COLORADO

Atwood	83	71	61	45									32
Brush	105	89	75	58									32
Buckingham	114	96	79	62									32
Crook	100	87	70	52									32
Fort Morgan	114	96	79	62									32
Goodrich	136	114	95	75									32
Grover	136	114	95	75									32
Hereford	147	122	102	77									32
Hillrose	95	79	67	51									32
Iliff	89	75	62	49									32
Julesburg	132	112	95	71									32
Keota	127	109	89	70									32
Merino	89	75	62	49									32
New Raymer	110	93	76	61									32
Orchard	140	119	96	76									32
Ovid	119	102	83	67									32
Padroni	89	75	62	49									32
Peetz	95	79	67	51									32
Proctor	91	76	63	50									32
Sedgwick	114	96	79	62									32
Stoneham	100	88	70	52									32
Weldona	132	112	93	71									32
Wiggins	132	112	93	71									32

Route 4 - North Eastern Motor Freight, Inc., Sterling, Colorado, Brooks Transportation Company

Route 32 - North Eastern Motor Freight, Inc., direct

Route 47 - Centennial Truck Lines, Inc., direct

Route 107 - Larson Transportation Company, Craig, Colorado, Ringsby Truck Lines, Inc.

Route 168 - Rio Grande Motor Way, Inc., Grand Junction, Colorado, Plateau Valley Stage Line.

(Decision No. 49161)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES AND REGULATIONS IN THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, FREIGHT TARIFF NO. 14, COLORADO P.U.C. NO. 13, ISSUED BY J. R. SMITH, CHIEF OF TARIFF BUREAU, 4060 ELATI STREET, DENVER 16, COLORADO.

CASE NO. 1585

November 27, 1957

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective December 4, 1957, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provisions of Rule 18, Paragraph C-(1)-(A) of the said Rules of Procedure, following the protest deadline (ten days prior to the proposed effective date) an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received in the office of the Commission relative to the proposed changes.

The Rate Department's investigations of the proposed changes developed the following information:

Item No. 1350, a rule governing the rates on movements of livestock, including horses, mules and asses, is being amended to provide an exception wherein the consolidation of livestock shipments from, to, or between points in plains territory located in Baca, Bent, Crowley, Kiowa, Las Animas, Otero, Prowers, Pueblo Counties and that part of Huerfano County on and east of U. S. Highway No. 85, the $1.00 per shipment consolidating charge provided in this item will not apply on shipments from or to more than one owner and having the same loading point at origin and same unloading point at destination.

By this change reductions will ensue to shippers in this area. In conversation with Mr. T. L. Tucker, a livestock common carrier hauler in the above area, the Rate Department was informed that this amendment was needed, as many shippers having less than truckload lots of livestock originating at one sales lot and destined to another sales lot in the Arkansas Valley, also farms adjoining each other wherein the loading and unloading points are the same, there is no need for an additional charge to each shipper of $1.00 when consolidated shipments are made.

A new exception (No. 13) to the application of the distance scales of rates on livestock is being added. It covers livestock, all kinds, between points within a two-mile radius of the Lamar, Colorado, city limits at a charge of $5.00 per truck per trip.

In the past for such movements the rates were predicated on a five-mile distance for L.T.L. (12¢), 5 M lbs. (8¢), 10 M lbs (7¢), 15 M lbs. (6¢) and 18 M lbs. (5¢), which resulted in charges for L.T.L., various amounts depending on the weight; 5 M lbs., $4.00; 10 M lbs., $7.00; 15 M lbs., $9.00 and 18 M lbs., $9.00, but not less than $3.00. The movements within the two-mile radius are between feed lots and sales lots and sales lots and feed lots.

In regard to the above changes, Mr. J. R. Smith, Chief of Tariff Bureau, Motor Truck Common Carriers' Association, informs us that notices were mailed to all other carriers in this area for a reply if any had objections. None were received.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in Appendix "A", attached hereto, and made a part hereof, should be authorized and an order should be entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement, findings and Appendix "A", be, and the same are hereby made a part hereof.

2. This order shall become effective forthwith.

3. The rates, rules, regulations and provisions set forth in Appendix "A" shall on December 7, 1957, be the prescribed rates, rules, regulations and provisions of the Commission.

4. All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

5. On and after December 4, 1957, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in Appendix "A" shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

6. On and after December 4, 1957, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. This order shall not be construed so as to compel a private carrier by motor vehicle to be, or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

9. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

COMMISSIONER NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of November, 1957.

mem

APPENDIX "A"

Amend Item No. 1350, a rule governing the rates on movements of livestock, including horses, mules and asses, by adding an exception as follows:

Exception: From, to, or between points in plains territory located in Baca, Bent, Crowley, Kiowa, Las Animas, Otero, Prowers, Pueblo Counties and that part of Huerfano County on and east of U. S. Highway No. 85, the $1.00 per shipment consolidating charge provided in this item will not apply on shipments from or to more than one owner but having the same loading point at origin and the same unloading point at destination.

Add a new exception No. 13 to the application of distance scales of rates on livestock as follows:

Livestock, all kinds, between points within a two-mile radius of the Lamar, Colorado, city limits - - - - - - - - - - - - - - - - - - $5.00 per truck per trip

original

(Decision No. 49162)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DENVER-LIMON-BURLINGTON TRANSFER COMPANY, 1420 18TH STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 699.	)	APPLICATION NO. 15494-Extension

December 2, 1957

Appearances: Wayne D. Williams, Esq., Denver, Colorado, and Howard E. Erickson, Esq., Denver, Colorado, for Applicant;
R. B. Danks, Esq., Denver, Colorado, for Colorado Transfer & Warehousemen's Association;
A. J. Fregeau, Denver, Colorado, for Weicker Transfer & Storage Co.

S T A T E M E N T

By the Commission:

By application filed February 13, 1957, as explained at the hearing of the matter, the applicant seeks to have its motor vehicle common carrier authority PUC No. 699 extended to authorize (a) pick up and delivery service for the transportation of general commodities between points within the City and County of Denver and a radius of two miles thereof, and (b) pick up and delivery service for goods having a prior or subsequent movement over the present line-haul service of the applicant to eastern Colorado, the pick up and delivery area being extended from the present Denver and two mile radius, to Denver and five miles.

After being initially set for earlier hearing and vacated

at the request of applicant, the matter came on for hearing, upon due notice to interested persons, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 25, 1957. At the conclusion of said hearing, the matter was taken under advisement.

The President and the Secretary-Treasurer of the applicant testified in support of the application. Representatives of three general cartage and household goods transportation companies in Denver testified in protest.

The testimony in support of the application is along three lines. First, it is asserted that the applicant has "Grandfather Rights" of some nature within the City of Denver to operate a local cartage service. It appears that in 1954, the applicant obtained a mover or carters license from the City and County of Denver; whether this license was obtained before or after the adoption of the Constitutional Amendment giving this Commission jurisdiction in Denver is not entirely clear from the exhibits offered on this point. It is clear, however, that the applicant did not obtain authority nor conduct any such operation in Denver during 1955, 1956, or 1957. It may be a matter of dispute whether "Grandfather Rights" existed with this Company in 1954, but if they did exist they had not been preserved by operation since. The situation presented by the evidence is not one where an applicant is engaged in business and is entitled to continue the operation of that business. At minimum, this applicant has not been engaged in this business for approximately three years. To authorize it now to engage in the local cartage business in Denver would be to permit it to start a new business in which it is not now connected and has not been engaged for some time. The evidence in this proceeding does not warrant such an Order.

The second proposition of the applicant is that it should be permitted to engage in the local cartage business within a two

mile radius of Denver. No public witnesses appeared to testify that he wanted or needed such a service from this applicant, or would use it if it were authorized. The applicant's witnesses testified that they had received a few calls for such service, but were not able to state that the people who made these calls suffered from lack of service from other carriers, or encountered delays in obtaining the service they wanted, at reasonable cost. In short, the testimony on this point does not support a conclusion that the existing service is inadequate in any respect.

The third aspect of the testimony related to the pick up and delivery of goods having a prior or subsequent movement over the applicant's existing line-haul service to eastern Colorado. It appears that the applicant presently operates a scheduled motor common carrier transportation system between Denver on the west and Burlington and Cheyenne Wells on the east. In connection with this scheduled service, it is necessary to operate a pick up and delivery service in Denver. At present this pick up and delivery area includes Denver and two miles around Denver. The applicant seeks to expand the two mile area to a five mile area. The extension sought will result in the shippers to and from eastern Colorado having single line service, where at present, outside the two mile radius, they must either deliver the goods to the carrier themselves, or have them delivered by a carrier having pick up and delivery service connecting with the applicant's service. This aspect of the application will result in improved service to the shipping public and is not protested by any of the carriers appearing in this proceeding. Because of the expansion of the commercial area of Denver, the Commission has granted similar authority to numerous other line-haul common carriers, and no reason appears to discriminate against the applicant in this aspect of its application.

The operating experience and financial responsibility of

applicant were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That public convenience and necessity require the proposed extended service of the applicant and that certificate of public convenience and necessity should issue therefor, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle scheduled service of Denver-Limon-Burlington Transfer Company, Denver, Colorado, under PUC No. 699, to include the pick up and delivery service from and to points in Denver and within five miles thereof, limited, however, to goods having a prior or subsequent movement to and from eastern Colorado points over the line-haul service of the applicant, 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 days from date.

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

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

That in all other respects said application should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 2nd day of December, 1957.

mls

original

(Decision No. 49163)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ASBURY TRANSPORTATION COMPANY, A CALIFORNIA CORPORATION, 2222 EAST 38TH STREET, LOS ANGELES, CALIFORNIA, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15860-PP

December 2, 1957

Appearances: Thomas J. Mitchell, Esq., Denver, Colorado, for Applicant;
R. B. Danks, Esq., Denver, Colorado, for Colorado Transfer & Warehousemen's Association.

S T A T E M E N T

By the Commission:

By its application filed August 27, 1957, the applicant California corporation seeks authority from this Commission to operate as a motor vehicle private carrier for the transportation of liquid nitrogen and oxygen manufactured by Air Products, Inc., at its manufacturing plant adjacent to the Martin-Denver facility, to the Martin-Denver facility, over the five-tenths mile Colorado State Highway known as Platte River Road, and for exemption from the requirement of filing tariffs in connection with such transportation.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 18, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The General Manager of the applicant testified in support of the application, as did Mr. Peter J. Allen, Resident Engineer for the shipper. There was no testimony in protest.

It appears from the evidence that Air Products, Inc., is a company specializing in the manufacture of low temperature liquids and products, particularly liquid oxygen and nitrogen. These products are used in connection with the work of the Martin Company under contract with the United States Air Force. The plant at which the products are produced is Air Force property located upon land belonging to the Martin Company, and is delivered upon manufacture to six different areas all located within the grounds of the Martin plant. The transit from the manufacturing site to the point of use requires the use of State highway for approximately one-half mile. The products are transported in specially manufactured, double walled vacuum insulated trailers, provided and owned by the United States Government. The carrier merely provides specially equipped motive units with drivers specially trained in the loading and unloading of the product and cleared for security by the Government. The applicant has performed this service for Air Products, Inc., in other localities for about two years and has the personnel and specially qualified drivers suitable to the work. The Company is engaged in other activities in other locations, principally highway and free-way construction, but this specialized work involving only short distant transit for a single customer involving a highly specialized service is separate and distinct from any of its other activities and is not suitable to being performed by the usual common carrier.

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

No evidence was submitted that the applicant is authorized to do business in Colorado; our Order will be conditioned upon the

prompt submission of this evidence.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That the authority sought should be granted, as qualified by the following Order.

O R D E R

THE COMMISSION ORDERS:

That Asbury Transportation Company, a California corporation, Los Angeles, California, should be, and it hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of liquid nitorgen and oxygen manufactured by Air Products, Inc., at its manufacturing plant adjacent to the Martin-Denver facility, to the Martin-Denver facility, over the five-tenths mile Colorado State Highway known as Platte River Road.

That Asbury Transportation Company, a California corporation, Los Angeles, California, should be, and it hereby is, temporarily excused from the requirement of filing tariffs in connection with the authority above granted, until the further Order of the Commission.

That the authority granted hereby shall be terminated February 1, 1958, without further Order of the Commission, unless prior to that date there shall have been filed with the Commission a certificate of the Secretary of State of Colorado that the applicant is authorized to do business in Colorado.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 2nd day of December, 1957.

mls

(Decision No. 49164)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DICK AKEMAN, DOING BUSINESS AS)
"ARAPAHOE RUBBISH REMOVAL",)
3901 SOUTH PENNSYLVANIA STREET,) PUC NO. 2042
ENGLEWOOD, COLORADO.)
)

December 4, 1957

S T A T E M E N T

By the Commission:

On June 14, 1957, the Commission authorized Dick Akeman, d/b/a Arapahoe Rubbish Removal, Englewood, Colorado, to suspend operations under his Certificate of Public Convenience and Necessity No. 2042 until December 6, 1957.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate of Public Convenience and Necessity No. 2042 should be, and the same hereby is, reinstated as of October 29, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 4th day of December, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49165)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
OTIS W. SMITH, BAYFIELD,)
COLORADO.) PERMIT NO. B-5237
)
)
)

December 4, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5237 be suspended for six months from October 25, 1957.

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 Otis W. Smith, Bayfield, Colorado,

be, and he is hereby, authorized to suspend his operations under Permit No. B-5237 until April 25, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 4th day of December, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49166)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JESS TOWER AND EDWARD R. SAUL,)
2376 CLERMONT STREET, DENVER 7,) PERMIT NO. B-4379
COLORADO.)
)
)

December 4, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that their Permit No. B-4379 be suspended for six months from September 8, 1957.

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 Jess Tower and Edward R. Saul, Denver, Colorado,

be, and are hereby, authorized to suspend their operations under Permit No. B-4379 until March 8, 1958.

That unless said permit-holders 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

Commissioners

Dated at Denver, Colorado,
this 4th day of December, 1957.

mjm

(Decision No. 49167)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF HAMER SHAW AND R. B. LEACH, FLAGLER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A COMMON CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15858

December 4, 1957

Appearances: Hamer Shaw, Flagler, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicants, Hamer Shaw and R. B. Leach, Flagler, Colorado, herein seek a certificate of public convenience and necessity authorizing them to engage in the business of moving and transportation of buildings within the entire Counties of Kit Carson, Cheyenne, Washington, and Lincoln, including the cities and towns therein, subject to the rules, regulations and ordinances of such towns.

Said application was regularly set for hearing before the Commission, at the Town Hall in Flagler, Colorado, on November 15, 1957, at 10:00 o'clock A. M., and was there heard and taken under advisement.

On November 12, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

Report of the Examiner states that Hamer Shaw, applicant, testified that he has moved 40 to 50 houses, and his net worth is

$25,000.00.

Applicant R. B. Leach testified that he has an "M" permit which he has had for the past twenty (20) years; that he is the owner of one 1947 Chevrolet truck and one 1949 Reo truck which are valued between $6,000 and $7,000; and that his net worth is $30,000.00.

Witness Robert A. Bryan appeared for the applicants. He stated the applicants helped move his house; that he has need for this service; that he purchased a house and it took three months to get it moved and that Shaw and Leach helped move it finally; and that he has been a resident of the community for 43 years.

Witness Mac Simonson testified that he had three houses to be moved from July to October and one house southwest of Hugo to be moved and for which he had to wait two months before the service was rendered; that he needs, and would use the service.

Witness Galen Means, Flagler, Colorado, appeared for the applicants. He testified that he is a mechanic and also does farming; that he has a house to move now and that he needs the service.

Witness Francis McCaffery, testified that he, too, needs the service.

The operating experience and financial responsibility of the applicants were established to the satisfaction of the Commission.

Report of the Examiner recommends that the instant application should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference, and Report of the Examiner referred to therein should be approved.

That public convenience and necessity require the granting of the proposed motor vehicle common carrier service of applicant.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is approved.

That public convenience and necessity require the proposed common carrier motor vehicle call and demand service of Hamer Shaw and R. B. Leach, Flagler, Colorado, for the moving and transportation of buildings within the entire Counties of Kit Carson, Cheyenne, Washington, and Lincoln, including the cities and towns therein, and subject to rules, regulations and ordinances of such towns, 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 days from date.

That 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.

That 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

required

(Decision No. 49168)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF E. BLANCHE HARSCH, DOING BUSINESS AS "HARSCH LIVESTOCK TRUCKING COMPANY," 4628 BRIGHTON BLVD.,DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO.519 AND PUC NO.519-I TO O.R.REED AND W.E. MC MAHAN,CO-PARTNERS,DOING BUSINESS AS "RAY REED SERVICE," 1ST AVENUE AND 18TH STREET, GREELEY, COLORADO.	APPLICATION NO. 15800-Transfer
RE MOTOR VEHICLE OPERATIONS OF RAY REED DOING BUSINESS AS "GILL GAS AND OIL COMPANY," UNDER PUC NO. 520.	PUC NO. 520

December 4, 1957

Appearances: Hubert D. Waldo, Jr., Esq., Greeley, Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, E. Blanche Harsch, doing business as "Harsch Livestock Trucking Company," Denver, Colorado, seeks authority to transfer PUC No. 519 and PUC No. 519-I to O. R. Reed and W. E. McMahan, co-partners, doing business as "Ray Reed Service," Greeley, Colorado, said PUC No. 519 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

> Livestock from point to point within a territory extending 18 miles north of Greeley, 20 miles east, 20 miles south, and 10 miles west, and between points within said territory and other points within the State.
>
> Extended under Decision No. 6451: Transportation of livestock and farm equipment and supplies from point to point within the territory described as follows: 38 miles north of Greeley to the Colo-Wyo state line, 100 miles east, 155 miles south, and 100 miles west of Greeley and between points within said territory and other points within the State of Colorado; PROVIDED, however, that the transportation of farm equipment and supplies shall be limited to service to the same customer and at the same time applicant is transporting livestock for said customer.

> Interstate authority issued October 20, 1949: Between all points in Colorado and the Colorado state boundary lines where all highways cross same in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

Ray Reed, doing business as "Gill Gas and Oil Company," is now the owner of PUC No. 520, which authorizes motor vehicle common carrier transportation of:

> livestock between points within a territory extending 18 miles north, 20 miles east, 20 miles south and 10 miles west of Greeley, and from and to points in said area, to and from points in the State of Colorado, with the proviso that "until further order of this Commission, equipment of applicants shall be limited to the use of one one-and-one-half ton truck and semi-trailer."

Thus, the authority now being acquired completely duplicates, but enlarges the authority already owned.

Said application was regularly set for hearing before the Commission, at the Court House, Greeley, Colorado, October 29, 1957, at 10:00 o'clock A. M., due notice thereof being forwarded to all parties in interest.

On October 25, 1957, the Commission, as provided by law, designated Anthony L. Mueller, an employee of the Commission, to conduct the hearing on said application.

Said hearing was held at the time and place designated in the Notice of Hearing, with Anthony L. Mueller, as Examiner, conducting the hearing, he thereafter submitting a report of said proceedings to the Commission.

By the above-styled application, applicant herein seeks authority to transfer PUC No. 519 and PUC No. 519-I to O. R. Reed and W. E. McMahan, Greeley, Colorado. The application for transfer was identified and received as Exhibit No. 1.

Exhibit No. 2 was identified and received, being a Description of Equipment in the Commission file, received August 12, 1957, and the witness testified that she is the owner of items thereon as follows:

1 - Reo Tractor, 1952, 3/4-ton
1 - Reo Tractor, 1956, 3/4-ton
1 - Fruehauf stock trailer, 1948
1 - Fruehauf stock trailer, 1951

The witness further testified regarding an instrument identified as Exhibit 3, being a financial statement disclosing the total outstanding indebtedness as of August 10, 1957, was $1,580.40. Witness further testified that she, as transferor, entered into a contract with O. R. Reed and W. E.McMahan, agreeing to sell to Reed and McMahan PUC Certificate No. 519 with the above-named equipment, for a total consideration of $25,000.00 to be paid $5,000.00 October 1, 1957, or on or before ten days after approval of transfer by the Commission. The balance of $20,000.00 to be paid in monthly payments of $253.20, payable on the first of each month following the date of approval and bearing interest at five per cent per annum and providing extra payment privileges. In support of this testimony, a copy of the contract was identified and received as Exhibit No. 4.

Witness further testified that by this transfer, the four pieces of equipment named and the rights under PUC No. 519 are the sole equities being transferred, and that she has no interest in other equipment listed under the filed Description of Equipment as shown in Exhibit No. 2.

The next witness called was transferee W. E. McMahan, who testified that he is co-partner with O. R. Reed and that they will be joint transferees under the contract of sale from the applicant, and a copy of the amended articles of co-partnership were identified and received as Exhibit No. 5. Description of Equipment list on file with the Commission, being owned and listed equipment of transferees, were identified and received as Exhibits Nos. 6 and 7. An instrument identified and received as Exhibit No. 8 was a financial statement of Gill Gas and Oil Company, owned by transferees Reed and McMahan, shows a net worth of approximately $17,000.00.

Witness testified that he has had extensive experience in the trucking business; that he has been the operator, under lease of PUC No. 519, for the past ten years.

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

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

Report of the Examiner recommends that transfer herein requested be authorized.

Our conclusion differs slightly from that of the Examiner.

If the transfer is permitted, these people doing business as "Gill Gas and Oil Company" will have two common carrier authorities to perform the same service. The livestock shipping public in the base area can get all the service it requires under either of them. The owners cannot actually make any use of two for this single kind of service. The effect of allowing two to be owned by one operator is simply that one becomes quiescent or dormant, only to spring into life again at some uncertain future period when the operator decides to sell one and continue to operate under the other.

The public interest in having efficient local carrier service requires stability of competitive conditions, so that carriers may assume the risk of going in debt to buy new or additional equipment to serve the public needs, confident that no new, additional competitor is suddenly going to spring into being and place their investment in jeopardy, until the established carrier is given an opportunity to speak. The proposal here, to have a quiescent authority, runs counter to this public interest.

We will accordingly authorize the transfer but only upon the condition that as of the effective date of transfer, PUC No. 520 shall be cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference, and Report of the Examiner

referred to therein should be approved.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said operation, if any there be.

O R D E R

THE COMMISSION ORDERS:

That Report of the Examiner referred to in the above and foregoing Findings should be, and the same hereby is approved.

That E. Blanche Harsch, doing business as "Harsch Livestock Trucking Company," Denver, Colorado, should be, and she hereby is, authorized to transfer all right, title and interest in and to PUC No. 519 and PUC No. 519-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to O. R. Reed and W. E. McMahan, co-partners, doing business as "Ray Reed Service," Greeley, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

Effective as of the effective date the transfer is accepted and becomes effective, PUC No. 520 shall be deemed cancelled.

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

The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of

transferees until changed according to law and the rules and regulations of this Commission.

The right of transferees to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificates up to the time of transfer of said certificates, the transfer of interstate operating rights authorized herein being subject to the Federal Motor Carrier Act of 1935, as amended.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

Original

(Decision No. 49169)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF WILLIAM B. NELSON, DOING BUSINESS AS "NELSON TRANS.," CRAIG, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1672 AND PUC NO. 1672-I TO ARNOLD A. WEISS, DOING BUSINESS AS "WEISS TRUCKING CO.," BOX 11, RANGELY, COLORADO.	APPLICATION NO. 15723-Transfer SUPPLEMENTAL ORDER
IN RE MOTOR VEHICLE OPERATIONS OF ARNOLD A. WEISS, DOING BUSINESS AS "WEISS TRUCKING CO.," BOX 11, RANGELY, COLORADO.	PERMIT NO. B-4007

December 4, 1957

Appearances: Worth F. Shrimpton, Esq., Craig, Colorado, for Applicants;
Walter Utzinger, Craig, Colorado, for Stanton Transportation Company.

S T A T E M E N T

By the Commission:

On October 25, 1957, the Commission entered its Decision No. 48936 in Application No. 15723, authorizing William B. Nelson, doing business as "Nelson Trans.," Craig, Colorado, to transfer PUC No. 1672 and PUC No. 1672-I to Arnold A. Weiss, doing business as "Weiss Trucking Co.," Rangely, Colorado, it being therein provided:

> "This transfer is conditioned upon the cancellation from the Private Carrier Permit No. B-4007, the following authority:
>
> "'Machinery, materials, equipment and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products.' "

The Commission is now in receipt of a communication from Arnold A. Weiss, doing business as "Weiss Trucking Co.," Rangely,

Colorado, stating:

> "As a condition to the transfer of Certificate No. 1672, I, Arnold A. Weiss, transferee, do hereby request the following be cancelled from my private carrier Permit No. B-4007.
>
> "Transportation of machinery, materials, equipment, and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, and Permit No. B-4007 be limited and restricted, as requested by the owner and operator thereof, and as required by Decision No. 48936.

O R D E R

THE COMMISSION ORDERS:

That operating rights under Permit No. B-4007 should be, and hereby are, amended, restricted, and limited, as required by Decision No. 48936, and as requested by Arnold A. Weiss, doing business as "Weiss Trucking Company," Rangely, Colorado, owner and operator thereof, viz., by striking therefrom the following authority:

> "Transportation of machinery,materials, equipment, and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Hoskins

John P Thompson

Joseph F Hagus

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

Original

(Decision No. 49170)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ARTHUR J. MANGINELLI, GENERAL DELIVERY, PAGOSA SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15878-PP

December 4, 1957

S T A T E M E N T

By the Commission:

By application filed October 14, 1957, the applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of rough lumber, logs and poles, from forests within a radius of seventy-five miles of Pagosa Springs, Colorado, to sawmills and railroad loading points within said seventy-five-mile radius of Pagosa Springs, Colorado.

Said application was regularly set for hearing at the New Court House, Durango, Colorado, November 20, 1957, due notice of the time and place of hearing before 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. There is nothing in the record to show why the applicant failed to appear.

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 the same hereby is, dismissed, for lack of prosecution.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

(Decision No. 49171)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOE BUTLER, BAYFIELD, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15876-PP

December 4, 1957

S T A T E M E N T

By the Commission:

By application filed October 25, 1957, applicant seeks 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 used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing at the New Court House, Durango, Colorado, November 20, 1957, at 9:30 o'clock A. M., due notice of the time and place of hearing being forwarded to all parties in interest.

The applicant did not appear either in person or by counsel. However, the records of the Commission show that the applicant notified the Commission, on November 12, 1957, that he was temporarily working at Gallup, New Mexico, and would not be able to appear at

the time of the hearing, and requested that the application be granted without his presence.

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

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

It did not appear that the granting of the authority sought will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Joe Butler, Bayfield, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operation to be restricted to the use of dump trucks, only.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

Original

(Decision No. 49172)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF LYNN C. GEORGE, PAGOSA SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15877-PP

December 4, 1957

Appearances: McKelvey & McKelvey, Esqs., Durango, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

By application filed October 14, 1957, the applicant seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; coal, from mines within a radius of fifty miles of Pagosa Springs, to Pagosa Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the New Court House, Durango, Colorado, November 20, 1957, and at the conclusion

of the evidence, the matter was taken under advisement.

The applicant appeared in support of the application. He testified that he has been in the trucking business for approximately 9 years; that he owns a truckline and grocery store at Pagosa Springs; that he is the owner of PUC No. 3537, a line-haul truck authority from Pagosa Springs to New Mexico, in rail substitute service, and a salvage service across Wolf Creek Pass; that he has equipment idle part of the time, which he could use if this authority is granted, and could obtain more if it is needed. He said he had received many requests for this service.

Donald W. Warr, Pagosa Springs, Colorado, appeared in support of the application, and stated that he is in the sand and gravel business at Pagosa Springs, and would use the proposed service if it is authorized.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Lynn C. George, Pagosa Springs, 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 sand, gravel, and other road-surfacing materials used in the construction

of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; coal, from mines within a radius of fifty miles of Pagosa Springs, to Pagosa Springs, Colorado; said operation to be restricted to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoffman

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

original

(Decision No. 49173)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CRAWFORD L. WALL, BOX 323, PAGOSA)
SPRINGS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-) APPLICATION NO. 15879-PP
RIER BY MOTOR VEHICLE FOR HIRE.)
-)

- - - - - - - - -
December 4, 1957
- - - - - - - - -

Appearances: Crawford L. Wall, Pagosa Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed October 14, 1957, the applicant seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of rough lumber, logs and poles, from forests within a radius of seventy-five miles of Pagosa Springs, Colorado, to sawmills and railroad loading points within said seventy-five mile radius of Pagosa Springs, Colorado. Applicant requests that in the event authority herein sought is granted, operating rights be known as "Permit No. B-4633," being the number of a permit formerly held by him.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the New Court House, Durango, Colorado, November 20, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of the application. He testified that he is in the logging business and intends to haul from the forests and sawmills to planer mills; that he has two truck-trailer combinations; that his net worth is approximately $20,000; that he has had 25 years experience; that he has work to do; and that he is familiar with the rules and regulations of the Commission and will abide by them if the authority is granted.

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

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That the authority sought should be granted, said operating rights to be known as "Permit No. B-4633," being the number of a permit formerly held by him.

O R D E R

THE COMMISSION ORDERS:

That Crawford L. Wall, Pagosa Springs, 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 rough lumber, logs and poles, from forests within a radius of seventy-five miles of Pagosa Springs, Colorado, to sawmills and railroad loading points within said seventy-five-mile radius of Pagosa Springs, Colorado, said operating rights to be known as "Permit No. B-4633."

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

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

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

Original

(Decision No. 49174)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DENVER AND RIO GRANDE WESTERN)
RAILROAD COMPANY, 1531 STOUT STREET,)
DENVER, COLORADO, FOR AUTHORITY TO)
DISCONTINUE OPERATION OF PASSENGER)
TRAINS NOS. 9 AND 10 BETWEEN DENVER,)
COLORADO, AND CRAIG, COLORADO.)

APPLICATION NO. 14727

December 3, 1957.

Appearances: T. A. White, Esq., Denver, Colorado, for Applicant;
C. R. Monson, Esq., Steamboat Springs, Colorado, for Colorado Better Railroad Association, County of Routt, Town of Steamboat Springs, Town of Oak Creek, Don Lawrence;
Henry S. Sherman, Esq., Denver, Colorado, for Brotherhood of Locomotive Engineers and Firemen, Brotherhood of Locomotive Engineers, Brotherhood of Railway Trainmen, Order of Railway Conductors and Brakemen, Steamboat Springs Chamber of Commerce, and certain other named individuals;
Robert H. Gleason, Esq., Steamboat Springs, Colorado, for Steamboat Springs Chamber of Commerce;
George R. Kemp, Esq., Denver, Colorado, for Brotherhood of Railway Clerks;
Grant E. McGee, Esq., Denver, Colorado, and
Rodney J. Bardwell, Esq., Denver, Colorado, for Moffat Tunnel Commission;
Nicholas Magill, Steamboat Springs, Colorado for Kiwanis Club of Steamboat Springs, Colorado;
E. D. Davis, Esq., Craig, Colorado, for Craig Green House and Florette Shop;
Fred A. Videon, Esq., Craig, Colorado, for Craig Chamber of Commerce;
George A. Pugh, Esq., Craig, Colorado, pro se;
Clinton Hardenbrook, Esq., Granby, Colorado, for Granby Chamber of Commerce;
Anthony L. Mueller, Esq., Denver, Colorado, and
John L. McNeill, Denver, Colorado, for the Commission.

S T A T E M E N T

By the Commission:

By the instant application, filed September 4, 1956, The Denver and Rio Grande Western Railroad Company seeks authority from the Commission to discontinue operation of its Passenger Trains Nos. 9 and 10, between Denver, Colorado, and Craig, Colorado.

Said application, pursuant to appropriate notice to all parties in interest, was heard, at the Court House, Steamboat Springs, Colorado, January 22, 23, 24, and 25, 1957, when said hearing was recessed to March 6, 1957, at which time further evidence was taken, and at 5:30 o'clock P. M. of said date, there being no further evidence, the matter was taken under advisement.

This application presents questions that are novel in passenger train abandonments, and it appears to the Commission that the proposal here is a departure from the traditional application, due primarily to the unusual circumstances and history of said operation. Therefore, we are of the opinion, for the purpose of clarification and to properly evaluate the facts as presented at the hearing, that a brief review of the history of the operations and the part played by The Denver and Salt Lake Railway Company, The Denver and Rio Grande Western Railroad Company (applicant herein), and the building of the Moffat Tunnel through the Continental Divide should be discussed in our Statement of Facts.

David Moffat, a Denver banker, conceived the idea of building a railroad from Denver to Salt Lake City, in direct competition with The Denver and Rio Grande Western Railroad Company and the Union Pacific Railroad Company. Construction of said railroad was started in 1900, and some thirteen years later, the first mixed-train operated by The Denver and Salt Lake Railway Company, commonly known as the "Moffat Road," arrived in Craig. Regular passenger service was instituted June 22, 1914, between Denver and Craig, Colorado, At that time, there was still hope that the Moffat Road would extend to Salt Lake City. The Moffat Road, from its beginning, was plagued with financial troubles, due, in a large measure, to excessive costs of crossing the Continental Divide, over Corona Pass. For a time, it appeared that the Moffat Road was doomed. Suggestions were made that the Moffat Road be consolidated with the Rio Grande,

and a cut-off be built by the Rio Grande between Orestod and Dotsero, a distance of approximately forty-one miles, connecting the two roads, and giving a more direct route from Denver to the West Coast. This matter, it appears, was considered, but was abandoned, because it appeared that the operation was not economically feasible, due to the excessive costs of going over Corona Pass.

In 1921, a petition was filed to abandon the Moffat Road. To avert the abandonment, by eliminating excessive cost incidental to crossing of the Continental Divide via Corona Pass, an Improvement District was formed, to drive a tunnel under the Continental Divide. This District comprises the City and County of Denver, the Counties of Routt, Moffat, and Grand, and a small portion of the Counties of Eagle, Gilpin, Boulder, and Jefferson. Litigation over the powers of the Moffat Tunnel District was eventually disposed of, and after a few years, a tunnel was driven through the Continental Divide, known as the "Moffat Tunnel," at an approximate cost of Fifteen Million Dollars.

After the conception of the tunnel, it was leased to The Denver and Salt Lake Railway Company, at a figure which was not sufficient to pay the interest on the bonds, and a direct tax was levied on the property located in the Moffat Tunnel Improvement District to make up the deficit, and to eventually retire the bonds.

The Denver and Salt Lake Railway Company immediately started using the tunnel, and instituted the service of two passenger trains between Craig and Denver -- one, a daily daylight service; the other a night service -- with three round trips a week, equipped with Pullman.

In the meantime, The Denver and Rio Grande Western Railroad Company, desirous of using the Moffat Tunnel as a more direct route to the Pacific Coast, built the Dotsero Cut-Off, between Dotsero and Orestod, and through operating agreements with The Denver and Salt Lake Railway Company, used their trackage, which included the use of the tunnel. This operation continued for a few years, and in 1947, The Denver and Salt Lake Railway Company was merged with the Rio Grande.

At the time of the merger, the Moffat Road operated one daily passenger train in each direction between Denver and Craig, and also an over-night

tri-weekly mixed-train service between these points. This service was continued until January 1, 1951, when the Commission, by Decision No. 35728, authorized a change to over-night passenger service. The over-night trains, known as "Trains Nos. 9 and 10," carried a Pullman in addition to a coach, and were operated as a part of Trains Nos. 19 and 20 between Denver and Bond, Colorado, and were operated between Bond and Craig as "Trains Nos. 9 and 10," which resulted in schedules leaving Denver at 7:40 at night, and arriving at Craig at 7:45 the next morning; and leaving Craig at 9:00 P. M., arriving at Denver at 7:20 the next morning. This was a service being operated immediately prior to the present service which was inaugurated September 5, 1954.

The instant application is to abandon the present passenger trains now operating between Denver and Craig, Colorado.

On behalf of applicant, the evidence clearly discloses that Trains Nos. 9 and 10 are being operated at a loss.

Exhibit No. 7 of applicant discloses the following on Trains Nos. 9 and 10 between Denver and Craig:

Revenues, Expenses, and Net Earnings
September 5, 1954, to August 31, 1955

Total Revenues	$116,835.
Expenses	249,688.
Net Loss	$132,853.

From September 1, 1955, to August 31,1956

Total Revenues	$109,470.
Expenses	263,103.
Net Loss	$153,633.

To eliminate this loss as above disclosed, the Rio Grande wishes to abandon these trains, contending they have no obligation to serve where they are losing $153,633 from September 1, 1955, to August 31, 1956. The above figures take no cognizance of income taxes.

We have listended to the evidence. We have studied the exhibits, and the only reason we can see for the abandonment of Trains Nos. 9 and 10 is the financial loss sustained in their operation.

We cannot say, as stated by the Witness Eno, that the public has abandoned Trains Nos. 9 and 10; rather, we are inclined to believe that the officials of the Rio Grande have decided it is impossible to make Trains Nos. 9

and 10 pay their operating costs, and they have thrown up their hands in dispair -- hoping that the public will abandon the trains.

We fail to see, from the record made in the instant application, where management has seriously endeavored to increase its revenue on Trains Nos. 9 and 10; nor has it made any real effort to attract business or to curtail operating costs. We do not presume to tell the Rio Grande Railroad how to operate a passenger train -- especially when they have the services of experts at their disposal. The above schedule was put on by stipulation, and it is our understanding that applicant was a moving party.

The abandonment of Trains Nos. 9 and 10, as we stated in the beginning, presents problems new in passenger train abandonments. It is our purpose to discuss these problems.

Protestants vigorously protested the abandonment of Trains Nos. 9 and 10. They complained of the present service, contending it was not adapted to the needs of the public, and especially the business interests of Grand, Routt, and Moffat Counties. They suggested installation of a Budd Car, for the purpose of cutting expenses. They called the attention of the railroad and of the Commission to the scenic attractions on said line, and suggested that the railroad might add traffic for those interested in seeing the Wonders of the Rockies. Protestants also contended that schedules were designed to satisfy only a small portion of the traveling public tributary to the line.

The Commission is cognizant of the fact that protestants are not experts in the matter of railroad transportation, and we cannot look to them for solutions.

Passenger traffic cannot, however, be made profitable again, merely by paring away lines that are losing money. A more realistic approach would, in our judgment, involve a complete study by their experts of that part of their passenger service on Trains Nos. 9 and 10 that is susceptible to growth and adjustable to present-day market, from the standpoint of the right price, the right kind of service, and the right kind of equipment. It appears to us that certain adjustments can be made on a basis of dependable calculations, not guess-work. We cannot say, from the record here, that trains cannot compete with buses -- especially when we consider the scenic attractions and winter

sports as a factor. We cannot deny the feeling, after listening to the testimony, that the railroad has rendered a passenger service on the Moffat Line because it was their obligation so to do, with the apparent implication that the public would eventually abandon the service.

Numerous legal questions were raised by protestants that may or may not have merit. The Commission is a fact-finding body, and, in our judgment, is not in a position to pass on these legal questions.

In determining the application before us, we are confronted with a serious problem in passenger abandonment cases. The evidence is clear that applicant is losing money on its operation of Trains Nos. 9 and 10. This Commission commends the railroad in its desire to reduce expenses and earn for its stockholders, but the equally paramount rights of the public cannot be sacrificed as tribute on the altar of the "Common Dividend."

The Virginia State Corporation Commission observed, in re Atlanta Coast Line Railroad Company, Case No. 13101, March 15, 1957:

> "When a friend approached William H. Vanderbilt for taking off a passenger train, saying, 'The public has great need for that train,' Vanderbilt replied in the classic phrase: 'The public be damned. I am running this road for the stockholders. It is up to the management to look out for the stockholders, and it is up to the Public Service Commission to look out for the public.' Vanderbilt has been criticized for his choice of words, but he was only recognizing his fiduciary obligation to those who had trusted him with the management of their savings."

The Commission has, on numerous occasions, held, where there is excessive out-of-pocket losses and the railroad company has modest earnings, or is operasting at a loss, and there is available competitive passenger service, that passenger trains be abandoned. However, after a careful study of this record, and after listening to the witnesses, we feel that the present abandonment is, and must be, governed by the peculiar circumstances disclosed.

The following facts lift this out of the ordinary run of passenger train abandonments:

First: We have patrons or customers who are subsidizing applicant in their tunnel route operations.

It appears to the Commissinn that the use of the Moffat Tunnel

is a major factor enabling applicant to come from a bankrupt railroad to one of the strong financial railroads of the nation. We must remember that the building of the tunnel was financed in part by the protestants herein, who mortgaged their homes and farms to make railroad service available.

Second: The record discloses applicant's railroad has an operating ratio of 62 per cent, and is earning a 8.9 per cent return on its book value. This rate of return is one of the highest in the nation, and this operating ratio is one of the lowest.

This favorable operating ratio and rate of return is the result of the Moffat Tunnel, which was pioneered by the residents of the City and County of Denver and the territory represented by the protestants herein.

Third: Applicant is not satisfied with its present rate of return, and has now pending before this Commission requests for further percentage-wise increases in the transportation of freight.

We are in agreement with the Interstate Commerce Commission, when it said, in Ex Parte 206, 299 I.C.C., 436:

> "On the expense side, as is well known since World War II, passenger train service has been operated at a substantial deficit (see Ex Parte No. 196, 198); a deficit which has long been recognized as a part of the overhead burden to which the freight must make some contribution."

In other words, we recognize that the applicant has experienced a loss for Trains Nos. 9 and 10, but in asking for increases in freight, they justified their need for increases due to their passenger deficits. This appears strange, when they have a 62 per cent operating ratio, and a 8.9 per cent return calculated on book investment, only.

Thus, the Commission is presented with a situation where a railroad that is highly prosperous seeks to abandon certain passenger service, on the grounds that this passenger service is not profitable. There is in addition, however, the unusual facet that a principal factor in the operation of this railroad as a transcontinental bridge line operation, and as a means of operating the passenger service sought to be abandoned, is the Moffat Tunnel, which is paid for, in part, by the tax-payers in the area served by this passenger train. Although

this is one of the rare subsidies given to a railroad -- and is only a subsidy in part, since the railroad does pay rental for the use of the Moffat Tunnel -- nevertheless, the applicant railroad's exclusive right to use the Moffat Tunnel as a railroad carries with it a correlative duty of service to those who made the Moffat Tunnel possible, viz., the tax-payers in the area served by the passenger train now sought to be abandoned.

We find these reasons compelling, leaving us no alternative in the discharge of our public duty.

In conclusion, let us say that passenger traffic cannot be made profitable merely by paring away the worst money-losing services. The parts of the business that are susceptible to growth need: First, to be clearly discerned; then, such parts of the business need to be adjusted to the present-day market. We suggest they explore time schedules, the recognition of the scenic attractions, and its great potential as a winter sports area. The present record indicates that the passenger business on Trains Nos. 9 and 10 looks bad, only because the bad parts are so bad that they off-set the showing of the good parts. It is a case of "not seeing the forest for the trees," in reverse. With Trains Nos. 9 and 10, it appears that applicant can see only the forest, and does not discern the sound timber still struggling along to grow; and which might thrive, if given reasonable attention, and if the blighted trees were cleared away.

We cannot agree with applicant's witness when he said, "The people have deserted the railroad." Rather, we would say the taxpayers of the Moffat Tunnel District made railroad service possible, and they are making their yearly contribution by direct taxation to keep that service available.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the continued operation of Trains Nos. 9 and 10 of The Denver and Rio Grande Western Railroad Company, for the reasons heretofore set forth in the preceding Statement, which, by reference, is made a part of these Findings.

That the above-styled application should be denied.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the continued operation of Trains Nos. 9 and 10 by The Denver and Rio Grande Western Railroad Company, between Denver, Colorado, and Craig, Colorado.

That Application No. 14727 should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

Joseph F. Regis

Commissioners

Dated at Denver, Colorado,
this 3rd day of December, 1957.

mw

COMMISSIONER THOMPSON, CONCURRING:

I arrive at the same conclusion as my colleagues, but by quite a different route.

The existence of the Moffat Tunnel, a public tunnel built at public expense, and used by the railroad, colors the problem in many ways, and makes it unique in the history of passenger abandonment cases. As will appear, it tips the balance against the railroad.

From the railroad's point of view, the question is one of dollars, only; it is not complicated by considerations of personality or civic pride, no burning principle is involved. The railroad simply is losing money on this passenger run; no one disputes that if it were discontinued the railroad would save about $150,000 a year, gross. Income Taxes would reduce this saving to perhaps $75,000 net, after taxes. At some expense, part of the $75,000 gross revenue from head-end business might also be salvaged, but the net from this source, after expense and taxes, would not materially affect the result. 1956 expense for operations alone exceeded $51,000,000, however; and net profit exceeded $12,000,000. The possible saving here is so small, in relation to the total operation of the railroad, that in truth, continued operation of this service has no material effect upon the railroad's operations or financial well-being.

Nor is the freight-shipping public injured by continuance of this passenger service. The National concern over the burden put upon freight shippers by passenger service deficits can be put to rest in this case; the theory, if sound in general, is not uniformly applicable to particular cases, and especially not to this one. In seeking general rate increases, it is the practice of railroads to act in a body; the Rio Grande does not individually seek increased rates and revenues because it individually needs them, nor does it pass back to shippers any economies it individually is able to secure. For reasons not material here, but in part to maintain parity between rates at competitive or related points, it merely acts in concert with others who do need increased revenues. Thus, savings resulting from discontinuance of a particular passenger service do not benefit freight shippers, either directly or indirectly where, as here, the railroad has an earnings record among the

best in the nation. In summary, only the passenger service deficits on the poorest earning lines result in burdens to freight shippers; on a line with an excellent record, such as the Rio Grande, the usual argument simply does not apply.

Nor can any precedent helpful or harmful to the railroad result from any decision we make; this is the last remaining branch-line passenger service of the railroad in this State. Rail freight service on this branch line appears quite profitable, and is expected to continue indefinitely. Only the passenger service is sought to be abandoned, not the entire line.

Thus it appears that while management commendably seeks to secure whatever economies it can, the cost of providing this passenger service cannot, in the final analysis, be considered of critical significance to the railroad.

From the viewpoint of the Yampa Valley communities, however, the situation is quite different. These people have no rail service except what is now considered a branch line, but what was formerly The Moffat Road. To keep this service, they helped build the Moffat Tunnel; they will be paying for it in taxes until 1982. They get nothing for their money except rail service. The Moffat Tunnel Taxes from the Yampa River Counties (paid partly by the railroad itself, of course) in 1952 totalled $35,000; it does not appear they are any lower now. To this extent these people pay a premium, or surcharge, to have passenger and freight service. Elimination of passenger service will result in their being required to pay the established rate plus the surcharge, their tax, for getting their freight moved by rail.

No equity here warrants the imposition of this surcharge upon the freight service of these people. They mortgaged their lands, and incurred a debt which will not be discharged within the lifetime of many of them, to put the tunnel through. Had they not done so, the Rio Grande would still be a circuitous mountain railroad, winding an extra 175 miles on its 570-mile run to Salt Lake City.

The people of these Counties pioneered the tunnel at their own risk, and every year pay its cost; for as long as the railroad chooses to benefit from the fruits of their labor it should return value in kind, in a full quantum of service, cheerfully rendered. The balance of the merits in this

case favors the people, not the railroad.

As the circumstance of financial loss is out-weighed by other circumstances present in the case, I join my colleagues in ordering the application denied.

Commissioner

Dated at Denver, Colorado,
this 3rd day of December, 1957.

mw

(Decision No. 49175)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ALVIN RICKS AND HELEN RICKS, CO-PARTNERS, 2756 C ROAD, GRAND JUNCTION, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-5375.) APPLICATION NO. 15855-PP-Extension

December 4, 1957

Appearances: John L. Rice, Esq., Grand Junction, Colorado, for Applicants;
Marion R. Smyser, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

Applicants herein are the owners and operators of Permit No. B-5375, authorizing them to operate as a private carrier by motor vehicle for hire, for the transportation of:

> cement, brick, cinder blocks, and aggregates, from point to point within a radius of seventy-five miles of Grand Junction, Colorado; coal, between points within a radius of seventy-five miles of Grand Junction, Colorado, provided, however, that for any service rendered in competition with scheduled line-haul common carriers, applicants shall charge rates which shall be at least twenty per cent in excess of those charged by said common carrier services.

On September 20, 1957, applicants filed their application with the Commission, seeking authority to extend operations under said Permit No. B-5375 to include the right to transport tile, cinder blocks, brick, sewer pipe, and other clay products, from Denver, Colorado, to points within a radius of twenty-five miles of Grand Junction, Colorado, tariff rates to be comparable to other contract carriers operating between said points; sand, gravel, and other road-surfacing materials, from point to point

within a radius of fifty miles of Grand Junction, Colorado.

Said application was regularly set for hearing before the Commission, and heard, at the City Hall, Grand Junction, Colorado, November 14, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Alvin Ricks testified that applicants have a net worth of approximately $20,000. Applicants contend that they are in the process of securing special equipment for hauling brick, said equipment being of the latest type, and being recently introduced in the Denver Area; that if this authority is granted, it would make it possible for them to give to the contractors and dealers in the Grand Junction Area a better service, due to the specialized equipment applicants will use.

Applicants also asked for authority to transport sand and gravel, making deliveries within a radius of fifty miles of Grand Junction, Colorado.

Several witnesses appeared at the hearing, who testified they were interested in applicants' proposed service from Denver, and that they are now receiving small shipments of brick from Denver, which are being handled by common carriers; that most of their brick is delivered from Delta and other points on the Western Slope; that Denver manufacturers of brick have contacted them, with the idea of entering the Grand Junction market; that they are of the opinion that if said brick can be laid down at a reasonable price, and in good condition, they might be interested in using more Denver brick. They stated that the equipment used by the common carriers is not the latest equipment, and they felt that improved equipment would cause less breakage, would deliver the brick to Grand Junction in a better condition, and would save a lot in delivery charges.

The present common carrier services have been taking care of this hauling of brick in the past. It appears that the volume has not been enlarged, and that common carriers would not be justified in putting in large amounts of money in specialized equipment,

unless they would be guaranteed sufficient tonnage to justify such expenditure.

Protestants indicated that if sufficient tonnage was offered, they would be glad to give to the contractors and lumber yards in the Grand Junction Area the best service possible, if such an investment can be justified financially.

Applicants, in asking for this authority, depend upon this fact: That they have a better type of equipment than that used presently in the area.

The Commission cannot grant authority to every new, improved device in transporting commodities; rather, it would be better if we gave the presently-certificated carriers a chance to improve their services. If we did grant authority to all improved equipment, we would soon destroy our transportation system, and we do not feel that we should grant such authority, unless the present common carriers refuse to improve their services.

The Commission, therefore, is of the opinion that the right to transport tile, cinder blocks, brick, etc., from Denver to points within a radius of twenty-five miles of Grand Junction, Colorado, should be denied.

There was no objection to the hauling of sand and gravel and other road-surfacing materials from point to point within a radius of fifty miles of Grand Junction, and it therefore appears to the Commission that that portion of the instant application should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That applicants herein should be authorized to extend operations under Permit No. B-5375, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Alvin Ricks and Helen Ricks, co-partners, Grand Junction, Colorado, should be, and they hereby are, authorized

to extend operations under Permit No. B-5375, to include the right to transport sand, gravel, and other road-surfacing materials, from point to point within a radius of fifty miles of Grand Junction, Colorado.

That this Order is made part of the permit granted to applicant.

That Application No. 15855-PP should be, and hereby is, denied, in all other respects.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

(Decision No. 49176)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF GRANT G. GIFFORD, SILVERTON, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1081 TO HUGO L. WILLIS, SILVERTON, COLORADO.	APPLICATION NO. 15880-Transfer

December 4, 1957

Appearances: Stockton, Linville & Lewis, Esqs., Denver, Colorado, by Truman Stockton, Esq., and Brooks & Miller, Esqs., Montrose, Colorado, by Theodore Brooks, Esq., for Applicants.

S T A T E M E N T

By the Commission:

Grant G. Gifford, Silverton, Colorado, is the owner and operator of PUC No. 1081, which certificate authorizes;

> The operation of a general transfer and cartage service in the Town of Silverton and fringe territory, and a pickup and delivery service between the depot of the Denver and Rio Grande Western Railroad Company and Rio Grande Motor Way, Inc., and business houses in Silverton and mines within a radius of 20 miles of Silverton, and for the transportation of:
>
> (a) ores and concentrates from mines within a radius of 20 miles of Silverton to Silverton and the Shenandoah-Dives Mill;
>
> (b) concentrates from said mill to said mines and railroad loading points in Silverton; mine supplies, machinery and equipment and freight, generally, from Silverton to mines and mills in said area;
>
> transportation of ores and concentrates from all points within San Juan County, Colorado, to smelters at Leadville, Colorado, and railheads at Montrose, Colorado, and Durango, Colorado;
>
> transportation of ores and concentrates from mines and mills in San Juan County, Colorado, to railroad loading points in Ridgeway, Colorado, and to haul mining and milling supplies

and equipment from railroad heads at Ridgeway, Colorado, to mines and mills in San Juan County, Colorado, PROVIDED, HOWEVER, that applicant shall not be permitted to haul commodities in competition with Rio Grande Motor Way, Inc., in its line-haul service over U. S. Highway No. 550.

By application filed September 26, 1957, said certificate-holder seeks authority to transfer said PUC No. 1081 to Hugo L. Willis, Silverton, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the New Court House, Durango, Colorado, November 20, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

Grant G. Gifford, the transferor, appeared in support of the application. He testified that he has actively operated under the authority for several years, using three to four trucks in the operation. He identified the Agreement attached to the application, which shows a total purchase price of $6,500.00, of which $50.00 has been paid; $2,450.00 is to be paid at the time the transfer is approved, and the balance of $4,000.00, together with interest thereon at the rate of 6% per annum, is to be represented by a promissory note payable in monthly installments of $100.00, commencing one month after the date the transfer is approved. He stated that he owes between $500 and $600, but will pay all this indebtedness on approval of the transfer. He said that Mr. Willis, the transferee, has worked with and for him for approximately 12 years.

Hugo L. Willis, the transferee, appeared in support of the application. He testified that he has worked for and with the transferor for approximately 12 years, and is familiar with the operation under the certificate. He identified Exhibit No. 1 as being his Financial Statement, and Exhibit No. 2 as his equipment list, and stated that he understands and is familiar with the Agreement and Mortgage.

No one appeared in opposition to the proposed transfer, and no reason appears why the same should not be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Grant G. Gifford, Silverton, Colorado, should be, and he hereby is, authorized to transfer all his right, title and interest, in and to PUC No. 1081 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Hugo L. Willis, Silverton, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

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

Original

(Decision No. 49177)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FREDERIC A. BETHKE, ROSINA A. BETHKE, AND E. BONABEL DAVIS, CO-PARTNERS, DOING BUSINESS AS "CONSOLIDATED MILK LINES," GILCREST, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 557.) APPLICATION NO. 15861-Extension

December 4, 1957

Appearances: Marion F. Jones, Esq., Denver, Colorado, for Applicants;
Barry, Hupp and Dawkins, Esqs., Denver, Colorado, for Colorado Milk Transport, Inc.

S T A T E M E N T

By the Commission:

By their present application filed October 3, 1957, the applicants seek to have their motor vehicle common carrier authority, PUC No. 557, extended to authorize the transportation of:

> liquid sugar and syrup, in bulk, in tank vehicles, between Johnstown, Longmont, and Loveland, on the one hand, and, on the other, Denver, Greeley, Boulder, Brighton, and Fort Collins, including points within 5 miles of each City.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, November 18, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

Frederic Bethke, one of the applicant partners, testified in support of the application, as did Mr. R. L. Roush, an employee in the Traffic Department of the Great Western Sugar Company.

Mr. Bethke stated that the partners have been hauling dairy products and vinegar in the northern Colorado area for many years pursuant to authority of their PUC No. 557. In connection with this transportation, they have acquired three stainless steel lined trailers suitable to the sanitary transportation of milk and vinegar in bulk. This equipment is suitable to the transportation of liquid sugar and syrup as now proposed, with only cleaning required, for which equipment is available. The only additional equipment required for the performance of the proposed work would be a sanitary pump, which the applicants are ready and willing to obtain and install. It was established to the satisfaction of the Commission that the applicants are qualified financially and by experience to perform the proposed service.

Mr. Roush testified on behalf of the Sugar Company that the Company has heretofore and until now shipped all of its sugar in the form of dry granulated sugar. The requirements of their customers, and experience on the western coast and in the middle west, has now caused them to decide to commence delivering sugar to some of their large buyers in liquid form in tank vehicles. They have accordingly commenced converting equipment at their Johnstown refining plant to permit the production and loading of liquid sugar. The conversion at this plant is to cost approximately $55,000, and is to be completed by January 1, 1958. No work is under way to convert any of the facilities at Loveland or Longmont, and there is no present plan to do so; however, the Company is prepared to do it if the demand of its customers should later require it. The Company is anxious to have the authority read "between" the described Cities so that sugar contaminated or rejected may be returned to the point of origin, if need be. It is also expected that some of the Company's customers will require a blend of liquid sugar and corn syrup, and the Company therefore asks that authority to transport syrup be granted so that the Company can meet the needs of its customers.

The Company has used the services of the applicant for other transportation in the past and is well satisfied with it. They would like to have the authority granted to the applicant be common carrier authority because of the higher standard of care required and because of the resulting duty to serve at published rates.

There were no appearances or testimony in protest. We note in passing that for some reason not shown by the record only one common carrier domiciled at Loveland or Longmont was notified of the hearing.

It seems clear that the sugar company has a need for service from its Johnstown plant, at present unsatisfied, and no reason appears why it should be denied the service it requires at that plant. There appears to be no present intention, nor work, towards converting the sugar plant facilities at Longmont or Loveland, and the need for service to those plants by this carrier has not been established. An Order will be entered granting the authority in accordance with the evidence.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That public convenience and necessity require the proposed extended service of the applicants and that certificate of public convenience and necessity should issue therefor, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed extended motor vehicle common carrier call and demand service of Frederic A. Bethke, Rosina C. Bethke, and E. Bonabel Davis, co-partners, doing business as "Consolidated Milk Lines," Gilcrest, Colorado, under PUC No. 557, for the transportation of liquid sugar, and syrup resulting from the mixture of liquid sugar with corn syrup,

in bulk, in tank vehicles, between Johnstown, Colorado, on the one hand, and, on the other, Denver, Greeley, Boulder, Brighton, and Fort Collins, Colorado, including points within five miles of said cities, 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 days from date.

That 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.

That 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins

Chas. P. Thompson

Joseph F. Negri

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

ea

Original

(Decision No. 49178)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
H. L. WINN, RIFLE, COLORADO, FOR)
AUTHORITY TO EXTEND OPERATIONS UNDER) APPLICATION NO. 15617-PP-Extension
PERMIT NO. B-4523.)

December 4, 1957

Appearances: Cecil S. Haynie, Esq., Grand Junction, Colorado, for Applicant;
Coit and Graham, Esqs., Grand Junction, Colorado, for Estes Trucking Company;
Marion Smyser, Esq., Denver, Colorado, for Rio Grande Motor Way, Inc.

S T A T E M E N T

By the Commission:

H. L Winn, Rifle, Colorado, applicant herein, is the owner and operator of Permit No. B-4523, authorizing him to operate as a private carrier by motor vehicle for hire, for the transportation of:

> fruit and vegetables, coal, hay, and grain, between points within a fifteen-mile radius of Grand Valley, Colorado, and between above-described fifteen-mile area and all points within the State of Colorado; used farm machinery and lumber, between points within a fifteen-mile radius of Grand Valley, Colorado.

By the above-styled application, filed with the Commission on July 29, 1957, applicant seeks authority to extend operations under Permit No. B-4523, to include the right to transport livestock, from point to point within a radius of fifteen miles of Grand Valley, Colorado, provided said transportation of livestock is by a two-axled vehicle, having no more than a sixteen-foot bed; furniture, between points within a radius of fifteen miles of Grand Valley, Colorado;

fruits, from all points within a fifty-mile radius of Grand Valley, Colorado, and between said area to all points within the State of Colorado; mine and mill equipment, machinery, supplies, and mine and mill products, between all points within a radius of fifteen miles of Grand Valley, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the City Hall, Grand Junction, Colorado, November 14, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant, testifying in his own behalf, stated he has a net worth of $50,000, and is presently operating under Permit No. B-4523 with three peices of equipment; that he is the only locally-domiciled carrier at Grand Valley, Colorado, and under the authority of said permit, he has been taking care of his customers in that area; that he has had requests to transport livestock within his fifteen-mile radius in small lots, and the need for said transportation could be handled in a two-axled vehicle, having no more than a sixteen-foot bed; that he has had requests for transportation of furniture in his area, that transportation being from farm to farm, and from the Village of Grand Valley to farms; that his fruit haul is not large enough to take care of the demands of his customers; that he would also like to haul mine and mill equipment, machinery, and supplies, and mine and mill products, between all points within a radius of fifteen miles of Grand Valley.

Applicant, in support of his application, produced several public witnesses, who testified as to their particular needs for service in Grand Valley and the surrounding area.

After listening to the testimony, it appears to the Commission that applicant's proposed extended service is needed for the transportation of fruit between all points within a fifty-mile radius of Grand Valley, and from points within said area to all points within

the State of Colorado. This is a seasonal movement and would not impair certificated carriers service.

The Commission is inclined to believe, after hearing the evidence, that there is need by applicant's customers for transportation of furniture or household goods, between points within a fifteen-mile radius of Grand Valley, Colorado.

The Commission is not too clear as to a need for the transportation of livestock. From our experience in the livestock field, we find there is need for small shipments of livestock, and the presently-certificated common carriers are well able to take care of all large loads, but in the past, have not been anxious to take care of local needs for small shipments.

Protestants' witnesses testified that they have equipment for taking care of this movement of livestock; that they are domiciled outside of the 15-mile radius -- some miles distant from the territory involved.

We cannot see, from the evidence, where there is a need for transportation of mine and mill equipment, machinery, and supplies in this territory, as it appears to us that presently-certificated common carriers are willing and able to take care of this movement and have been doing so in the past.

It therefore appears to the Commission, after careful consideration of the evidence and the record made in the instant matter, that the applicant should be granted, in part.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, in part, as set forth in the Order following and it is our opinion that the proposed service will not impair the efficiency of the common carrier service adequate or otherwise in said territory.

O R D E R

THE COMMISSION ORDERS:

That E. L. Winn, Rifle, Colorado, should be, and he hereby is, authorized to extend operations under Permit No. B-4523, to include the right to transport livestock, from point to point within a radius of fifteen miles of Grand Valley, Colorado, provided said transportation of livestock is by two-axled vehicles, having no longer than a sixteen-foot bed; furniture, between points within a radius of fifteen miles of Grand Valley, Colorado, without the right to serve between towns in competition with line haul carriers; fruit, from point to point within a radius of fifty miles of Grand Valley, Colorado, and from points within said area to all points within the State of Colorado.

This Order is made a part of the permit granted to applicant.

That Application No. 15617-PP, in all other respects, should be, and hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

mls

(Decision No. 49179)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF HAROLD YUND, DOING BUSINESS AS "W. H. YUND COAL & WOOD," DEL NORTE, COLORADO.

PERMIT NO. M-10863
CASE NO. 80367-INS.

December 4, 1957

S T A T E M E N T

By the Commission:

On November 22, 1957, the Commission entered its Order in Case No. 80367-Ins., revoking Permit No. M-10863 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as proper insurance filing has now been made with the Commission by said Respondent, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-10863 should be, and the same hereby is, reinstated, as of November 22, 1957, revocation order entered by the Commission on said date in Case No. 80367-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 4th day of December, 1957.

mls

(Decision No. 49180)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CRIPPLE CREEK-VICTOR AND COLORADO SPRINGS STAGE COMPANY, CARLTON BUILDING, COLORADO SPRINGS, COLORADO, FOR AUTHORITY TO TRANSFER PERMIT NO. A-717 TO JOHN F. WHARTON, JR., DOING BUSINESS AS "WHARTON TRUCK LINE," 1018 SATURN DRIVE, COLORADO SPRINGS, COLORADO.

APPLICATION NO. 15898-PP-Transfer

December 5, 1957

Appearances: Burgess & Geddes, Esqs., Colorado Springs, Colorado, by Thomas M. Burgess, Esq., for Transferor;
John F. Wharton, Jr., Colorado Springs, Colorado, pro se;
H. D. Hicks, Denver, Colorado, for Centennial Truck Lines, Inc.

S T A T E M E N T

By the Commission:

Cripple Creek-Victor and Colorado Springs Stage Company, Colorado Springs, Colorado, is the owner and operator of Permit No. A-717, which authorizes:

> transportation of freight between Denver and Victor, Colorado, and intermediate points via U. S. Highways Nos. 85 and south 40, which is now U. S. Highway No. 24, to Divide and Colorado Highway 67 to Victor; between Pueblo and Canon City and intermediate points via U. S. Highway No. 50; and between Canon City and Victor and intermediate points via Colorado Highway 67.

By application filed August 19, 1957, Cripple Creek-Victor and Colorado Springs Stage Company, Colorado Springs, Colorado, seeks authority to transfer Permit No. A-717 to John F. Wharton, Jr., doing

business as "Wharton Truck Line," Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, November 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

John Jacobs, Treasurer of the applicant Company, appeared in support of the application and testified that there is no indebtedness connected with the operation, except the current bills and they will be paid; that the insurance has been kept in force; that an agreement of purchase and sale has been made, which has been extended to December 31, 1957; and that the Company also owns and operates PUC No. 32, but that the Company is also selling this certificate.

John F. Wharton, Jr., the transferee, appeared in support of the application. He testified that his net worth is approximately $45,000. He stated that he has been in the business since 1943, and has only interstate authority now. He identified the Agreement of sale attached to the application and stated that there is no mortgage involved, and that the transferor will have no financial interest in the permit, if it is transferred.. The purchase price for the permit is $3,500, of which $250.00 has been paid, the balance of which is to be paid ten days after the approval of the transfer by the Commission. He stated that his equipment consists of three tractors and three trailers; and that he is familiar with the rules and regulations of the Commission and will abide by them, if the transfer is authorized.

No one appeared in opposition to the proposed transfer, and no reason appears why the same should not be granted.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by refernce.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Cripple Creek-Victor and Colorado Springs Stage Company, Colorado Springs, Colorado, should be, and it is hereby, authorized to transfer all its right, title, and interest in and to Permit No. A-717 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to John F. Wharton, Jr., doing business as "Wharton Truck Line," Colcrado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

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

This Order is made a part of the permit authorized to be transferred.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Hatton

Thos I Thompson

Joseph F Virgio

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

original

(Decision No. 49181)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF CRIPPLE CREEK-VICTOR AND COLORADO SPRINGS STAGE COMPANY, CARLTON BUILDING, COLORADO SPRINGS, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 32 TO HOMER L. BROWN, DOING BUSINESS AS "CRIPPLE CREEK-VICTOR AND COLORADO SPRINGS STAGE AND FREIGHT LINE," 520 SOUTH SAHWATCH, COLORADO SPRINGS, COLORADO.

APPLICATION NO. 15899-Transfer

December 5, 1957

Appearances: Burgess & Geddes, Esqs., Colorado Springs, Colorado, by Thomas M. Burgess, Esq., for Transferor;
Homer L. Brown, Colorado Springs, Colorado, pro se;
H. D. Hicks, Denver, Colorado, for Centennial Truck Lines, Inc.

S T A T E M E N T

By the Commission:

Cripple Creek-Victor and Colorado Springs Stage Company, Colorado Springs, Colorado, is the owner and operator of PUC N . 32, which authorizes:

> Transportation of passengers between Cripple Creek, Victor, and Colorado Springs;
>
> Transportation of freight between Colorado Springs, Victor and Cripple Creek and intermediate points via U. S. Highway No. 24, and Colorado Highway No. 67;
>
> Transportation of passengers and baggage between Cripple Creek, Victor and Colorado Springs, and all intermediate points west of Manitou Springs, Colorado;
>
> Transportation of passengers between Green Mountain Falls and Colorado Springs, during the summer season only;

Transportation during the seasonal period of June 15 to September 15, both inclusive, of baggage between the Towns of Green Mountain Falls and Cascade and the City of Colorado Springs, subject to the following terms and conditions:

(a) That he render the same class of service to the Town of Cascade and the people residing there in said seasonal period that is rendered to the Town of Green Mountain Falls and its population;

(b) That, aside from a minimum charge to be made for all pieces of baggage, that charges be based on weight;

(c) That the applicant shall not carry any express, unless it be baggage sent to Colorado Springs by express.

By application filed August 10, 1957, Cripple Creek-Victor and Colorado Springs Stage Company, Colorado Springs, Colorado, seeks authority to transfer PUC No. 32 to Homer L. Brown, doing business as "Cripple Creek-Victor and Colorado Springs Stage and Freight Line," Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, November 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

John Jacobs, Treasurer of the applicant Company, appeared in support of the application and testified that there is no indebtedness connected with the operation; that the insurance has been kept in force; and that a contract for the sale of the certificate has been made.

Homer L. Brown, the transferee, appeared in support of the application. He testified that he has been Manager and driver of the transferor Company since October, 1936, and has himself been operating this certificate under temporary authority since September, 1957, and intends to continue existing through rates and routes, if the transfer is authorized, and plans to continue his five day per week connec-

tion with Centennial Truck Lines, Inc. He identified the Agreement of sale attached to the application, and stated that no mortgage of the certificate is involved. The purchase price for the certificate and equipment is $2,500.00, and he stated that he will execute and deliver to the transferor a promissory note for the principal amount of $2,500.00, with interest at the rate of 5% per annum, such principal to be payable at the rate of $100.00 per month, beginning on the first day of the first calendar month following approval of the transfer by the Commission. He said the note will be secured by a chattel mortgage covering only the motor vehicles and personal property.

No one appeared in opposition to the granting of the proposed transfer, and no reason appears why the transfer should not be authorized.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That the proposed transfer is compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Cripple Creek-Victor and Colorado Springs Stage Company, Colorado Springs, Colorado, should be, and it is hereby, authorized to transfer all its right, title, and interest in and to PUC No. 32 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Homer L. Brown, doing business as "Cripple Creek-Victor and Colorado Springs Stage and Freight Line," Colorado Springs, Colorado, subject to payment of outstanding indebted-

ness against said certificate, if any there be, whether secured or unsecured.

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

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

The right of transferee to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Norton

John L. Thompson

Joseph E. Hogan

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

mls

Original

(Decision No. 49182)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ERNEST ARANDA, 816 SOUTH WAHSATCH,)
COLORADO SPRINGS, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A) APPLICATION NO. 15891-PP
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-)

- - - - - - - - - -
December 5, 1957
- - - - - - - - - -

Appearances: Ernest Aranda, Colorado Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed September 30, 1957, the applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; sulfa-soil (fertilizer) from a point two miles south of Canon City, Colorado, to Colorado Springs, Colorado, for Western Agricultural Chemicals Company, of Colorado Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House,

Colorado Springs, Colorado, November 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of his application. He testified that his net worth is approximately $5,000; that he owns a Chevrolet dump truck which he proposes to use; that he has another truck, which he uses in his operations under his PUC No. 2572; that he has work lined up to do, and will use dump trucks only; that he has been requested to haul sulfa-soil for Western Agricultural Chemicals Company, of Colorado Springs, Colorado, to 601 South Wahsatch; and that he is familiar with the rules and regulations of the Commission, and will abide by them, if the authority sought is granted.

No one appeared in opposition to the granting of the authority sought, as limited in the following Order.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

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

O R D E R

THE COMMISSION ORDERS:

That Ernest Aranda, Colorado Springs, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of

Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points; sulfa-soil (fertilizer) from a point two miles south of Canon City, Colorado, to Colorado Springs, Colorado, for Western Agricultural Chemicals Company, of Colorado Springs, Colorado, all of said operations to be limited to the use of dump trucks only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoban

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

ea

Original

(Decision No. 49183)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOE FRANK HARTLEY, JR., 928 EAST VERMIJO, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15894-PP

December 5, 1957

Appearances: Joe Frank Hartley, Jr., Colorado Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed September 13, 1957, the 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 road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, November 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of his application. He testified that his net worth is approximately $1,000; that he owns one dump truck and will use only dump trucks in the proposed operation; that he has work lined up to do when the weather permits; and that he is familiar with the rules and regulations of the Commission and will abide by them if the authority sought is granted.

No one appeared in opposition to the granting of the authority sought, as limited in the following Order.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

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

O R D E R

THE COMMISSION ORDERS:

That Joe Frank Hartley, Jr., Colorado Springs, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction

jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operation to be limited to the use of dump trucks only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

ea

original

(Decision No. 49184)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ROMAN MONDRAGON, BOX 185-A, ANTONITO, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15895-PP

December 5, 1957

Appearances: Roman Mondragon, Antonito, Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed September 30, 1957, the 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 road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, November 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of his application and testified that his net worth is approximately $1,000; that he intends to use dump trucks only, and owns one dump truck now; and that he is familiar with the rules and regulations of the Commission, and will abide by them if the authority is granted.

No one appeared in opposition to the granting of the authority sought, as limited in the following Order.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

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

O R D E R

THE COMMISSION ORDERS:

That Roman Mondragon, Antonito, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radus of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock,

from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operations to be limited to the use of dump trucks only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

ea

(Decision No. 49185)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DAVE MC GEE, DOING BUSINESS AS)
"MC GEE'S FEED STORE," 221 MAIN)
STREET, LONGMONT, COLORADO.) PERMIT NO. M-265
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dave McGee dba McGee's Feed Store requesting that Permit No. M-265 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-265, heretofore issued to Dave McGee dba McGee's Feed Store be, and the same is hereby, declared cancelled effective June 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hudson
Jon P. Thompson
Joseph F. Figaro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49186)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT J. VELTRIE, BOX 606, SALIDA,)
COLORADO.)
) PERMIT NO. M-847
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert J. Veltrie requesting that Permit No. M-847 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-847, heretofore issued to Robert J. Veltrie be, and the same is hereby, declared cancelled effective October 19, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hobart
Lyn P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49187)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
PAUL HEIDE, 746 SOUTH RUTAN, WICHITA,)
KANSAS.)
) PERMIT NO. M-1512
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul Heide requesting that Permit No. M-1512 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1512, heretofore issued to Paul Heide be, and the same is hereby, declared cancelled effective November 27, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 195 7.

ma

(Decision No. 49188)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
C. H. AND O. E. ROSS, DOING BUSINESS)
AS "C. H. ROSS LUMBER COMPANY,")
DOLORES, COLORADO.) PERMIT NO. M-1703
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from C. H. & O. E. Ross dba C. H. Ross Lumber Company requesting that Permit No. M-1703 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1703, heretofore issued to C. H. & O. E. Ross dba C. H. Ross Lumber Company be, and the same is hereby, declared cancelled effective September 16, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49189)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HENRY POPE, JR., ROUTE 1, LONGMONT,)
COLORADO.)
) PERMIT NO. M-1767
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Henry Pope, Jr.

requesting that Permit No. M-1767 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1767, heretofore issued to Henry Pope, Jr. be,

and the same is hereby, declared cancelled effective November 9, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hoyt
Jon V. Thompson
Joseph F. Tegro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49190)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
W. D. OWEN, ROUTE 1, BOX 474,)
ARVADA, COLORADO.)
) PERMIT NO. M-2563
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. D. Owen requesting that Permit No. M-2563 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2563, heretofore issued to W. D. Owen be, and the same is hereby, declared cancelled effective November 20, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49191)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CARL P. GIADONE, 1020 BERKLEY,)
PUEBLO, COLORADO.)
) PERMIT NO. M-4231
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl P. Giadone requesting that Permit No. M-4231 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4231, heretofore issued to Carl P. Giadone be, and the same is hereby, declared cancelled effective November 27, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
Jon V. Thompson
Joseph E. Negro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49192)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
RUFFIE H. HOLT, 411 BARNES, ALVA,)
OKLAHOMA.)
) PERMIT NO. M-5507
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ruffie H. Holt requesting that Permit No. M-5507 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5507, heretofore issued to Ruffie H. Holt be, and the same is hereby, declared cancelled effective November 11, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49193)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DEL PATRICK INC., 1446 WEST BAYAUD)
AVENUE, DENVER 23, COLORADO.)
) PERMIT NO. M-7096
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Del Patrick, Inc. requesting that Permit No. M-7096 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7096, heretofore issued to Del Patrick, Inc. be, and the same is hereby, declared cancelled effective November 15, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 195 7.

ma

(Decision No. 49194)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
W. B. & R. E. SKILLING, DOING)
BUSINESS AS "SKILLING OIL COMPANY,")
2921 EAST HIGHWAY #24, COLORADO) PERMIT NO. M-7573
SPRINGS, COLORADO.)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. B. & R. E. Skilling dba Skilling Oil Company requesting that Permit No. M-7573 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7573, heretofore issued to W. B. & R. E. Skilling dba Skilling Oil Company be, and the same is hereby, declared cancelled effective November 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Dorsey
Tom P. Thompson
Joseph F. Figuro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49195)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
R. W., J. FOREST AND W. FIELD PHELPS,)
DOING BUSINESS AS "PHELPS BROTHERS,")
201 NORTH WEBER, COLORADO SPRINGS,) PERMIT NO. M-7645
COLORADO.)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. W., J. Forest and W. Field Phelps, dba Phelps Brothers requesting that Permit No. M-7645 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7645, heretofore issued to R. W., J. Forest and W. Field Phelps dba Phelps Brothers be, and the same is hereby, declared cancelled effective September 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoban
Tom P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49196)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CLIFFORD B. RUMLEY, R.R. #3, BOX)
3518A, ALBUQUERQUE, NEW MEXICO.)
) PERMIT NO. M-7852
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clifford B. Rumley requesting that Permit No. M-7852 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7852, heretofore issued to Clifford B. Rumley be, and the same is hereby, declared cancelled effective November 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 195 7.

ma

(Decision No. 49197)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
RAY J. GOBLE, 1475 SOUTH INGALLS,)
DENVER 15, COLORADO.)
) PERMIT NO. M-7974
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ray J. Goble requesting that Permit No. M-7974 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7974, heretofore issued to Ray J. Goble be, and the same is hereby, declared cancelled effective November 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49198)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
TEXAS MERCANTILE, INC., 1420 NE)
3RD STREET, AMARILLO, TEXAS.)
) PERMIT NO. M-8558
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Texas Mercantile, Inc. requesting that Permit No. M-8558 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8558, heretofore issued to Texas Mercantile, Inc. be, and the same is hereby, declared cancelled effective November 9, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49199)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HYMAN DAVIS, DOING BUSINESS AS)
"DAVIS FURNITURE & CABINET WORKS,")
1516 CLAY STREET, DENVER 4, COLORADO.) PERMIT NO. M-8855
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Hyman Davis dba Davis Furniture & Cabinet Works requesting that Permit No. M-8855 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8855, heretofore issued to Hyman Davis dba Davis Furniture & Cabinet Works. be, and the same is hereby, declared cancelled effective October 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robin G. Hurlburt
John P. Thompson
Joseph E. Hogan
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49200)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HARRY C. AND EDNA M. HARMON, DOING)
BUSINESS AS "HARMON'S WALLPAPER &) PERMIT NO. M-8867
PAINT COMPANY," 2616 WEST 32ND AVE.,)
DENVER 11, COLORADO.)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harry C. & Edna M. Harmon dba Harmon's Wallpaper & Paint Company requesting that Permit No. M-8867 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8867, heretofore issued to Harry C. & Edna M. Harmon dba Harmon's Wallpaper & Paint Company be, and the same is hereby, declared cancelled effective November 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Horton
Tom P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 195 7.

ma

(Decision No. 49201)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
J. J. ANDREWS, 106 SOUTH GRAND,)
PUEBLO, COLORADO.)
) PERMIT NO. M-8898
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. J. Andrews requesting that Permit No. M-8898 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8898, heretofore issued to J. J. Andrews be, and the same is hereby, declared cancelled effective November 17, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hoban
Wm. L. Thompson
Joseph T. Tigue
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49202)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE M. SWIGART, EVERGREEN, COLORADO.) PERMIT NO. M-9314

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George M. Swigart requesting that Permit No. M-9314 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9314, heretofore issued to George M. Swigart be, and the same is hereby, declared cancelled effective October 5, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Hoover
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49203)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS L. JOHNSTON, YUMA, COLORADO.)
)
) PERMIT NO. M-10649
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Thomas L. Johnston requesting that Permit No. M-10649 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10649, heretofore issued to Thomas L. Johnston be, and the same is hereby, declared cancelled effective November 7, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49204)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE D. PAXTON, DOING BUSINESS AS)
"PAXTON SAW MILL," WESTCLIFFE,)
COLORADO.) PERMIT NO. M-10823
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clarence D. Paxton dba Paxton Saw Mill requesting that Permit No. M-10823 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10823, heretofore issued to Clarence D. Paxton dba Paxton Saw Mill be, and the same is hereby, declared cancelled effective November 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoyt

Ron V. Thompson

Joseph T. Negro

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 195 7.

ma

(Decision No. 49205)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
W. E. KEENEY, SOUTH FORK, COLORADO.)
)
) PERMIT NO. M-10837
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from W. E. Keeney requesting that Permit No. M-10837 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10837, heretofore issued to W. E. Keeney be, and the same is hereby, declared cancelled effective November 12, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49206)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
EUGENE R. BECKER, 3166 WEST FAIRVIEW)
PLACE, DENVER 11, COLORADO.)
)
) PERMIT NO. M-12495
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from EUGENE R. BECKER requesting that Permit No. M-12495 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12495, heretofore issued to Eugene R. Becker be, and the same is hereby, declared cancelled effective November 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Horsley
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49207)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
LADIK D. PROCHASKA, ROUTE 1,)
LOUISVILLE, COLORADO.)
) PERMIT NO. M-12581
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ladik D. Prochaska requesting that Permit No. M-12581 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12581, heretofore issued to Ladik D. Prochaska be, and the same is hereby, declared cancelled effective October 17, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Hurlbut
Wm. P. Thompson
Joseph T. Gibson
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 195 7.

ma

(Decision No. 49208)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT C. PARMER, LIMON, COLORADO.)
)
) PERMIT NO. M-13019
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert C. Parmer requesting that Permit No. M-13019 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13019, heretofore issued to Robert C. Parmer be, and the same is hereby, declared cancelled effective November 9, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49209)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
J. D. & ELIZABETH LOUCKS, CEDAREDGE,)
COLORADO.)
) PERMIT NO. M-13397
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. D. & Elizabeth Loucks requesting that Permit No. M-13397 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13397, heretofore issued to J. D. & Elizabeth Loucks be, and the same is hereby, declared cancelled effective November 25, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49210)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
J. H. WOODS, 1325 SOUTH NEVADA,)
COLORADO SPRINGS, COLORADO.)
) PERMIT NO. M-13638
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. H. Woods requesting that Permit No. M-13638 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13638, heretofore issued to J. H. Woods be, and the same is hereby, declared cancelled effective November 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49211)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
SAMUEL F. SPARKS, CORTEZ, COLORADO.)
)
) PERMIT NO. M-13721
)
)

December 9, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Samuel F. Sparks requesting that Permit No. M-13721 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13721, heretofore issued to Samuel F. Sparks be, and the same is hereby, declared cancelled effective November 28, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Hurlbut
Ken L. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 9th day of December, 1957.

ma

(Decision No. 49212)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF EWING ASSOCIATES, LTD., A CORPORATION, 419 SOUTH EL PASO, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15892-PP

December 5, 1957

S T A T E M E N T

By the Commission:

By application filed September 23, 1957, the applicant seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing at the Court House, Colorado Springs, Colorado, November 29, 1957, due notice of the time and place being forwarded to all parties in interest.

Notwithstanding said notice, applicant failed to appear

either in person or by counsel at the time and place designated for hearing.

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

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete, as limited in the following Order.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, as limited in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Ewing Associates, Ltd., a corporation, Colorado Springs, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operation to be limited to the use of dump trucks, only.

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

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

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

That this Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

mls

(Decision No. 49213)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FRED E. HARDING AND DAVID W. MC MILLEN, CO-PARTNERS, DOING BUSINESS AS "HARDING & MC MILLEN," 1354 EDITH LANE, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15893-PP

December 5, 1957

Appearances: Fred E. Harding, Colorado Springs, Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By application filed September 23, 1957, the applicant herein seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House,

Colorado Springs, Colorado, November 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

Fred E. Harding, one of the applicant partners, appeared in support of the application. He testified that they have work lined up to do, if the authority is granted; that they own one dump truck, and will use dump trucks only; that their net worth is approximately $1,000; and that they are familiar with the rules and regulations of the Commission and will abide by them, if the authority is granted.

No one appeared in opposition to the granting of the authority sought, as limited in the following Order.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

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

O R D E R

THE COMMISSION ORDERS:

That Fred E. Harding and David W. McMillen, co-partners, doing business as "Harding & McMillen," Colorado Springs, Colorado, should be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a

radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operation to be limited to the use of dump trucks, only.

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

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

That 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-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph F. Myers
Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.
mls

Original

(Decision No. 49214)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ERMON SAMMONS, 2421 WEST VERMIJO, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	)	APPLICATION NO. 15896-PP

December 5, 1957

S T A T E M E N T

By the Commission:

By application filed September 23, 1957, the applicant seeks 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 used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application was regularly set for hearing at the Court House, Colorado Springs, Colorado, November 29, 1957, due notice of the time and place being forwarded to all parties in interest.

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

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

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit, and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which he will compete, as limited in the following Order.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted, as limited in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Ermon Sammons, Colorado Springs, 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 sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operations to be limited to the use of dump trucks, only.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

ea

Original

(Decision No. 49215)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF RICHARD C. STECKLEIN, 603 NORTH 30TH STREET, COLORADO SPRINGS, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.	APPLICATION NO. 15897-PP

December 5, 1957

Appearances: Richard C. Stecklein, Colorado Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed September 23, 1957, the 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 road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Colorado Springs, Colorado, November 29, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant appeared in support of his application and testified that his net worth is $20,000. He owns a dump truck and one flat trailer, he said, and this trailer is used in connection with his "M" permit for house wrecking and hauling lumber. He stated that no tank type vehicles will be used and that he will haul no stock cement. He also stated that he has work lined up to do, and is familiar with the rules and regulations of the Commission, and will abide by them if the authority sought is granted.

No one appeared in opposition to the granting of the authority sought, as limited in the following Order.

It did not appear that the proposed service of applicant will impair the efficiency of any common carrier service operating in the territory which applicant seeks to serve.

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

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

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

O R D E R

THE COMMISSION ORDERS:

That Richard C. Stecklein, Colorado Springs, 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 sand,gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of fifty miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to homes and small construction jobs within a radius of fifty miles of said pits and supply points;

sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of fifty miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points, said operation to be limited to the use of dump trucks only, except that one flat bed trailer may be used to transport rubble from building wrecking jobs.

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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 5th day of December, 1957.

ea

(Decision No. 49216)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF AQUA TRUCK CO., A NEW MEXICO CORPORATION, BOX 72, FARMINGTON, NEW MEXICO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 15696-PP

December 9, 1957

Appearances: A. M. Emigh, Esq., Durango, Colorado, and Stockton, Linville & Lewis, Esqs., Denver, Colorado, by Truman A. Stockton, Esq., for Applicant; Barry, Hupp & Dawkins, Esqs., Denver, Colorado, and McKelvey & McKelvey, Esqs., Durango, Colorado, for Barlow's Service, Inc.

S T A T E M E N T

By the Commission:

By application filed June 18, 1957, the applicant New Mexico corporation seeks authority from this Commission to operate as a motor vehicle private carrier for the transportation of water from point to point within the Counties of La Plata, Archuleta, Montezuma, and Dolores, and to and from points within said counties from and to other points in the State.

Upon due notice to interested persons, hearing was initially commenced September 17, 1957, at the Court House, in Durango, Colorado, and after recess was continued and concluded in Durango, Colorado, on November 20, 1957, at which time and place the matter was taken under advisement.

Mr. Jack Vaughn, Secretary-Treasurer and one of the principal stockholders of the applicant corporation, testified in

support of the application, as did five public witnesses. It appears from his testimony that this operation consists of the delivery of water to oil and gas well drilling sites for use in connection with the drilling and final preparation of a well for production. The present company grew out of the operation of Mr. L. E. Hester, who has operated in New Mexico for several years until his death this spring. The principal office of the Company is at Farmington, New Mexico. The Company was incorporated August 1, 1956, in New Mexico; no documentary evidence of the fact of incorporation or of its authority to do business in Colorado were submitted, but it is alleged that these are the facts. A financial statement, dated May 31, 1957, was offered in evidence.

Five public witnesses testified in support of the application; only one of these had had occasion in recent years to use any service in Colorado similar to that now proposed. The other four witnesses had reason to believe, however, that they would likely need such service at some time in the future and wanted the applicant's service to be available should such occasion arise. All of them had used the services of this carrier in other areas and found it satisfactory.

Mr. J. H. Strahan, operator of the Durango Transfer and Storage Company, testified in protest of the application, as did Col. G. W. West, Executive Vice President, and Mr. Ferd Kline, Contact Man for Barlow's Service, Inc. It appears from their testimony that both of these carriers are common carriers holding themselves out to the public as performing this type of work upon call and demand and are experienced and have equipment to do this type of work in the area now under consideration.

The demeanor of the applicant's principal officer upon the stand was such as to indicate a disdain for the regulatory process and, indeed, it appears from the testimony that while this very proceeding was pending the applicant violated the regulatory

laws of this State and paid a fine for such violation. There is considerable doubt in the mind of the Commission as to the desirability of giving such an operator authority to operate within the State of Colorado. However, we note that there is no uniform scale of rates prescribed for this type of work and that a large part of the work is done in isolated areas remote from the public highways. We have accordingly been inclined in the past to grant authority to perform this service upon very little proof of need, as competition appears desirable if the well-drilling public is to have efficient service at moderate cost. We feel that we can adequately protect the other carriers and the public against future violations of consequence by this carrier through the imposition of surveillance of its activities as the circumstances may require, and that its ability to do harm will be sufficiently minimized, if now and in the future this applicant is limited to the performance of this type of service only,and only in this rather limited area of the State.

No need was shown for service into or out of the San Juan Basin in intrastate commerce and no authority will be granted for such service. Order will be entered accordingly.

It did not appear that the proposed service of applicant will impair the efficient service of any common carrier service operating in the territory which applicant seeks to serve.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That authority sought should be granted as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Aqua Truck Co., a New Mexico corporation, Farmington, New Mexico, should be, and hereby is, authorized to operate as a

motor vehicle private carrier in intrastate commerce, for the transportation of water to oil and gas well-drilling sites from water sources located within the Counties of La Plata, Archuleta, Montezuma, and Dolores, State of Colorado.

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

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

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

That in all other respects Application No. 15696-PP should be, and the same hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hutton

John P. Thompson

Joseph F. Higie

Commissioners.

Dated at D enver, Colorado,
this 9th day of December, 1957.

ea

Original

(Decision No. 49217)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE DEPARTMENT OF HIGHWAYS, 4201 EAST ARKANSAS AVENUE, DENVER, COLORADO, FOR THE AUTHORITY TO CONSTRUCT HIGHWAY OVERPASS STRUCTURE OVER AND ACROSS PROPERTIES AND TRACKS OF THE DENVER AND RIO GRANDE WESTERN RAILROAD COMPANY, AND THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, ON WEST FOURTH STREET (STATE HIGHWAY NO. 96) IN THE CITY OF PUEBLO, PUEBLO COUNTY, STATE OF COLORADO.

APPLICATION NO. 15611

December 9, 1957

Appearances: George L. Zoellner, Esq., Denver, Colorado, for Department of Highways;
Douglas McHendrie, Esq., Denver, Colorado, for The Atchison, Topeka & Santa Fe Railway Company;
J. L. McNeill, Denver, Colorado, for the staff of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on July 31, 1957, and was thereafter set to be heard in Pueblo, Colorado, at the City Council Chambers on October 10, 1957.

After appropriate notice to all interested parties; to the Pueblo Conservancy District, to Southern Colorado Power Company, and to the Mayor of the City of Pueblo, the matter was there heard and taken under advisement by the Commission.

Purpose of the application is to secure Commission approval for removal of an existing two-lane bridge and in lieu thereof to construct a new four-lane highway structure on West Fourth Street in Pueblo, Colorado, said structure to span the Arkansas River and

the tracks and rights-of-way of The Denver & Rio Grande Western Railroad Company and The Atchison, Topeka & Santa Fe Railway Company.

At the hearing, the following exhibits were offered and explained by Mr. E. L. King who is Assistant to the Plans & Surveys Engineer of the Department of Highways, at Denver, Colorado:

Exhibit A: Complete set of Location and Construction Plans, together with booklet of Special Provisions for proposed new West 4th Street Bridge.

Exhibit B: Agreement made March 12, 1957, between Department of Highways and The Denver & Rio Grande Western Railroad Company, The Atchison, Topeka & Santa Fe Railway Company, and The Pueblo Conservancy District, for construction of new overpass bridge.

Exhibit C: Prepared Statement of Mr. King pertaining to the project to explain further details of agreements, approvals, roads involved, need for structure, construction details and statement of costs.

Mr. King explained that the existing Fourth Street bridge is on State Highway No. 96, and is now too narrow for the currently increasing traffic volumes. The existing bridge is made up of a series of dissimilar steel trusses with timber decking that are now structurally inadequate to safely handle increased traffic which is now some 18,000 vehicles per day.

The new construction will provide for a four-lane bridge designed to provide the utmost in safety for highway traffic. The four-lane viaduct approximately 1069 feet long will span the Arkansas River, one main line and six switching tracks of The Atchison, Topeka and Santa Fe Railway Company, and two main lines and twenty-three switching tracks of The Denver & Rio Grande Western Railroad Company. A raised curb median strip will separate the opposing vehicular traffic which will operate in two twelve-foot travel lanes in each direction. Pedestrian sidewalks four feet wide, with hand rails and street lighting standards, will be placed along each side of the bridge. Should future need require increased capacity, provision is now being made so the structure may be widened to six

traffic lanes.

It is proposed that the minimum vertical clearance between the top of any rail line and the under side of the supporting steel girders will be twenty-three feet, and thereby exceed the Commission's requirement of twenty-two feet six inches. No changes are proposed in the track layouts and the supporting bridge piers have been so planned that horizontal clearance will vary from sixteen feet to a minimum of eight feet six inches, which minimum is also in conformance with the Commission's specifications.

Design of this structure, according to Mr. King, has involved careful study and review by the engineering departments of theaffected railroads, by the Pueblo Conservancy District, the Bureau of Public Roads, and the Department of Highways in cooperation with its consulting engineer. Some twelve months of negotiations extending from the preliminary consultations to final approval included conferences by the bridge engineers, adjustments as proposed by the railroads and corrections in span lengths to conform with requirements of the Conservancy District which permitted only one pier installation in the river, no piers in the east river-dike and retention of the present abutment at the west river bank. Design criteria are in accordance with the 1953 Specifications of the American Association of State Highway officials, and also meet the requirements of the newly designated Interstate Highway System.

It is planned that the existing bridge will remain in service until completion of the new structure. Portions of the old bridge may then be salvaged and may be acceptable for minor crossings under light loads. With the removal of the old bridge and its easterly approach, added service to a newly developed shopping center adjacent to the rail yards and Highway No. 96 will be provided by an access ramp beneath the most easterly span of the new bridge. Pedestrian traffic from the Railroad Yards will be served by means of a steel stairway to the new bridge and located near the river dike.

Railroad forces will handle the relocations involving communication lines and signal and light towers. Necessary public utility relocations will be made by the respective owners.

As provided in the Agreement covering this project, costs of all work shall be borne by the Department, and upon completion, the Department assumes maintenance of the structure at no cost to the overpassed railroads. The cost estimate is summarized as follows:

Bridge	$1,484,166
Railroad work	18,683
Approaches	132,420
Right-of-way, etc.	188,202
Total Cost to Dept. -	$1,823,471

The instant project has been approved by the State Highway Commission, by the Bureau of Public Roads, by the Chief Engineer of the Department of Highways, the City of Pueblo, each of the two railroads, and the Pueblo Conservancy District.

F I N D I N G S

THE COMMISSION FINDS:

That it is informed in the instant matter, and the foregoing Statement, by reference, is made a part hereof.

That public safety, convenience and necessity require the construction and maintenance of the grade separation structure as proposed herein, over trackage of the "Rio Grande" and "Santa Fe" railroads.

That horizontal and vertical clearances for the proposed structure either equal or exceed the clearance requirements established by the Commission, and are therefore acceptable.

O R D E R

THE COMMISSION ORDERS:

That Applicant, the State Highway Commission of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the removal of the existing bridge structures and in lieu thereof to construct and thereafter

maintain a new highway bridge over tracks and rights-of-way of The Denver & Rio Grande Western Railroad Company and The Atchison, Topeka & Santa Fe Railway Company, being on West 4th Street (State Highway No. 96), as realigned in the City of Pueblo and Pueblo County, Colorado.

That the work to be done, costs, installation, maintenance and other work shall be as indicated in the preceding Statement and Exhibits "A", "B" and "C", all of which, by reference, are made a part hereof.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 9th day of December, 1957.

ea

original

(Decision No. 49218)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF YUMA COUNTY TRANSPORTATION CO., OR HIGHWAY MOTOR FREIGHT, INC., EAST 52ND AVENUE AND COLORADO BOULEVARD, DENVER, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 2642 AND PUC NO. 2642-I TO BUCKINGHAM TRANSPORTATION, INC., EAST 52ND AVENUE AND COLORADO BOULEVARD, DENVER, COLORADO.

APPLICATION NO. 15117-Transfer
SUPPLEMENTAL ORDER

December 9, 1957

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

S T A T E M E N T

By the Commission:

By Decision No. 47620, of date April 2, 1957, the Commission authorized Yuma County Transportation Co., or Highway Motor Freight, Inc., Denver, Colorado, to transfer all right, title, and interest in and to PUC No. 2642 and PUC No. 2642-I to Buckingham Transportation, Inc., Denver, Colorado.

The Commission is now in receipt of a communication from Marion F. Jones, Attorney for Applicants herein, as follows:

> "Arrangements having been consummated between the parties whereby Yuma County Transportation Co. will retain that authority, it is the request of both parties that said decision be set aside and said application dismissed, leaving the certificates in the name of Yuma County Transportation Co."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 47620, of date April 2, 1957, authorizing

transfer of PUC No. 2642 and PUC No. 2642-I from Yuma County Transportation Co., or Highway Motor Freight, Inc., Denver, Colorado, to Buckingham Transportation, Inc., Denver, Colorado, should be, and the same hereby is, set aside, vacated, and held for naught.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C Hutton

John P Thompson

Joseph L Hyiro

Commissioners.

Dated at Denver, Colorado,
this 9th day of December, 1957.

mls

Original

(Decision No. 49219)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

DENVER-LIMON-BURLINGTON TRANSFER CO., A COLORADO CORPORATION, 1420 18TH STREET, DENVER, COLORADO, Complainant,	)	
vs.	)	CASE NO. 5139
HOMER M. MONKS, DOING BUSINESS AS "24 AND 40 TRUCK LINE," LIMON COLORADO, Defendant.	)	

December 9, 1957

Appearances: Wayne D. Williams, Esq., Denver, Colorado, and Howard E. Erickson, Esq., Denver, Colorado, for Complainant;
Thomas E. Creighton, Esq., Denver, Colorado, for Defendant.

S T A T E M E N T

By the Commission:

By Complaint filed October 3, 1957, as amended, the Complainant Denver-Limon-Burlington Transfer Co. (hereinafter called D-L-B) seeks to have this Commission declare that the authority of Private Carrier Permit No. A-906, owned by Respondent Monks, has been abandoned, and to forbid future operation thereunder. Respondent by answer denied the material portions of the Complaint. Upon the issues thus joined, hearing was had November 25, 1957, at the Commission's Hearing Room in Denver, Colorado. At the conclusion of the evidence, the matter was taken under advisement, and now stands submitted for decision.

It appears from the evidence that the Complainant is a

motor vehicle common carrier engaged principally in scheduled operation in intrastate commerce over U. S. Highways 24 and 40 from Denver east to the Kansas State line, and south to Lamar. This authority, extended several times, traces back to 1929. As recently as this year, it has bought out competition, cancelling out the purchased authority at the time of purchase, on the basis that "with the limited volume of traffic available, two line-haul carriers cannot economically operate over this route in this territory" (quoting from our Decision No. 48025, dated June 3, 1957, approving transfer and cancellation of PUC No. 1715, owned by Edward F. Martin, who is mentioned later in this Statement).

The Respondent Monks' authority traces back to 1935, when his predecessor J E. Terrell of Hugo obtained the authority, 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."

Terrell in 1939 sold the authority to one L. E. Fletcher, also of Hugo, who in 1946 sold it to the present Respondent, whose address at all times since has been Limon, Colorado. Customer lists in file list only a few customers, and none except in Hugo, Limon, and Matheson, until September 11, 1957, when a list was filed over the signature of one Ray Curry, containing over 200 names, Denver addresses predominating, but including virtually every community on U. S. Highways 24 and 40 from Limon east to the Kansas State line.

The names of Mr. Edward F. Martin and Mr. Ray Curry appear in the testimony. Mr. Martin formerly owned PUC No. 1715, authorizing service partly competitive with D-L-B, the Complainant here. Pursuant to agreement dated March 11, 1957, Martin sold out to D-L-B, the authority being then cancelled out, as noted above. The agreement

of sale contained no agreement prohibiting Mr. Martin from competing with D-L-B; on June 14, 1957, accordingly, Mr. Martin leased the present competing private carrier authority from Mr. Monks; by our Decision No. 48568, dated August 22, 1957, we approved this lease with certain restrictions; on September 10, 1957, the parties rescinded the lease, and Martin now has no authority to operate, or participate in the operation of, this private carrier authority.

Martin also owns PUC No. 3639, pursuant to which he operates a pick up and delivery service within the city limits of Denver for several line-haul carriers, including the Respondent Monks.

Mr. Ray Curry is an employee of Martin, driving pick-up and delivery trucks in Denver, and also driving to Eastern Colorado for Monks, the Respondent.

The present relationship between Monks and Martin is explained by Monks as follows:

Martin provides pick up and delivery service in Denver for Monks; does Monks' billing; collects Monks' revenues, and deposits them in a bank account upon which both can write checks; has Monks' road tax reports prepared, and signs and files them, paying whatever is due; and answers Monks' telephone, all for 30% of Monks' gross revenues. Martin also provides Monks with Denver docking facilities at a charge of $50.00 per month; and provides the vehicles used to transport goods between Denver and Eastern Colorado, at a mileage charge. There is no record that the leases covering these vehicles have been filed with the Commission, as required by our regulations; it appears that the vehicles are being operated unlawfully in connection with this permit. Martin concedes the total amount set for these charges is such that Monks, the owner of the authority, cannot ordinarily expect any profit or compensation from the operation of the permit; all of the revenues received necessarily will go either to or through Martin, and none of them will go to the owner, the way

the arrangement is made.

The long established practice of the industry, and our rules, forbid private carriers from advertising their services, beyond merely stating their name, location and telephone numbers. The card identified as Exhibit 6 violates this rule; Mr. Monks states that he ordered the card printed, but as to the wording and distribution, he "left that to Mr. Martin."

It also appears that on a recent occasion, Martin, in Monks' name, rented equipment and delivered, or attempted to deliver, a hay baler from Denver to Burlington. Monks knew nothing of this arrangement or transportation. As he said, he "left that to Mr. Martin."

It also appears that Martin's man Curry solicited business for the line by the use of gifts; this practice was not known until later by Mr. Martin, he said; Mr. Monks stated that he knew nothing about it at all. This practice is unlawful, as it involves providing more than transportation for the established rate, or transportation for less than the established rate. The record does not indicate who paid for these gifts.

Our conclusions from these circumstances are as follows: This authority was originally issued and was actually used from 1935 until the summer of 1957 to provide a means by which people from Agate east along U. S. Highways 24 and 40 could obtain service to and from Denver, Greeley and points intermediate between these cities. It was not originally, and never has been, a Denver or Greeley domiciled authority, but was domiciled in eastern Colorado for the service of people there. Nothing in the evidence here indicates that the need of the people of that area is any less now than it was formerly, and we find accordingly that the public interest does not now warrant eliminating this authority, so long as it remains domiciled in eastern Colorado and is used for the service of

the public from Agate eastward.

We find that in the summer of 1957, the operation of this authority came, with the acquiescence of Respondent Monks, into the effective control of Edward F. Martin; that by reson of financial arrangements made between Martin and the Respondent Monks, Martin in fact now controls every phase of the operation of the authority, from beginning to end: from the solicitation of business to the billing and collection of charges for all of the service rendered under the permit; that the Respondent Monks has in truth and in fact assigned and transferred his rights under the permit to Martin without authorization by the Commission, and unlawfully; and that the arrangements which have been made are a subterfuge to give Martin control of the operation of this permit, without authority from the Commission.

We also find that Martin, in actual control of the permit, has transferred its effective domicile to Denver, and is now operating the permit in all significant respects as a common carrier authority; and that he has unlawfully advertised the service offered, and performed it at preferential and unlawful rates.

We believe that the restoration of the formerly existing conditions, in which Respondent Monks actually operated the authority himself, and from his domicile in Eastern Colorado, will effectively resolve the difficulties arising since June, 1957, and restore service to the public of that area, and competitive conditions in that area, to what they were intended to be, and in fact have been, since the permit was originally issued in 1935.

We will accordingly order that the relationship between Respondent Monks and Edward F. Martin be terminated, to an extent sufficient that Martin may no longer participate on a percentage basis in the revenues of this operation, nor effectively control its operation.

We will enter orders calculated to forbid Edward F. Martin from participating on a percentage basis in the revenues of this operation; to prohibit his having joint or direct access to the bank accounts used in connection with the operations, or from receiving from customers of the operation any amounts due on account of transportation services; or otherwise to exercise direct or indirect control over the operation of Permit No. A-906, until he has obtained authority from the Commission to do so.

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings by reference.

That the existing relationship between Homer M. Monks and Edward F. Martin with regard to the operation of Permit No. A-906 is unlawful and should be terminated.

That Edward F. Martin should be prohibited from having any effective control of the operation of Permit No. A-906, either directly or indirectly, until authority has been obtained from the Commission for him to do so.

That the actual and beneficial control and management of the operation of Permit No. A-906 should be restored to its owner, Homer M. Monks, and should remain domiciled in Eastern Colorado, until the Commission orders otherwise.

That orders should be entered to accomplish these ends.

That in all other respects, the Complaint should be dismissed.

O R D E R

THE COMMISSION ORDERS:

That Homer M. Monks, the owner of Private Carrier Permit No. A-906, is directed to resume the active and exclusive management and control of the operation of that permit; and to operate the

same from a domicile east of Agate, Colorado, until the further Order of the Commission.

That Edward F. Martin and his employee Ray Curry are directed to cease and desist from effectively controlling the operation of the said permit either directly or indirectly; to perform pick up and delivery service in connection with the said authority only on a hundredweight basis for transportation actually performed; to file a tariff of rates governing charges for such transportation service as they do perform; and to cease and desist from participation in any bank account used in connection with the said operation; and to cease and desist from making any charge based upon a percentage of revenues for any service they perform in connection with the operation of said permit; all until further Order of the Commission.

In all respects in which relief is not provided hereby, the Complaint is dismissed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph G. Hanlon

John P. Thompson

Joseph F. Mayo

Commissioners.

Dated at Denver, Colorado,
this 9th day of December, 1957.

mls

(Decision No. 49220)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF SIMEON W. BUNCH, RURAL ROUTE 2, LA JUNTA, COLORADO, FOR A CLASS "B" PERMIT TO OPERATE AS A PRIVATE CARRIER BY MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 14750-PP

December 9, 1957

S T A T E M E N T

By the Commission:

On March 22, 1957, the Commission entered its Decision No. 47570, revoking operating rights granted to the above-styled applicant by Decision No. 46640, of date October 9, 1956, for failure of said applicant to comply with requirements set forth in said Decision No. 46640.

It now appears that applicant has complied with all requirements set forth in Decision No. 46640, and requests reinstatement of operating rights granted by said decision.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 47570, of date March 22, 1957, should be, and the same hereby is, set aside, vacated, and held for naught, only insofar as it revoked operating rights heretofore granted to Simeon W. Bunch, La Junta, Colorado, in Application No. 14750-PP, by Decision No. 46640, of date October 9, 1956.

This Order shall become effective, nunc pro tunc, as of October 12, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 9th day of December, 1957.

mls

(Decision No. 49221)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FAY R. HOOKER, 830 SANTA CLARA AVENUE, GRAND JUNCTION, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 3638.	APPLICATION NO. 15921-Extension

December 9, 1957

Appearances: Haynie and Hotchkiss, Esqs., Grand Junction, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

On November 19, 1957, Fay R. Hooker, Grand Junction, Colorado, filed the above-styled application with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 3638, to include the right to transport, on call and demand, waste paper, boxes, and trash of all kinds, from points within the City Limits of Grand Junction, Colorado, to regularly-designated dumping places.

The Commission is now in receipt of a communication from Haynie and Hotchkiss, Attorneys for Applicant herein, stating applicant no longer desires to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15921 should be, and the same hereby

is, dismissed, at request of Attorneys for Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 9th day of December, 1957.

mls

(Decision No. 49222)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF ASHLOCK TRUCK LINE, 1420 BLAKE STREET, DENVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 1769.	APPLICATION NO. 15937-Extension

December 10, 1957

S T A T E M E N T

By the Commission:

Heretofore, Ashlock Truck Line, Denver, Colorado, owner and operator of PUC No. 1769, filed with the Commission an application, seeking a certificate of public convenience and necessity, authorizing extension of operations under said PUC No. 1769 to include the right to operate between Dillon, Colorado, and Climax, Colorado, and points within a five-mile radius of Climax, Colorado, and all intermediate points.

The Commission is now in receipt of a communication from Barbara A. Ashlock, General Manager of Ashlock Truck Line, stating said company no longer desires to prosecute said application, and requesting dismissal thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Application No. 15937 should be, and the same hereby is, dismissed, at request of Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 10th day of December, 1957.
ea

(Decision No. 49223)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
LORNE & V. L. KNISLEY, DOING)
BUSINESS AS "GREAT WESTERN LUMBER)
CO.," ROUTE 3, BOX 775, FT. COLLINS,) PERMIT NO. M-818
COLORADO.)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lorne & V. L. Knisley dba Great Western Lumber Co. requesting that Permit No. M-818 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-818, heretofore issued to Lorne & V. L. Knisley dba Great Western Lumber Co. be, and the same is hereby, declared cancelled effective November 18, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Holmes
Lyn T. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49224)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HORACE SHARP, 210 EAST JACKSON ST.,)
PHOENIX, ARIZONA.)
) PERMIT NO. M-1905
)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Horace Sharp requesting that Permit No. M-1905 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1905, heretofore issued to Horace Sharp be, and the same is hereby, declared cancelled effective November 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Dorsey
Glen L. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49225)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ORVILLE D. HAVENS, 2600 WEST)
HAMPDEN, ENGLEWOOD, COLORADO.)
) PERMIT NO. M-7020
)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Orville D. Havens requesting that Permit No. M-7020 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7020, heretofore issued to Orville D. Havens be, and the same is hereby, declared cancelled effective November 28, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hudson
Ken P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49226)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
JOHN HOLZMEISTER AND FERD WOLF DOING)
BUSINESS AS "CLEAR CREEK AUTO)
SALVAGE," 3785 HIGH COURT, WHEATRIDGE,) PERMIT NO. M-12016
COLORADO.)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John Holzmeister and Ferd Wolf dba Clear Creek Auto Salvage requesting that Permit No. M-12016 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12016, heretofore issued to John Holzmeister and Ferd Wolf dba Clear Creek Auto Salvage be, and the same is hereby, declared cancelled effective December 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Thorson
Allen J. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49227)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
A. J. BALLIETT, DOING BUSINESS AS)
"OS'S," 530 NORTH CUSTER, COLORADO)
SPRINGS, COLORADO.) PERMIT NO. M-12351
)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. J. Balliett dba Os's requesting that Permit No. M-12351 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M12351, heretofore issued to A. J. Balliett dba Os's be, and the same is hereby, declared cancelled effective November 24, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Horton
Wm. L. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49228)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE AND REX LILE, 3811 APACHE,)
PUEBLO, COLORADO.)
) PERMIT NO. M-12358
)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George & Rex Lile requesting that Permit No. M-12358 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12358, heretofore issued to George & Rex Lile be, and the same is hereby, declared cancelled effective December 4, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert E. Hurlbut
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49229)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD S. YOST AND HARVEY D. SHUPE,)
DOING BUSINESS AS "YOST & SHUPE,")
1000 HUNTER ROAD, GREELEY, COLORADO.) PERMIT NO. M-12796
)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Howard S. Yost and Harvey D. Shupe dba Yost & Shupe requesting that Permit No. M-12796 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12796, heretofore issued to Howard S. Yost and Harvey D. Shupe dba Yost & Shupe be, and the same is hereby, declared cancelled effective July 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hoban
John P. Thompson
Joseph E. Higaro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49230)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
E. A. TIMMONS, BOX 255, VICTOR,)
COLORADO.)
) PERMIT NO. M-13208
)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. A. Timmons requesting that Permit No. M-13208 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13208, heretofore issued to E. A. Timmons be, and the same is hereby, declared cancelled effective October 25, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Carlson
Wm. P. Thompson
Joseph F. Figuro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49231)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM H. HORN & SON, P. O. BOX 68,)
UPTON, WYOMING.)
) PERMIT NO. B-4842
)
)

December 11, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William H. Horn & Son requesting that Permit No. B-4842 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4842, heretofore issued to William H. Horn & Son be, and the same is hereby, declared cancelled effective November 29, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robt. C. Hudson
John P. Thompson
Joseph P. Higro
Commissioners

Dated at Denver, Colorado,

this 11th day of December, 1957.

ma

(Decision No. 49232)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HUBERT P. SHIRRELL, WALDEN, COLORADO.) PERMIT NO. B-5226

December 11, 1957

S T A T E M E N T

By the Commission:

On November 20, 1957, the Commission authorized Hubert P. Shirrell, Walden, Colorado, to suspend operations under his Permit No. B-5226 until May 13, 1958.

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

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Permit No. B-5226 should be, and the same hereby is, reinstated as of December 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 11th day of December 1957.

ma

(Decision No. 49233)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
MONTE VISTA COOPERATIVE, MONTE VISTA,)
COLORADO.) PERMIT NO. M-4752
)
)

December 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Monte Vista Cooperative, Monte Vista, Colorado, requesting that Permit No. M-4752 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4752, heretofore issued to Monte Vista Cooperative be, and the same is hereby, declared cancelled effective July 14, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robt. C. Horton
Tom P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 20th day of December, 1957.

mjm

(Decision No. 49234)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
GLENN A. SPAULDING, STEAMBOAT)
SPRINGS, COLORADO.) PERMIT NO. M-13461
)
)

December 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Glenn A. Spaulding, Steamboat Springs, Colorado, requesting that Permit No. M-13461 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13461, heretofore issued to Glenn A. Spaulding be, and the same is hereby, declared cancelled effective November 17, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hardy
Ken L. Thompson
Joseph J. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of December, 1957.

mjm

(Decision No. 49235)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
RAY PETERSON, DOING BUSINESS AS)
RAY'S FEED STORE, 1016 DENVER, FORT)
LUPTON, COLORADO.) PERMIT NO. M-340
)
)

December 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ray Peterson, d/b/a Ray's Feed Store, Fort Lupton, Colorado, requesting that Permit No. M-340 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-340, heretofore issued to Ray Peterson, d/b/a Ray's Feed Store, be, and the same is hereby, declared cancelled effective October 8, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Horton
Lyn T. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 20th day of December, 1957.

mjm

(Decision No. 49236)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ROY MADISON, DOING BUSINESS AS)
M & M SALES, P. O. BOX 935, CANON)
CITY, COLORADO.) PERMIT NO. M-1522
)
)

December 20, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ray Madison, d/b/a M & M Sales, Canon City, Colorado, requesting that Permit No. M-1522 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1522, heretofore issued to _____ be,

and the same is hereby, declared cancelled effective November 14, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 20th day of November, 1957.

mjm

SUSPENSION ORDER--COMMON CARRIER

(Decision No. 49237)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF PHILIP P. HONEKER, 2156 FEDERAL BOULEVARD, DENVER 11, COLORADO.

PUC NO. 3847

December 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 3847 be suspended for six months from November 27, 1957.

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 Philip P. Honeker, Denver, Colorado, be, and he is hereby, authorized to suspend operations under PUC No. 3847 until May 27, 1958.

That unless said certificate-holder 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

Ralph C. Hardman
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,
this 20th day of December 1957

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49238)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KRX TRUCKING COMPANY, BOX 425,)
FLORENCE, COLORADO.) PERMIT NO. B-4990
)
)
)

December 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that their Permit No. B-4990 be suspended for six months from December 3, 1957.

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 KRX Trucking Company, Florence, Colorado,

be, and are hereby, authorized to suspend their operations under Permit No. B-4990 until June 3, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49239)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF ALLEN J. HUSSEY, 1101 SOUTH TENNYSON STREET, DENVER 19, COLORADO.

PERMIT NO. B-5121

December 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5121 be suspended for six months from December 14, 1957.

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 Allen J. Hussey, Denver, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-5121 until June 14, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49240)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
EARL T. PAYNE, CREEDE,) PERMIT NO. B-5023
COLORADO.)
)
)

December 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5023 be suspended for six months from November 25, 1957.

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 T. Payne, Creede, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-5023 until May 25, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49241)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
JAMES E. EGGERING, 3203 COLFAX,) PERMIT NO. B-4035
PUEBLO, COLORADO.)
)
)

December 20, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-4035 be suspended for six months from November 25, 1957.

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 James E. Eggering, Pueblo, Colorado,

be, and is hereby, authorized to suspend his operations under Permit No. B-4035 until May 25, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 20th day of December, 1957.

mjm

Original

(Decision No. 49242)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF THE GROVER TELEPHONE EXCHANGE, AN INDIVIDUALLY OWNED COMPANY, GROVER, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A TELEPHONE EXCHANGE AND SYSTEM WITHIN THE TOWN OF GROVER, COUNTY OF WELD, STATE OF COLORADO.	APPLICATION NO. 14435
RE INVESTIGATION AND SUSPENSION OF THE PROPOSED ABANDONMENT OF TELEPHONE SERVICE BY THE GROVER TELEPHONE EXCHANGE, GROVER, WELD COUNTY, COLORADO.	INVESTIGATION AND SUEPENSION DOCKET NO. 400

December 16, 1957

S T A T E M E N T

By the Commission:

Application No. 14435 was duly filed with the Commission and a hearing held thereon. Two days prior to the hearing, Applicant requested the Commission for permission to withdraw said application. The Commission, by Decision No. 47949 of May 27, 1957, granted said request, after said hearing.

The Commission is now in receipt of a request from Applicant to the effect that they would like to have Application No. 14435 reinstated. We see no reason why said request should not be granted, and in our Order to follow we will grant said request. This matter will be re-set for hearing by the Commission at a time and place to be designated at the convenience of the Commission.

By Decision No. 47958, in Investigation and Suspension Docket No. 400, the Commission suspended the proposed effective date for the abandonment of the Grover Telephone Exchange until further order of the Commission. The Commission is now in receipt of a

request from Mrs. Edith Richards, owner of the Grover Telephone Exchange, requesting that Investigation and Suspension Docket No. 400 be dismissed, since the Telephone Company is withdrawing its request to abandon service.

We believe the request to dismiss Investigation and Suspension Docket No. 400 should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That Application No. 14435 should be reinstated and a hearing held thereon at a time and place to be designated at the convenience of the Commission.

That Investigation and Suspension Docket No. 400 should be dismissed in accordance with the request of the Grover Telephone Exchange.

O R D E R

THE COMMISSION ORDERS:

That Application No. 14435 be, and it hereby is, reinstated, and that a hearing be held in regard to this matter at a time and place to be designated at the convenience of the Commission.

That Investigation and Suspension Docket No. 400, be, and it hereby is, dismissed.

That a copy of this Order be filed in Application No. 14435, and Investigation and Suspension Docket No. 400, and copies forthwith served on Mr. M. W. Claypool, Mayor of Grover, and Mrs. Edith Richards, owner of the Grover Telephone Exchange.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Dolan

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 16th day of December, 1957.

ea

original

(Decision No. 49243)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF AMERICAN BUSLINES, INC., 1609 BROADWAY, DENVER, COLORADO, FOR APPROVAL OF A PLAN OF REORGANIZATION UNDER CHAPTER 10 OF THE FEDERAL BANKRUPTCY ACT. (PUC NOS. 36, 36-I, 1719-I)

APPLICATION NO. 15915

December 17, 1957

Appearances: Barry, Hupp & Dawkins, Esqs., Denver, Colorado, by John R. Barry, Esq., for Applicant.

S T A T E M E N T

By the Commission:

By the instant application filed November 21, 1957, the Applicant, American Buslines, Inc., seeks authority from this Commission for approval of a certain plan of reorganization pending in the United States District Court for the District of Nebraska.

Upon due notice to interested persons, hearing was had December 5, 1957, at 9:00 o'clock A. M. in the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

The record discloses that the Applicant, American Buslines, Inc., is a Delaware corporation and is engaged in the transportation of persons and baggage in interstate and intrastate commerce and has been under Chapter 10 proceedings of the Bankruptcy Laws of the United States since February 10, 1954. The record further discloses that the Trustee appointed by the United States District Court in and for the District of Nebraska is Richard W. Smith.

The record further discloses that the Applicant has intra-

state authority granted by this Commission to perform the service referred to herein within the State of Colorado and that the present plan of reorganization was approved by the District Court of Nebraska on November 16, 1957. No one appeared in opposition or in protest to the plan of reorganization, and we have given it consideration.

Under the Bankruptcy Laws of the United States, any carrier seeking reorganization under Chapter 10 must acquire the approval of the various State Commissions which have jurisdiction over it in whole or in part. Insofar as we can determine, the plan, as confirmed by the Federal Court, represents the culmination of several years of efforts to place the Applicant, American Buslines, Inc., in a financial position to discharge its obligations and functions as an interstate and intrastate carrier of passengers and baggage express.

This Commission shares the desire of the Federal Court that the reorganization of this company be completed at the earliest possible date in order that this company may fulfill the obligations attendant with a carrier holding Certificates of Public Convenience and Necessity.

After full consideration and hearing, the Commission therefore feels that the Trustee's plan of reorganization confirmed by the United States District Court for the District of Nebraska, dated November 16, 1957, which matter is entitled "In the Matter of American Buslines, Inc., Debtor; in Proceedings for Reorganization of the Corporation numbered B-15-54," should be approved by this Commission, as required by the Federal Bankruptcy Act, being Section 224 (2).

F I N D I N G S

THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these proceedings, by reference.

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

O R D E R

THE COMMISSION ORDERS:

That the plan of reorganization of the Applicant as confirmed by the United States District Court of the State of Nebraska on November 16, 1957, be, and the same is hereby, authorized and approved and that this Commission hereby consents to such plan of reorganization of American Buslines, Inc., which proceeding is entitled, "Trustee's Plan of Reorganization in Proceedings for the Reorganization of a Corporation No. B-15-54 in the United States District Court for the District of Nebraska.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 17th day of December, 1957.

mls

Original

(Decision No. 49244)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF UNITED AIR LINES, INC., 5959 SOUTH CICERO AVENUE, CHICAGO, ILLINOIS, FOR AN ORDER AUTHORIZING TEMPORARY SUSPENSION OF SERVICE AT GRAND JUNCTION, COLORADO.	)	APPLICATION NO. 15959

December 17, 1957

Appearances: R. E. Johnson, Chicago, Illinois, for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was filed with the Commission by United Air Lines, Chicago, Illinois, seeking authority to temporarily suspend operations at Grand Junction, Colorado, stating that rehabilitation work at Walker Field, Grand Junction, Colorado, will not be completed before next Spring.

F I N D I N G S

THE COMMISSION FINDS:

That a temporary suspension of operations at Grand Junction, Colorado, is warranted, on the basis of airport inadequacy; that applicant herein should be authorized to temporarily suspend operations at Grand Junction, Colorado, until such time as airport facilities at Walker Field, Grand Junction, Colorado, are adequate for operation.

O R D E R

THE COMMISSION ORDERS:

That United Air Lines, Inc., Chicago, Illinois, should be, and hereby is, authorized to temporarily suspend operations at Grand Junction, Colorado, until such time as airport facilities at

Grand Junction, Colorado, are adequate for operation.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Holland

John P. Thompson

Joseph F. Nigro

Commissioners.

Dated at Denver, Colorado,
this 17th day of December, 1957.

ea

original

(Decision No. 49245)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF FAY R. HOOKER, 830 SANTA CLARA AVENUE, GRAND JUNCTION, COLORADO, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AUTHORIZING EXTENSION OF OPERATIONS UNDER PUC NO. 3638.) APPLICATION NO. 15921-Extension

December 17, 1957

Appearances: Haynie and Hotchkiss, Esqs., Grand Junction, Colorado, for Applicant.

S T A T E M E N T

By the Commission:

On November 19, 1957, Fay R. Hooker, Grand Junction, Colorado, filed the above-styled application with the Commission, seeking a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 3638 to include the right to transport, on call and demand, waste paper, boxes, and trash of all kinds, from points within the City Limits of Grand Junction, Colorado, to regularly-designated dumping places.

On December 9, 1957, at the request of Attorneys for Applicant herein, the Commission entered its Decision No. 49221, dismissing said application.

The Commission is now in receipt of a communication from Fay R. Hooker, Grand Junction, Colorado, applicant herein, setting forth her desire to prosecute said application, and requesting reinstatement thereof.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 49221, of date December 9, 1957, entered by the Commission in Application No. 15921, should be, and the same hereby is, vacated, set aside, and held for naught, said Application No. 15921 to be later set for hearing before the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hall

John P. Thompson

Joseph F. Rigo

Commissioners.

Dated at Denver, Colorado,
this 17th day of December, 1957.

ea

(Decision No. 49246)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF WILLIAM C. TERRY, 7751 NIAGARA STREET, DERBY, COLORADO.

PERMIT NO. B-1451

December 13, 1957

S T A T E M E N T

By the Commission:

On June 28, 1957, the Commission entered its Decision No. 48241, authorizing the above-styled permit-holder to suspend operations under Permit No. B-1451 until December 16, 1957.

The Commission is now in receipt of a communication from said permit-holder, requesting authority to further suspend operations under Permit No. B-1451.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That William C. Terry, Derby, Colorado, should be, and he hereby is, authorized to further suspend operations under Permit No. B-1451 until June 16, 1958.

That unless said permit-holder shall, prior to expiration of said suspension period, make a request, in writing, for 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 stand revoked, without right to reinstate

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1957.

ea

(Decision No. 49247)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
RAY LOUDEN, DOING BUSINESS AS "RAY'S)
PRODUCE," 2208 10TH AVENUE COURT,)
GREELEY, COLORADO.) PERMIT NO. M-2896
)
)

December 18, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ray Louden dba Ray's Produce requesting that Permit No. M-2896 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2896, heretofore issued to Ray Louden dba Ray's Produce be, and the same is hereby, declared cancelled effective December 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert G. Hurst
Lyn T. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 18th day of December, 1957.

ma

(Decision No. 49248)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CLYDE A. BRONCUCIA, 4910 GRAY,)
DENVER 14, COLORADO.)
) PERMIT NO. M-8271
)
)

December 18, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Clyde A. Broncucia requesting that Permit No. M-8271 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8271, heretofore issued to Clyde A. Broncucia be, and the same is hereby, declared cancelled effective December 10, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hodges
Lyn V. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,
this 18th day of December, 1957.

ma

(Decision No. 49249)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH D. AND LANCE HALVERSON,)
4201 WEST KENTUCKY, DENVER 19,)
COLORADO.) PERMIT NO. M-8516
)
)

December 18, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kenneth D. and Lance Halverson requesting that Permit No. M-8516 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8516, heretofore issued to Kenneth D. and Lance Halverson be, and the same is hereby, declared cancelled effective December 13, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Horn

Tom P. Thompson

Joseph F. Higro

Commissioners

Dated at Denver, Colorado,

this 18th day of December, 1957.

ma

(Decision No. 49250)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR E. SMITH, 1311 RUDD, CANON)
CITY, COLORADO.)
)
) PERMIT NO. M-9968
)
)

December 18, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur E. Smith requesting that Permit No. M-9968 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9968, heretofore issued to Arthur E. Smith be, and the same is hereby, declared cancelled effective September 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Dodson
W. V. Thompson
Joseph T. Negro
Commissioners

Dated at Denver, Colorado,

this 18th day of December, 195 7.

ma

(Decision No. 49251)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
FRANK SEPULVEDA, 1500 SOUTH ZARZAMORA)
STREET, SAN ANTONIO 7, TEXAS.)
)
)
)

PERMIT NO. M-12044

December 18, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank Sepulveda

requesting that Permit No. M-12044 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12044, heretofore issued to Frank Sepulveda be,

and the same is hereby, declared cancelled effective October 27, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 18th day of December, 1957.

ma

(Decision No. 49252)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
HOMER ROBINSON, RR 1, BOX 60, CANON)
CITY, COLORADO.)
) PERMIT NO. M-12468
)
)

December 18, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Homer Robinson requesting that Permit No. M-12468 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12468, heretofore issued to Homer Robinson be, and the same is hereby, declared cancelled effective December 2, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 18th day of December, 195 7.

ma

(Decision No. 49253)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT O. BEATTY, 4900 WEST KENTUCKY)
AVENUE, DENVER 19, COLORADO.)
) PERMIT NO. M-12808
)
)

December 18, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert O. Beatty requesting that Permit No. M-12808 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12808, heretofore issued to Robert O. Beatty be, and the same is hereby, declared cancelled effective December 8, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Woodward
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 18th day of December, 1957.

ma

(Decision No. 49254)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH EVANS, BOX 102, RIVERTON,) PUC NO. 1950-I
WYOMING.)

December 18, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kenneth Evans, Box 102, Riverton, Wyoming, requesting that Certificate of Public Convenience and Necessity No. 1950-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 Certificate No. 1950-I, heretofore issued to Kenneth Evans, Box 102, Riverton, Wyoming, be, and the same is hereby, declared cancelled effective November 15, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 18th day of December 1957.

ma

(Decision No. 49255)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DALLAS URANIUM & OIL CORP., 332)
MERCANTILE COMMERCE BUILDING, DALLAS,)
TEXAS.) PERMIT NO. M-438
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Dallas Uranium & Oil Corp., Dallas, Texas, requesting that Permit No. M-438 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-438, heretofore issued to Dallas Uranium & Oil Corp., Dallas, Texas, be, and the same is hereby, declared cancelled effective November 24, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph F. Higro

Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49256)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
CREST PETROLEUM CORPORATION, 1420)
SOUTH 60TH STREET, OMAHA 6, NEBRASKA.) PERMIT NO. M-10833
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Crest Petroleum Corporation, Omaha, Nebraska, requesting that Permit No. M-10833 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10833, heretofore issued to Crest Petroleum Corporation be, and the same is hereby, declared cancelled effective November 5, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49257)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
BERT L. MORRIS, 811 WALNUT STREET,)
FORT MORGAN, COLORADO.) PERMIT NO. M-1936
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bert L. Morris, Fort Morgan, Colorado, requesting that Permit No. M-1936 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1936, heretofore issued to Bert L. Morris, be, and the same is hereby, declared cancelled effective November 16, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hoyt
Ken P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49258)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
ALBION AND ALMA BAKER, BOWIE,)
COLORADO.) PERMIT NO. M-5219
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Albion and Alma Baker, Bowie, Colorado, requesting that Permit No. M-5219 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5219, heretofore issued to Albion and Alma Baker be, and the same is hereby, declared cancelled effective November 23, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert E. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49259)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
)
ARMOR ELECTRIC CO., INC., 1414 SPEER)
BOULEVARD, DENVER 4, COLORADO.) PERMIT NO. M-4167
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Armor Electric Co., Inc., Denver, Colorado, requesting that Permit No. M-4167 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4167, heretofore issued to Armor Electric Co., Inc. be, and the same is hereby, declared cancelled effective December 15, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49260)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES C. GOULDING, DOING BUSINESS)
AS"CORTEZ FARM EQUIPMENT COMPANY,")
BOX 725, CORTEZ, COLORADO.) PERMIT NO. M-13612
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles C. Goulding, d/b/a "Cortez Farm Equipment Company," Cortez, Colorado, requesting that Permit No. M-13612 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13612, heretofore issued to Charles C. Goulding, d/b/a "Cortez Farm Equipment Company" be, and the same is hereby, declared cancelled effective November 22, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
John P. Thompson
Joseph F. Higro
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49261)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
L. E. ZINN, 117 WEST HOOVER,)
LIBERAL, KANSAS.)
) PERMIT NO. M-2449
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from L. E. Zinn, Liberal, Kansas, requesting that Permit No. M-2449 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2449, heretofore issued to L. E. Zinn, Liberal, Kansas be, and the same is hereby, declared cancelled effective November 17, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49262)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
DAVID R. WATKINS, DOING BUSINESS AS)
"SEVEN-UP BOTTLING COMPANY", 519½)
MAIN AVENUE, DURANGO, COLORADO.) PERMIT NO. M-6082
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from David R. Watkins, d/b/a "Seven-Up Bottling Company," Durango, Colorado, requesting that Permit No. M-6082 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6082, heretofore issued to David R. Watkins d/b/a "Seven-Up Bottling Company" be, and the same is hereby, declared cancelled effective July 29, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

(Decision No. 49264)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN MADDY, DOING BUSINESS AS)
"MARVIN MADDY PRODUCE CARRIER,")
1410 CLEVELAND, DES MOINES, IOWA.) PERMIT NO. B-5076-I
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Marvin Maddy, d/b/a "Marvin Maddy Produce Carrier," Des Moines, Iowa, requesting that Permit No. B-5076-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-5076-I, heretofore issued to Marvin Maddy, d/b/a "Marvin Maddy Produce Carrier" be, and the same is hereby, declared cancelled effective November 26, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hoyt
Wm. P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 49265)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
M. H. ORIARD, MARSHALL,)
WASHINGTON.) PUC NO. 3624-I
)
)
)

December 27, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from M. H. Oriard, Marshall, Washington,

requesting that Certificate of Public Convenience and Necessity No. 3624-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 Certificate No. 3624-I heretofore issued to M. H. Oriard, Marshall, Washington,

be, and the same is hereby, declared cancelled effective November 16, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hoskins
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1957

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 49266)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CARL H. HOEPNER, 4967 ST. PAUL)
STREET, DENVER 16, COLORADO.)
)
)
)
)
)

PUC NO. 3608-I

December 27, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Carl H. Hoepner, Denver, Colorado,

requesting that Certificate of Public Convenience and Necessity No. 3608-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 Certificate No. 3608-I heretofore issued to Carl H. Hoepner

be, and the same is hereby, declared cancelled effective December 5, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph L. Hoburn
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1957

mjm

(Decision No. 49267)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

****

RE MOTOR VEHICLE OPERATIONS OF)
PAUL F. LARGENT, DOING BUSINESS AS)
"CURVE SERVICE STATION," 6715)
MORRISON ROAD, DENVER 14, COLORADO.) PERMIT NO. M-6486
)
)

December 27, 1957

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul F. Largent, d/b/a "Curve Service Station," Denver, Colorado, requesting that Permit No. M-6486 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6486, heretofore issued to Paul F. Largent, d/b/a "Curve Service Station," be, and the same is hereby, declared cancelled effective October 28, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hoskins
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 27th day of December, 1957.

mjm

CANCELLATION--COMMON CARRIER

(Decision No. 49268)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
J. W. BARTON GENERAL TRANSPOR-)
TATION, 1718 NORTH KENT STREET,) PUC NO. 2414-I
ARLINGTON, VIRGINIA.)
)
)
)

December 27, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from J. W. Barton General Transportation, Arlington, Virginia, requesting that Certificate of Public Convenience and Necessity No. 2414-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 Certificate No. 2414-I heretofore issued to J. W. Barton General Transportation be, and the same is hereby, declared cancelled effective October 23, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hardy
John V. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1957.

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49269)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
THURMAN T. PEARCE, 1818) PERMIT NO. B-3711
PENNSYLVANIA STREET, DENVER 3)
COLORADO.)
)

December 27, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-3711 be suspended for six months from November 23, 1957.

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 Thurman T. Pearce

be, and is hereby, authorized to suspend his operations under Permit No. B-3711 until May 23, 1958.

That unless said permit-holder 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

Robert G. Hogan

John P. Thompson

Joseph F. Higro

Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1957

mjm

SUSPENSION ORDER--PRIVATE CARRIER

(Decision No. 49270)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
)
ROBERT O. BEATTY, 4900 WEST) PERMIT NO. B-5401
KENTUCKY AVENUE, DENVER 19,)
COLORADO.)
)

December 27, 1957

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5401 be suspended for six months from December 8, 1957.

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 Robert O. Beatty

be, and is hereby, authorized to suspend his operations under Permit No. B-5401 until June 8, 1958.

That unless said permit-holder 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

Commissioners

Dated at Denver, Colorado,
this 27th day of December, 1957

mjm

Original

(Decision No. 49271)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF JOHN J. KLEIMER, DOING BUSINESS AS "KLEIMER'S VAN LINES, 3950 BEMIS STREET, LOS ANGELES, CALIFORNIA, FOR AUTHORITY TO TRANSFER INTERSTATE OPERATING RIGHTS TO KLEIMER VAN LINES, INC., 3950 BEMIS STREET, LOS ANGELES, CALIFORNIA.	PUC NO. 2005-I-Transfer

December 19, 1957

S T A T E M E N T

By the Commission:

Heretofore, John J. Kleimer, doing business as "Kleimer's Van Lines," Los Angeles, California, was authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 2005-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Kleimer Van Lines, Inc., Los Angeles, California.

The records and files of the Commission fail to disclose any reason why said transfer should not be authorized.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer is compatible with the public interest, and should be authorized, subject to payment of outstanding indebtedness against said operation, if any there be, and subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

O R D E R

THE COMMISSION ORDERS:

That John J. Kleimer, doing business as "Kleimer's Van Lines," Los Angeles, California, should be, and he hereby is,

authorized to transfer all his right, title, and interest in and to PUC No. 2005-I to Kleimer Van Lines, Inc., Los Angeles, California, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton

John P. Thompson

Joseph F. Rigio

Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1957.

ea

(Decision No. 49272)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN RATES, RULES AND REGULATIONS IN THE MOTOR TRUCK COMMON CARRIERS' ASSOCIATION, AGENT, LOCAL AND JOINT FREIGHT TARIFF NO. 12-A, COLORADO P.U.C. NO. 11 AND MOTOR FREIGHT TARIFF NO. 14, COLORADO P.U.C. NO. 13, ISSUED BY J. R. SMITH, CHIEF OF TARIFF BUREAU, 4060 ELATI STREET, DENVER 16, COLORADO; ALSO MOTOR TARIFF SERVICE, COLORADO MOTOR FREIGHT TARIFF NO. 1-A, COLORADO P.U.C. NO. 3, ISSUED BY JOHN P. NORMAN, MANAGER, 1410 16TH STREET, DENVER, COLORADO.

CASE NO. 1585

December 19, 1957

S T A T E M E N T

By the Commission:

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the "Rules of Practice and Procedure" of the Commission, there were filed with the Commission by the Motor Truck Common Carriers' Association and Motor Tariff Service on statutory notice schedules stating new rates, rules, regulations and charges advertised to become effective December 21, 1957, for Tariff No. 12-A, Colorado P.U.C. No. 11, and December 20, 1957, for Tariff No. 14, Colorado P.U.C. No. 13 and Tariff No. 1-A, Colorado P.U.C. No. 3, designated as set forth in Appendix "A", attached hereto and made a part hereof.

Under the provisions of Rule 18, Paragraph C-(1)-(A), of the said Rules of Procedure, following the protest deadline (ten days prior to the proposed effective date) an order of the Commission is required prescribing the changes set forth in the proposed new schedules.

No protests have been received in the office of the Commission relative to the proposed changes.

The following reasons have been submitted by the carriers in support of the changes.

The following are changes in the Motor Truck Common Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11.

Item No. 925 (Loading and Unloading Delays) is a new item for the account of all carriers participating in this tariff wherein time elements are being set forth for various weights and the length of free time to be allowed without charge for these respective weights as shown in Appendix "A". Beyond such free time when the delay is caused by the shippers, consignees or their representatives, a charge of $5.00 per hour for truck or tractor and semi-trailer with one man will be made subject to a charge of $1.25 for each one-fourth hour over the free time.

In justification of this rule, Edward A. Kraft of North Eastern Motor Freight, Inc., states in a letter accompanying this change they have encountered many instances when picking up or delivering freight, due to no fault of the carrier, the loading and unloading has gone beyond what would ordinarily be termed a reasonable time. It is his feeling that if the shippers, consignees or otherwise would cooperate with the carriers the free time allowed is just and equitable to both the carriers and shippers or receivers of freight and the additional charge beyond the free time does not fully compensate the carrier for both employee and equipment but is for the purpose to help eliminate unnecessary delays. The carriers parties to the above tariff have consented to the above rule.

Similar rules are now in effect on interstate traffic.

Item No. 1385 (covering burial cases as described) between Denver and points in northeastern Colorado on the lines of North Eastern Motor Freight, Inc., and jointly with Brooks Transportation Company, the present rates are being extended to expire from December 31, 1957, to May 31, 1958, unless sooner cancelled, changed or extended.

Item No. 2450, covering plumbers' goods, enameled, in packages, between Grand Junction, Colorado, and Durango, Colorado, is being eliminated from the tariff. This is for the account of Rio Grande Motor Way, Inc., and in justification Ralph H. Knull, Assistant to the Traffic Manager, states that it is an old item which was published to meet the competition of the Moab Truck Line and since the Moab authority has been transferred to Garrett Freight Lines, Inc., the old commodity item has been eliminated wherein class rates would presently apply. Mr. Knull also pointed out that the item as published would also include enameled bathtubs which are extremely bulky and being classed as first class according to the classification the present rates of $1.64 per cwt. on L.T.L. and $1.50 per cwt. on a minimum weight of 5,000 pounds in comparison to the class rates of $2.55 and $2.08 per cwt., respectively, are unreasonably low to handle such a bulky item.

For the account of Denver-Loveland Transportation:

A new item No. 2495 covering roofing, composition or prepared, N.O.I., in boxes, bundles or rolls, minimum weight 30,000 pounds, between Denver, Colorado, and Loveland is being added at a 24 cent rate per 100 pounds.

In justification of this item, Floyd A. Henrikson, owner, states this rate is necessary in order to be competitive with other forms of transportation. The present rail rates on 30,000 pounds, minimum weight, is 22 cents per 100 pounds, subject to X-206 increases making a total rate of 23 cents. The 24 cent rate will produce for this carrier a total revenue on 30,000 pounds of $72.00, which in the event one way was deadheaded would produce revenue of 67 cents per running mile, based on a total mileage of 106 miles. Mr. Henrikson states normally other freight would be loaded to make a maximum load of 38,000 pounds.

The following are changes in the Motor Truck Common Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13.

The Southwestern Transportation Company by its publication on 1st Revised Pages Nos. 41 and 42 of the above tariff has instituted changes in its minimum weights for the transportation of brick and related articles from weights of 8,000 and 10,000 pounds presently provided to 20,000 and 30,000 pounds. By these changes, increases of 15% will result in shipments of 20,000 pounds and over, but under 30,000 pounds. There is no increase in the rates under the proposed 30,000 pounds minimum weight.

The carrier in a letter of justification to this Commission states that it withdrew on December 17, 1953, from a general 15% increase granted to other carriers on September 10, 1953, for brick and related articles. This action was taken because of the arrangements with their brick customers to palletize all of their shipments and to load them with fork lift trucks. Similar arrangements were made for unloading and the acquisition of its own overhead unloading equipment for mechanical unloading where fork lifts were not available; this being done just prior to the 15% increase. This, as stated, made a very material reduction in its cost of loading and unloading, as the work had previously been done by hand. Also, another important factor being that its customers have cooperated by shipping full loads of approximately 35,000 pounds most of the time.

It is on the few occasions of small orders ranging below 30,000 pounds that the present rates do not return a sufficient margin to operate at a profit; thus, the reason for substitution of the 20,000 pound minimum weights at a 15% increase.

As pointed out by Mr. Blunt, the present rate, subject to the 10,000 pound minimum weight, for 100 miles is 32 cents per 100 pounds, which produces $32.00 in revenue, or 16 cents per running mile; for 200 miles the rate is 54 cents per 100 pounds and $54.00 in revenue, or 13½ cents per running mile.

Such returns speak for themselves and need little or no comments as to the inadequacy of such earnings. However, we desire to point out that under the class rates in Motor Truck Common Carriers' Association, Tariff No. 12-A, Colorado P.U.C. No. 11, to which tariff Southwestern Transportation Company is a party, there are rates available and applicable on minimum weights of 5,000 and 10,000 pounds on a somewhat higher basis than the proposed rates on the minimum weights of 20,000 and 30,000 pounds.

The following are changes in Motor Tariff Service, Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3.

For the account of Denver-Climax Truck Line and Ashlock Truck Line in Item No. 40, exceptions to the "Minimum Charge" rule, the above carriers have eliminated their present charges of $1.50 when origin or destination of shipment is Denver, Colorado Springs or Pueblo, Colorado, and $1.00 when origin or destination is other than Denver, Colorado Springs and Pueblo, Colorado and in lieu thereof instituted a minimum charge for a single shipment from one consignor to one consignee on one bill of lading will be for 100 pounds at the first class rate, but not less than $2.00.

The above carriers submitted through their publishing agent a letter to the Rate Department of this Commission stating their costs to be as follows:

Dock cost per hour	$2.40
Pick-up man per hour	2.15
Pick-up truck cost	2.00
Cost for billing	.25
Total Costs	$6.80
Average number of pick-ups per hour	3
Average cost per hour	$2.26

The new minimum charges as stated above have been prescribed for other carriers participating in the tariff of the Motor Truck Common Carriers' Association, Agent, under Decision No. 48737, dated September 18, 1957.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in Appendix "A", attached hereto, and made a part hereof, appear to represent just, fair and reasonable rates and charges and should be authorized and an order entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement, findings and Appendix "A", be, and the same are hereby made a part hereof.

2. This order shall become effective forthwith.

3. The rates, rules, regulations and provisions set forth in Appendix "A", shall on December 20th and 21st, 1957, be the prescribed rates, rules, regulations and provisions of the Commission.

4. All private carriers by motor vehicle to the extent they are affected by the changes involved herein, shall publish, or cause to be published rates, rules, regulations and provisions which shall not be less than those herein prescribed for motor vehicle common carriers.

5. On and after December 20th and 21st, 1957, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in Appendix "A", shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.

6. On and after December 20th and 21st, 1957, all private carriers by motor vehicle, operating in competition with any motor vehicle common carrier affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

7. This order shall not be construed so as to compel a private carrier by motor vehicle to be, or become a motor vehicle common carrier, or to subject any such private carrier by motor vehicle to the laws and liabilities applicable to a motor vehicle common carrier.

8. The order entered in Case No. 1585 on February 5, 1936, as since amended, shall continue in force and effect until further order of the Commission.

9. Jurisdiction is retained to make such further orders as may be necessary and proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 19th day of December, 1957.

mem

APPENDIX "A"

Changes in the Motor Truck Common Carriers' Association, Agent, Local and Joint Freight Tariff No. 12-A, Colorado P.U.C. No. 11:

Add a new rule as follows:

ITEM NO.	APPLICATION
925	Loading and Unloading Delays: (A) Except as otherwise provided, rates named in this tariff include the following time for loading, unloading, and/or waiting to load or unload: 1 pound to 4,999 pounds - - - - - 1 hour 5,000 pounds to 10,000 pounds - - - - - 1½ hours 10,001 pounds to 15,000 pounds - - - - - 2 hours 15,001 pounds to 20,000 pounds - - - - - 2½ hours 20,001 pounds or over - - - - - - - - - 3 hours (B) Delay in loading, unloading and/or waiting to load or unload beyond the free time specified in Paragraph (A), when caused by shippers, consignees or their representatives, will be charged for as follows: Truck or tractor and semi-trailer (with one man) - - - - - - - - - - - $5.00 per hr. Fractions of an hour will be figured at the next one-fourth hour and charged for at the rate of $1.25 for each one-fourth hour.

For the account of North Eastern Motor Freight, Inc., jointly with Brooks Transportation Company, extend the expiration date on the present commodity items as follows:

ITEM NO.	COMMODITY	BETWEEN	AND	RATE	ROUTE
1385	Burial Cases (Caskets or Coffins), subject to packing specifications of current N.M.F.C. Expires with May 31, 1958, unless sooner cancelled, changed or extended.	Denver, Colorado	Brush, Ft. Morgan, Haxtun, Holyoke, Julesburg, Sterling, Colorado	127 120 159 169 172 147	32 32 4 4 32 32

Routes: No. 4 - North Eastern Motor Freight, Inc., Sterling, Colo., Brooks Transportation Company.

No. 32 - North Eastern Motor Freight, Inc., direct.

For the account of Rio Grande Motor Way, Inc., eliminate Item No. 2450 pertaining to plumbers' goods between Grand Junction, Colorado, and Durango, Colorado.

For the account of Denver-Loveland Transportation, add a new commodity item as follows:

Rates are in Cents per 100 Pounds

ITEM NO.	COMMODITY	BETWEEN	AND	RATE	ROUTE
2495	Roofing, composition or prepared, N.O.I. In boxes, bundles or rolls. Minimum weight 30,000 pounds.	Denver, Colorado	Loveland, Colorado	24	12
Route No. 12 - Denver-Loveland Transportation, direct.					

Changes in the Motor Truck Common Carriers' Association, Agent, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13:

Section No. 1, Brick and articles taking same rates, add Southwestern Transportation Company to Page 41 and provide a 20,000 pound minimum weight; Page 42, add a proviso that the rates are applicable to minimum weights of 30,000 pounds.

Changes in Motor Tariff Service, Colorado Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3:

For the account of Denver-Climax Truck Line and Ashlock Truck Line, amend Item No. 40 by eliminating Exception No. 2 and provide the following:

Minimum Charge:

The minimum charge for a single shipment from one consignor to one consignee on one bill of lading will be for 100 pounds at the first class rate, but not less than $2.00.

original

(Decision No. 49273)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF FRESH VEGETABLE PACKING COMPANY, 4535 JASON STREET, DENVER, COLORADO.	PUC NO. 2722-I PERMIT NO. M-2356 CASE NO. 75646-INS.

December 19, 1957

S T A T E M E N T

By the Commission:

On February 24, 1956, the Commission entered its order in Case No. 75646-Ins., revoking PUC No. 2722-I and Permit No. M-2356 for failure of Respondent herein to keep effective insurance on file with the Commission.

It now appears that proper insurance filing has been made with the Commission by said Respondent, without lapse.

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 2722-I and Permit No. M-2356 should be, and they hereby are, reinstated, as of February 24, 1956, revocation order entered by the Commission on said date in Case No. 75646-Ins. being hereby vacated, set aside and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1957.

ea

original

(Decision No. 49274)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE NOTICE OF)
AN INCREASE IN RATES OF THE) INVESTIGATION AND SUSPENSION
SOUTH SUBURBAN WATER COMPANY.) DOCKET NO 401

December 19, 1957

S T A T E M E N T

By the Commission:

This matter coming on for hearing on the Motion of the protestant, Tri-Community Civic Corporation, to Strike a letter heretofore made and filed herein on the 6th day of December, 1957, purportedly for and on behalf of the South Suburban Water Company, and confession of said motion having been filed duly by the attorneys of record for South Suburban Water Company, agreeing that said motion is well taken, and further stating that a second letter dated December 9, 1957, in similar vein should likewise be stricken

The Commission having examined the several motions, and being fully advised in the premises, doth find that said Motion to Strike is well taken and should be granted.

O R D E R

WHEREFORE, the Commission does hereby order and decree that letters of December 6, 1957 and December 9, 1957, respectively, purporting to have been filed on behalf of South Suburban Water Company in the above-entitled cause, be, and the same are hereby stricken and removed from the records and files in this case.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1957
mls