

original

(Decision No. 49970)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
GAS AND ELECTRIC BUILDING, DENVER,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 16097-Extension
ELECTRIC LINES AND FACILITIES TO)
SERVE PERL-MACK MANOR SUBDIVISION,)
ADAMS COUNTY, COLORADO.)
- - - - -)

IN THE MATTER OF THE APPLICATION OF)
UNION RURAL ELECTRIC ASSOCIATION,)
INC., BRIGHTON, COLORADO, FOR AU-)
THORITY TO EXTEND FACILITIES TO) APPLICATION NO. 16120-Extension
SERVE CERTAIN PARTS OF PERL-MACK)
MANOR, ADAMS COUNTY, COLORADO.)
- - - - -)

SUPPLEMENTAL ORDER

- - - - -
March 31, 1958
- - - - -

Appearances: Lee, Bryans, Kelly and Stansfield,
Esqs., Denver, Colorado, by
Bryant O'Donnell, Esq., Denver,
Colorado, for Public Service
Company of Colorado;
Grant, Shafroth and Toll, Esqs.,
Denver, Colorado, by
Erl H. Ellis, Esq., Denver, Colo-
rado, for Union Rural Electric
Association, Inc.;
E. R. Thompson, Denver, Colorado,
and
Joseph M. McNulty, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

On March 20, 1958, the Commission entered its Decision
No. 49885, in the above-styled matters, granting a certificate of
public convenience and necessity to Public Service Company of Colo-
rado, in Application No. 16097, authorizing extended electrical
service to Perl-Mack Subdivision, Adams County, State of Colorado,
as set forth in said Order, and denying Application No. 16120 of
Union Rural Electric Association, Inc., Brighton, Colorado.

On March 26, 1958, "Application for Rehearing" was filed herein by Union Rural Electric Association, Inc., by Grant, Shafroth and Toll, Attorneys.

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

F I N D I N G S

THE COMMISSION FINDS:

That no error was committed in the entry of its Decision No. 49885, of date March 20, 1958; that no useful purpose would be served by granting rehearing herein, and that said Application for Rehearing should be denied.

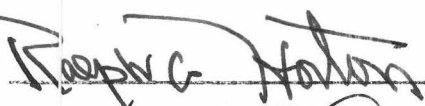


O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing in the above-styled matters, filed on March 26, 1958, by Grant, Shafroth and Toll, Attorneys for Union Rural Electric Association, Inc., 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 31st day of March, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE THE INCREASE IN THE MINIMUM)
CHARGE RULE OF THE NORTH PARK)
TRANSPORTATION COMPANY, ISSUED)
BY PETER B. KOOI, PRESIDENT,)
P.O. BOX 185, WALDEN, COLORADO)

CASE NO. 1585

March 31, 1958

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 was filed with the Commission by the North Park Transportation Company on statutory notice a schedule stating an increase in the minimum charge advertised to become effective April 9, 1958, designated as follows:

1st Revised Page No. 27, Item No. 140, to North Park Transportation Company, Motor Freight Tariff No. 1-A, Colorado P.U.C. No. 3:

Minimum Charge

Except as otherwise provided in the tariff, the minimum charge for a single shipment from one consignor to one consignee, on one bill of lading, to one point of delivery, will be the charge applicable for 100 pounds at the fourth class rate or the commodity rate applicable, whichever is lower, but in no case less than \$2.25.

Note: Where combinations of rates are used, the minimum charge as provided herein shall apply to each factor of such combination of rates.

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 change.

The change being instituted is that of increasing the minimum charge from \$2.00 to \$2.25. Mr. Peter B. Kooi, President, informs the Commission that, "We have notified the majority of our shippers of our intention to ask for this increase. Their attitude has been that they understand the need for it. In fact, most of them expected that we would be asking for a lot more than the \$.25 increase. For this reason we have not had a single complaint from any of our customers on this increase."

Also, submitted is the following cost figures as compiled from their records, using the last six-month period as a basis:

Cost per Minimum Shipment

Overhead:	
Office Labor, Insurance, Terminal Expense, Etc. - -	\$.57
Pick-Up Expense:	
Labor - - - - -	.45
Truck - - - - -	.30
Delivery Expense:	
Labor - - - - -	.40
Truck - - - - -	.30
Line Haul Expense - - - - -	<u>.20</u>
Total Cost per Minimum Shipment	\$2.22

Mr. Kooi also states, "We have not before asked for an increase in our minimum rates because we have felt that we should protect the shipper that has a minimum shipment as usually there is very little profit on these shipments, but we can no longer continue these for \$2.00 without losing a great deal of money on them."

For this reason the carrier feels the 25 cents will cover the increases in the cost and enable them to properly perform the service.

For the transportation into and out of Grand County, the carrier's route schedule leaves Denver, Colorado in the evening and drops freight off during the night at Fraser and Granby, Colorado, where dock facilities are maintained. From these two points pick-ups and deliveries are facilitated from the surrounding localities. Kremmling, Colorado, is the destination point along its route.

For Jackson County the route followed is via Laramie, Wyoming, an interstate route with Walden, Colorado, being the terminal, and pick-ups and deliveries are made at this point.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in the statement, 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.

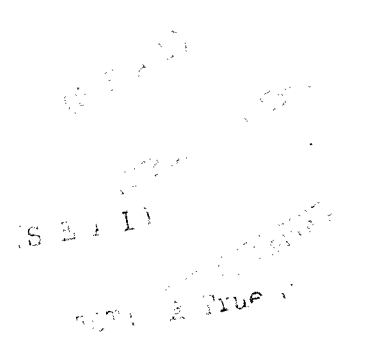
O R D E R

THE COMMISSION ORDERS, That:

1. The statement and findings are hereby made a part hereof.
2. This order shall become effective forthwith.
3. The rates, rules, regulations and provisions set forth in the statement of this order shall on April 9, 1958, 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 April 9, 1958, the motor vehicle common carriers involved in the rates, rules, regulations and provisions set forth in the statement of this order shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein set forth.
6. On and after April 9, 1958, 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. Anderson
John P. Thompson
Joseph I. Neis
Commissioners

Dated at Denver, Colorado,
this 31st day of March, 1958.

mem

original

(Decision No. 49972)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANK TILLER, DOING BUSINESS AS)
"TILLER'S," 5580 WADSWORTH AVENUE,)
ARVADA, COLORADO, FOR A CERTIFI-) APPLICATION NO. 15968-Extension
CATE OF PUBLIC CONVENIENCE AND NEC-) SUPPLEMENTAL ORDER
CESSITY, AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 897.)
-----)

March 31, 1958

Appearances: Jones and Meiklejohn, Esqs.,
Denver, Colorado, for
Applicant;
Raymond B. Danks, Esq., Denver,
Colorado, for Colorado Transfer
& Warehousemen's Association;
Weicker Transfer and Storage
Company.

S T A T E M E N T

By the Commission:

By Decision No. 49790, of date March 7, 1958, the Com-
mission denied Application No. 15968 of applicant herein for extension
of authority under PUC No. 897, as set forth in said Order.

On March 26, 1958, Petition for Rehearing was filed in said
matter by Jones and Meiklejohn, Attorneys for applicant. The principal
ground for the Application for Rehearing is that applicant was under a
mistaken impression of what was required and that he had failed to
diligently ascertain what evidence was available to establish his
"Grandfather Rights." This, in effect, constitutes a petition based
upon the prospective recantation by the applicant, and would normally
not be sufficient grounds for rehearing. In view of the fact, however,
that a new application can be filed immediately, we see little point
in denying the applicant the opportunity of submitting such additional
evidence that he may have. Our action, however, is to be construed as
nothing more than granting the applicant the right to adduce all evi-
dence available to him.

F I N D I N G S

THE COMMISSION FINDS:

That Petition for Rehearing filed herein by applicant should be granted, the application to be re-set for hearing at some future time convenient to the Commission.

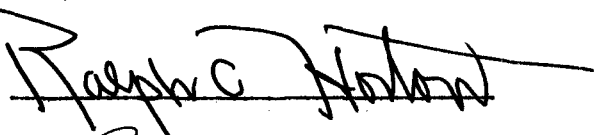

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed herein by Jones and Meiklejohn, attorneys for applicant herein, should be granted, and the application re-set for hearing at some future time, at the convenience of the Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of March, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRY DICKINSON, DOING BUSINESS AS)
"DICKINSON FEED & GRAIN COMPANY,")
436 NORTH COMMERCIAL, TRINIDAD,)
COLORADO.)
-----)

PERMIT NO. M-2025

April 2, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Harry Dickinson dba Dickinson Feed & Grain Company
requesting that Permit No. M-2025 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2025, heretofore issued to _____
Harry Dickinson dba Dickinson Feed & Grain Company be,
and the same is hereby, declared cancelled effective September 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 2nd day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLARENCE J. AND JOHN F. HELMERICKS,)
DOING BUSINESS AS "HELMERICKS TRUCK)
LINE," 237 MAIN STREET, MONTROSE,)
COLORADO.)
-----)

PERMIT NO. M-5493

April 2, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Clarence J. and John F. Helmericks dba Helmericks Truck Line
requesting that Permit No. M-5493 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5493, heretofore issued to _____
Clarence J. and John F. Helmericks dba Helmericks Truck Line be,
and the same is hereby, declared cancelled effective March 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 2nd day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL E. JONES AND ELZIA AYNES, DOING)
BUSINESS AS "JONES & AYNES," SOUTH)
FORK, COLORADO.)
-----)

PERMIT NO. M-11116

April 2, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Paul E. Jones and Elzia Aynes dba Jones & Aynes
requesting that Permit No. M-11116 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11116, heretofore issued to _____
Paul E. Jones and Elzia Aynes dba Jones & Aynes be,
and the same is hereby, declared cancelled effective August 20, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 2nd day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. M. THOMPSON, 1312 HIGHLAND)
AVENUE, PUEBLO, COLORADO.)

PUC NO. 2850

April 2, 1958

S T A T E M E N T

By the Commission:

On November 27, 1957, the Commission authorized W. M. Thompson, 1312 Highland Avenue, Pueblo, Colorado, to suspend operations under his Certificate of Public Convenience and Necessity No. 2850 until April 23, 1958.

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. 2850 should be, and the same hereby is, reinstated as of March 13, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 2nd day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THURMAN T. PEARCE, 1818 PENN-)
SYLVANIA STREET, DENVER 4,)
COLORADO.)

PERMIT NO. B-3711

April 1, 1958

S T A T E M E N T

By the Commission:

On December 27, 1957, the Commission authorized _____

Thurman T. Pearce, Denver, Colorado.

to suspend operations under his Permit No. B-3711

until May 23, 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-3711 should be, and the same hereby

is, reinstated as of March 26, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Gordon
John F. Thompson
Joseph F. Hearn
Commissioners

Dated at Denver, Colorado,

this 1st day of April 1958.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES EPPERSON, 2412 LOWELL BOULE-)
VARD, DENVER 11, COLORADO.)
)
)
)
-----)

PERMIT NO. M-9385

April 1, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
James Epperson, Denver, Colorado,
requesting that Permit No. M-9385 be cancelled.

FINDINGS

THE COMMISSION FINDS:

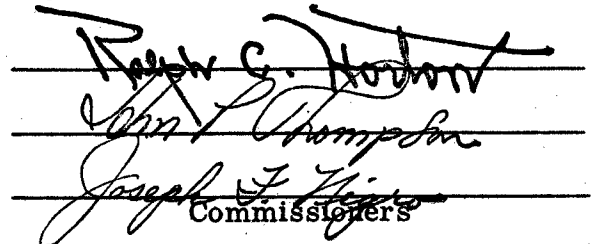
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9385, heretofore issued to _____
James Epperson, Denver, Colorado, be,
and the same is hereby, declared cancelled effective April 3, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 1st day of April, 195 8.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAKE F. SPAHN AND ERNEST WIETRICK,)
1917 JOLIET STREET, AURORA, COLORADO.)
-----)

PERMIT NO. M-22997

April 1, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Jake F. Spahn and Ernest Wietrick, Aurora, Colorado,
requesting that Permit No. M-12997 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12997, heretofore issued to _____
Jake F. Spahn and Ernest Wietrick, Aurora, Colorado, be,
and the same is hereby, declared cancelled effective March 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 1st day of April, 195 8.

mjm

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MODESTO GRASSO AND EMMA GRASSO, DOING)
BUSINESS AS "BERTOLINA WHOLESALE)
COMPANY", 413 MORGAN AVENUE, ROCK)
SPRINGS, WYOMING.)

M-13057
PERMIT NO. M-13057

April 1, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Modesto and Emma Grasso, d/b/a "Bertolina Wholesale Company", Rock Springs, Wyoming,
requesting that Permit No. M-13057 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13057, heretofore issued to Modesto and Emma
Grasso, d/b/a "Bertolina Wholesale Company, Rock Springs, Wyoming, be,
and the same is hereby, declared cancelled effective March 25, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Nelson
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,
this 1st day of April, 1958.

original

(Decision No. 49981)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WALTER P. VIGIL, 3217 QUIVAS STREET,)	
DENVER, COLORADO, FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	<u>APPLICATION NO. 16160</u>
TO OPERATE AS A COMMON CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	
-----)	

April 2, 1958

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 ten o'clock A. M., March 13, 1958, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, due notice thereof being forwarded to all parties in interest.

On March 3, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report of said proceedings to the Commission.

Report of said Examiner states that at the time and place designated for hearing, Applicant requested that said matter be continued to a future date for hearing.

Report of the Examiner recommends that said request 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 matter be continued, to be re-set for hearing at a later date to be determined by the Commission, with notice to all parties in interest.

O R D E R

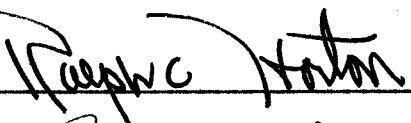
THE COMMISSION ORDERS:


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

That Application No. 16160 should be, and the same hereby is, continued, to be re-set for hearing 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.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 2nd day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE GROVER TELEPHONE EXCHANGE,)
GROVER, WELD COUNTY, COLORADO,)
FOR AN INCREASE IN RATES FOR LOCAL) APPLICATION NO. 16182
SERVICE RENDERED BY THE GROVER)
TELEPHONE EXCHANGE.)
-----)

March 31, 1958

S T A T E M E N T

By the Commission:

On March 3, 1958, the Grover Telephone Exchange, by Mrs. Edith Richards, owner, filed a new telephone tariff with the Commission, being First Revised Sheet No. 3 of its Colorado P.U.C. Tariff, proposing to increase charges for local exchange and switching service rates of said Grover Telephone Exchange. Unless suspended in accordance with the rules and regulations of the Commission, the rates would become effective on April 1, 1958.

The Commission's staff has made an investigation of the books and records of the Grover Telephone Exchange and finds that for the Year 1957 this Company had a net loss of \$365.08. If the rates as proposed become effective, the Company would have had a net income of \$620.00 based on the 1957 operations.

The Telephone Exchange published a notice in the Crow Valley News thirty days prior to the effective date of the proposed increase in rates, stating what the new rate would be and that anyone wishing to protest should do so at least ten days prior to the effective date of the proposed rate increase. A member of the Commission's staff also interviewed several customers during the course of the field investigation in regard to the rate increase. The Commission has received no written complaints from either the Town or the customers.

In view of the financial situation revealed by the books of the Company, and the apparent need for telephone service in this area, we believe that the rate increase should be permitted to become effective as proposed. Since there have been no complaints in regard to the increase, this matter will be heard on the record and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the Grover Telephone Exchange and of the subject matter of the instant application.

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

That the Commission is fully informed in the matter.

That the rates as filed with the Commission, being First Revised Sheet No. 3 of the Grover Telephone Exchange are just and reasonable, and should be permitted to become effective on April 1, 1958.

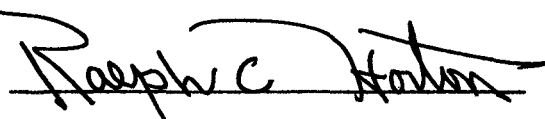
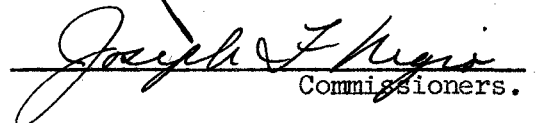
O R D E R

THE COMMISSION ORDERS:

That the rates as set forth on the Grover Telephone Exchange, First Revised Sheet No. 3, in its Colorado P. U. C. Tariff, be, and they hereby are, permitted to become effective on April 1, 1958.

That Application No. 16182 be, and it hereby is, closed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 31st day of March, 1958.

regrual

(Decision No. 49983)

IN THE MATTER OF THE APPLICATION OF)
JAY DEE LEMONS, ROUTE 1, FORT LUPTON,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 16164-PP
OPERATE AS A PRIVATE CARRIER BY) SUPPLEMENTAL ORDER
MOTOR VEHICLE FOR HIRE.)
-----)

April 2, 1958

Appearances: Jay Dee Lemons, Fort Lupton,
Colorado, pro se;
E. B. Evans, Esq., Denver,
Colorado, for Fort Lupton
Transfer Company;
Howard D. Hicks, Denver, Colo-
rado, for Centennial Truck
Line.

S T A T E M E N T

By the Commission:

On March 27, 1958, the Commission entered its Decision
No. 49943 in the above-styled matter, denying said application.

On March 31, 1958, Applicant herein filed with the Com-
mission his Application for Rehearing, stating he was not aware
of the importance of having customer-witnesses present at the hearing
to testify as to need for his proposed services.

The Commission has carefully considered said Application
for Rehearing, and is of the opinion that said application should
be granted.

F I N D I N G S

THE COMMISSION FINDS:

That Application for Rehearing filed herein by Applicant
on March 31, 1958, should be granted.

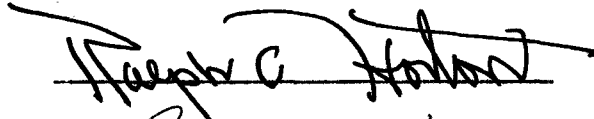

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing filed herein by Applicant,
on March 31, 1958, should be, and the same hereby is, granted, said
rehearing on said application to be held at a future date to be

determined by the Commission, with notice to all parties in
interest.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 2nd day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH O. SMITH, DOING BUSINESS AS)
"SMITH TRUCK LINE," 1814 19TH)
AVENUE, GREELEY, COLORADO, FOR AUTH-)
ORITY TO TRANSFER PUC NO. 1275 TO)
E. D. MAPES, HARRY CONNELL, WILLIAM) APPLICATION NO. 16198-Transfer
E. ANKENY, HUGH F. DENIO, AND ANITA)
K. DENIO, DOING BUSINESS AS "WELCO)
MILK LINES," 2130 16TH STREET,)
GREELEY, COLORADO, SAID OPERATING)
RIGHT TO BE CONSOLIDATED WITH PUC)
NO. 556, PRESENTLY OWNED AND OPER-)
ATED BY TRANSFEREES.)

April 2, 1958

Appearances: Kenneth O. Smith, Greeley,
Colorado, pro se;
William E. Ankeney, Greeley,
Colorado, for Transferees;
Paul M. Hupp, Esq., Denver,
Colorado, for Colorado
Milk Transport.

S T A T E M E N T

By the Commission:

By the above-styled application, Kenneth O. Smith, doing business as "Smith Truck Line," Greeley, Colorado, owner and operator of PUC No. 1275, seeks authority to transfer said operating rights to E. D. Mapes, Harry Connell, William E. Ankeney, Hugh F. Denio and Anita K. Denio, doing business as "Welco Milk Lines," Greeley, Colorado, and transferees request that in the event said transfer is authorized, said PUC No. 1275 be consolidated with PUC No. 556, presently owned and operated by transferees.

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, March 27, 1958, and at the conclusion of the evidence, the matter

was taken under advisement.

At the hearing, it appeared that ample consideration is being paid for said operating rights; that outstanding indebtedness against said operating rights will be provided for.

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

The operating experience and financial responsibility of transferees 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 outstanding indebtedness against said operation, if any there be.

That operating rights herein authorized to be transferred should be consolidated with, become a part of, and operated under, PUC No. 556, presently owned and operated by transferees herein.

O R D E R

THE COMMISSION ORDERS:

That Kenneth O. Smith, doing business as "Smith Truck Line," Greeley, Colorado, should be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 1275 to E. D. Mapes, Harry Connell, William E. Ankeney, Hugh F. Denio, and Anita K. Denio, doing business as "Welco Milk Lines," 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 transferor and transferees, 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.

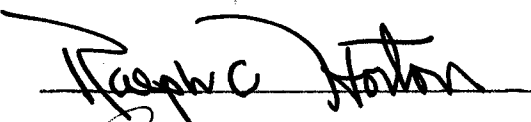
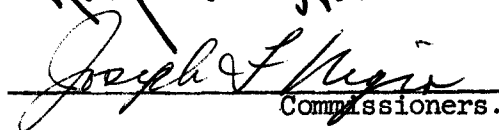
The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

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 certificate up to the time of transfer of said certificate.

That said PUC No. 1275 shall be consolidated with, become a part of, and operated under, PUC No. 556, presently owned and operated by transferees herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 2nd day of April, 1958.

mls

original

(Decision No. 49985)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALLEN WINTERS, 5219 LINCOLN STREET,)
DENVER, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 16197-Transfer
TRANSFER PUC NO. 3570 TO EDWARD BLEA,)
1420 GROVE STREET, DENVER, COLORADO.)

April 2, 1958

Appearances: Edward Blea, Denver, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Allen Winter, Denver, Colo-
rado, owner and operator of PUC No. 3570, seeks authority to transfer
said operating rights to Edward Blea, Denver, Colorado, said PUC No.
3570 being the right to operate as a common carrier by motor vehicle
for hire, for the transportation of:

ashes, trash, and other refuse, between points
within the City and County of Denver, and from
points within 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.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Hearing
Room of the Commission, 330 State Office Building, Denver, Colorado,
March 27, 1958, and at the conclusion of the evidence, the matter was
taken under advisement.

At the hearing, it appeared that the consideration for trans-
fer of said operating rights is the sum of \$25.00; that transferee, pe-
cuniarily and otherwise, is qualified to conduct said operation.

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

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 Allen Winter, Denver, Colorado, should be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3570 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to Edward Blea, 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 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.

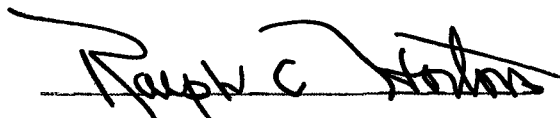

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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



Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 2nd day of April, 1958.

mls

original

(Decision No. 49986)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FLOYD D. ARNOLD, KIOWA, COLORADO,)	
FOR AUTHORITY TO TRANSFER PERMIT)	
NO. B-4476 AND PERMIT NO. B-4476-I)	<u>APPLICATION NO. 16202-PP-Transfer</u>
TO ARNOLD TRUCK LINES, INC., KIOWA,)	
COLORADO.)	
-----)	
IN THE MATTER OF THE APPLICATION OF)	
ARNOLD TRUCK LINES, INC., KIOWA,)	
COLORADO, FOR AUTHORITY TO EXTEND)	<u>APPLICATION NO. 16203-PP-Extension</u>
OPERATIONS UNDER PERMIT NO. B-4476)	
AND PERMIT NO. B-4476-I.)	
-----)	

April 2, 1958

Appearances: John R. Barry, Esq., Denver,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By Application No. 16202-PP, Floyd D. Arnold, Kiowa,
Colorado, seeks authority to transfer Permit No. B-4476 and Permit
No. B-4476-I to Arnold Truck Lines, Inc., Kiowa, Colorado, said
Permit No. B-4476 and Permit No. B-4476-I being the right to operate
as a Class "B" private carrier by motor vehicle for hire, for the
transportation of:

freight, 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;

eggs, from point to point within the State of Colo-
rado; empty egg cases and egg cartons, from point
to point within the State of Colorado.

By Application No. 16203-PP, Arnold Truck Lines, Inc.,
Kiowa, Colorado, seeks authority to extend operations under Permits
Nos. B-4476 and B-4476-I, after transfer thereof, to include the
right to transport sand, gravel, and other road-surfacing materials,

from pits and supply points in the State of Colorado, to construction jobs throughout the State of Colorado.

Said applications, pursuant to prior setting, after appropriate notice to all parties in interest, were heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, March 27, 1958, and at the conclusion of the evidence, the matters were taken under advisement.

At the hearing, it appeared that Articles of Incorporation of Transferee were made a part of the record; that net worth of transferee is the amount of \$7,000.

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 in the public interest, and should be authorized, subject to outstanding indebtedness against said operation, if any there be.

That the proposed extended operations of transferee would not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Floyd D. Arnold, Kiowa, Colorado, should be, and hereby is, authorized to transfer all right, title, and interest in and to Permits Nos. B-4476 and B-4476-I -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to Arnold Truck Lines, Inc., Kiowa, Colorado, transfer of interstate operating rights to be subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

That transfer herein authorized is subject to payment of outstanding indebtedness against said operating rights, 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 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 right of transferee to operate under this Order shall depend upon its 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 permits up to the time of transfer of said permits.

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

That Arnold Truck Lines, Inc., Kiowa, Colorado, should be, and hereby is, authorized to extend operations under Permits Nos. B-4476 and B-4476-I, to include the right to transport sand, gravel, and other road-surfacing materials, from pits and supply points in the State of Colorado, to construction jobs throughout the State of Colorado.

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

Order No. 223
Dated at Denver,
Colorado, April 2, 1958

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. [Signature]
Joseph F. [Signature]
Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 2nd day of April, 1958.

ea.

revised

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HARRY G. BROOKS DOING BUSINESS AS)
"BROOKS TRANSPORTATION COMPANY,")
101 OAK STREET, STERLING, COLORADO,) APPLICATION NO. 16126-Extension
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY, AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 33.)
-----)

IN THE MATTER OF THE APPLICATION OF)
HARRY G. BROOKS, DOING BUSINESS AS)
"BROOKS TRANSPORTATION COMPANY,")
101 OAK STREET, STERLING, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO. 33) APPLICATION NO. 16133-Transfer
TO LOWELL E. BROOKS AND WENDELL B.)
BROOKS, AS JOINT TENANTS, WITH RIGHT)
OF SURVIVORSHIP, DOING BUSINESS AS)
"BROOKS TRANSPORTATION CO.," 101 OAK)
STREET, STERLING, COLORADO.)
-----)

April 3, 1958

Appearances: Lowell E. Brooks, Sterling,
Colorado, pro se;
Robert Hounshell, Sterling,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By Application No. 16126, applicant herein seeks an extension to his authority under PUC No. 33 to include a general drayage service in the City of Sterling, Colorado.

By Application No. 16133, applicant seeks to transfer his PUC No. 33 to Lowell E. Brooks and Wendell B. Brooks, as joint tenants, with right of survivorship, doing business as "Brooks Transportation Co.," the authority being as follows:

Transportation of freight and express between Sterling and Amherst and intermediate points. Transportation of passengers between the City of Sterling and the City of Holyoke and intermediate points.

Both applications were set for hearing before the Commission on March 5, 1958, at the Court House in Sterling, Colorado, after due

notice to all interested parties.

On March 3, 1958, the Commission, as provided by law, designated and appointed Edwin R. Lundborg, an employee of the Commission, as Examiner, to conduct the hearing on both applications, and on the date and place named in the Notice of Hearing, said Edwin R. Lundborg, as Examiner, conducted the hearing on the applications on a consolidated basis. The Examiner then submitted his Report of the proceedings to the Commission.

Report of the Examiner states that Lowell E. Brooks appeared in behalf of the applications, who testified as to the equipment to be used, their operating experience, and financial responsibility. He testified that he is the son of Harry G. Brooks, the present owner of PUC-33, and that he and his brother have been working for their father for several years and are familiar with the rules and regulations of the Commission. He stated they have been conducting their transportation business in the city of Sterling since July 1954, operating continuously up to and including January 1, 1955, the effective date of Constitutional Amendment XXV vesting in this Commission jurisdiction over common carriers operating within home-rule cities, such as Sterling, and sought to have "Grandfather Rights" established within said city for a local dray service. He testified their net worth is \$13,000, and they wish to continue their service in Sterling.

Robert Hounshell, Sterling, Colorado, protested the application for extension. However, he stated that if applicant were to restrict his operations in Sterling to the transportation of sugar from the sugar factory to local stores within the City of Sterling, and his re-delivery of interlined freight from other freight companies who might terminal from his dock and also pick up, he would withdraw his protest.

The applicant then agreed to the restriction and protest was withdrawn.

Report of the Examiner further discloses in regard to Application No. 16133-Transfer, that Applicant Brooks testified that his father wished to transfer the authority under PUC No. 33 to his two sons, Lowell E. Brooks and Wendell B. Brooks, who were to operate as a partnership under the name of "Brooks Transportation Co.," the consideration for the transfer being \$5.00. He testified that he and his brother have worked for their father in the transportation business for several years and are familiar with the rules and regulations of this Commission and will abide by them if the transfer is authorized. Their equipment list is on file with the Commission and he stated their net worth was \$13,000.

It appears to the Commission that applicant established "Grandfather Rights" with regard to operations within the City of Sterling, and the Examiner recommends that the extension be authorized as agreed to by applicant at the hearing.

It would also appear that the proposed transfer is compatible with the public interest, the financial responsibility of transferees being established to the satisfaction of the Commission. Their equipment is found to be ample and their operating experience is satisfactory.

The Report of Examiner recommends that both applications be granted, the extension being limited as set forth in the Order following.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the extended service of applicant under PUC-33 as set forth in the Order following.

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 public convenience and necessity require the extended service of applicant under PUC No. 33, as follows:

Transportation of sugar from the sugar factory to local stores within the City of Sterling, and his re-delivery of interlined freight from other freight companies who might terminal from his dock, and also pick up,

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.

That Harry G. Brooks, doing business as "Brooks Transportation Company," Sterling, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 33 -- being the operating rights set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Lowell E. Brooks and Wendell B. Brooks, as joint tenants, with right of survivorship, doing business as "Brooks Transportation Co.," Sterling, Colorado, subject to payment of outstanding indebtedness, if any there be, whether secured or unsecured.

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 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

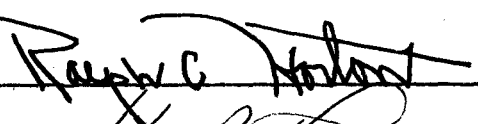
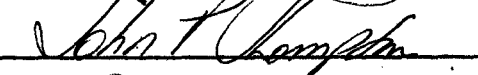

on the part of the Commission, unless such time shall be extended by the Commission upon proper application.

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 transferees 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.

Dated at Denver, Colorado,
this 3rd day of April, 1958.

ea

original

(Decision No. 49988)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MRS. DONNA D. METCALF, DOING BUSI-)
NESS AS "EMPIRE DELIVERY CO.," 1821)
15TH STREET, DENVER, COLORADO, FOR) APPLICATION NO. 15589-Extension
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY, AUTHORIZING EXTENSION)
OF OPERATIONS UNDER PUC NO. 3766.)
-----)

April 3, 1958

Appearances: A. E. Small, Jr., Esq.,
Denver, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

On July 8, 1957, applicant herein filed her application for a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 3766.

Said application was set for hearing November 21, 1957, but was vacated on November 12, 1957, at the request of the Attorney for the Applicant.

The Commission is now in receipt of a request from A. E. Small, Jr., Denver, Colorado, Attorney for Applicant, asking that said application be dismissed.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed at the request of Attorney for Applicant.


O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same hereby is, dismissed at the request of the Attorney for Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


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

Dated at Denver, Colorado,
this 3rd day of April, 1958.

ea

original

(Decision No. 49989)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF	}	<u>APPLICATION NO. 16012-Extension</u>
GLOBE TRUCK LINE, INC., 2065		
DELGANY STREET, DENVER, COLORADO,		
FOR A CERTIFICATE OF PUBLIC CONVEN-		
IENCE AND NECESSITY, AUTHORIZING EX-		
TENSION OF OPERATIONS UNDER PUC NO.		
551 AND PUC NO. 551-I, UNDER "GRAND-	}	
FATHER RIGHTS."		

April 3, 1958

Appearances: John R. Barry, Esq., Denver,
Colorado, for Applicant;
Raymond B. Danks, Esq., Den-
ver, Colorado, for Colorado
Transfer and Warehousemen's
Association;
Howard D. Hicks, Denver, Colo-
rado, for Centennial Truck
Lines;
E. B. Evans, Esq., Denver,
Colorado, for Westway Motor
Freight.

S T A T E M E N T

By the Commission:

Globe Truck Line, Inc. is the holder of PUC No. 551 and PUC
No. 551-I, which authorizes operation as a common carrier by motor ve-
hicle for hire, for the transportation of:

household goods, in both interstate and
intrastate commerce, between Pueblo and
all points within the State of Colorado,
subject to the following terms: (a)
Applicant shall not operate on schedule
between any points; (b) Applicant shall
not be permitted, without further auth-
ority from the Commission, to establish
a branch office or to have any agent em-
ployed in any other town or city than
Pueblo for the purpose of developing
business.

On December 31, 1957, applicant herein filed application with
the Commission for a certificate of public convenience and necessity,

confirming Grandfather Rights within the home-rule cities of Pueblo, Denver, and Boulder, Colorado.

Said application was originally set for hearing on January 21, 1958, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, said matter being thereafter continued for hearing before the Commission at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, March 18, 1958, at which time and place, after the taking of evidence, said matter was taken under advisement.

At the hearing, the evidence disclosed that applicant has been operating in the City of Pueblo in the transportation of household goods since the granting of the original certificate.

It therefore appears that there is no question that applicant is entitled to a certificate of public convenience and necessity covering Grandfather Rights within the City of Pueblo, Colorado.

The evidence is not so clear as to the City and County of Denver, and the City of Boulder, Colorado.

We must consider that in the original grant of authority, the Commission said:

"(b) Applicant shall not be permitted, without further authority from the Commission, to establish a branch office or to have any agent employed in any other town or city than Pueblo for the purpose of developing business."

It is possible that applicant, under some other certificate, has been rendering service in the home-ruled Cities of Denver and Boulder, but due to the nature of this certificate, we do not believe it is in the public interest to grant authority under this certificate for service between points within the above-named home-ruled cities' boundaries.

Under applicant's present certificate, authority is granted for delivery of household goods to any point within the City and County of Denver, or to any point within the City of Boulder, from Pueblo,

Colorado, and deliveries can be made from any point within the above-named cities to Pueblo. The only question appearing to us is applicant's right, under present authority, to make deliveries from point to point within the City of Pueblo. This authority, it appears to us, applicant is entitled to, by virtue of Grandfather Rights.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's service, under Grandfather Rights, to make deliveries within the City of Pueblo, Colorado, and that certificate of public convenience and necessity should issue therefor.

That said application, in all other respects, should be denied.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier service of Globe Truck Line, Inc., under PUC No. 551 and PUC No. 551-I, under Grandfather Rights, to transport household goods between points within the City of Pueblo, 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.

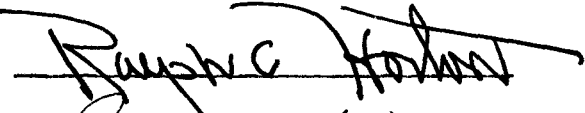

That this Order is subject to compliance by applicant with all present and future laws and regulations of the Commission.

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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 3rd day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE LEE TAFOYA, 803 NORTH EL PASO)
STREET, COLORADO SPRINGS, COLORADO.)
)
)
)
-----)

PERMIT NO. M-8419

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Joe Lee Tafoya

requesting that Permit No. M-8419 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8419, heretofore issued to _____

Joe Lee Tafoya be,

and the same is hereby, declared cancelled effective April 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 9th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WARREN K. KINDIG, BOX 522, DOLORES,)
COLORADO.)
)
)
)
-----)

PERMIT NO. M-8967

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Warren K. Kindig

requesting that Permit No. M-8967 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8967, heretofore issued to _____

Warren K. Kindig _____ be,

and the same is hereby, declared cancelled effective March 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 9th day of April, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. C. WICKERSHAM, 3650 AVENUE D,)
COUNCIL BLUFFS, IOWA.)
)
)
)
)
-----)

PERMIT NO. M-10796

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

M. C. Wickersham

requesting that Permit No. M-10796 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10796, heretofore issued to _____

M. C. Wickersham be,

and the same is hereby, declared cancelled effective February 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Woodmont
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 9th day of April, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN H. MOELLER, DOING BUSINESS AS)
"ATLASTA DAIRY," 8700 WEST 80TH AVE.,)
ARVADA, COLORADO.)
-----)

PERMIT NO. M-11856

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Marvin H. Moeller dba Atlasta Dairy

requesting that Permit No. M-11856 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

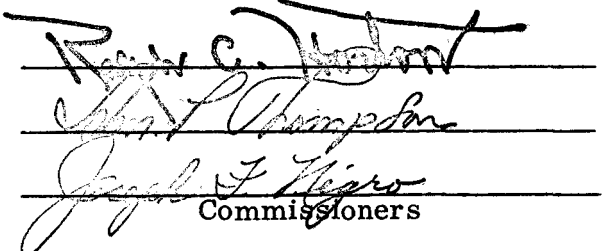
THE COMMISSION ORDERS:

That Permit No. M-11856, heretofore issued to _____

Marvin H. Moeller dba Atlasta Dairy 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 9th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
NATIONAL ELECTRONIC SUPPLY CO.,)
609 EAST 16TH STREET, CHEYENNE,)
WYOMING.)
-----)

PERMIT NO. M-13442

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
National Electronic Supply Co.
requesting that Permit No. M-13442 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13442, heretofore issued to _____
National Electronic Supply Co. _____ be,
and the same is hereby, declared cancelled effective March 18, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hobart
Ed P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 9th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELTON B. TURNER, DOING BUSINESS AS)
"EMPIRE SIGNS," 1708 PARKWAY DRIVE,)
MOBILE, ALABAMA.)
-----)

PERMIT NO. M-13518

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Elton B. Turner dba Empire Signs
requesting that Permit No. M-13518 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13518, heretofore issued to _____
Elton B. Turner dba Empire Signs _____ be,
and the same is hereby, declared cancelled effective March 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ray C. [Signature]
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 9th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GERALD A. RHOADES, 3561 SOUTH)
PENNSYLVANIA, ENGLEWOOD, COLORADO.)
_____))
_____)

PERMIT NO. M-14044

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Gerald A. Rhoades

requesting that Permit No. M-14044 be cancelled.

FINDINGS

THE COMMISSION FINDS:

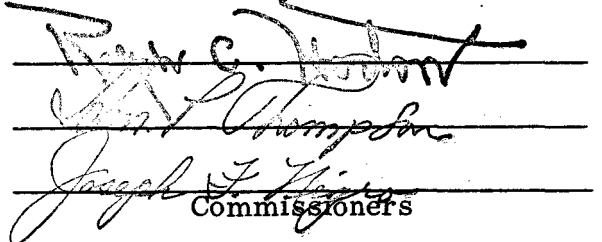
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14044, heretofore issued to _____
Gerald A. Rhoades be,
and the same is hereby, declared cancelled effective March 2, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,

this 9th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS S. PEAVEY AND CECIL R. BELL,)
DOING BUSINESS AS "BLACK FOREST TIM-)
BER PRODUCTS CO.," R. R. 3, BOX 270,)
COLORADO SPRINGS, COLORADO.)

PERMIT NO. M-14503

April 9, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Thomas S. Peavey and Cecil R. Bell dba Black Forest Timber Products Co.

requesting that Permit No. M-14503 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14503, heretofore issued to _____
Thomas S. Peavey and Cecil R. Bell dba Black Forest Timber Products Co. be,
and the same is hereby, declared cancelled effective April 3, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. [Signature]
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 9th day of April, 1958.

ma

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CHICAGO, BURLINGTON & QUINCY RAIL-)	
ROAD COMPANY, 17TH AND CHAMPA)	
STREETS, DENVER, COLORADO, FOR)	APPLICATION NO. 15588
AUTHORITY TO DISCONTINUE AGENCY)	
SERVICE AT HILLROSE, MORGAN COUNTY,)	
COLORADO, AND TO CLOSE THE SAME)	
AS AN AGENCY STATION.)	
-----)	

April 8, 1958

Appearances: W. L. Peck, Esq., Denver,
Colorado, and
John C. Street, Esq., Denver,
Colorado, for Petitioner
Chicago, Burlington &
Quincy Railroad Company;
T. Ord Wells, Esq., Fort Morgan,
Colorado, for Town of Hillrose,
Board of County Commissioners
of Morgan County;
O. A. Wickless, Chicago, Illinois,
for Order of Railroad Telegraphers.

S T A T E M E N T

By the Commission:

On July 22, 1957, the Chicago, Burlington and Quincy Railroad Company, Petitioner herein, filed with this Commission, pursuant to Rule 6 of the Commission's Rules and Regulations pertaining to railroad companies a petition, requesting issuance of an Order by the Commission, authorizing Petitioner herein to discontinue agency service at Hillrose, Morgan County, Colorado, and to close its Hillrose Station as an agency station.

Formal protests were filed by the Town of Hillrose, by the Board of County Commissioners of Morgan County, the Order of Railroad Telegraphers, and Senator Frank L. Gill.

The matter was regularly set for hearing, and heard, at the Court House, Fort Morgan, Colorado, December 17, 1957, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that the Town of Hillrose is a small community, having a population of approximately 220 people, located on U. S. Highway No. 6 approximately six miles east of the Town of Brush, Colorado. It also appears that the Town of Hillrose is also served by truck lines and bus lines, hauling passengers and freight. It appears that practically no one travels to or from Hillrose by train, and whatever travelers there may be travel either by bus or by private automobile, and substantially all l.c.l. freight moving to and from Hillrose is carried on public highways by common carrier trucks, private trucks, and contract carrier trucks, and express is handled by buses and by private carrier automobiles. This is substantiated by Exhibit No. 1, which discloses that less than carload shipments were as follows:

<u>Year</u>	<u>Total Shipments Forwarded</u>	<u>Total Shipments Received</u>
1955	4	48
1956	1	73
1957 (1st 4 mos.)	1	21

Carload freight traffic was as follows:

<u>Year</u>	<u>Cars Forwarded</u>	<u>Cars Received</u>
1955	12	17
1956	4	13
1957 (1st 4 mos.)	0	5

Petitioner contends that the closing of the station at Hillrose will result in substantial savings, and will not materially affect the service of the Town of Hillrose and its immediate trade territory.

Protestants contend by their testimony that considerable inconvenience would be suffered by shippers in the Hillrose Territory if the station is closed. Among the protestants testifying were the following:

Henry M. Schlater, a merchant in Hillrose, and
also Mayor of the Town;

John Harding, a blacksmith;

George R. White, farmer and livestock feeder;

LeRoy Repp, Manager of Warren Lumber Company;

Joe Cox, a farmer and cattle-feeder,

all contending that a local agent was needed in Hillrose, and they felt that the removal of the agency station would not be in the public interest.

On March 14, 1958, the Commission, by Decision No. 49845, reopened the above application for the purpose of taking evidence, said reopening being held March 26, 1958, at which time Frank L. Gill, of Hillrose, Colorado, testified as to the business originating at the Trowell Stockyards and the White Beet Dumps, located on side tracks near Hillrose, said tracks being commonly considered in Hillrose territory, and it appears that up until the Year 1957, was considered by applicant as Hillrose territory.

It appears that this movement was substantial, and we are taking this business pointed out by Witness Gill in our consideration of this matter, and have definitely considered it in our deliberations.

Henry W. Schlater, Mayor of the Town of Hillrose, also testified as to the need of the Hillrose Station.

The Commission fully realizes that some inconvenience must necessarily be suffered by shippers when an agency is discontinued, and the question we must determine in the instant case -- as in all others of this character -- is whether the inconvenience that will be suffered by shippers will off-set the ultimate benefits accruing to the public as a whole served by the railroad through financial advantages that will accrue to the petitioner by permitting the abandonment of the station.

Rail carriers, in order to continue to serve the public -- particularly in times like these when they are faced with motor vehicle competition -- on their lines, it is necessary that the rail

carrier be permitted to effect all reasonable economies. The expense of maintaining this station for the Year 1956 was \$4,261.79, and that expense is quite substantial when the total revenue of the station's business is considered.

It is with reluctance that we permit the abandonment of stations. However, after considering all of the facts before us, we cannot see any other alternative.

F I N D I N G S

THE COMMISSION FINDS:


That Petition of Applicant herein should be granted, for the reasons set forth in the preceding Statement, which is made a part hereof, by reference.


O R D E R


THE COMMISSION ORDERS:

That public convenience and necessity require that the Chicago, Burlington and Quincy Railroad Company be, and it hereby is, authorized to abandon and close its railroad agency station at Hillrose, Colorado, effective April 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 8th day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
UNION PACIFIC RAILROAD COMPANY FOR)
AUTHORITY TO DISCONTINUE THE PASSEN-) APPLICATION NO. 15783
GER SERVICE NOW OPERATED ON TRAIN NO.)
334 BETWEEN CHEYENNE, WYOMING AND)
DENVER, COLORADO.)
-----)

April 8, 1958

Appearances: E. G. Knowles, Esq., Denver,
Colorado, and
Clayton D. Knowles, Esq.,
Denver, Colorado, and
F. J. Given, Esq., Omaha,
Nebraska, for Union Pacific
Railroad Company;
Thomas A. Richardson, Esq.,
Greeley, Colorado, for City
of Greeley, Colorado;
W. E. Skinner, Pueblo, Colo-
rado, for Brotherhood of
Railroad Trainmen;
George R. Kemp, Denver, Colo-
rado, for Brotherhood of
Railway Clerks;
Fred H. Haar, Pueblo, Colorado,
for Brotherhood of Railroad
Trainmen;
Edwin R. Lundborg, Esq., Denver,
Colorado, and
J. L. McNeill, Denver, Colorado,
for the staff of the Commission.

S T A T E M E N T

By the Commission:

By the instant application, Union Pacific Railroad Company is seeking authority from this Commission to discontinue all passenger service now provided daily by means of a single coach on Train No. 334, between Cheyenne, Wyoming and Denver, Colorado. Service in Wyoming is to Cheyenne, Speer and Gleason. The instant application covers only the Colorado segment extending southward from the Wyoming-Colorado state line, serving the towns of Carr, Ault, Eaton, Greeley, LaSalle, Fort Lupton, Brighton, and Denver, Colorado.

Pursuant to appropriate notice to all interested parties, hearing in the matter was held on December 2, 1957, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado. After presentation of extensive testimony, the hearing was recessed for clarification of certain exhibits and to be resumed at a future date. On March 4, 1958, after appropriate notice, further hearing was held and at the conclusion thereof, the matter was taken under advisement.

According to the evidence herein, Train No. 334 is a mixed train, consisting of two through-mail cars and a passenger coach, all handled at the head end of the train, followed by some 40 to 90 freight cars and a caboose. Requested authority is for discontinuance of only the passenger car service. The schedule (Exhibit No. 1) provides for daily departure at 7:45 P. M. from Cheyenne, with arrival in Denver at 11:50 P. M. No similar service is offered in the northward direction and the coach is therefore handled empty or "deadhead" on the return trip from Denver to Cheyenne, Wyoming.

Due to the uncertainties of switching and connecting freight train arrivals at Cheyenne, it has been difficult to adhere closely to the scheduled departure time from Cheyenne. Since the train also makes switching stops enroute, it has not been attractive as a passenger service. Passenger riding between all stations was shown in a tabulation (Exhibit No. 5), for the period May through October, and then extended through the months of November and December, 1957, ending with January, 1958. Maximum total number of passengers handled was 38 in the month of June, 1957; a low total of 11 passengers were handled in January, 1958. Review of the exhibit data indicates an average of one patron per daily trip; that the major portion of the riders boarded at Cheyenne and with approximately one-third being handled within Colorado, and principally at Greeley, for intrastate travel.

In testimony regarding operation of the train, Mr. C. T. Alford, Assistant Superintendent of the Wyoming Division, explained that the principal function of the train was for movement of freight cars, and

any time adjustments made in order to offer a more attractive passenger schedule would not permit the most efficient freight service. In contrast to the single departure of the train, it was his belief that passengers would always be attracted to the bus lines where some twelve departures per day were offered from Cheyenne to Denver. (Exhibits Nos. 4 and 5) On the basis of one passenger per trip at the full fare of \$3.23, it was his belief that continued use of the coach could not be justified when all costs of the operation were considered. Mr. Alford also explained that if the coach was removed, arrangements would be made whereby Union Pacific employees would be enabled to travel on the bus at no personal expense in the same manner as now possible on the rail car.

Considerable testimony was introduced by Applicant pertaining to operating expenses chargeable to the passenger service. Mr. C. E. Breternitz, Manager of the Denver Union Station, explained that facilities of the terminal for accommodation of passengers and movement of passenger cars were made available to all the railroads. Actual maintenance, signalling, dispatching, ticket sales, and labor expenses are paid to the Terminal Company by the respective railroads according to the number of cars handled through the station. According to Mr. Breternitz, the switching charge in 1955 was \$5.96 per car while increased costs in 1957 required a charge of \$7.34 per car for terminal handling.

Additional testimony and explanation of a series of exhibits was given as a clarification of accounting methods by R. J. Clark of Omaha, Nebraska, Junior Accountant with Union Pacific and having some $9\frac{1}{2}$ years experience in the analysis and preparation of railroad operating accounts.

Our summary of the various exhibits as received to show passengers, revenues and expenses is as follows:

SUMMARY OF EXHIBITS 6 A and 9

	<u>1955</u>	<u>1956</u>	<u>1957</u>
Passengers carried	855	507	403
Avg. Revenue per passenger	\$2.06	\$2.13	\$2.10
Total Revenue -	\$1,761.30	\$1,079.52	\$844.87
Out-of-Pocket Expense:			
Car Repairs	\$5,958.24	\$5,609.90	\$5,517.94
Car Sup. & Exp.	913.10	958.20	942.50
Denver Term. Chgs.	<u>1,914.04</u>	<u>2,395.05</u>	<u>2,302.12</u>
Total Expense -	\$8,785.38	\$8,963.15	\$8,762.56
Difference Between Expense and Revenue (Loss)	\$7,024.08	\$7,883.63	\$7,917.69

It therefore appears that in 1957 an average of slightly more than one passenger per day was handled at an approximate loss of \$8,000.00 for the year. Further, at no time was there enough revenue to pay terminal switching expense.

Testimony of protestants was offered by members of the railroad brotherhoods and counsel for the City of Greeley, Colorado. Mr. W. E. Skinner (Brotherhood of Railway Trainmen), offered two exhibits (Exhibits A and B) to show consist of trains handled into Denver during last one-half of January and first one-half of February, 1958. In the 36 days recorded, passengers were handled on 18 trips and 18 trips with no passengers. Total freight cars handled varied from minimum of 34 to maximum of 111, and averaged 75 cars per trip. It was Mr. Skinner's belief that loss of the passenger car would allow the train to return to status of a non-regulated freight train; that the mail would be moved in alternate service; that the freight cars would be held for longer trains, thereby resulting in lesser movements and employment. On the basis of his past experience, he was aware the mixed service was not attractive; it was his contention that the freight train operation was profitable and the passenger car should be retained since it offered the only free passenger transportation which employees were entitled to receive from Cheyenne, Wyoming to Denver, Colorado.

Mr. Fred H. Haar (Brotherhood of Railroad Trainmen) proposed that an additional service should be instituted for public use of the coach to replace the deadhead movement from Denver to Cheyenne.

Mr. George R. Kemp (Brotherhood of Railway Clerks) maintained that the coach offered the only dependable emergency service during times of storm and bad weather when the buses were stopped and should, therefore, be retained.

Mr. T. A. Richardson, Greeley City Attorney, expressed his concern for loss of the coach as being a lessening of the transportation service available to Greeley and the other towns being served, as well as the question of what freight service would remain and if the present stops would be made.

We have attempted to briefly summarize the evidence offered in the instant matter. On the one hand we have the request of the railroad for authority to suspend an operation, which, in the eyes of management, is "too expensive" to maintain. Protestants object on the basis that there will be a lessening of service and employment. Matters of a similar nature have been considered many times by the Commission and to some extent we are now bound by the decisions previously made. However, each question must be carefully analyzed in order to always secure the greatest public benefit within reasonable limits of necessity, time, safety, cost and convenience to the parties concerned.

In the instant matter, the mere desire to withdraw a service simply because "it is too expensive" is not a conclusive reason. In fact, the costs as shown herein, are based on average costs of the whole railroad system and offer only a minor relation to the actual situation. We note the item of Car Supplies and Expense was described as covering the costs of car cleaning, clean seat covers and drinking cups -- items directly proportional to patronage. In the summary of exhibit data "Passengers carried" declined from 855 in 1955 to 403 in 1957, or a reduction of 52.8%; meanwhile, the expense item rose from \$913 to \$942 in the same years. Certainly, the use of system figures, that are accurate as such, do not accurately show the situation here.

However, the 52.8% decline in patronage is a significant fact which very forcibly proves the statement that the mixed train is not an attractive passenger service. With the readily available bus schedules and another night-time rail service via The Colorado & Southern Railway; with the continuing program of highway improvement and increasing use of the private passenger car, it becomes apparent that there is no longer a public demand or necessity for the coach service.

From a practical consideration, it is understandable that maintenance of the service is excessively costly in relation to the number of passengers handled. Further, it is our belief that use of a 44-passenger car to accommodate an average of one passenger daily represents a wasteful use of equipment that could be more advantageously used for service of the public on another train.

The various requests and objections as proposed by protestants have been carefully considered by the Commission, but no evidence was offered to show how the existing situation could be improved. It appears the public necessity is quite minor, alternate facilities will be provided for railroad personnel, and the matter of requiring a standby service for weather emergencies induces a performance responsibility that we do not prescribe. It appears then that we have no legitimate basis to demand continuance of a service which is not generally used by the public and authority for discontinuance thereof will be granted.

F I N D I N G S

THE COMMISSION FINDS:

1. That the operation of passenger coach service on Train No. 334 is excessively costly in relation to the passenger revenue received.

2. That the single item of switching expense within the Denver Union Terminal exceeds total revenue received for passenger movement over the 106-mile distance from Cheyenne, Wyoming to Denver, Colorado.

3. That discontinuance of the passenger coach service will not seriously affect the rights or needs of the public now being served since alternate facilities are readily available and employees' needs will be met.

4. That public convenience and necessity do not require the continued operation of passenger car service on Train No. 334, and that authority should be granted to Union Pacific Railroad Company for the discontinuance thereof between the Wyoming-Colorado state line and Denver, Colorado.

5. That the foregoing Statement, by reference, should be made a part of these Findings.

6. That jurisdiction be retained by the Commission to make such further Orders as it may deem necessary.

O R D E R

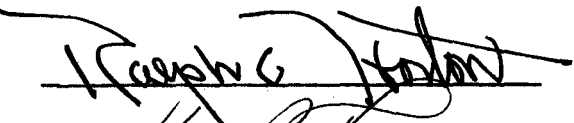


THE COMMISSION ORDERS:

That Union Pacific Railroad Company, Applicant herein, be, and is hereby, authorized to discontinue operation of passenger car service on Mixed Train No. 334 over its lines between the Colorado-Wyoming state line and Denver, Colorado, on ten days' notice to the public by posting said notice at all stations where stops are made.

That jurisdiction is hereby retained by the Commission to enter such further Order or Orders as it may deem necessary.

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 8th day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RONALD LEE POWELL AND VELTA POWELL,)
CO-PARTNERS, DOING BUSINESS AS "FAST)
TAXI SERVICE," 340 NORTH CASCADE,)
MONTROSE, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 16192-Extension
OF PUBLIC CONVENIENCE AND NECESSITY,)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 1648 UNDER "GRAND-)
FATHER RIGHTS.")

April 9, 1958

Appearances: Charles A. Petrie, Esq.,
Montrose, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

Ronald Lee Powell and Velta Powell, co-partners, doing
business as "Fast Taxi Service," Montrose, Colorado, are the owners
and operators of PUC No. 1648, authorizing:

transportation of passengers and their bag-
gage in the Town of Telluride, and the trans-
portation of passengers and their baggage
from the Town of Telluride on the one hand,
to and from all points in the Counties of
Montrose, San Miguel, San Juan, Ouray, Hins-
dale and Gunnison, on the other hand, all in
the State of Colorado;

transportation of passengers in cabs of not
to exceed 5-passenger capacity, between points
in the area within a radius of 12 miles of and
including the City of Montrose, and the trans-
portation of passengers in cabs of not to ex-
ceed 5-passenger capacity, each, between the
City of Montrose and all points in the Counties
of Montrose, San Miguel, San Juan, Ouray, Hins-
dale and Gunnison, said passenger haul originat-
ing or terminating within the City of Montrose;

transportation of passengers from Montrose to
Delta, only, with the right to carry the same
passengers from Delta back to Montrose in
round-trip service, only;

transportation of passengers on call and demand from points within a radius of 12 miles of Montrose, Colorado, including the City of Montrose, to Grand Junction Airport and Grand Junction, only, with further restriction that service to and from Grand Junction and to Grand Junction Airport is limited to one-way service to Grand Junction and the Grand Junction Airport from the Montrose Area to Grand Junction and the Grand Junction Airport and return with the same passengers, or passenger, in the same vehicle, with waiting time in Grand Junction not to exceed one hour;

transportation of passengers and baggage as common carrier by motor vehicle between points in the area within a radius of 12 miles of, and including, the City of Montrose on the one hand, and, on the other, points and places in that part of the State of Colorado within a radius of 60 miles of Montrose; transportation of passengers and baggage on sightseeing service on conducted all-expense tours within the City of Ouray on the one hand, and, on the other, points and places in that part of the State of Colorado lying west of the Continental Divide.

By application filed November 22, 1957, the applicants herein seek authority to establish their "Grandfather Rights" under PUC No. 1648, with authority as set forth above.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House, Montrose, Colorado, April 1, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Ronald Lee Powell, one of the applicants, appeared in support of the application, and testified that he and his wife are partners; that they have operated in Delta and Grand Junction, each home-rule Cities, since 1954, but only in connection with their Montrose operation, being a regular part of the business; that no local license was required; and that they now wish to have their present authority confirmed. No base of operations, personnel, nor facilities have been maintained at any other place than Montrose.

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

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

It appears that applicants were engaged in the transportation of passengers within the home-rule cities of Delta and Grand Junction, Colorado, 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."

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 extended motor vehicle common carrier operations, on call and demand, of applicant herein, 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 extended motor vehicle common carrier operations of Ronald Lee Powell and Velta Powell, co-partners, doing business as "Fast Taxi Service," Montrose, Colorado, under PUC No. 1648, to include the right to operate in Grand Junction and Delta, Colorado, as an adjunct of the present Montrose-based service, 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.

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. Kiger
Commissioners.

Dated at Denver, Colorado,
this 9th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CARL F. KLATT, BOX 211, URAVAN,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 16194-PP-Amended
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

April 9, 1958

Appearances: Carl F. Klatt, Uravan,
Colorado, pro se;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap & Son;
C. J. Schuler, Telluride,
Colorado, for Telluride
Transfer.

S T A T E M E N T

By the Commission:

By application filed February 7, 1958, applicant herein seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of vanadium and uranium ores and concentrates from mines, pot holes, claims, and stock piles to ore reduction plants, mills and smelters within a one hundred mile radius of Uravan, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, April 1, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the applicant amended his application to remove concentrates from the application. Thereupon, all protestants withdrew their protests.

The applicant, Carl F. Klatt, testified in support of the application. He stated that he owns two dump trucks, which he pur-

chased from another Class "B" private carrier, who cancelled his authority; that his net worth is approximately \$9,000; that a limitation to the use of dump trucks is satisfactory; that he is now hauling only uranium, but hopes to expand his operation, which would all originate at actual mining locations; that he owns no other authority; 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 as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Carl F. Klatt, Uravan, 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 crude uranium and vanadium ores only, from mines, pot holes, claims, and stock piles, to ore reduction plants, mills and smelters within a one hundred mile radius of Uravan, Colorado.

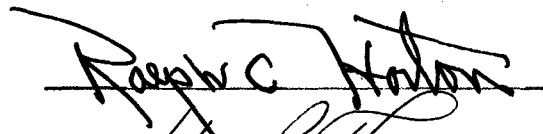


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 9th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

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

APPLICATION NO. 16212-PP

April 9, 1958

Appearances: Lincoln D. Coit, Esq., Grand
Junction, Colorado, for
Estes Trucking Company;
P & M Truck Line; Daryl
Hinkle; Ray Fulbright;
Marion Smyser, Esq., Denver,
Colorado, for Rio Grande
Motor Way, Inc.

S T A T E M E N T

By the Commission:

By application filed November 18, 1957, the applicant seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of livestock, farm products and livestock feeds between points within a radius of 25 miles of Eagle, Colorado, and from and to points in said area, to and from other points in the State of Colorado, not exceeding 150 miles from said Eagle area; building materials to and from the town of Eagle, Colorado, to and from points within the 150 mile radius.

The matter was regularly set for hearing on April 2, 1958, at the City Hall, Grand Junction, Colorado, due notice of the time and place of hearing being forwarded to all parties in interest.

The matter being called up for hearing, the applicant did not appear either in person or by counsel. The Commission is advised that the applicant no longer wishes to prosecute the application.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be dismissed for failure to prosecute.

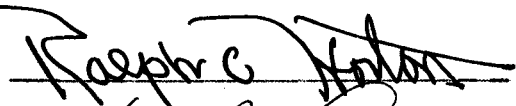
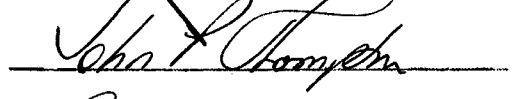

O R D E R

THE COMMISSION ORDERS:

That the instant application be, and the same hereby is, dismissed, for failure to prosecute.

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 9th day of April, 1958.

mls

original

(Decision No. 50003)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERNON LEHR, 539 33 ROAD, CLIFTON,)
COLORADO, FOR A CLASS "B" PERMIT TO) APPLICATION NO. 16206-PP
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

April 9, 1958

Appearances: Cecil S. Haynie, Esq., Grand
Junction, Colorado, for
Applicant.

S T A T E M E N T

By the Commission:

By application filed November 13, 1957, applicant herein seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of uranium and vanadium ores from all points within a radius of 75 miles of the Town of Uravan, Colorado, to uranium and vanadium processing mills located at Rifle, Grand Junction, Naturita, Durango and Uravan, all in Colorado, and any and all uranium and vanadium processing mills hereafter constructed in Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the City Hall, Grand Junction, Colorado, April 2, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Vernon Lehr, the applicant herein, appeared in support of the application, and testified that he has been in the trucking business since 1955, hauling his own uranium ore, and leasing to other carriers who had authority; that he owns two 15-ton dump trucks; that his net worth is approximately \$100,000; that there are insufficient

authorized carriers in the area; that he has work lined up; that a limitation to the use of dump trucks only is satisfactory, as he intends no other type of operation; and that he is familiar with the operation, and 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 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, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Vernon Lehr, Clifton, 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 uranium and vanadium ores from all points within a radius of 75 miles of the Town of Uravan, Colorado, to uranium and vanadium processing mills located at Rifle, Grand Junction, Naturita, Durango and Uravan, all in Colorado, and any and all uranium and vanadium processing mills hereafter constructed in Colorado; limited to the use of dump vehicles only.

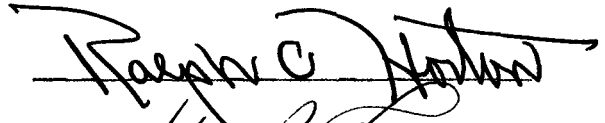


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 9th day of April, 1958.

mls

revised

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHAMA-ARRIBA TELEPHONE COMPANY,)
CHAMA, NEW MEXICO, AND THE PAGOSA)
SPRINGS TELEPHONE CO., INC., PAGOSA)
SPRINGS, COLORADO, AN IDAHO CORPORA-)
TION, FOR APPROVAL OF THE TRANSFER)
OF CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 16124-Transfer
AND NECESSITY TO OPERATE A TELEPHONE)
UTILITY AND EXERCISE FRANCHISE RIGHTS)
TO OPERATE SUCH TELEPHONE UTILITY IN)
THE TOWN OF PAGOSA SPRINGS, COLORADO,)
AND IN THE COUNTIES OF ARCHULETA,)
MINERAL AND HINSDALE, COLORADO, WITHIN)
THE TERRITORY HERETOFORE GRANTED TO)
THE APPLICANT CHAMA-ARRIBA TELEPHONE)
COMPANY.)
-----)

April 9, 1958

Appearances: Conour and Conour, Esqs.,
Del Norte, Colorado, by
Richard E. Conour, Esq.,
for Applicant;
Byron B. Bradford, Esq.,
Durango, Colorado,
for Protestants;
William Downs, Esq., Pagosa
Springs, Colorado, for the
Town of Pagosa Springs;
P. M. Brown, Denver, Colo-
rado, and
E. R. Thompson, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

The Chama-Arriba Telephone Company, hereinafter referred to
as "Chama," is a corporation engaged in the business of supplying
telephone service in the Town of Pagosa Springs, Colorado, and sur-
rounding areas in Archuleta, Mineral and Hinsdale Counties, Colorado.
The Pagosa Springs Telephone Co., Inc., hereinafter referred to as
"Pagosa," is a corporation organized for the purpose, among other
things, of supplying telephone service.

By the present application, Applicants seek from this Commission approval of the transfer of the certificate of public convenience and necessity now held by Chama to Pagosa, and the approval of the assumption by Pagosa of Chama's promissory note held by Judson F. Thiele.

The matter was set for hearing, and was heard in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, at ten o'clock A. M., March 6, 1958, after due notice to all interested parties. At the conclusion thereof, the matter was taken under advisement.

No petitions of intervention were filed with the Commission prior to the hearing. Protestants, including the Town of Pagosa Springs and switcher lines users of telephone service, did appear to determine what their interests may be.

Chama is a New Mexico corporation, qualified to do business within the State of Colorado. Pagosa is an Idaho corporation, qualified to do business within the State of Colorado, and in support thereof supplied and identified Exhibits "D" and "E," being Articles of Incorporation and a Certificate of Authority to do business within the State of Colorado.

Witness for Chama testified they had owned and operated the telephone system in the Town of Pagosa Springs and surrounding areas since its acquisition of the property on October 1, 1956, the authority for such ownership and operation being granted by this Commission in Decision No. 46779, dated November 8, 1956.

It is now the desire of Chama to sell to Pagosa its telephone system and certificate of public convenience and necessity in and adjacent to Pagosa Springs since the Chama organization is unable to satisfactorily handle the combined operations of its telephone systems in New Mexico and Colorado. In acquiring the telephone system from its predecessor, among other considerations, Chama issued a promissory note to Judson F. Thiele, in the amount of \$60,000. Payments on this

note are current, therefore, there is a balance due of \$55,000.

Witness introduced and identified Exhibit "A," being Agreement of Purchase and Sale between the Chama-Arriba Telephone Company and The Pagosa Springs Telephone Co., Inc. Among the conditions contained in the Agreement is the assumption by Pagosa of the promissory note, the remaining balance of which is \$55,000. The total purchase price of the system is \$72,000, payable \$1,000 upon the execution of the Agreement of Purchase and Sale; \$7,500 by March 1, 1958, or upon approval by this Commission of the transfer; \$8,500 on August 1, 1958, and for the balance, \$55,000, payment is to be made in accordance with the terms of the promissory note.

Witness for Pagosa indicated he was experienced in operating similar telephone exchanges. Currently, such an exchange being operated by Pagosa is at Albion, Idaho. Management of the Colorado property is to be in the hands of an individual who has spent several years in telephone plant construction, in the management of similar telephone exchanges, and has been approved by the Rural Electrification Administration as a telephone manager in an exchange which is an REA borrower. It is planned immediately to engage a consulting engineer to make a feasibility study and a long-range engineering study. A feature of such study would be the consideration of an ultimate conversion from the present system to a modern dial installation. An application for a loan has already been made to the Rural Electrification Administration, ultimate approval of which will be dependent upon, among other things, the feasibility study.

Protestants to the transfer were interested to the extent that monthly costs of telephone service might be prohibitive in the event the system would be converted to dial operation. Inasmuch as the feasibility study has not been completed, there is no way of estimating what the monthly charges to subscribers might be. Pagosa stated that after such a study has been completed, subscribers would be advised as to the results, including the estimated cost of dial

service. The reactions of the subscribers would be obtained before making a decision as to whether or not a conversion to dial operation should be made. In the event monthly rates after such a conversion would be too costly, it is probable the conversion would be abandoned. Pagosa advised the Commission that upon its completion the results of the feasibility study and a conversion to dial operation would be furnished to the Commission. In other respects, the subscribers and the Town of Pagosa Springs indicated that the telephone service now being furnished was satisfactory and that they had no objection to the requested transfer.

The franchise issued to the former operators of the telephone system in Pagosa Springs had expired by its terms and no renewal of such franchise had been obtained. Pagosa indicated that they would immediately take steps to obtain a franchise from the Town of Pagosa Springs in the event of the approval of the requested transfer.

F I N D I N G S

THE COMMISSION FINDS:

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

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

That the Commission is fully advised in the premises.

That the approval of the requested transfer from Chama to Pagosa is in the public interest.

That the assumption by Pagosa of the promissory note and the mortgage deed, a copy of which is filed as Exhibit No. 2 in Application No. 14769, Decision No. 46779 dated November 8, 1956, should be approved.

That immediately upon the obtaining by Pagosa of a franchise from the Town of Pagosa Springs, an application should be made to this Commission for a certificate of public convenience and necessity to exercise such franchise.

That Pagosa shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That within thirty days subsequent to the effective date of this Order, Pagosa should file with this Commission its Notice of Adoption of the rates, rules and regulations of Chama now on file with this Commission.

O R D E R

THE COMMISSION ORDERS:

That the public convenience and necessity require, and will require, the transfer by Chama to Pagosa of its telephone system and its certificate of public convenience and necessity to supply telephone service to the public generally, in the area described as follows:

Starting at a point on the Hinsdale-Mineral County Line where the Continental Divide crosses at mid-point; thence in a southeasterly direction along the Continental Divide to the point where said Continental Divide intersects the Colorado-New Mexico State Line; thence west along the Colorado-New Mexico State Line to a point where the east boundary of Range 4-West of the New Mexico Principal Meridian intersects the Colorado-New Mexico State Line; thence north along said Range Line to the East Quarter ($\frac{1}{4}$) corner of Section 25, Township 34-North, Range 4-West; thence west $11\frac{1}{2}$ miles to approximately the center of Section 30, Township 34-North, Range 5-West; thence north to a point on the south boundary line of Hinsdale County, said point being $2\frac{1}{2}$ miles east of the west boundary of Hinsdale County; thence east along the County Line to the Range line common to Range 4-West and Range 5-West; thence north to the intersection of said Range line with the Continental Divide; thence in a southeasterly direction along the Continental Divide to the point of beginning.

That the assumption by Pagosa of the promissory note and the mortgage deed, a copy of which is filed as Exhibit No. 2 in Application No. 14769, Decision No. 46779, dated November 8, 1956, shall be approved.

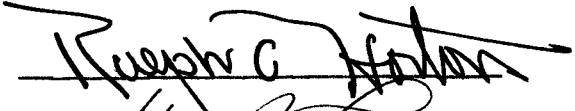


That immediately upon the obtaining by Pagosa of a franchise from the Town of Pagosa Springs, an application shall be made to this Commission for a certificate of public convenience and necessity to exercise such franchise.

That Pagosa shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That within thirty days subsequent to the effective date of this Order, Pagosa shall file with this Commission its Notice of Adoption of the rates, rules and regulations of Chama now on file with this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 9th day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
H. L. JOHNSON, DOING BUSINESS AS)	
"H. L. JOHNSON TRUCKING COMPANY,")	
P. O. BOX 926, FORT MORGAN, COLO-)	APPLICATION NO. 15923-Extension
RADO, FOR A CERTIFICATE OF PUBLIC)	<u>SUPPLEMENTAL ORDER</u>
CONVENIENCE AND NECESSITY, AUTHOR-)	
IZING EXTENSION OF OPERATIONS UNDER)	
PUC NO. 2400.)	
-----)	

April 9, 1958

Appearances: Waino Johnson, Esq., Fort
Morgan, Colorado, for
Applicant;
Albert Dawkins, Esq., Denver,
Colorado, for Basin Truck
Company, Reyher Trucking
Company;
R. B. Danks, Esq., Denver,
Colorado, for Colorado
Transfer and Warehousemen's
Association, Weicker Transfer
and Storage Company;
Marion F. Jones, Esq., Denver,
Colorado, for Neff Trucking,
Stanton Transportation Com-
pany, L. E. Whitlock Truck
Service, Rogers Truck Line,
R. B. "Dick" Wilson, Inc.,
B & M Truck Service, Wright
Motor Lines.

S T A T E M E N T

By the Commission:

On March 19, 1958, the Commission entered its Decision
No. 49881 in the above-styled application, denying said application.

On March 24, 1958, Application for Rehearing was filed
with the Commission by applicant herein.

The Commission has carefully considered said Application
for Rehearing filed by applicant and the evidence adduced at the
hearing on said application.

F I N D I N G S

THE COMMISSION FINDS:

That said Application for Rehearing should be denied.




O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing filed by Applicant in the above-styled matter on March 24, 1958, 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 9th day of April, 1958.

ea

original

(Decision No. 50006)

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, DOING BUSINESS)	
AS "CONSOLIDATED MILK LINES," GIL-)	APPLICATION NO. 16137-Extension
CREST, COLORADO, FOR A CERTIFICATE)	<u>SUPPLEMENTAL ORDER</u>
OF PUBLIC CONVENIENCE AND NECESSITY)	
AUTHORIZING EXTENSION OF OPERATIONS)	
UNDER PUC NO. 1125.)	
- - - - -)	

- - - - -
April 14, 1958
- - - - -

Appearances: Marion F. Jones, Esq.,
 Denver, Colorado, for
 Applicants;
 Paul M. Hupp, Esq., Denver,
 Colorado, for Colorado
 Milk Transport, Lyle
 Kinnison;
 Howard Yelverton, Denver,
 Colorado, for Goldstein
 Transportation and Stor-
 age, Inc.

S T A T E M E N T

By the Commission:

On March 24, 1958, the Commission entered its Decision No. 49909 in the above-styled matter, granting to applicants herein a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 1125.

On March 27, 1958, "Petition for Rehearing" was filed herein by Barry, Hupp and 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.

F I N D I N G S

THE COMMISSION FINDS:

That no useful purpose would be served by granting rehearing herein, and that said Petition for Rehearing should be denied.

O R D E R

THE COMMISSION ORDERS:

That Petition for Rehearing filed in the above-styled application on March 27, 1958, by Barry, Hupp and Dawkins, Attorneys for Colorado Milk Transport, Inc., 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

Joseph C. Norton
John P. Thompson
Joseph T. Higney
Commissioners.

Dated at Denver, Colorado,
this 14th day of April, 1958.

ea

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, ISSUED BY)
J. R. SMITH, CHIEF OF TARIFF BUREAU,)
4060 ELATI STREET, DENVER 16, COLORADO.)

CASE NO. 1585

April 8, 1958

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 April 25, 1958, 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 received in the office of the Commission relative to the proposed changes.

For the account of Centennial Truck Lines, Inc.:

Item No. 1090 (Rule on Stopping-In-Transit) is being amended by the addition of Centennial Truck Lines, Inc., as a participant in the item. The rule was originally prescribed in Decision No. 45731, dated April 27, 1956, for other carriers as named and the same privileges as the item provides will now be afforded shippers over the lines of Centennial Truck Lines, Inc.

Item No. 2440 (Plumbers' Goods or Bathroom or Lavatory Fixtures as described in the National Motor Freight Classification in addition to the other specific items named from Denver or Pueblo to Grand Junction, Colorado) is being amended by adding "between the points of Denver, Colorado and Pueblo, Colorado" at rates shown in the attached appendix, along with other additional commodities, also a proviso that shipper perform the loading.

H. D. Hicks, General Traffic Manager, advises there is a substantial movement of these items being transported in shipper owned equipment and at the rates proposed the transportation service can be recaptured by the common carrier. By the addition being added of "shipper loading," savings will result to the carrier in dock handling expense and fewer claims will occur because of less handling. In truck-load shipments of 20,000 pounds based on a rate of 69 cents per one hundred pounds using round trip mileage (Denver-Pueblo), it will produce 60 cents per mile revenue which Mr. Hicks states is above the average cost per mile for carriers in this territory.

For the account of Brighton-Fort Lupton Transfer:

Item No. 1695 is a new commodity item covering Fertilizing Compounds, packed in accordance with the classification, as shown in the attached appendix, from Brighton to Denver. The Centennial Truck Lines, Inc., is also a participant to this item. The Brighton-Ft. Lupton Transfer is domiciled at Brighton, Colorado, and this movement will, generally speaking, be a back-haul as occasionally the equipment is run empty in this direction. The prescribed mileage between Brighton and Denver is 19 miles and for the one-way distance revenues of \$1.02 (39 cent rate), \$.94 (18 cent rate), and \$1.36 (13 cent rate) per mile will accrue to the carriers. The rates on 10,000 and 20,000 pounds are reductions to the presently applicable class rates.

For the account of John S. Kapushion, Sr., D/B/A Crested Butte Truck Line:

Item No. 1816 is a new commodity item covering freight, all kinds for delivery to off route points within ten miles of Crested Butte in connection with movements picked up at connecting carrier's dock. Under Decision No. 48661, dated September 5, 1957, this carrier was granted an extension to serve the above points.

Mr. Kapushion states in a letter to the Commission that shipments destined to Crested Butte are for mines, summer schools and camps beyond Crested Butte, and the owners and operators of these sites expect delivery directly to the actual site; that the present rates are not sufficient to make the operation profitable due to lack of volume and slack business.

The following are comparisons of present and proposed charges for two mile and ten-mile distances beyond Crested Butte on 2,000 pounds, based on the applicable class rates from Denver, Colorado.

	<u>Rating</u>	<u>Present</u>	<u>Proposed</u>	<u>Increase</u>
Two Miles	1st Class	\$61.20	\$62.70	\$1.50
	2nd Class	51.20	53.90	2.70
	3rd Class	42.80	45.10	2.30
	4th Class	33.80	35.90	2.10
Ten Miles	1st Class	62.60	73.70	11.10
	2nd Class	53.80	64.90	11.10
	3rd Class	44.20	56.10	11.90
	4th Class	34.60	46.90	12.30

The authority of Crested Butte Truck Line extends from Gunnison, Colorado to Crested Butte and intermediate points, consequently a division of the rate from Denver to Crested Butte is shared with another carrier, and likewise would be the situation from other points.

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 April 25, 1958, 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 April 25, 1958, 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 April 25, 1958, 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. Hobart
John P. Thompson
Joseph F. Higin
Commissioners

Dated at Denver, Colorado,
this 8th day of April, 1958.

mem

APPENDIX "A"

For the account of Centennial Truck Lines, Inc.:

Add this carrier to Item No. 1090 (Rule on Stopping-In-Transit)
as a participant carrier.

Amend Item No. 2440 as follows:

Rates Are in Cents Per 100 Pounds				
COMMODITIES	BETWEEN	AND	RATE	ROUTE
<p>/ Conduit or Pipe, fibre; / Connections, conduit or pipe, fibre; / Fittings, pipe or conduit, cement, containing asbestos fibre; / Pipe or conduit, cement, containing asbestos fibre. / Subject to loading by shipper. (1) Minimum weight 5,000 lbs. (2) Minimum weight 10,000 lbs. (3) Minimum weight 20,000 lbs.</p>	Denver, Colorado	Pueblo, Colorado	(1) 86 (2) 77 (3) 69	47
<p>/ Denotes commodities added to the previously prescribed item. Route 47 - Centennial Truck Lines, Inc., Direct.</p>				

For the account of Brighton-Ft. Lupton Transfer:

Rates Are in Cents Per 100 Pounds					
ITEM NO.	COMMODITY	FROM	TO	RATE	ROUTE
1695	Fertilizing Compounds, Dry, N.O.I., packed in accordance with the current classification	Brighton, Colorado	Denver, Colorado	(1) 39 (2) 18 (3) 13	47; 103
(1) Minimum weight 5,000 pounds. (2) Minimum weight 10,000 pounds. (3) Minimum weight 20,000 pounds.					
Route 47 - Centennial Truck Lines, Inc., Direct. Route 103 - Brighton-Ft. Lupton Transfer, Direct.					

For account of John S. Kapushion, D/B/A Crested Butte Truck Line:

ITEM NO.	COMMODITY	ROUTE																																				
1816	<p>Freight, all kinds, picked up at connecting carrier's dock and delivered beyond Crested Butte, at the request of consignor or consignee, will be charged for at the applicable rate in cents per 100 pounds for movement to Crested Butte, plus the following charges, based on the distance traveled beyond Crested Butte:</p> <table><tr><th></th><th>First</th><th>Rates in Cents</th></tr><tr><th></th><th>2,000 Lbs</th><th>For Each</th></tr><tr><th><u>Distance - Miles</u></th><th></th><th><u>Additional 100 Lbs.</u></th></tr><tr><td>2 Miles and Under</td><td>\$3.50</td><td>10</td></tr><tr><td>3 Miles and Over 2</td><td>4.50</td><td>12</td></tr><tr><td>4 Miles and Over 3</td><td>6.00</td><td>14</td></tr><tr><td>5 Miles and Over 4</td><td>7.50</td><td>16</td></tr><tr><td>6 Miles and Over 5</td><td>9.00</td><td>18</td></tr><tr><td>7 Miles and Over 6</td><td>10.50</td><td>20</td></tr><tr><td>8 Miles and Over 7</td><td>12.00</td><td>22</td></tr><tr><td>9 Miles and Over 8</td><td>13.50</td><td>22</td></tr><tr><td>10 Miles and Over 9</td><td>14.50</td><td>24</td></tr></table> <p>Route 133 - Crested Butte Truck Lines, Inc., Direct.</p>		First	Rates in Cents		2,000 Lbs	For Each	<u>Distance - Miles</u>		<u>Additional 100 Lbs.</u>	2 Miles and Under	\$3.50	10	3 Miles and Over 2	4.50	12	4 Miles and Over 3	6.00	14	5 Miles and Over 4	7.50	16	6 Miles and Over 5	9.00	18	7 Miles and Over 6	10.50	20	8 Miles and Over 7	12.00	22	9 Miles and Over 8	13.50	22	10 Miles and Over 9	14.50	24	133
	First	Rates in Cents																																				
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10 Miles and Over 9	14.50	24																																				

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
REX G. PHELPS, DOING BUSINESS)	
AS "REX GARDEN SERVICE," ROUTE 1,)	<u>PERMIT NO. M-1777</u>
GRAND JUNCTION, COLORADO.)	<u>CASE NO. 84798-INS.</u>
-----)	

April 9, 1958

S T A T E M E N T

By the Commission:

On March 26, 1958, in Case No. 84798-Ins., the Commission entered its Order revoking Permit No. M-1777 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-1777 should be, and the same hereby is, reinstated, as of March 26, 1958, revocation order entered by the Commission on said date in Case No. 84798-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph G. Holton
John F. Thompson
Joseph F. Nijja
Commissioners.

Dated at Denver, Colorado,
this 9th day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
ARTHUR W. MICKEY AND MARCE I.)	PERMIT NO. M-9292
MICKEY, 1744 MINER, IDAHO)	<u>CASE NO. 84641-INS.</u>
SPRINGS, COLORADO.)	
-----)	

April 9, 1958

S T A T E M E N T

By the Commission:

On March 5, 1958, in Case No. 84641-Ins., the Commission entered its Order, revoking Permit No. M-9292 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:

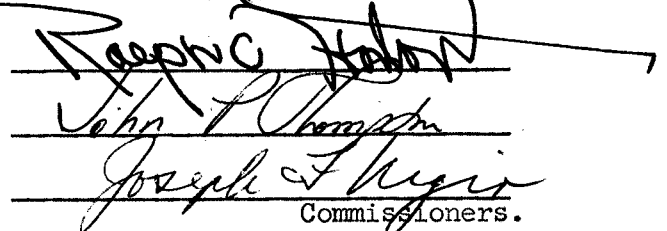
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-9292 should be, and the same hereby is, reinstated, as of March 5, 1958, revocation order entered by the Commission on said date in Case No. 84641-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 9th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD L. MIKELSON, DOING BUSINESS)
AS "BRIGHTON-FORT LUPTON TRANSFER,")
341 NORTH SEVENTH STREET, BRIGHTON,)
COLORADO, FOR A CERTIFICATE OF PUB-) APPLICATION NO. 16196-Extension
LIC CONVENIENCE AND NECESSITY, AU-)
THORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 2693.)
- - - - -)

- - - - -
April 9, 1958
- - - - -

Appearances: E. B. Evans, Esq., Denver,
Colorado, for Applicant;
H. D. Hicks, Denver, Colo-
rado, for Centennial
Truck Line.

S T A T E M E N T

By the Commission:

Donald L. Mikelson, doing business as "Brighton-Fort
Lupton Transfer," Brighton, Colorado, is the owner of PUC No.
2693, authorizing him to operate as a common carrier by motor
vehicle for hire, for the transportation of:

freight and express, except milk and cream,
between Denver, Colorado, on the one hand,
and the following-described territory, on
the other hand, to-wit:

commencing at the north boundary line (80th
Avenue) of the Town of Derby, Colorado, ex-
tended westerly some one and one-half miles
to and across the Platte River; thence north
generally parallel thereto to a point situate
some mile and three-quarters west of Brighton;
thence north along the highway paralleling
and at a distance of about a mile west of said
river to a point about a mile and three-quarters
west of the northern limits of Fort Lupton;
thence east to a point about a mile and three-
quarters east of said town limits of Fort Lupton;
thence south on a line running approximately two
miles east of the Fort Lupton-Brighton-Denver
Highway to the easterly extension of the north
boundary line (80th Avenue) of the Town of Derby,
Colorado, to and including the City of Fort
Lupton, Colorado, with service being authorized
at all points in said territory intermediate be-
tween the north boundary line of Derby, Colorado,
and Fort Lupton, Colorado, including Fort Lupton.

On March 12, 1958, applicant herein filed his application with the Commission, seeking authority to extend operations under said PUC No. 2693 to include the right to transport freight and express, from and to points within a radius of five miles of the City Limits of the City and County of Denver, to and from points in applicant's presently-authorized territory, except Denver, Colorado.

Said application was regularly set for hearing, and heard, on March 27, 1958, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant has been operating in Brighton for a number of years, and has been engaged in the transportation of milk and general commodities.

It appears that applicant has customers residing in his area who require transportation of freight to points in Metropolitan Denver, or that territory lying adjacent to Denver within a five-mile radius thereof.

Several witnesses appeared in support of the application, one being Senator John J. Harpel, of Zephyrs Products Corporation, Saul Burson, of Karl's Shoe Store, and Robert S. Allen, who operates a fertilizer-manufacturing plant in Brighton. All witnesses testified that in their every-day operations it was necessary for them to have service to and from Denver's Metropolitan Area.

No evidence was introduced on behalf of protestants, and it would appear from the record that the granting of the instant application is definitely in the public interest.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's extended motor vehicle common carrier call and demand transportation service under PUC No. 2693, 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 public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service of Donald L. Mikelson, doing business as "Brighton-Fort Lupton Transfer," Brighton, Colorado, under PUC No. 2693, to include the right to transport freight and express, from and to points within a radius of five miles of the City Limits of the City and County of Denver, to and from points in applicant's presently-authorized territory, except Denver, Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

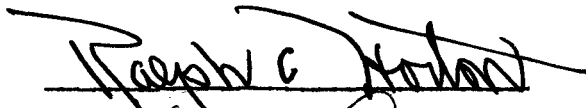

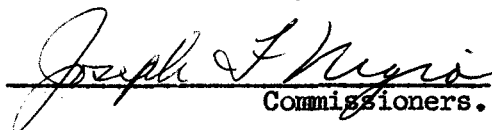
That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

That applicant shall operate 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




Commissioners.

Dated at Denver, Colorado,
this 9th day of April, 1958.

ea

original

(Decision No. 50011)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ROBERT WENGER AND JANET WENGER,)	
DOING BUSINESS AS "MOSQUITO AIR-)	
LINES," MONTROSE, COLORADO, FOR)	
AUTHORITY TO TRANSFER CERTIFICATE)	<u>APPLICATION NO. 16193-Transfer</u>
OF PUBLIC CONVENIENCE AND NECES-)	
SITY GRANTED BY DECISION NO. 45950,)	
JUNE 8, 1956, TO TED J. NELSON,)	
DOING BUSINESS AS "T. J. FLYING)	
SERVICE," MONTROSE, COLORADO.)	
-----)	

April 9, 1958

Appearances: Ted J. Nelson, Montrose,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Robert Wenger and Janet Wenger, doing business as "Mosquito Airlines," Montrose, Colorado, seek authority to transfer to Ted J. Nelson, doing business as "T. J. Flying Service," Montrose, Colorado, certificate of public convenience and necessity to operate as a common carrier by airplane, originally granted by Decision No. 45950, in Application No. 14392, for the transportation of persons and property not on schedule but on call and demand, between all points in the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard on Tuesday, April 1, 1958, in the District Court Room, Court House, Montrose, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it was disclosed that the applicant holds a commercial pilot's license with single-engine and multi-engine land ratings. The applicant did not possess an instrument rating, therefore, his operations must be limited to daylight VFR-type of

operations. It was also disclosed that the applicant has not flown multi-engine equipment for a period of approximately twelve years, and the applicant should accordingly be restricted from carrying passengers in multi-engine equipment without first qualifying as provided by the Civil Air Regulations.

Report of the Commission's Aeronautical Inspector states that applicant is qualified to continue operating the certificate sought; that his equipment and facilities are suitable for such operation; and that insurance certificates showing suitable passenger and public liability and property damage insurance is carried and is on file with 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 outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Robert Wenger and Janet Wenger, doing business as "Mosquito Airlines," Montrose, Colorado, should be, and hereby are, authorized to transfer all right, title and interest in and to certificate of public convenience and necessity to operate as a common carrier by airplane, originally granted by Decision No. 45950, in Application No. 14392, to Ted J. Nelson, doing business as "T. J. Flying Service," Montrose, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

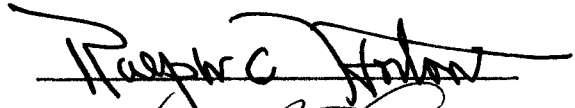
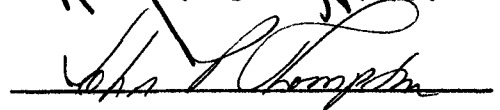

All operations conducted under this authority shall be conducted in strict accordance with the Rules and Regulations of this Commission and of the Civil Aeronautics Administration.

The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice being filed with the Commission,

become and remain those of transferee, until changed according to law and the rules and regulations of this 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 9th day of April, 1958.

ea

original

(Decision No. 50012)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES A. DERRYBERRY, ROUTE 1,)	
PALISADE, COLORADO, FOR A CLASS "B")	APPLICATION NO. 16205-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	

April 10, 1958

Appearances: James A. Derryberry, Palisade,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed November 26, 1957, 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; barnyard fertilizer from point to point within a radius of fifty miles of Grand Junction, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interested, was heard at the City Hall, Grand Junction, Colorado, April 2, 1958, and at the conclusion of the

evidence, the matter was taken under advisement.

James A. Derryberry, the applicant, appeared in support of the application and testified that he is the owner of a 1955 Ford single axle dump truck; that his net worth is approximately \$10,000; that he has work lined up; that the limitation to the use of dump trucks only is satisfactory to him; 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, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That James A. Derryberry, Palisade, 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; barnyard fertilizer from point to point within a radius of fifty miles of Grand Junction, Colorado; said operations to be limited to the use of dump trucks, only.

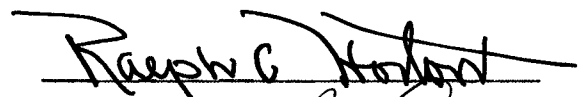


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 10th day of April, 1958.

mls

original

(Decision No. 50013)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
IVAN E. MASSEY, 2675 B 1/2 ROAD,)	
GRAND JUNCTION, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 16210-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	

April 10, 1958

Appearances: Ivan E. Massey, Grand Junction, Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed December 30, 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 City Hall, Grand Junction, Colorado, April 2, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Ivan E. Massey, the applicant herein, appeared in support of the application and testified that he is the owner of a tandem Chevrolet dump truck; that his net worth is approximately \$20,000; that he has work lined up; that the limitation to the use of dump trucks only is satisfactory to him; 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 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, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Ivan E. Massey, Grand Junction, 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.

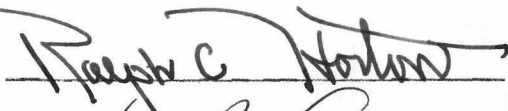

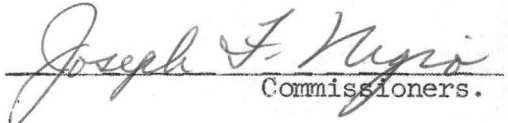
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 10th day of April, 1958.

mls

original

(Decision No. 50014)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) HARDIE W. JAMIESON, 225 SUNSET HILLS,) ROUTE 4, GRAND JUNCTION, COLORADO,) FOR A CLASS "B" PERMIT TO OPERATE AS) A PRIVATE CARRIER BY MOTOR VEHICLE) FOR HIRE.)	<u>APPLICATION NO. 16208-AP-Amended</u>

April 10, 1958

Appearances: Lafferty & Reams, Esqs.,
Grand Junction, Colo-
rado, by Warren F.
Reams, Esq., for Appli-
cant;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap & Son.

S T A T E M E N T

By the Commission:

By application filed February 7, 1958, as amended at the hearing thereof, the applicant herein seeks authority to operate as a Class "B" motor vehicle private carrier, for the transportation of ores, minerals, and fissionable materials over irregular routes from mines within a 150 mile radius of Uravan, Montrose County, State of Colorado, to mines and mills and ore stockpiles within a 150 mile radius of Uravan, Montrose County, State of Colorado; mining supplies of such nature as will not require special equipment in the loading or unloading of the same on return movements only to mines from which ore is being hauled; such mining supplies shall not exceed a net weight of 1,000 lbs. per return truck trip.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the City Hall, Grand Junction, Colorado, April 2, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Hardie W. Jamieson, the applicant herein, appeared in support of the application and testified that he has been in the trucking business for ten years; that he owns six trucks and one trailer, and six all one dump unit tractors with pups; that his net worth is approximately \$75,000; that no town to town service is intended; that he desires to haul uranium and vanadium ores; 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 authority sought should be granted as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Hardie W. Jamieson, Grand Junction, 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 uranium and vanadium ores, over irregular routes from mines within a 150 mile radius of Uravan, Montrose County, State of Colorado, to mines and mills and ore stockpiles within a 150 mile radius of Uravan, Montrose County, State of Colorado; mining supplies of such nature as will not require special equipment in the loading or unloading of the same on

return movements only to mines from which ore is being hauled; limited to the use of dump vehicles only; such mining supplies shall not exceed a net weight of 1,000 lbs. per return truck trip, and said Hardie W. Jamieson shall carry with him at all times documentary evidence to establish the correct weight of any load of mining supplies being carried.

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 authority sheets.

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. Nease
Commissioners.

Dated at Denver, Colorado,
this 10th day of April, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN V. BOUCHARD, GUNNISON, COLORADO,)	
FOR AUTHORITY TO TRANSFER PUC NO.)	<u>APPLICATION NO. 16190-Transfer</u>
1068 AND 1068-I TO JOHNNY BOUCHARD,)	
INC., 702 WEST TOMICHI, GUNNISON,)	
COLORADO.)	

April 10, 1958

Appearances: John V. Bouchard, Gunnison,
Colorado, for Transferor;
Willard Martin, Gunnison,
Colorado, for Transferee.

S T A T E M E N T

By the Commission:

John V. Bouchard, Gunnison, Colorado, is the owner and
operator of PUC No. 1068 and PUC No. 1068-I authorizing:

transportation of livestock between points
within a radius of 35 miles of Gunnison,
and all points within the State of Colorado,
but excluding that portion of said 35-mile
radius lying east of the Continental Divide;

transportation, not on schedule, of farm pro-
duce ((farm produce does not include livestock),
farm supplies (including coal, feed, lumber,
farm machinery, farm equipment and furniture)
from farm to farm, farm to town, and town to
farm within a 50-mile radius of Montrose;
mine props and timber, telephone poles, brick,
heavy machinery, farm products in bulk (does
not include livestock) and used household goods
and furniture between, from and to points in
said 50-mile radius of Montrose, Colorado; said
certificate shall be limited to one office in
Gunnison, Colorado, for the solicitation of
business.

It is definitely understood that the livestock
authority under this certificate will be as set
forth in the first paragraph of this Order.

Interstate Authority: Between all points in
Colorado and the Colorado State boundary lines
where all highways cross same in interstate com-
merce, only, subject to the provisions of the
Federal Motor Carrier Act of 1935, as amended.

By application filed December 30, 1957, John V. Bouchard, Gunnison, Colorado, seeks authority to transfer PUC No. 1068 and PUC No. 1068-I to Johnny Bouchard, Inc., Gunnison, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, April 1, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

John V. Bouchard, the Transferor, appeared in support of the application. He testified that he is the owner of the certificates which he wishes to transfer to the corporation, of which he will be one of the officers, owning 30% of the stock. He managed the operation previously to January 1, 1958, and since then Mr. Martin has been the manager. There is no written agreement or mortgage involved in the transfer, the consideration being the merging of their equipment and a personal note from Mr. Martin to Mr. Bouchard. He stated that he has no other for hire authority and that there is no indebtedness connected with the certificates, except the equipment obligation which the corporation has incurred.

Willard Martin appeared in support of the application and testified that he will be President of the corporation, owning 70% of the stock; that he has been a rancher all of his life; that he formerly owned an "M" permit and worked with Mr. Bouchard during busy seasons, principally hauling cattle; that the corporation has no other authority; and that they are familiar with the rules and regulations of the Commission and will abide by them, if the transfer is approved.

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 applicants 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 John V. Bouchard, Gunnison, Colorado, should be, and he is hereby, authorized to transfer all his right, title, and interest in and to PUC No. 1068 and PUC No. 1068-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Johnny Bouchard, Inc., Gunnison, 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 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 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.

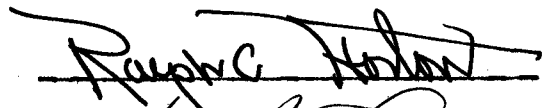


The tariff of rates, rules, and regulations of the transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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.

That transfer of interstate operating rights herein authorized is subject to the provisions of 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 10th day of April, 1958.

mls

original

(Decision No. 50016)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AMOS CROSBY, DOING BUSINESS AS "57)	
TRANSIT," 251 COLORADO AVENUE, GRAND)	
JUNCTION, COLORADO, FOR A CERTIFI-)	APPLICATION NO. 16209-Extension
CATE OF PUBLIC CONVENIENCE AND NE-)	<u>and Clarification</u>
CESSITY, AUTHORIZING EXTENSION OF)	
OPERATIONS UNDER PUC NO. 2102 AND)	
CLARIFICATION OF SAID AUTHORITY.)	

April 21, 1958

Appearances: Cecil S. Haynie, Esq., Grand
Junction, Colorado, for
Applicant;
Frank M. Hockensmith, Esq.,
Grand Junction, Colorado,
for Continental Bus System,
Inc.;
Daniel S. King, Montrose,
Colorado, for Fast Taxi Ser-
vice and Delta Taxi Service;
Thomas G. Litton, Grand Junc-
tion, Colorado, for The
Litton Warehouse Co.;
Harold L. Lesh, Glenwood
Springs, Colorado, for Glen-
wood Aspen Stages.

S T A T E M E N T

By the Commission:

The applicant is the owner of PUC No. 2102, pursuant to which in general he engages in taxicab and airport limousine operations, in the general vicinity of Grand Junction, Colorado.

By his present application filed December 30, 1957, the applicant seeks to obtain a clarification and extension of his authority; asks that his present authority be cancelled and a new authority substituted in its place in the terms of the following Order.

Said application, pursuant to prior setting, after appropriate notice to all parties of interest, was heard at the City Hall,

Grand Junction, Colorado, April 2, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of his application, as did Mr. Vern Carlson, District Sales & Traffic Manager for Frontier Air Lines which services Grand Junction and Montrose. Mr. Ronald Powell, owner of taxi service in Montrose, protested that portion of the application relating to transportation of airplane passengers, baggage and packages, in so far as it would authorize transportation originating at the Montrose Airport. As the matter now stands, the application is not protested, except in so far as service originating at the Montrose Airport is concerned.

The applicant in testifying reviewed his present authority and the operations conducted thereunder for the purpose of indicating that so far as the clarification portion of the application is concerned the recommended wording of the authority only eliminates ambiguities. The applicant has operated only a Grand Junction service and has not maintained termini or offices in any other City or Town. The service he now proposes would be one designed to serve Grand Junction and the Grand Junction Airport; no authority is sought, the applicant said, to maintain offices or termini, nor cab stands, nor personnel at any point, except the Grand Junction Airport and points within two miles of and including the City of Grand Junction. Future interpretations of our Order herein will take this into account.

Mr. Carlson stated that his airline has need, although only on rare occasions, for transportation of air line passengers when weather or other conditions prohibit maintenance of scheduled air line operations to one or the other cities, thereby necessitating the delivery of passengers from one to the other, either for arrival or for departure from the Airport at which operation is feasible. The only occasion when he would expect that the Grand Junction limousine would go to Montrose would be when a two-way trip was possible, where-

by people in Grand Junction would be delivered to Montrose and the limousine would immediately be used to return people from Montrose to Grand Junction. It does not appear that such infrequent occasions would have any material effect upon the operations of the Montrose taxi operator.

The evidence supports the conclusion and we find that the authority set forth in the following Order is in the public interest and should be adopted for the regulation of taxi and airport limousine and special sightseeing service in Grand Junction, Colorado, and its suburbs. An Order will be entered accordingly.

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 under PUC No. 2102 should be cancelled and a new authority substituted in its place in the terms set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That the authority under PUC No. 2102 of Amos Crosby, doing business as "57 Transit," Grand Junction, Colorado, should be, and the same is, cancelled, and the following authority be, and the same hereby is, issued in lieu thereof:

Transportation by taxi, at taxi rates, of passengers, baggage and packages to, from and between all points within a 50 mile radius of Grand Junction, Colorado;

transportation by taxi, at taxi rates, of passengers, baggage and packages from and to all points within a 15 mile radius of Grand Junction, Colorado, to all points within a 100 mile radius of Grand Junction,

Colorado, with the right to give round-trip service to identical passengers, originating in said 15 mile radius, with a waiting time not to exceed 10 hours, excluding round-trip service to an area within a radius of 5 miles of Delta, Colorado, and an area within a radius of 5 miles of Montrose, Colorado;

transportation of airplane passengers, holding valid air tickets to destination, and of baggage and packages, by station wagon or airport limousine, between the Montrose Airport and Grand Junction, Colorado, and the Grand Junction Municipal Airport (Walker Field);

transportation of air express and air freight from and to all points within a 5 mile radius of Grand Junction, Colorado, and to and from the Grand Junction Municipal Airport (Walker Field);

transportation of passengers and baggage, in sight-seeing service, at sight-seeing rates, in station wagons having less than 12 passenger capacity, from Grand Junction, Colorado, and to all points within 150 miles of Grand Junction, Colorado, excluding, however, any such service between Grand Junction, Colorado, and the Colorado National Monument;

transportation by taxi, at taxi rates, of passengers, baggage and packages from Grand Junction, Colorado, to any points in the State of Colorado, for emergency purposes only;

Airport limousine service for passengers, baggage and packages, and air freight and air express between points in the City of Grand Junction and from all points within a 5 mile radius of Grand Junction, Colorado, from and to the Grand Junction Municipal Airport (Walker Field);

and this Order shall be taken, held and deemed 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. Holm
John P. Thompson
Joseph F. Regis
Commissioners.

Dated at Denver, Colorado,
this 21st day of April, 1958.

mls

original

(Decision No. 50017)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SIDNEY LYKE, BOX 281, MEEKER, COLO-)	
RADO, FOR A CLASS "B" PERMIT TO)	APPLICATION NO. 16213-PP
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	

April 10, 1958

Appearances: Sidney Lyke, Meeker,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed October 28, 1957, 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; uranium ore from point to point within a ten mile radius of Meeker, Colorado, to Rifle and Grand Junction, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the City Hall,

Grand Junction, Colorado, April 2, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Sidney Lyke, the applicant herein, appeared in support of the application, and testified that he is the owner of a 1955 Ford dump truck; that his net worth is approximately \$7,000; that he has work lined up; that the limitation to the use of dump trucks only is satisfactory to him; that he desires to haul uranium ore from the Coal Creek mine, near Meeker, and specifically has in mind to haul riprap for river jobs; 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 hereof 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 Sidney Lyke, Meeker, 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, refuse, and riprap, 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; uranium ore from point to point within a ten mile radius of Meeker, Colorado, to Rifle and Grand Junction, Colorado; said operations to be limited to the use of dump trucks only.

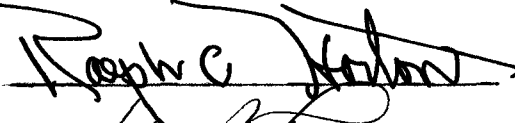

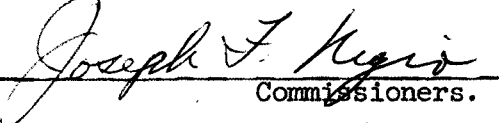
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 10th day of April, 1958.
mls

original

(Decision No. 50018)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF)	
UNION RURAL ELECTRIC ASSOCIATION,)	
INC., BRIGHTON, COLORADO, COLORADO)	INVESTIGATION AND SUSPENSION
P. U. C. TARIFF NO. 1, SECOND RE-)	<u>DOCKET NO. 402</u>
VED SHEET NO. 18 AND ORIGINAL)	
SHEET NO. 18A.)	
- - - - -)	

- - - - -
April 4, 1958
- - - - -

S T A T E M E N T

By the Commission:

Union Rural Electric Association, Inc., having duly filed as a part of its Colorado Tariff P. U. C. No. 1, Second Revised Sheet No. 18 and Original Sheet No. 18A, proposing a new rate for Residential Service available to consumers in incorporated cities and towns meeting certain requirements, the Commission, by prior decisions, suspended said rate pending a hearing thereon.

This matter was to be set for hearing before the Commission when Union Rural Electric Association, Inc., through its attorney, notified the staff of the Commission of its desire to withdraw the above-mentioned rate filings, reserving the privilege of refileing at a later time, if needed.

F I N D I N G S

THE COMMISSION FINDS:

That the request of Union Rural Electric Association, Inc., to withdraw Second Revised Sheet No. 18 and Original Sheet No. 18A of its Colorado Tariff P. U. C. No. 1 should be granted.


O R D E R

THE COMMISSION ORDERS:

That Union Rural Electric Association, Inc., be, and it hereby is, permitted to withdraw its Second Revised Sheet No. 18 and Original Sheet No. 18A, of Colorado Tariff P. U. C. No. 1.

That Investigation and Suspension Docket No. 402, be,
and it hereby is, closed.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph C. Hahn
John P. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 4th day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
RALPH BERKLEY, 472 SOUTH PERRY)	PERMIT NO. M-8252
STREET, DENVER, COLORADO.)	CASE NO. 84506-INS.
-----)	

April 9, 1958

S T A T E M E N T

By the Commission:

On March 5, 1958, in Case No. 84506-Ins., the Commission entered its Order, revoking Permit No. M-8252 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.

F I N D I N G S

THE COMMISSION FINDS:

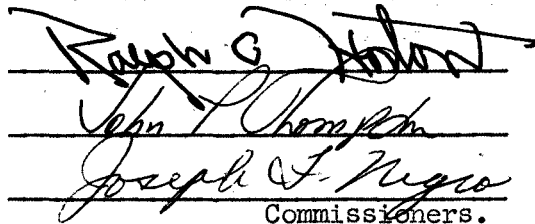
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-8252 should be, and the same hereby is, reinstated, as of March 5, 1958, revocation order entered by the Commission on said date in Case No. 84506-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 9th day of April, 1958.

ea

original

(Decision No. 50020)

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, COLO-)
RADO, FOR AN ORDER GRANTING TO IT A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO EXERCISE FRANCHISE)
RIGHTS IN THE CITY OF THORNTON,) APPLICATION NO. 16168-Amended
COUNTY OF ADAMS, STATE OF COLORADO,)
FOR THE PURCHASE, MANUFACTURE, GEN-)
ERATION, TRANSMISSION, DISTRIBUTION)
AND SALE OF ELECTRICITY AND GAS,)
EITHER NATURAL, ARTIFICIAL OR MIXED,)
IN SAID CITY; AND AUTHORIZING THE)
TRANSMISSION, DISTRIBUTION AND SALE)
OF GAS IN THE AREA ADJACENT TO SAID)
CITY.)
- - - - -)

- - - - -
April 10, 1958
- - - - -

Appearances: Lee, Bryans, Kelly and
Stansfield, Esqs., by
Charles J. Kelly, Esq.,
and Bryant O'Donnell, Esq.,
Denver, Colorado, for
Applicant;
Grant, Shafroth and Toll,
Esqs., by
Erl H. Ellis, Esq., Denver,
Colorado, for Union Rural
Electric Association, Inc.;
J. M. McNulty, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application was filed with the Commission on February 28, 1958, and by said application the Public Service Company of Colorado seeks authority from this Commission to exercise franchise rights in the City of Thornton, County of Adams, State of Colorado, for the distribution and sale of electricity and gas in said city. On March 6, 1958, Union Rural Electric Association, Inc. filed with the Commission a protest to the granting of said application.

After due notice to all interested parties, the matter was set for hearing at the Commission's Hearing Room, 330 State Office Building, Denver, Colorado, on March 17, 1958. On said date the matter was re-set for March 20, and, on said latter date, the matter was heard and taken under advisement by the Commission.

At the hearing, Applicant amended its application by deleting from said application the request for authority for a certificate to serve either gas or electricity outside the city limits of Thornton.

Applicant is a corporation organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas at various points within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, together with all amendments thereto, has heretofore been filed with this Commission.

The application showed, and testimony of Applicant at the hearing revealed, that on October 14, 1957, the City of Thornton passed and adopted Ordinance No. 50 of the City of Thornton, entitled as follows:

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF THORNTON, ADAMS COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE CITY OF THORNTON, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE CITY OF THORNTON AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER OR OTHER PURPOSES BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID CITY OF THORNTON, AND FIXING THE TERMS AND CONDITIONS THEREOF.

The term of said franchise is for a period of twenty (20) years.

A certified copy of the franchise, together with certified copies of the certificate as to introduction, passage and signature by the Mayor, the certificate as to recording, the acceptance by Applicant of said franchise and Abstract of Votes, was introduced at the hearing marked "Exhibit A," and is, by reference, made a part hereof.

Applicant's witness at the hearing, Mr. H. M. Edmonds, testified that Applicant was presently serving electricity and gas in the Town but had not, prior to October 14, 1957, possessed a franchise to serve therein, inasmuch as the City was not incorporated until May 26, 1956.

Applicant proposes by the instant application to exercise said franchise rights in the City of Thornton. Exhibit "B" introduced at the hearing is a map showing the primary electric distribution system of Applicant in the City. Exhibit "C" introduced at the hearing shows the gas distribution system in the City, together with the transmission mains, bringing gas to the area. The existing facilities of Applicant will be used in continuing the gas and electric service under the franchise. There is no other public utility engaged in the business of distributing and selling electricity or gas in the City of Thornton, although Union Rural Electric Association, Inc., has appeared in protest to the granting of the certificate for electric service.

Applicant's witness estimated the population of the City of Thornton to be about 11,000. Applicant is presently serving 2366 residential electric customers and 2365 residential gas service customers. The witness further estimated that during the term of the franchise the Company would invest \$150,000 in electric facilities and \$160,000 in gas facilities to render service in the City during the term of the franchise. These figures will be used as the basis for a charge for the issuance of the certificate sought herein,

but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

The Commission has reviewed the instant application and the evidence presented by Applicant in support thereof. We have also reviewed the protest of Union Rural Electric Association, Inc., together with the testimony submitted at the hearing in support of said protest. We believe that the application as amended should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the foregoing Statement should be made a part hereof by reference.

That public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 50 of the City of Thornton, dated October 14, 1957, for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas by Public Service Company of Colorado in said City.

O R D E R

THE COMMISSION ORDERS:

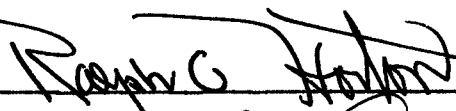
That the public convenience and necessity require, and will require, the exercise by Public Service Company of Colorado, of the franchise rights granted in and by Ordinance No. 50 of the City of Thornton, Colorado, dated October 14, 1957, marked "Exhibit A" herein, which, by reference, is made a part hereof, for the purchase, manufacture, generation, transmission, distribution and sale of electricity and gas by Public Service Company of Colorado, in said City, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.


That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the area heretofore designated in accordance with its schedules of electric and gas rates, classifications, rules and regulations now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.


That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices as to the testing of meters, customers' deposits and operations, records of meters and complaints in accordance with the Commission's requirements.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 10th day of April, 1958.

ea

original

(Decision No. 50021)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WILLIAM H. HARRISON AND EDNA S.)	
HARRISON, CO-PARTNERS, BOX 157,)	
GRANBY, COLORADO, FOR A CERTIFI-)	APPLICATION NO. 15421
CATE OF PUBLIC CONVENIENCE AND)	<u>SUPPLEMENTAL ORDER</u>
NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

April 10, 1958

Appearances: Barnard and Barnard, Esqs.,
Granby, Colorado, by
Doyte C. Dudley, Esq., Granby,
Colorado, for Applicants;
I. B. James, Denver, Colorado,
for Colorado Motor Way, Inc.,
Denver-Boulder Bus Company.

S T A T E M E N T

By the Commission:

On August 12, 1957, the Commission entered its Decision No. 48508, in Application No. 15421, granting to William H. Harrison and Edna S. Harrison, co-partners, Granby, Colorado, the right to operate as a common carrier by motor vehicle for hire.

Inasmuch as the above-styled applicants have not fulfilled requirements set forth in said Decision No. 48508,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

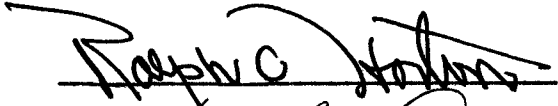
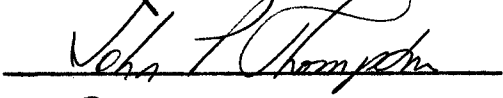

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to William H. Harrison and Edna S. Harrison, Granby, Colorado, by Decision No. 48508, of date August 12, 1957, should be, and the same hereby are, revoked, for failure of applicants to comply with requirements set forth in said Decision No. 48508.

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 10th day of April, 1958.

ea

original

(Decision No. 50022)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AUSTIN MILLSPAUGH AND FLOYD MILLS-)	
PAUGH, CO-PARTNERS, DOING BUSINESS)	
AS "A & F MILLSPAUGH," ROUTE 1, BOX)	
176, DERBY, COLORADO, FOR A CERTIFI-)	APPLICATION NO. 15208
CATE OF PUBLIC CONVENIENCE AND NEC-)	<u>SUPPLEMENTAL ORDER</u>
CESSITY TO OPERATE AS A COMMON CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

April 10, 1958

Appearances: Richard D. Luxford, Esq.,
 Denver, Colorado, for
 Applicants;
 Robert E. McLean, Esq.,
 Denver, Colorado, for
 Associated Rubbish
 Removal, et al;
 Jack Dice, Golden, Colorado,
 for Tri-County District
 Health Department;
 Joseph E. Vigil, Denver,
 Colorado, for Tri-County
 Health Department, Adams
 County, Colorado.

S T A T E M E N T

By the Commission:

On June 20, 1957, the Commission entered its Decision No. 48189 in the above-styled application, granting a certificate of public convenience and necessity to the above-captioned applicants, authorizing them to operate as a common carrier by motor vehicle for hire.

Inasmuch as said applicants have not fulfilled requirements set forth in said Decision No. 48189,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

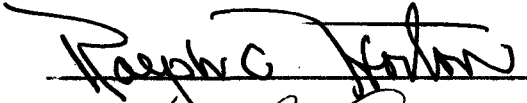

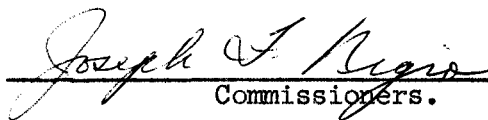
O R D E R

THE COMMISSION ORDERS:

That operating rights granted to Austin Millspaugh and Floyd Millspaugh, co-partners, doing business as "A & F Millspaugh," Derby, Colorado, by Decision No. 48189, of date June 20, 1957, in Application No. 15208, should be, and the same hereby are, revoked, for failure of said applicants to comply with requirements set forth in said Decision No. 48189.

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 10th day of April, 1958.

ea

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.) SUPPLEMENTAL ORDER
3078 TO JOHN J. ORTEGA, P. O. BOX)
1227, GREELEY, COLORADO.)
- - - - -)

- - - - -
April 10, 1958
- - - - -

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

S T A T E M E N T

By the Commission:

Heretofore, by Decision No. 49055, of date November 12, 1957, the Commission authorized H. D. Scott and Edna H. Scott, doing business as "Scott Trailer Sales," Greeley, Colorado, to transfer PUC No. 3078 to John J. Ortega, Greeley, Colorado.

The requirements which are a condition precedent to transfer of said certificate upon our records were never complied with, and the records of the Commission show that said operating rights are the property of said H. D. Scott and Edna H. Scott, doing business as "Scott Trailer Sales," Greeley, Colorado.

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 49055, of date November 12, 1957, entered by the Commission in Application No. 15793, should be set aside, and the records of the Commission show that H. D. Scott and Edna H. Scott, doing business as "Scott Trailer Sales," Greeley, Colorado, are the owners of said PUC No. 3078.

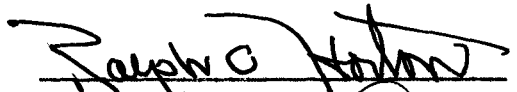


O R D E R

THE COMMISSION ORDERS:

That Decision No. 49055, of date November 12, 1957, authorizing transfer of PUC No. 3078 from H. D. Scott and Edna H. Scott, doing business as "Scott Trailer Sales," Greeley, Colorado, should be, and the same hereby is, set aside, vacated, and held for naught, and the Secretary of the Commission is hereby directed to change the records of the Commission to show that said H. D. Scott and Edna H. Scott, doing business as "Scott Trailer Sales," Greeley, Colorado, are the owners of said PUC No. 3078.

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 10th day of April, 1958.

ea

original

(Decision No. 50024)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE R. PORTER, ROUTE 1, BOX 443,)
DURANGO, COLORADO, FOR A CLASS "B") APPLICATION NO. 15346-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
RAYMOND DAVID CHRISTENSEN, ROUTE 3,)
NORTH FIRST STREET, GRAND JUNCTION,) APPLICATION NO. 15470-PP
COLORADO, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
ARTHUR R. KNIGHT AND MADOLYN KNIGHT,)
CO-PARTNERS, DOING BUSINESS AS "A.R.) APPLICATION NO. 15474-PP
KNIGHT," 130 EAST THIRD NORTH, MOAB,)
UTAH, FOR A CLASS "A" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
HAROLD J. KNOWLES, DOING BUSINESS)
AS "KNOWLES' TRAILER AND REPAIR) APPLICATION NO. 15708-PP
SERVICE," 5401 WEST COLFAX AVENUE,)
DENVER, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
DOWN BIVIAN, ERIE, COLORADO, FOR) APPLICATION NO. 15714-PP
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
MOREY L. WISECUP, OAK CREEK, COLO-) APPLICATION NO. 15745-PP
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

IN THE MATTER OF THE APPLICATION OF)
FRED TATUM, GENERAL DELIVERY, DELTA,) APPLICATION NO. 15854-PP
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

April 10, 1958

SUPPLEMENTAL ORDER

Appearances: L. M. Perkins, Esq., Durango,
Colorado, for Applicant in
Application No. 15346-PP;
Maxwell Bentley, Esq., Moab,
Utah, for Applicants in
Application No. 15474-PP;
Harold J. Knowles, Denver, Colo-
rado, pro se, in Application
No. 15708-PP;
Harold D. Torgan, Esq., Denver,
Colorado, for Alfred's
Trailer Transport, et al,
in Application No. 15708-PP;
B. F. Smith, Denver, Colorado,
for R. B. "Dick" Wilson, Inc.,
in Application No. 15714-PP;
Morey L. Wisecup, Oak Creek, Colo-
rado, pro se, in Application
No. 15745-PP.

S T A T E M E N T

By the Commission:

On June 3, 1957, in Application No. 15346-PP, the Com-
mission entered its Decision No. 48031, granting to George R. Porter,
Durango, Colorado, the right to operate as a Class "B" private car-
rier by motor vehicle for hire.

On July 11, 1957, in Application No. 15470-PP, the Com-
mission entered its Decision No. 48332, granting to Raymond David
Christensen, Grand Junction, Colorado, the right to operate as a
Class "B" private carrier by motor vehicle for hire.

On July 11, 1957, in Application No. 15474-PP, the Com-
mission entered its Decision No. 48333, granting to Arthur R. Knight
and Madolyn Knight, doing business as "A. R. Knight," Moab, Utah,
the right to operate as a Class "A" private carrier by motor ve-
hicle for hire.

On November 15, 1957, in Application No. 15708-PP, the Com-
mission entered its Decision No. 49081, granting to Harold J. Knowles,
doing business as "Knowles' Trailer and Repair Service," Denver,
Colorado, the right to operate as a Class "B" private carrier by
motor vehicle for hire.

On September 30, 1957, in Application No. 15714-PP, the Commission entered its Decision No. 48813, granting to Donn Bivians, Erie, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

On October 24, 1957, in Application No. 15745-PP, the Commission entered its Decision No. 48920, granting to Morey L. Wisecup, Oak Creek, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

On November 25, 1957, in Application No. 15854-PP, the Commission entered its Decision No. 49140, granting to Fred Tatum, Delta, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

Inasmuch as the above-styled applicants have not fulfilled requirements set forth in decisions granting to them the right to operate as private carriers by motor vehicle for hire,

F I N D I N G S

THE COMMISSION FINDS:

That said operating rights should be revoked.

O R D E R

THE COMMISSION ORDERS:

That operating rights granted to the following applicants should be, and the same hereby are, revoked, for failure of said applicants to comply with requirements set forth in decisions granting to them the right to operate as Class "B" or Class "A" private carriers by motor vehicle for hire:

<u>Name</u>	<u>Address</u>	<u>Application Number</u>	<u>Decision Number</u>
George R. Porter,	Durango, Colo.	15346-PP	48031
Raymond David Christensen	Grand Junction, Colo.	15470-PP	48332
Arthur R Knight and Madolyn Knight dba A.R.Knight,	Moab, Utah	15474-PP	48333
Harold J Knowles, dba Knowles' Trailer and Repair Service,	Denver, Colo.	15708-PP	49081
Donn Bivians,	Erie, Colo.	15714-PP	48813
Morey L. Wisecup,	Oak Creek, Colo.	15745-PP	48920
Fred Tatum,	Delta, Colo.	15854-PP	49140

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holm
John J. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 10th day of April, 1958.

ea

original

(Decision No. 50025)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FELISANDRO OLGUIN, 1482 WEST MAPLE)
AVENUE, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 16158
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

April 10, 1958

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 ten o'clock A. M., March 13, 1958, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, due notice thereof being forwarded to all parties in interest.

On March 3, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to conduct the hearing on said application, he thereafter to submit a report to the Commission of said proceedings.

Report of said Examiner states that at the time and place designated for hearing, Applicant requested that said matter be continued to a future date for hearing.

Report of the Examiner recommends that said request 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 matter be continued, to be re-set

for hearing at a later date to be determined by the Commission,
with notice to all parties in interest.

O R D E R


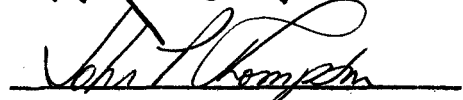
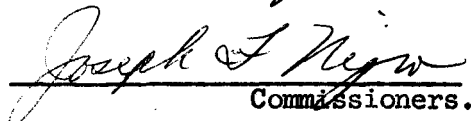
THE COMMISSION ORDERS:

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

That Application No. 16158 should be, and the same hereby
is, continued, to be re-set for hearing at a future date to be
determined by the Commission, with notice to all parties in interest.

This Order is effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 10th day of April, 1958.

ea

original

(Decision No. 50026)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAYMOND P. PHILLIPS, 2922 MARION)
STREET, DENVER, COLORADO, FOR A) APPLICATION NO. 16243
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)
-----)

April 10, 1958

S T A T E M E N T

By the Commission:

On March 21, 1958, applicant herein filed his application to operate as a common carrier by motor vehicle for hire, for the transportation of passengers by bus between Denver, Colorado, originating at or near 27th and Welton Streets, Denver, Colorado, and the North Gate of the United States Air Force Academy nearest to U. S. Highway No. 85 and 87, carrying employees of the United States Air Force Academy only.

The Commission is now in receipt of a letter from said Raymond P. Phillips, the applicant herein, requesting that his application be withdrawn.

F I N D I N G S

THE COMMISSION FINDS:

That said application should be dismissed at the request of the applicant.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application should be, and the same is hereby, dismissed, at the request of applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 10th day of April, 1958.

Raymond C. Johnson
John V. Thompson
Joseph F. Higgins
Commissioners

original

(Decision No. 50027)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES L. HUNT, DOING BUSINESS AS)
"CHARLES L. HUNT," 528 - 28 1/4 ROAD,)
GRAND JUNCTION, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 16216-PP

April 10, 1958

Appearances: Charles L. Hunt, Grand Junction, Colorado, pro se.

S T A T E M E N T

By the Commission:

By application filed March 11, 1958, 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 City Hall, Grand Junction, Colorado, April 2, 1958, and at the conclusion of the

evidence, the matter was taken under advisement.

Charles L. Hunt, the applicant herein, appeared in support of the application and testified that he is the owner of a 1956 Dodge two and one-half ton dump truck; that his net worth is approximately \$15,000; that he has work lined up; that the limitation to the use of dump trucks only is satisfactory to him; 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 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, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Charles L. Hunt, doing business as "Charles L. Hunt," Grand Junction, 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.

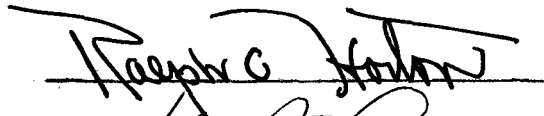

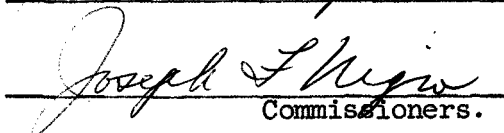
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 10th day of April, 1958.

mls

original

(Decision No. 50028)

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, DOING BUSINESS)	APPLICATION NO. 16151-Extension
AS "CONSOLIDATED MILK LINES," GIL-)	<u>SUPPLEMENTAL ORDER</u>
CREST, COLORADO, FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY.)	
-----)	

April 14, 1958

Appearances: Marion F. Jones, Esq., Denver,
Colorado, for Applicant;
Howard Yelverton, Denver, Colo-
rado, for Goldstein Trans-
portation and Storage Company;
R. B. Danks, Esq., Denver, Colo-
rado, and
H. D. Hicks, Denver, Colorado,
for Centennial Truck Lines.

S T A T E M E N T

By the Commission:

On March 25, 1958, the Commission entered its Decision No. 49912 in the above-styled application.

On April 7, 1958, Application for Rehearing was filed with the Commission herein, by Applicants, by Jones and Meiklejohn, Attorneys.

The Commission has carefully considered said Application for Rehearing filed by applicants, and the evidence adduced at the hearing on said application.

Attorneys for Applicants, in their brief, state:

"This situation cannot be distinguished from that in Application No. 15861, where these same applicants requested authority to transport 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; pursuant to which, in Decision No. 49177, dated December 4, 1957, this Commission granted an extension, as a common carrier, to perform said service, between Johnstown, Colorado, on the one hand,

and, on the other, Denver, Greeley, Boulder, Brighton, and Fort Collins, Colorado, including points within 5 miles of each. This application was also supported by the Great Western Sugar Company, through the same witness who supported the instant application and whose testimony was identical in the two proceedings, excepting that in the prior application, the commodities were liquid sugar and syrup in bulk, while in the instant proceeding, the commodity is dry sugar in bulk. Applicants and their counsel are confused when, under identical situations they may be issued a common carrier certificate in the one, denied the same in the other and tendered a contract carrier permit.

"If the testimony in the two proceedings was not identical, then it was an oversight, as the situations are identical. In order to correct this oversight, a rehearing is necessary for the purpose of taking further evidence to develop the true situation."

We cannot say, without an examination of the transcript in Application No. 15861, which is not in evidence in this proceeding, that the situations are identical. Assuming that they are, we are disposed to say that we are now firmly convinced that if an error was committed, it was committed in our Decision No. 49177.

In our Decision No. 49745, March 4, 1958, on page 4 thereof, we said:

"Experience further discloses that where we grant a specialized common carrier service for the benefit of a few patrons or shippers, we are destroying the transportation service we are here to protect."

The question of whether the proposed service is in the nature of a common carrier service or a private carrier service under Colorado Law is, in many instances, difficult to determine. Circumstances might be conceived where evidence might support the grant of a certificate of convenience and necessity in circumstances somewhat similar to the ones presented here; but this evidence does not present such a case.

In determining this question, there are certain basic concepts we must take into account which we feel apply in the application we are here considering.

In Decision No. 38732, of date May 26, 1952, we said:

"It is a question we endeavor to consider seriously, ever mindful that the role of this Commission in these proceedings is not that of a court or referee, passing objectively upon the conflicting claims of adversary parties, approaching its task with a high indifference as to which shall prevail, but concerned only that the ultimate result is reached in accordance with applicable principles and procedures. The role of this Commission is rather that of an administrative body of specialized and limited powers, and though required at all times to act within the framework and limitations of the statute which created it, it must, nevertheless, have constantly before it as an ultimate and paramount objective, the interest of the public as a whole, which, though not present in the hearing room, is an essential party to the proceedings. We believe the Commission must strive to be always conscious of its responsibility to those non-present, but essential parties because they can have no effective representation except through the Commission."

A careful review of the transcript and exhibits, in our judgment, indicates that the Motion for Rehearing should be denied, for the reason that the granting of the above application is not in the public interest, and applicants failed to prove public convenience and necessity.

F I N D I N G S

THE COMMISSION FINDS:

That Application for Rehearing, filed with the Commission in the above-styled application on April 7, 1958, by Attorneys for applicants herein, should be denied, for the reasons set forth in the preceding Statement, which is made a part of these Findings by reference.

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing, filed in the above-styled application on April 7, 1958, by Attorneys for Applicants herein, 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

Joseph C. Hinton
John P. Thompson
Joseph T. Higin
Commissioners.

Dated at Denver, Colorado,
this 14th day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM A. SEIWALD, 4315 UTICA)
STREET, DENVER, COLORADO, FOR) APPLICATION NO. 16199-PP-Extension
AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. A-2476.)
- - - - -)

- - - - -
April 10, 1958
- - - - -

Appearances: William A. Seiwald, Denver,
Colorado, pro se.

S T A T E M E N T

By the Commission:

William A. Seiwald, Denver, Colorado, is the owner and
operator of Permit No. A-2476, authorizing him to operate as a
private carrier by motor vehicle for hire, for the transportation of:

newspapers, between Denver and Ault and inter-
mediate points on U. S. Highway No. 85; between
Fort Collins and Denver and intermediate points,
on U. S. Highway No. 87; using Colorado Highway
No. 14 in passing from Ault to Fort Collins, and
serving as off-line points, on Sundays only,
Boulder, Timnath, Windsor, Johnstown, and Milliken,
Colorado; bakery goods, between Denver and Fort
Collins, Colorado; bakery goods, only, from
Denver to Loveland and Longmont, on U. S. High-
way No. 87, provided, however, that under the
extension herein granted, applicant shall not
maintain any schedule that leaves Denver at
either 2:00 o'clock P. M. or 6:00 o'clock P. M.,
in conflict with the operations of Denver-Loveland
Transportation Company; bakery goods, from Denver
to Greeley, provided, however, that his schedule
leaving Denver shall not be later than 2:00 o'clock
A. M.; newspapers, only, from Denver to Julesburg,
and from Sterling to Holyoke and Wray and return
to Brush, Colorado, including all intermediate
points; milk, from Fort Morgan to Brush; sweet
milk and cream in cans and in tank trucks from
Farmers Creamery, its successors or assigns, at
Fort Morgan to Denver; milk and cream in cans,
from Fort Collins to Denver; bakery goods, from
Denver to Fort Morgan and Sterling and intermediate
points, with the return of empty containers over
the routes named; fresh milk and cream and frozen
fruits and juices, from Denver, Colorado, to Brush,
Colorado, and intermediate points.

On March 5, 1958, applicant herein filed his application with the Commission for authority to extend operations under said Permit No. A-2476, to include the right to transport newspapers, in pick-up and delivery service, between Denver, Colorado, and Craig, Colorado, and all intermediate 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, March 27, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is presently in the business of transporting newspapers under private carrier authority; that he has a net worth of \$25,000, and has equipment suitable for delivery of newspapers.

No one appeared protesting the granting of the authority sought.

However, Circulation Managers of both The Denver Post and Rocky Mountain News appeared and testified as to their individual need for applicant's proposed service.

As there was no objection to the granting of authority sought, and applicant is qualified, willing and able to give said extended service, and has customers who appeared and testified that they need his service, it appears the Commission has no other alternative than to grant the instant application.

It does not appear that applicant's proposed extended 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 the instant application should be granted.

O R D E R


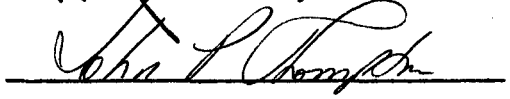
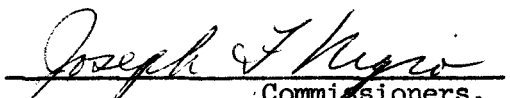
THE COMMISSION ORDERS:

That William A. Seiwald, Denver, Colorado, should be,

and he hereby is, authorized to extend operations under Permit No. A-2476, to include the right to transport newspapers, in pick-up and delivery service, between Denver, Colorado, and Craig, Colorado, and all intermediate points.

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 10th day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT L. BURKE, DOING BUSINESS AS)
"B & V TRUCK LINES," DEERTRAIL,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 2004 TO WALTER KOEPKE AND) APPLICATION NO. 16200-Transfer
STELLA KOEPKE, DOING BUSINESS AS)
"KOEPKES TRUCK LINES," DEERTRAIL,)
COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
WALTER KOEPKE AND STELLA KOEPKE,)
DOING BUSINESS AS "KOEPKES TRUCK)
LINES," DEERTRAIL, COLORADO, FOR) APPLICATION NO. 16201-Extension
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY, AUTHORIZING EXTEN-)
SION OF OPERATIONS UNDER PUC NO.)
2004.)
-----)

April 10, 1958

Appearances: Lee Coulter, Esq., Aurora,
Colorado, for Applicants;
Paul M. Hupp, Esq., Denver,
Colorado, for Colorado
Milk Transport, Inc.;
Robert Lance, Bennett, Colo-
rado, for copy of Order.

S T A T E M E N T

By the Commission:

By Application No. 16200, Robert L. Burke, doing business
as "B & V Truck Lines," Deertrail, Colorado, owner and operator of
PUC No. 2004, seeks authority to transfer said operating rights to
Walter Koepke and Stella Koepke, doing business as "Koepkes Truck
Lines," Deertrail, Colorado.

By Application No. 16201, Walter Koepke and Stella Koepke,
doing business as "Koepkes Truck Lines," Deertrail, Colorado, seek
authority to extend operations under said PUC No. 2004.

Said applications, pursuant to prior setting, after appro-
priate notice to all parties in interest, were heard at the Hearing

Room of the Commission, 330 State Office Building, Denver, Colorado, March 27, 1958, and at the conclusion of the evidence, the matters were taken under advisement.

At the hearing, it appeared that the consideration for transfer of said operating rights is the sum of \$37,000, \$10,000 of which has been paid, \$27,000 balance to be paid upon approval of transfer by the Commission.

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

The operating experience and financial responsibility of transferees 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 outstanding indebtedness against said operation, if any there be.

That public convenience and necessity require the extended motor vehicle common carrier service under PUC No. 2004, 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 Robert L. Burke, doing business as "B & V Truck Lines," Deertrail, Colorado, should be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2004 to Walter Koepke and Stella Koepke, doing business as "Koepke Truck Lines," Deertrail, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

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 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 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 certificate up to the time of transfer of said certificate.

That Walter Koepke and Stella Koepke, doing business as "Koepke Truck Line," Deertrail, Colorado, should be, and they hereby are, authorized to extend operations under PUC No. 2004, to include the right to transport milk and cream, with return of empty cans, between Denver, Colorado, and points within the following-described territory: Commencing at the junction of U. S. Highway No. 24 and unnumbered county road at Calhan, Colorado; thence east to its junction with U. S. Highway No. 71, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

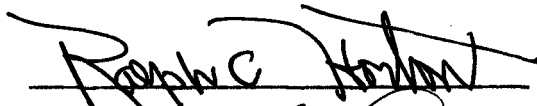

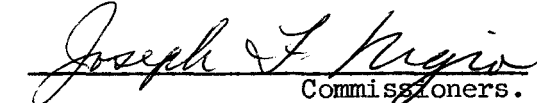
That applicants shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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 10th day of April, 1958.

ea

original

(Decision No. 50031)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
S. W. THORNHILL, 1614 - 23RD, GRAND)
JUNCTION, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-) APPLICATION NO. 16204
CESSITY TO OPERATE AS A COMMON CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

April 10, 1958

Appearances: Frank M. Hockensmith, Esq.,
Grand Junction, Colorado,
for Applicant;
Marion R. Smyser, Esq., Den-
ver, Colorado, for Rio
Grande Motor Way, Inc.;
Thomas G. Litton, Grand
Junction, Colorado, for
The Litton Warehouse Co.

S T A T E M E N T

By the Commission:

By application filed February 11, 1958, the applicant seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of machinery, equipment, materials and supplies used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products and machinery, materials, equipment or supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipeline, including the stringing and picking up thereof.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was commenced at the City Hall, Grand Junction, Colorado, April 2, 1958, at which time and place the applicant herein requested that said matter be re-set at a future

date convenient to the Commission.

F I N D I N G S

THE COMMISSION FINDS:

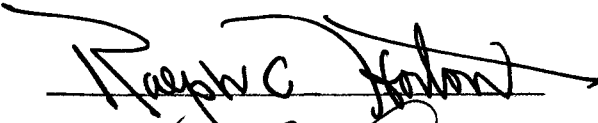
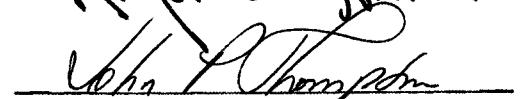

That the request of the applicant should be granted and the above-styled application re-set for hearing at some future date convenient to the Commission, with notice to all interested persons affected by said application.

O R D E R

THE COMMISSION ORDERS:

That the instant application should be, and the same hereby is, re-set for hearing at some future date convenient to the Commission, with notice to all interested parties, and those affected by said application.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 10th day of April, 1958.

mls

original

(Decision No. 50032)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HAROLD GRIFFIN, 820 NORTH TOWNSEND)	
AVENUE, MONTROSE, COLORADO, FOR)	
AUTHORITY TO TRANSFER PUC NO. 3846)	<u>APPLICATION NO. 16191-Transfer</u>
TO JUNIOR A COLE AND RAYMOND C.)	
COLE, A CO-PARTNERSHIP, DOING BUSI-)	
NESS AS "COLE BROTHERS TRAILER)	
TRANSPORT," 510 $\frac{1}{2}$ 28TH ROAD, GRAND)	
JUNCTION, COLORADO.)	

April 10, 1958

Appearances: T. L. Brooks, Esq., Mont-
rose, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

Harold Griffin, Montrose, Colorado, is the owner and oper-
ator of PUC No. 3846, which authorizes:

transportation of vehicle trailers and
mobile homes, between all points in Gunni-
son, Montrose, Delta, Ouray, and San Miguel
Counties, and from and to all points in
said Counties, to and from all points with-
in the State of Colorado, excepting that no
trailer shall be picked up within the City
of Denver, or a fifteen-mile radius thereof,
nor within the Cities of Greeley, Pueblo,
Colorado Springs, and Grand Junction, Colo-
rado.

By application filed February 6, 1958, he seeks authority
to transfer PUC No. 3846 to Junior A. Cole and Raymond C. Cole, co-
partners, doing business as "Cole Brothers," Grand Junction, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Court
House, Montrose, Colorado, April 1, 1958, and at the conclusion of
the evidence, the matter was taken under advisement.

Junior A. Cole, brother of Raymond C. Cole and one of the transferee partners, appeared in support of the application, and testified that they now own PUC No. 3642 and PUC No. 3642-I and operate under the trade name of "Trailer Homes Rental Service," which they have operated 18 months. He stated that they have an oral agreement with Griffin for the purchase of PUC No. 3846 and a 1955 3/4-ton Dodge truck for the sum of \$900 cash. If the transfer is approved, they desire to have this certificate cancelled and the authority thereunder added to the one they now own under PUC No. 3642 and PUC No. 3642-I, and also desire to have their trade name changed from "Trailer Homes Rental Service" to "Cole Brothers Trailer Transport." He also stated that they have made application under the former trade name to the Interstate Commerce Commission for permission to cross the State line, and, if the same is granted, they will change the trade name to "Cole Brothers Trailer Transport."

No one appeared in opposition to the granting of the transfer, and no reason appears why the same should not be authorized.

The operating experience and financial responsibility of transferees 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.

That PUC No. 3846 should be cancelled and the authority thereunder included with PUC No. 3642 and PUC No. 3642-I.

That the trade name of the transferees should be changed from "Trailer Homes Rental Service" to "Cole Brothers Trailer Transport."

O R D E R

THE COMMISSION ORDERS:

That Harold Griffin, Montrose, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3846 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Junior A. Cole and Raymond C. Cole, doing business as "Cole Brothers Trailer Transport," Grand Junction, 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 transferees, 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 transferees until changed according to law and the rules and regulations of this Commission.

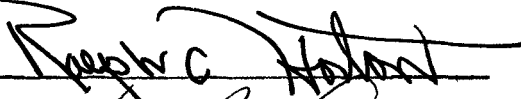
The right of transferees to operate under this Order shall depend upon the prior filing by transferor of delinquent reports, if any, covering operations under said certificate up to the time of transfer of said certificate.

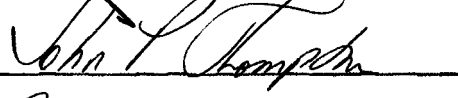
That PUC No. 3846 should be, and the same hereby is, cancelled, and the authority thereunder be, and the same is hereby, in-


cluded with the authority under PUC No. 3642 and PUC No. 3642-I.

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 10th day of April, 1958.

mls

original

(Decision No. 50033)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALVIN RICKS AND HELEN RICKS, 2756 C)
ROAD, GRAND JUNCTION, COLORADO, CO-) APPLICATION NO. 16211-PP-Extension
PARTNERS, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. B-5375.)

April 10, 1958

Appearances: Alvin Ricks, Grand Junc-
tion, Colorado, pro se;
Marion Smyser, Esq., Den-
ver, Colorado, for Rio
Grande Motor Way, Inc.;
Lincoln D. Coit, Esq.,
Grand Junction, Colorado,
for P & M Truck Line,
Daryl Hinkle, Estes Truck
Line, and Ray Fulbright.

S T A T E M E N T

By the Commission:

The applicants are the owners of Permit No. B-5375, which in general authorizes private (contract) motor vehicle carrier operations, for the transportation of certain building materials, coal, and sand and gravel in the vicinity of Grand Junction, Colorado.

By their present application, filed January 14, 1958, they seek to have their authority extended to authorize operation for the transportation of limestone, pulverized lime, pulverized marble and marble chips from Basic Chemical Company at Glenwood Springs, Colorado, to points within 75 miles of Grand Junction, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the City Hall, Grand Junction, Colorado, April 2, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Alvin Ricks testified in support of the application. Daryl Hinkle of Carbondale, Ray Fulbright of Glenwood Springs, Leslie Estes of Rifle, and the Grand Junction Superintendent for Rio Grande Motor Way, Inc., all testified in protest of the application.

It appears from the testimony that Alvin Ricks and Helen Ricks are husband and wife and operate the present authority as partners. They have flat bed and dump trailers and truck tractors suitable to the work. The material involved would be transported to uranium mills for use in neutralizing tailings, and to coal mines for fire protection. The transportation would be in both packages and bulk.

In protest, the evidence is that Daryl Hinkle and the Rio Grande Motor Ways, Inc., both common carriers, one scheduled and one radial, are presently transporting the commodities for Basic Chemical Company. There was no evidence from any customer or public witness to indicate that the present common carrier service is inadequate or unsatisfactory in any respect. No witness appeared in behalf of the shipper to testify concerning the present service, nor to indicate that the Company wants the proposed service, or would use it if it were authorized. The application must accordingly be denied.

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 denied.

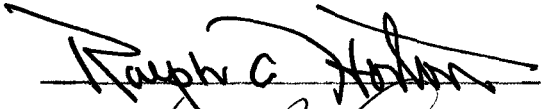
O R D E R

THE COMMISSION ORDERS:

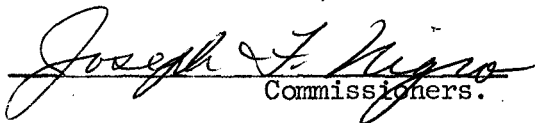
That the instant application be, and the same hereby is, denied.

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 10th day of April, 1958.

mls

original

(Decision No. 50034)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) L. E. SCHOOLEY, INC., HIGHWAY 6-50,) GRAND JUNCTION, COLORADO, FOR AUTH-) ORITY TO EXTEND OPERATIONS UNDER) PERMIT NO. B-4092.) -----)	APPLICATION NO. 16207-PP-Extension
--	------------------------------------

April 10, 1958

Appearances: Groves, Dufford, Turner &
Nelson, Esqs., Grand
Junction, Colorado, by
Warren L. Turner, Esq.,
for Applicant;
Marion R. Smyser, Esq.,
Denver, Colorado, for
Rio Grande Motor Way, Inc.;
Thomas G. Litton, Grand
Junction, Colorado, for
The Litton Warehouse Co.;
Orville Dunlap, Montrose,
Colorado, for Orville
Dunlap & Son.

S T A T E M E N T

By the Commission:

The applicant presently owns Permit No. B-4092 and Permit No. B-4092-I, in general authorizing private (contract) motor vehicle carrier operations, for the transportation of vanadium and uranium ores and concentrates thereof, and the return of hand tools and supplies for U. S. Vanadium Corporation only and the general transportation of sand, gravel and dirt.

By its present application filed November 15, 1957, as restricted at the hearing thereof, the applicant seeks to have this authority extended generally to eliminate the customer restriction on back-haul, by the following language:

"transportation of mining supplies and equipment on carriers back-haul to mines, pot holes, claims and stockpiles which are not located on State or U. S. highways, in that part of the State of Colorado west of the Continental Divide, but excluding

Garfield, Pitkin, Eagle, and the east half of Gunnison County, from Grand Junction, Colorado, and from said mines; the back-haul authority to be limited to a maximum weight of 5,000 pounds per trip."

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the City Hall, Grand Junction, Colorado, April 2, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Mr. John W. Speight, Office Manager for the applicant, testified in support of his application. In view of the restriction placed upon the application and the explanation thereof, the protestants offered no evidence in protest.

The applicant's witness explained that his company is now engaged in transporting uranium and vanadium ore to Grand Junction and desires only to haul back to the mine or mining location such tools, implements and supplies as are needed at that mining location. The ores are transported to Grand Junction in dump vehicles, and supplies are to be transported back in the same vehicles. No one-way transportation is involved; instead, the dump vehicle would leave Grand Junction with supplies for the mine or mining location, at which the vehicle would be filled with ore for return to Grand Junction. No town-to-town service is contemplated, and service is to be provided only for mines with which the applicant then has a contract to haul ore. The applicant is prepared and willing to carry in its vehicle, on the back-haul, evidence as to the weight of the commodity being transported so that a highway patrolman or any other investigating officer may determine on the spot whether the load is within the weight limitation.

As thus explained, it does not appear that the transportation proposed will adversely affect the operation of any common carrier serving the area. It appears that the application should be granted, and an Order will be entered accordingly.

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 set forth in the following Order.

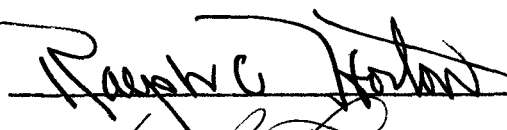


O R D E R

THE COMMISSION ORDERS:

That L. E. Schooley, Inc., Grand Junction, Colorado, should be, and he is hereby, authorized to extend operations under Permit No. B-4092 to include the transportation of mining supplies and equipment on carriers back-haul to mines, pot holes, claims and stock-piles which are not located on State or U. S. highways, in that part of the State of Colorado west of the Continental Divide, but excluding Garfield, Pitkin, Eagle, and the east half of Gunnison County, from Grand Junction, Colorado, and from said mines; such back-haul authority to be limited to a maximum weight of 5,000 pounds per trip; such operation to be conducted in dump vehicles only; only for mine operators with whom the carrier then has a valid contract for the transportation of uranium and vanadium ores; and in every instance of such back-haul, the applicant shall carry in the vehicle documentary evidence of the weight of the goods being transported.

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 10th day of April, 1958.

ea.

original

(Decision No. 50035)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ART JOWELL, ASPEN, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 16183
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

April 10, 1958

Appearances: William R. Shaw, Esq.,
Aspen, Colorado, for
Applicant;
Delaney & Balcomb, Esqs.,
Glenwood Springs, Colo-
rado, by Robert Delaney,
for Daryl Hinkle, Aspen
Truck Line, Ray Fulbright,
P & M Truck Line, James
Hayes;
Harold L. Lesh, Glenwood
Springs, Colorado, for
Glenwood-Aspen Stages;
Carl A. Hoffman, Aspen,
Colorado, for Aspen Ash
& Trash Service.

S T A T E M E N T

By the Commission:

By his present application as restricted at the hearing
thereof, the applicant seeks authority to operate as a common
carrier by motor vehicle for the transportation of ashes, trash
and garbage, between points within a radius of five miles of
Aspen, Colorado.

Said application, pursuant to prior setting, after
appropriate notice to all parties in interest, was heard at the
District Court Room, Glenwood Springs, Colorado, March 31, 1958,
and at the conclusion of the evidence, the matter was taken under
advisement.

The applicant testified in support of his application,
as did Mr. Walter O. Matthews, a drug store operator in Aspen.

Mr. James Hayes, Mr. Carl Hoffman, and Mr. James Pruitt testified in protest. It appears from the evidence that we have heretofore issued PUC No. 3769 to Carl A. Hoffman, of Aspen, pursuant to which he has transported ashes, trash and garbage in Aspen and between points within five miles of that City. Mr. Hoffman has a modern garbage truck and also a dump truck for bulky material, according to the evidence, and until April 1 this year held the contract with the City of Aspen for the removal of these materials from the City. Commencing that date, the contract was given by the City to Mr. James Pruitt and Mr. Ray Roberts who have agreed to purchase the equipment of Hoffman and his PUC authority. Mr. James Hayes, a private (contract) motor vehicle carrier with what is usually called sand and gravel authority, has, incidental to that authority, the authority (but not the public obligation) to remove rubbish and rubble from the vicinity of construction jobs. As he is not legally required to do any of such work upon call, but in law may do it at his own unrestricted discretion, his protest is not entitled to much consideration.

In these circumstances, the applicant, who has two vehicles, one a dump truck the other a stock rack, seeks authority to enter the ash, trash and garbage business in the City. He has no contract or franchise from the City and no present expectation of getting one. He believes he could get enough business from customers not affected by the franchise to maintain his service. In support of his application, a drug store operator expressed dissatisfaction with the existing service, but it appears from cross-examination that the operator may have expected more in the way of service from the present operator than the present operator was prepared to give at standard rates.

The problem presented by the evidence is somewhat unique. Ordinarily, the Commission is generous in granting scavenger authorities, believing that with the varied circumstances of the pick up and transportation of this material some competition is ordinarily

a healthy condition. However, Aspen is not one of the larger communities of our State; it appears from the evidence that Aspen now has a self-enclosed removal vehicle of the type most conducive to public health. It appears that the total volume of business in a town such as Aspen will not support two such expensive vehicles; and that the effect of authorizing additional competition would be that one of the competitors would soon be out of business, and possibly the sanitary equipment might be lost in the process. Were there some substantial number of people from the City who appeared, submitted to cross-examination and expressed dissatisfaction with the existing service, we would be inclined to grant new authority in the expectation that the one operator who remained after the competitive effects had been felt would be the new operator and not the unsatisfactory old one. In the present circumstances, only one public witness appeared, and there was some doubt as to whether his testimony was actually of inadequacy of service. In the present state of this record and considering all the peculiar facts and circumstances present here, the Commission does not feel that the best interest of the people of Aspen will be served by granting another authority at this time, on this evidence. We will accordingly deny the application. If it should appear later that the service in Aspen has deteriorated, or that the service will be improved by the granting of an additional authority, doubtless a new application can be filed upon which some different order may 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 above-styled application should be denied.

O R D E R

THE COMMISSION ORDERS:

That the instant 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

*100-10000-10000
100-10000-10000
100-10000-10000*

Joseph C. Holman
John P. Thompson
Joseph L. Nease
Commissioners.

Dated at Denver, Colorado,
this 10th day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THE CHARLES E. HIRES COMPANY,)
4757 NORTH BROADWAY, DENVER,)
COLORADO.)
-----)

PERMIT NO. M-2377
CASE NO. 84805-INS.

April 10, 1958

S T A T E M E N T

By the Commission:

On March 26, 1958, in Case No. 84805-Ins., the Commission entered its Order, revoking Permit No. M-2377 for failure of Respondent herein to keep effective insurance on file with the Commission.

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

F I N D I N G S

THE COMMISSION FINDS:


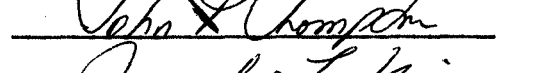
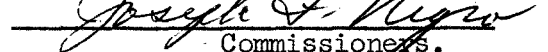
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-2377 should be, and the same hereby is, reinstated, as of March 26, 1958, revocation order entered by the Commission on said date in Case No. 84805-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 10th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BLEVINS-DENNING LUMBER COMPANY,)
432 NORTH AVENUE, GRAND JUNCTION,)
COLORADO.)
-----)

PERMIT NO. M-3886
CASE NO. 84772-INS.

April 10, 1958

S T A T E M E N T

By the Commission:

On March 26, 1958, the Commission entered its Order in Case No. 84772-Ins., revoking Permit No. M-3886 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

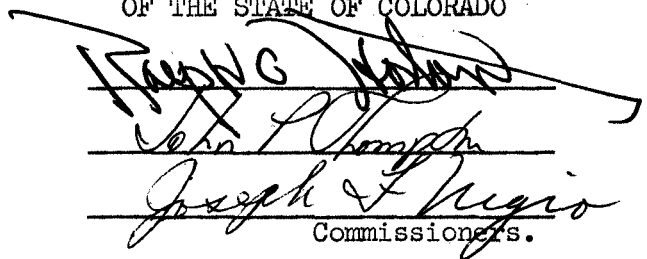
THE COMMISSION ORDERS:

That Permit No. M-3886 should be, and the same hereby is, reinstated, as of March 26, 1958, revocation order entered by the Commission on said date in Case No. 84772-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Dated at Denver, Colorado,
this 10th day of April, 1958.

ea



John P. Thompson

Joseph V. Nigro
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM E. INGRAM, KREMMLING,) PERMIT NO. M-11873
COLORADO.) CASE NO. 85027-INS.
-----)

April 10, 1958

S T A T E M E N T

By the Commission:

On March 26, 1958, in Case No. 85027-Ins., the Commission entered its Order, revoking Permit No. M-11873 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:

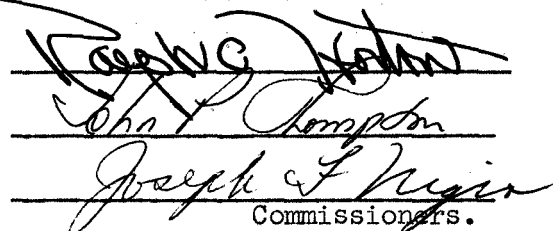
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That Permit No. M-11873 should be, and the same hereby is, reinstated, as of March 26, 1958, revocation order entered by the Commission on said date in Case No. 85027-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 10th day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
KIOWA INVESTMENT COMPANY, INC.,)	PUC NO. 618
31 NORTH CASCADE, COLORADO)	CASE NO. 84555-INS.
SPRINGS, COLORADO.)	
-----)	

April 10, 1958

S T A T E M E N T

By the Commission:

On March 5, 1958, the Commission entered its Order in Case No. 84555-Ins., revoking PUC No. 618 for failure of Respondent herein to keep effective insurance on file with the Commission.

Inasmuch as it now appears that said Respondent has made proper insurance filing with the Commission, without lapse,

F I N D I N G S

THE COMMISSION FINDS:

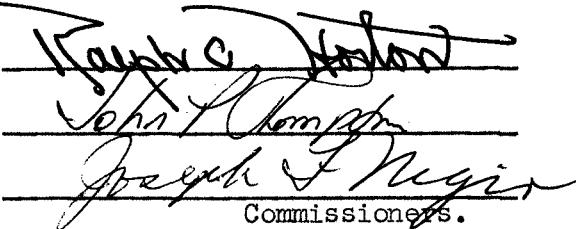
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 618 should be, and the same hereby is, reinstated, as of March 5, 1958, revocation order entered by the Commission on said date in Case No. 84555-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 10th day of April, 1958.

qual

(Decision No. 50040)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEONARD DI GRADO, ROUTE 4, BOX 122,)
PUEBLO, COLORADO, FOR AUTHORITY TO)
TRANSFER INTERSTATE OPERATING)
RIGHTS TO LEONARD DI GRADO AND)
PETE DI GRADO, CO-PARTNERS, DOING)
BUSINESS AS "DI GRADO PRODUCE,")
ROUTE 4, BOX 122, PUEBLO, COLORADO.)
-----)

PUC NO. 2583-I-Transfer

April 10, 1958

S T A T E M E N T

By the Commission:

Heretofore, Leonard Di Grado, Pueblo, Colorado, was authorized to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 2583-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Leonard Di Grado and Pete Di Grado, co-partners, doing business as "Di Grado Produce," Pueblo, Colorado.

The files and records 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

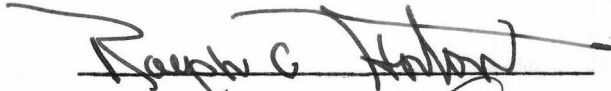
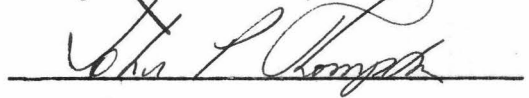
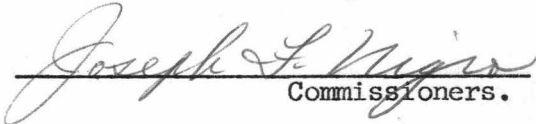
THE COMMISSION ORDERS:

That Leonard Di Grado, Pueblo, Colorado, should be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2583-I to Leonard Di Grado and Pete Di Grado, co-partners, doing business as "Di Grado Produce," Pueblo, Colorado,

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 10th day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SORENSEN TRUCK SERVICE, INC., 306)	
KIMBARK STREET, LONGMONT, COLORADO,)	APPLICATION NO. 16013
FOR A CERTIFICATE OF PUBLIC CONVEN-)	<u>Extension-Amended</u>
IENCE AND NECESSITY, AUTHORIZING EX-)	
TENSION OF OPERATIONS UNDER PUC NO.)	
337.)	

April 10, 1958

Appearances: Marion F. Jones, Esq., Den-
ver, Colorado, for Appli-
cant;
R. B. Danks, Esq., Denver,
Colorado, for Colorado
Transfer & Warehousemen's
Assoc.;
Hubert Work, Denver, Colo-
rado, for Weicker Transfer
& Storage Company.

S T A T E M E N T

By the Commission:

The applicant corporation is owner of PUC No. 337, which
authorizes common carrier operation in the following terms:

The conduct, on call and demand, by motor ve-
hicle for hire, of a transfer and general
cartage business in the City and County of
Denver, and in the Counties of Adams, Arapa-
hoe and Jefferson, in the State of Colorado,
and occasional for-hire freight service by
motor vehicle throughout the State of Colo-
rado, and each of the counties thereof (ex-
cluding, however, the transportation of used
household goods, office and store furnishings
and fixtures); and the transportation of
powder and explosives when not intermingled
with any other class of freight in both regu-
lar and irregular service from, to, and be-
tween various points in the State of Colorado,
with the proviso that for the transportation
of commodities other than household goods,
powder, and explosives, between points served
singly or in combination by scheduled carriers,
rates which shall be as much as twenty per cent

(20%) higher in all cases than those charged by scheduled carriers, shall be charged, said Chris Sorenson not to establish a branch office or have an agent employed in any other town or city than Denver, Colorado, for the purpose of developing business.

By the present application filed December 30, 1957, as subsequently amended, the applicant seeks to have this authority extended under "Grandfather Rights" to include the right to transport livestock, livestock feeds and agricultural commodities, in a general transfer and cartage service, within the City Limits of the Cities of Denver, Boulder, Fort Morgan, Fort Collins, and Sterling, Colorado, and the transportation of general commodities, including livestock, in the City and County of Denver, 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, April 8, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Chris Sorenson, President of the applicant corporation, testified in support of the application, as did Mr. Leamon Resler, who formerly owned this authority. There was no testimony in protest.

It appears from the evidence that the Sorenson operation is conducted under two motor vehicle common carrier authorities, PUC No. 337, which is now under consideration, and PUC No. 489, which authorizes somewhat similar transportation, but restricted to a Longmont, Colorado, office, for the purpose of developing business. No filing fee has been paid concerning extension of the authority of PUC No. 489, nor is any application in connection with that authority presently under consideration. No Order entered in this application has any relation to PUC No. 489.

It appears from the evidence that prior to 1949 this auth-

ority, PUC No. 337, was owned by Mr. Leamon Resler. At that time it provided in general for the conduct of a general transfer and general cartage business in Denver and the tri-county area surrounding Denver, and pursuant to such authority Resler maintained a Denver office and performed general drayage, car loading, and package delivery in Denver. In 1949, this Commission upon application authorized the authority to be split; Mr. Sorenson obtained the portion of authority particularly detailed in the opening paragraph of this Statement and the Gray Moving and Storage Company obtained the remainder of the authority, consisting of authority to transport new and used household goods, office and store furnishings and fixtures in the general terms standard in the industry for moving and storage operations, this latter portion of authority being thereby detached from PUC No. 337. The applicant does not now assert that it conducted any operations of this latter type in Denver, nor does it seek to obtain any right to perform such service by this application.

It appears that the applicant maintains its only facilities in Denver at the stockyards, and that virtually its entire business in Denver since it commenced operations here under this authority has been the transportation of commercial and show livestock, although it does appear that at some time past the applicant moved a few dismantled rail freight cars and a few discarded streetcar bodies. However, it appears that the applicant conducts a more general operation outside Denver; and now to restrict the Denver operation might well impair the other operations we have heretofore authorized under this authority.

Concerning the cities and towns mentioned in the application, other than Denver, Mr. Sorenson indicated that service had been only very occasional and sporadic and at no time had involved the stationing of any personnel or equipment in any of these cities or towns, nor the use of any facilities local to these cities or towns. Indeed there is some doubt that any service point to point in any of these cities or

towns has ever actually been rendered pursuant to this authority, except possibly trained horse movements in connection with the rodeo at Boulder. It would appear, however, that if such service has been rendered it has only been rendered as "occasional for hire service" directly connected with the operation of the Denver-based authority. We are not able to conclude from the record that any "Grandfather Rights" have been established in any of these cities or towns to perform any purely local transportation except that of non-commercial livestock, nor to have local offices, agents or any facilities for developing business in any of these cities or towns. It might be mentioned that in his testimony Mr. Sorenson mentioned service he had provided in Greeley and in Pueblo; neither of these cities is mentioned in the application and accordingly no authority can be granted in those cities in connection with this application.

The sketchy evidence presented in this case, if exclusively relied upon, can hardly be deemed sufficient to warrant a conclusion that any operations of a substantial nature have ever been performed in the home rule cities mentioned; there is serious question on this evidence whether the applicant has any "Grandfather Rights." From our general experience with Mr. Sorenson, however, and knowledge of his operation, we conclude that he may very well have transported these limited commodities between points in these cities on the one hand, and points outside these cities on the other, and that he may have transported livestock which because of breeding or training has unusual value, between points in those cities. We will accordingly extend the authority of PUC No. 337 in the terms set forth in the following Order.

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 extension sought should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That in recognition of "Grandfather Rights" of Soresnon Truck Service, Inc., Longmont, Colorado, the authority of PUC No. 337 should be, and the same hereby is, extended so that as extended it will read as follows:

the conduct, on call and demand, by motor vehicle for hire, of a transfer and general cartage business in the City and County of Denver, and in the Counties of Adams, Arapahoe and Jefferson, in the State of Colorado, and occasional for-hire freight service by motor vehicle throughout the State of Colorado, and each of the counties thereof (excluding, however, the transportation of used household goods, office and store furnishings and fixtures); and the transportation of powder and explosives when not intermingled with any other class of freight in both regular and irregular service from, to, and between various points in the State of Colorado, with the proviso that for the transportation of commodities other than household goods, powder, and explosives, between points served singly or in combination by scheduled carriers, rates which shall be as much as twenty per cent (20%) higher in all cases than those charged by scheduled carriers, shall be charged, said Chris Sorenson not to establish a branch office or have an agent employed in any other town or city than Denver, Colorado, for the purpose of developing business;

subject to all of the restrictions in the first paragraph hereof, this authority is extended to recognize the "Grandfather Rights" of the holder to operate within the City and County of Denver; and to transport livestock, livestock feeds, and agricultural commodities from and to points within the City Limits of the Cities of Boulder, Fort Morgan, Fort Collins, and Sterling, Colorado, and to transport livestock having unusual value because of breeding or special training between points within those cities;

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.

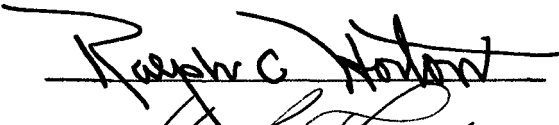
That applicant shall operate its carrier system in accordance with the Order of the Commission, except when prevented by Act of God, the public enemy or extreme conditions.

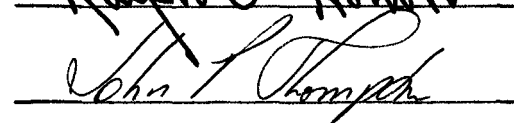
That this Order is subject to compliance by applicant with all present and future laws and rules and regulations of the Commission.


That in all other respects the application 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 10th day of April, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
BURL BEEN, DOING BUSINESS AS "BEEN)	
& SON," 1909 WEST ILIFF AVENUE,)	
DENVER, COLORADO, FOR AUTHORITY)	
TO TRANSFER PUC NO. 3728 TO ROBERT)	<u>APPLICATION NO. 15849-Transfer</u>
L. LOVE AND VERNON JOHNSON, DOING)	
BUSINESS AS "CITY-WIDE ASH & RUB-)	
BISH REMOVAL SERVICE, 2385 SOUTH)	
KING STREET AND 1935 SOUTH EMERSON)	
STREET, DENVER, COLORADO.)	
-----)	

April 14, 1958

Appearances: Robert Love, Denver, Colo-
rado, for Transferees;
Vernon Johnson, Denver,
Colorado, for Transferees.

S T A T E M E N T

By the Commission:

By the above-styled application, Burl Been, doing business as "Been & Son," Denver, Colorado, seeks authority to transfer PUC No. 3728 to Robert L. Love and Vernon Johnson, doing business as "City-Wide Ash & Rubbish Removal Service," said PUC No. 3728 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

ashes, trash, and other waste materials, between points within the City and County of Denver, and from points within the City and County of Denver, to regularly-designated and approved dumps and disposal places within the Counties of Adams, Arapahoe, and Jefferson, State of Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, November 8, 1957, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 7, 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, transferees herein testified that each is financially able to carry on said operations; that they are the owners of a 1940 Dodge, three-fourths-ton pick-up; that they have entered into a contract for purchase of PUC No. 3728; that transferor is not presently in the State of Colorado; that to their knowledge, there are no outstanding obligations against said operating rights.

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

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

Report of the Examiner recommends that transfer should 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 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 Findings should be, and hereby is, approved.

That Burl Benn, doing business as "Been & Son," Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3728 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Robert L. Love and Vernon Johnson, doing business as "City-Wide Ash & Rubbish Removal Service," Denver, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

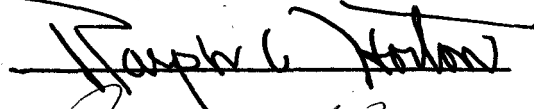

That said transfer shall become effective only if and when, but not before, said transferors and transferees, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 transferors 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 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.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1958.

ea

original

(Decision No. 50043)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GERTIE M. JOLES, DOING BUSINESS AS)	
"A B C SANITATION," 5521 LOCUST)	
STREET, DENVER, COLORADO, FOR A)	<u>APPLICATION NO. 16152</u>
CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO OPERATE AS A COMMON)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

April 14, 1958

Appearances: William Joles, Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to engage in the business of cess pool, septic tanks, sand and grease traps, in Jefferson and Adams Counties, State of Colorado.

Said application was regularly set for hearing before the Commission, at ten o'clock A. M., March 13, 1958, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, William Joles testified he is the brother of applicant herein;

that applicant has been engaged in sanitation service for a period of fifteen years; that applicant is the owner of a specially-equipped truck for cleaning of septic tanks, cess-pools, sand and grease traps, and has conducted this business within the City and County of Denver and a ten-mile radius thereof.

Neil G. Grant, a member of the staff of the Commission, testified there had been some question as to whether persons engaged in sanitary service should be required to obtain authority from this Commission; that until approximately three months prior to hearing, no effort had been made to require such operators to obtain authority from this Commission.

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 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

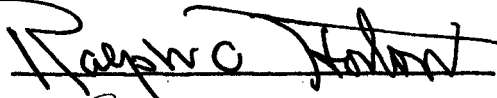

Gertie M. Joles, doing business as "A B C Sanitation," Denver, Colorado, for the transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cess pools, sand and grease traps, between points within the City and County of Denver and a ten-mile radius thereof, to regularly-designated and approved disposal places within said area, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That applicant shall operate her 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.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE PETITION OF NATIONAL BUS TRAFFIC)
ASSOCIATION, INC., AGENT, FOR AND)
ON BEHALF OF CERTAIN NAMED MOTOR)
CARRIERS OF PASSENGERS FOR A GEN-)
ERAL INCREASE OF TEN (10) PER CENT)
IN PASSENGER FARES.)

APPLICATION NO. 16098

April 11, 1958

Appearances: Barry, Hupp and Dawkins, Esquires,
by John R. Barry, 738 Majestic Building,
Denver 2, Colorado, for the National
Bus Traffic Association, Inc.;
T. S. Wood and Harry Eastlund, for the
staff of the Commission.

S T A T E M E N T

By the Commission:

On February 5, 1958, there was filed with the Commission an
application (No. 32) by the National Bus Traffic Association, Inc.,
Agent, by P. J. Campbell, its Chairman, acting for and on behalf of
the following motor vehicle common carriers of passengers:

American Bus Lines, Inc. (R. W. Smith, Trustee and
W. F. Aikman, Additional Trustee of)

Chama Valley Line (Wess Clark and Floyd W. Clark, DBA)

Colorado Motorway, Inc.

Continental Bus System, Inc.

Continental Bus System, Inc. (Continental Rocky
Mountain Lines)

Denver-Colorado Springs-Pueblo Motor Way, Inc.

Denver-Salt Lake-Pacific Stages, Inc.

Greyhound Corporation, The (Central Greyhound Lines
Division)

Southwestern Greyhound Lines, Inc.

Transcontinental Bus System, Inc. (Continental Central
Lines)

Valley Transit Lines, Inc., N.S.L.

requesting authority to depart from the tariff publishing rules, regulations and requirements of the Commission to the extent necessary to enable the interested motor carriers and their publishing agent to effect a general increase of ten (10) per cent in passenger fares by means of a Master Conversion Table Tariff and Connecting Link Supplements, or revisions, amendments or reissues to currently effective tariffs, whichever is most expeditious, and to make such tariff publications effective on less than statutory notice of ten (10) days, but not prior to March 1, 1958, the interstate effective date of similar filings made with the Interstate Commerce Commission.

The Master Conversion Table Tariff provides a basis for increasing currently effective fares by ten (10) per cent, increased to the next "0" or "5."

On February 18, 1958, the Commission issued its order (Decision No. 49670) assigning the application for hearing on March 11, 1958, at 10:00 A.M., in the hearing room of the Commission, 330 State Office Building, Denver, Colorado.

The hearing was held as assigned and at its conclusion the matter was taken under advisement.

Attached hereto, designated as Appendix "A", are tables prepared from exhibits introduced in this proceeding.

It will be noted from the Appendix the loss of passengers handled between the years 1953 and 1957, which totaled 5,115,546 in 1957, from a total of 16,076,826 in 1953, or 31.82%. The largest loss being on the lines of the Chama Valley of 56.34%. The loss on the American Bus Lines and the Transcontinental (Continental Central Division) being approximately the same, 49.21 and 49.22%. Also, the loss on the Denver-Salt Lake-Pacific Stages, Inc., Southwestern Greyhound Lines, Inc., and Continental (Rocky Mountain Division) were very close to being the same, viz: 14.12, 16.21 and 16.17%, respectively. The Denver-Colorado Springs-Pueblo Motor Way, Inc., and the Colorado Motorway, Inc., showing the least loss of the eight carriers, viz: 1.96 and 4.38%,

respectively. The cost per bus-mile, 1953 v. 1957, shows a marked increase, except on the American and the Chama Valley.

In regard to the American Bus Lines, witness Mayfield testified that the said company is in reorganization under Chapter 10 of the Bankruptcy Act. It went into reorganization in February 1954. In 1953 it had a loss of over one million dollars, with the result by February of 1954 it was unable to pay its current bills; and a petition was filed with the Federal Court in Lincoln, Nebraska, for reorganization under the Bankruptcy Act, which was granted. It is still under that Court's jurisdiction and control. It is anticipated that the reorganization may be consummated by April 1 of this year. In the opinion of the witness, the costs of the company had been held down due to the fact it was under the control of the Court. The Court has controlled the labor contracts and leases have been renegotiated. The whole reorganization proceeding has had a tendency to keep American's cost down; whereas, the trend of the costs of the industry has been upward.

The witness testified further that if his company goes out from under reorganization when anticipated it will not be able to keep its costs down as was done during the reorganization period. For example, his company has not had a labor contract since February of 1957. It has operated under the contract that expired at that time. Further, the company is presently negotiating in Lincoln, Nebraska, with the union.

In short, most of the savings in the operations are attributable to the reorganization program which has been in effect since 1954.

An analysis of the various statistics in Appendix "A" shows that the general trend is toward increases in operating costs, viz:
Labor Cost Per Mile - Bus Cost Per Mile - Decrease In Number of Passengers Handled - Operating Ratios - Average Monthly Pay Per Employee - Employees' Pay Per Hour - Drivers' Pay Per Bus-Mile, etc.

The record shows, that the carriers involved herein, are, in a general way, following the same pattern in attempting to improve their operations, and at the same time reduce, or, at least hold to a minimum, their operating costs, as testified to by witness Watson of the Central Greyhound Lines, viz: To examine the cost items and endeavor in every way to reduce costs wherever possible, such as labor, fuel, driver safety programs and other potential economy items of expense, and as a last step to increase the fares to the riding public.

The cost per bus mile, 1953 v. 1957, with the exception of the American and Chama Valley, increased from a low of 8.81 per cent on Transcontinental to a high of 18.64 per cent on Colorado Motorway. On the American there was a reduction in the cost per bus-mile of 4.77 per cent and a reduction of 17.51 per cent on the Chama Valley. Due to the decline in passengers handled by Chama Valley, they have put into service smaller equipment which has reduced the cost per bus-mile. As previously stated herein the costs of the American have been held down due to the fact it has been under the control of the Court.

The average monthly pay per employee, 1953 v. 1957, increased from a low of four per cent on Transcontinental, to a high of 23.41 per cent on Southwestern Greyhound.

The following is a compilation of the Colorado mileage of the different carriers, viz: American, 402 miles; Continental Central Lines, 599 miles; Central Greyhound Lines, 284 miles; Denver-Colorado Springs-Pueblo Motor Way, 324 miles; Denver-Salt Lake-Pacific Stages, 368 miles; Southwestern Greyhound, 553 miles; Colorado Motorway, 162 miles; Chama Valley, 33 miles; Valley Transit, 59 miles; Continental Rocky Mountain, 1,244 miles; or a total of 4,028 miles.

The record shows the following anticipated increase in revenue on a yearly basis, based on the 1957 revenue, if the request is authorized.

American Bus Lines, Inc. - - - - -	\$ 9,400.00
Denver-Colorado Springs-Pueblo Motor Way, Inc. - - -	53,800.00
Denver-Salt Lake-Pacific Stages, Inc. - - - - -	7,800.00
Transcontinental Bus System, Inc. - - - - -	9,600.00
Central Greyhound Lines Division - - - - -	9,400.00
Southwestern Greyhound Lines, Inc. - - - - -	3,328.00
Continental Bus System, Inc. (Consisting of Central Lines Division and Rocky Mountain Lines Division) - - - - -	54,400.00

The following comparison shows the present and proposed one-way bus fares and the present rail coach fares between Denver and representative points on the lines of the applicants.

<u>DESTINATION</u>	<u>BUS FARE</u>		<u>RAIL COACH FARE</u>
	<u>PRESENT</u>	<u>PROPOSED</u>	
STERLING	\$3.25	\$3.60	\$3.38
AKRON	3.00	3.30	3.09
KIT CARSON	3.90	4.30	4.23
LIMON	2.30	2.55	2.48
GREELEY	1.50	1.65	1.48
FT. COLLINS	1.95	2.15	1.90
COLORADO SPRINGS	1.85	2.05	2.06
PUEBLO	3.00	3.30	3.31
TRINIDAD	5.25	5.80	5.85
GLENWOOD SPRINGS	5.10	5.65	5.65 via Bond
GRAND JUNCTION	7.25	8.00	8.12 via Bond
HOT SULPHUR SPRINGS	2.90	3.20	2.92
STEAMBOAT SPRINGS	4.60	5.10	5.81
CRAIG	5.40	5.95	6.92

As stated by witness Green, General Sales Manager of Transcontinental Bus System, Inc., and Continental Central Lines Division, the bus industry, at least in part, was no longer looking at the old theory of rail coach fares as being a ceiling on their fares, especially on short hauls, up to 200 or 250 miles. On such traffic, the railroads, generally

speaking, do not actually cater to passenger transportation, while the bus industry is very much interested in this business. However, the service the bus industry offers should not be controlled by the rail passenger fares on such business.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The passengers' fares of petitioners should be increased by ten (10) per cent, increased to the next "0" or "5."
2. As a temporary expedient the increased fares should be accomplished by means of a Master Conversion Table Tariff, Connecting Link Supplements, Revisions, or Amendments thereto, or Reissues thereof, except, specific increased fares determined from the Master Table Tariff may be published by consecutively numbered supplements or revised pages to or reissues of effective tariffs.
3. In making the Master Table Tariff and Connecting Link Supplements applicable on Colorado intrastate traffic specific reference to this order should be shown by decision number and date.
4. The increase as herein authorized should not apply on charter coach rates.

O R D E R

THE COMMISSION ORDERS, That:

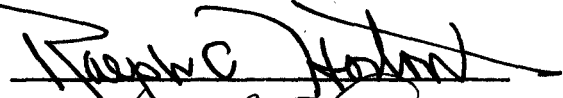


1. The statement, findings and Appendix "A", are hereby made a part hereof.
2. This order shall become effective forthwith.
3. The petitioners are hereby authorized to increase their passenger fares by ten (10) per cent, increased to next "0" or "5."
4. As a temporary expedient the increased fares may be accomplished by means of a Master Conversion Table Tariff, Connecting Link Supplements, Revisions or Amendments thereto, or Reissues thereof.
5. In making the Master Table Tariff and Connecting Link Supplements applicable on Colorado intrastate traffic, specific reference to this order shall be shown by decision number and date.

6. The increase as herein authorized shall not apply on charter coach rates.

7. The increase as herein authorized may be made to become effective on or before April 28, 1958, on notice to this Commission and the general public by not less than ten (10) days' filing and posting in the manner prescribed by law and the rules and regulations of the Commission.

8. 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 11th day of April, 1958.

mem

APPENDIX "A"

The following table prepared from exhibits of record in this proceeding shows an analysis of operating revenues and expenses.

AMERICAN BUS LINES, INC.

<u>YEAR</u>	<u>OPERATING REVENUES</u>	<u>OPERATING EXPENSES</u>	<u>NET OPERATING REVENUES</u>	<u>OPERATING RATIO</u>	<u>OPERATING COST PER BUS-MILE</u>
1953	\$10,054,021	\$10,974,536	\$(920,515)	109.16%	35.42¢
1954	8,739,835	8,798,070	(58,235)	100.67%	33.03¢
1955	8,437,604	8,431,160	6,444	99.92%	32.03¢
1956	8,595,827	8,576,335	19,492	99.77%	32.78¢
1957	9,273,968	8,759,448	514,520	94.45%	33.73¢

<u>EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS</u>						
<u>PASSENGERS HANDLED</u>	<u>DRIVERS' PAY PER BUS-MILE</u>	<u>MECHANICS</u>	<u>MECHANICS' HELPERS</u>	<u>SERVICE-MEN</u>	<u>WORKING FOREMEN</u>	
1953	4,287,241	\$.0735	\$1.895	\$1.495	\$1.325	\$1.995
1954	3,359,813	.0700	1.87	1.47	1.30	1.97
1955	3,105,823	.0700	1.87	1.47	1.30	1.97
1956	2,570,014	.0705	1.88	1.48	1.31	1.98
1957	2,177,651	.0715	1.90	1.50	1.33	2.00

<u>LABOR COST PER MILE</u>	<u>AVERAGE NUMBER OF EMPLOYEES</u>	<u>AVERAGE MONTHLY PAY PER EMPLOYEE</u>	
1953	\$1.1417	1,048	\$353.54
1954	.1285	823	350.87
1955	.1236	781	357.78
1956	.1273	799	366.58
1957	.1312	818	370.14

<u>ANNUAL INCREASE IN HIGHWAY TAXES SINCE JULY 1, 1956</u>	<u>AVERAGE ANNUAL COLORADO TAXES - 1952-1957</u>
\$61,948	\$32,247

Parenthesis () Denotes Red Figure.

DENVER-COLORADO SPRINGS-PUEBLO MOTOR WAY, INC.

<u>OPERATING REVENUES</u>	<u>OPERATING EXPENSES</u>	<u>NET OPERATING REVENUES</u>	<u>OPERATING RATIO</u>	<u>OPERATING COST PER BUS-MILE</u>	
1953	\$853,770	\$742,672	\$111,098	86.99%	37.94¢
1954	826,010	717,447	108,563	86.86%	37.90¢
1955	864,500	716,854	147,646	82.92%	38.52¢
1956	905,520	802,979	102,541	88.68%	40.78¢
1957	960,123	808,471	136,293	80.81%	41.34¢

<u>EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS</u>						
<u>PASSENGERS HANDLED</u>	<u>DRIVERS' PAY PER BUS-MILE</u>	<u>MECHANICS</u>	<u>MECHANICS' HELPERS</u>	<u>SERVICE-MEN</u>	<u>WORKING FOREMEN</u>	
1953	-	\$.07406	\$1.890	\$1.473	\$1.414	-
1954	432,605	.07406	1.945	1.527	1.468	-
1955	432,318	.07281	1.945	1.527	1.468	-
1956	459,535	.07681	1.977	1.560	1.500	-
1957	424,090	.08056	2.107	1.690	1.630	-

DENVER-COLORADO SPRINGS-PUEBLO MOTOR WAY, INC. (Continued)

<u>YEAR</u>	<u>LABOR COST PER MILE</u>	<u>AVERAGE NUMBER OF EMPLOYEES</u>	<u>AVERAGE MONTHLY PAY PER EMPLOYEE</u>
1953	21.72¢	116	\$349.83
1954	20.97¢	109	368.36
1955	20.93¢	111	352.05
1956	20.79¢	117	361.03
1957	21.93¢	120	366.99
<u>ANNUAL INCREASE IN HIGHWAY TAXES SINCE JULY 1, 1956</u>			<u>AVERAGE ANNUAL COLORADO TAXES - 1952-1957</u>
\$6,252			\$88,556

DENVER-SALT LAKE & PACIFIC STAGES

	<u>OPERATING REVENUES</u>	<u>OPERATING EXPENSES</u>	<u>NET OPERATING REVENUES</u>	<u>OPERATING RATIO</u>	<u>OPERATING COST PER BUS-MILE</u>
1953	\$237,740	\$234,168	\$3,572	98.5%	29.67¢
1954	219,079	227,183	(8,104)	103.7%	28.93¢
1955	216,507	223,096	(6,589)	103.04%	27.61¢
1956	218,352	240,555	(22,203)	110.17%	28.79¢
1957	257,559	263,349	(5,790)	102.25%	32.41¢

	<u>PASSENGERS HANDLED</u>	<u>DRIVERS' PAY PER BUS-MILE</u>	<u>EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS</u>			
			<u>MECHANICS</u>	<u>MECHANICS' HELPERS</u>	<u>SERVICE- MEN</u>	<u>WORKING FOREMEN</u>
1953	70,886	\$.07367	-	-	-	-
1954	60,665	.07417	-	-	-	-
1955	59,895	.07517	-	-	-	-
1956	57,940	.07667	-	-	-	-
1957	60,887	.07917	-	-	-	-

	<u>LABOR COST PER MILE</u>	<u>AVERAGE NUMBER OF EMPLOYEES</u>	<u>AVERAGE MONTHLY PAY PER EMPLOYEE</u>
1953	12.37¢	15	\$385.91
1954	11.56¢	14	396.74
1955	11.15¢	12	434.01
1956	11.68¢	11	465.98
1957	10.96¢	12	439.34

<u>ANNUAL INCREASE IN HIGHWAY TAXES SINCE JULY 1, 1956</u>	<u>AVERAGE ANNUAL COLORADO TAXES - 1952-1957</u>
\$1,590	\$15,730

Parenthesis () Denotes Red Figure.

TRANSCONTINENTAL BUS SYSTEM, INC.
CONTINENTAL CENTRAL LINES DIVISION

YEAR	OPERATING REVENUES	OPERATING EXPENSES	NET OPERATING REVENUES	OPERATING RATIO	OPERATING COST PER BUS-MILE
1953	\$6,915,272	\$7,185,477	\$ (270,205)	103.9%	34.02¢
1954 (1)	3,469,092	4,484,261	(1,015,169)	129.3	38.35¢
1955	4,765,318	5,174,820	(409,502)	108.6	33.86¢
1956	4,840,290	5,104,070	(263,780)	105.4	35.52¢
1957	5,324,542	5,277,865	46,677	99.1	37.02¢

(1) No operation from June 4 to October 10, 1954, due to drivers' strike.

	PASSENGERS HANDLED	DRIVERS' PAY PER BUS-MILE	EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS			
			MECHANICS	MECHANICS' HELPERS	SERVICE- MEN	WORKING FOREMEN
1953	3,519,982	\$.0725	\$1.90	\$1.80	\$1.45	\$2.09
1954 (1)	1,697,005	.0700 (1)	1.94	1.84	1.60	2.134
1955	2,169,659	.0700	1.94	1.84	1.75	2.134
1956	1,939,319	.07125	2.06	1.96	1.87	2.266
1957	1,787,352	.0750	2.16	2.06	1.97	2.376

(1) No operation from June 4 to October 10, 1954, due to drivers' strike.

	LABOR COST PER MILE	AVERAGE NUMBER OF EMPLOYEES	AVERAGE MONTHLY PAY PER EMPLOYEE
1953	\$.1447	710	\$358.64
1954 (1)	.1661	500	323.64
1955	.1556	547	362.36
1956	.1607	519	370.46
1957	.1673	522	380.91

(1) No operation from June 4 to October 10, 1954, due to drivers' strike.

ANNUAL FEDERAL FUEL & OIL TAXES ON COLORADO INTRASTATE BUSINESS 1952 - 1957	INCREASE 1956-1957 OVER 1954-1955 (FEDERAL TAXES)	AVERAGE ANNUAL COLORADO FUEL AND OIL TAXES 1952 - 1957
\$72,451.60	\$38,779.00	\$10,888.70

Parenthesis () Denotes Red Figure.

CENTRAL GREYHOUND LINES
(DIVISION OF THE GREYHOUND CORPORATION)

	OPERATING REVENUES	OPERATING EXPENSES	NET OPERATING REVENUES	OPERATING RATIO	BUS-MILES OPERATED
1956	\$42,943,982	\$40,759,391	\$2,184,591	94.9%	90,895,270
1957	44,813,431	43,389,202	1,424,229	96.8%	89,720,096
	NET OPERATING INCOME PER MILE	OPERATING REVENUE PER MILE	OPERATING EXPENSE PER MILE		
1956	2.40¢	47.24¢	44.84¢		
1957	1.59¢	49.95¢	48.36¢		

CENTRAL GREYHOUND LINES
(DIVISION OF THE GREYHOUND CORPORATION) (Continued)

COST OF LIVING INCREASE

<u>EFFECTIVE</u>	<u>PER HOUR</u>	<u>PER MILE</u>
8/1/56	1¢	.5 mills
11/1/56	2¢	1.0 mill
2/1/57	1¢	.5 mills
5/1/57	1¢	.5 mills
8/1/57	1¢	.5 mills
11/1/57	2¢	1.0 mill

ANNUAL INCREASE IN
FEDERAL HIGHWAY TAX
SINCE JULY 1, 1956

\$239,605

AVERAGE ANNUAL OPERATING
TAXES PAID TO STATE OF
COLORADO - 1952-1957

\$46,105.67

<u>YEAR</u>	<u>DRIVERS' PAY PER BUS-MILE</u>	<u>EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS</u>			
		<u>MECHANICS</u>	<u>MECHANICS' HELPERS</u>	<u>SERVICE- MEN</u>	<u>TICKET AGENTS</u>
1953	\$.0810	\$2.08	\$1.685	\$1.575	\$1.985
1954	.0835	2.13	1.735	1.625	2.035
1955	.0850	2.16	1.765	1.655	2.065
1956	.0905	2.27	1.875	1.765	2.175
1957	.0970	2.42	2.025	1.915	2.325

SOUTHWESTERN GREYHOUND LINES, INC.

	<u>OPERATING REVENUES</u>	<u>OPERATING EXPENSES</u>	<u>NET OPERATING REVENUES</u>	<u>OPERATING RATIO</u>	<u>OPERATING COST PER BUS-MILE</u>
1953	\$19,421,588	\$16,456,182	\$2,965,406	84.7%	35.79¢
1954	19,049,607	15,503,022	3,546,585	81.4%	36.22¢
1955	19,152,235	15,760,440	3,391,795	82.3%	37.41¢
1956	20,238,955	16,470,998	3,767,957	81.4%	38.81¢
1957	21,928,400	18,491,539	3,436,861	84.3%	42.35¢

	<u>PASSENGERS HANDLED</u>	<u>DRIVERS' PAY PER BUS-MILE</u>	<u>EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS</u>					
			<u>MECHANICS</u>	<u>SERVICE- MEN</u>	<u>WORKING FOREMAN</u>	<u>TICKET A</u>	<u>AGENT B</u>	<u>C</u>
1953	7,048,691	\$.0800	\$1.82	\$1.18	\$1.99	\$1.88	\$1.77	\$1.66
1954	6,494,594	-	-	-	-	-	-	-
1955	6,205,988	.0840	1.97	1.33	2.17	1.96	1.85	1.76
1956	6,009,931	.0905	2.00	1.36	2.20	2.11	1.98	1.87
1957	5,906,364	.0975	2.20	1.50	2.40	2.28	2.15	2.04

	<u>LABOR COST PER MILE</u>	<u>AVERAGE NUMBER OF EMPLOYEES</u>	<u>AVERAGE MONTHLY PAY PER EMPLOYEE</u>
1953	18.60¢	2,059	\$346.00
1954	19.85¢	1,919	369.00
1955	20.19¢	1,852	383.00
1956	20.72¢	1,856	395.00
1957	23.19¢	1,977	427.00

SOUTHWESTERN GREYHOUND LINES, INC. (Continued)

<u>YEAR</u>	<u>COLORADO</u>		<u>PER CENT OF TOTAL</u>	
	<u>OPERATING REVENUES</u>	<u>OPERATING EXPENSES</u>	<u>REVENUE</u>	<u>EXPENSES</u>
1957	\$839,419	\$811,345	3.83%	4.39%

Estimated Increase in 1958 operating expenses over 1957 expenses as a result of known cost of living and contractual wage increases.

	<u>COST OF LIVING</u>	<u>CONTRACT</u>	<u>TOTAL</u>
OPERATORS	\$77,191	\$222,013	\$299,204
STATION EMPLOYEES	36,000	140,900	176,900
MAINTENANCE EMPLOYEES	-	127,000	127,000
TOTAL	113,191	489,913	603,104

CONTINENTAL BUS SYSTEM, INC.

	<u>OPERATING REVENUES</u>	<u>OPERATING EXPENSES</u>	<u>NET OPERATING REVENUES</u>	<u>OPERATING RATIO</u>
1953	\$6,327,084	\$5,975,775	\$351,309	94.45%
1954	5,768,467	5,604,726	163,741	97.16%
1955	5,713,792	5,419,271	294,521	94.85%
1956	5,907,493	5,632,485	275,008	95.34%
1957	6,403,432	6,112,835	290,597	95.46%

	<u>AVERAGE NUMBER OF EMPLOYEES</u>	<u>AVERAGE MONTHLY PAY PER EMPLOYEE</u>
1953	799	\$332.79
1954	798	337.15
1955	761	346.27
1956	763	354.44
1957	754	376.88

CONTINENTAL BUS SYSTEM, INC.
ROCKY MOUNTAIN DIVISION

	<u>PASSENGERS HANDLED</u>	<u>OPERATING COST PER BUS-MILE</u>	<u>DRIVERS' PAY PER BUS-MILE</u>
1953	547,012	33.81¢	\$.0675
1954	484,279	32.28¢	.0700
1955	503,913	32.20¢	.0725
1956	472,315	34.93¢	.07375
1957	458,558	37.14¢	.07625

EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS

	<u>MECHANICS</u>	<u>APPRENTICES</u>	<u>SERVICEMEN</u>	<u>WORKING FOREMEN</u>	<u>PARTS ROOM</u>
1953	\$1.75	\$1.72	\$1.23	\$1.85	\$1.30
1954	1.80	1.77	1.28	1.90	1.35
1955	1.80	1.77	1.28	1.90	1.35
1956	1.99	1.96	1.39	2.09	1.44
1957	2.14	2.11	1.54	2.24	1.59

COLORADO MOTORWAY, INC.

<u>YEAR</u>	<u>OPERATING REVENUES</u>	<u>OPERATING EXPENSES</u>	<u>NET OPERATING REVENUES</u>	<u>OPERATING RATIO</u>	<u>OPERATING COST PER BUS-MILE</u>
1954	\$158,513	\$157,985	\$ 528	99.67%	35.82¢
1955	169,354	153,542	15,812	90.66%	33.38¢
1956	170,267	149,125	21,142	87.58%	34.83¢
1957	180,418	170,398	10,020	94.45%	42.50¢

EMPLOYEES' PAY PER HOUR, OTHER THAN DRIVERS

	<u>PASSENGERS HANDLED</u>	<u>DRIVERS' PAY PER BUS-MILE</u>	<u>MECHANICS</u>	<u>SERVICEMEN</u>
1954	138,533	\$.0711	\$1.65	\$1.18
1955	137,924	-	-	-
1956	133,863	-	-	-
1957	132,472	.075	2.00	1.40

WESS CLARK & FLOYD CLARK
D/B/A

CHAMA VALLEY LINES

	<u>OPERATING REVENUES</u>					<u>% PASSENGERS & EXPRESS OF TOTAL</u>
	<u>MAIL CONTRACTS</u>	<u>PASSENGERS & EXPRESS</u>	<u>TOTAL</u>	<u>OPERATING EXPENSES</u>	<u>OPERATING RATIO</u>	
1953	\$20,042.40	\$43,753.56	\$63,795.96	\$60,885.79	95.4%	68.58
1954	20,091.45	40,716.11	60,807.56	54,923.00	90.3%	66.96
1955	20,104.60	29,445.68	49,550.28	46,648.81	94.0%	59.42
1956	23,050.59	23,668.44	46,719.03	41,936.22	89.0%	50.66
1957	22,943.34	21,890.93	44,834.27	39,046.31	87.1%	48.82

	<u>PASSENGERS HANDLED</u>	<u>OPERATING COST PER BUS-MILE</u>
1953	31,876	19.53¢
1954	28,666	19.14¢
1955	21,276	16.63¢
1956	15,006	20.32¢
1957	13,916	16.12¢

original

(Decision No. 50045)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DONALD L. CHIDO, ROUTE 3, BOX 645-C,)
GOLDEN, COLORADO, FOR AUTHORITY TO)
TRANSFER PUC NO. 2875 TO RAYMOND W.)
JENKINS AND NORRIS M. NELSON, CO-) APPLICATION NO. 16157-Transfer
PARTNERS, DOING BUSINESS AS "MOUN-)
TAIN DISPOSAL SERVICE," 1225 18TH)
STREET, GOLDEN, COLORADO.)

April 14, 1958

Appearances: Donald L. Chido, Golden,
Colorado, pro se;
Norris M. Nelsen, Golden,
Colorado, for Transferees.

S T A T E M E N T

By the Commission:

By the above-styled application, Donald L. Chido, Golden, Colorado, owner and operator of PUC No. 2875, seeks authority to transfer said operating rights to Raymond W. Jenkins and Norris M. Nelsen, co-partners, doing business as "Mountain Disposal Service," Golden, Colorado, said PUC No. 2875 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, garbage, rubbish, and kindred matters,
on call and demand, within that portion of
Jefferson County lying west of an imaginary
line running north and south which would
parallel the west City Limits of the City of
Morrison, Colorado, excluding from said area
the City of Golden, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, the Commission, as provided by law, designated Louis J. Carter, an employee of the Commission, to con-

duct 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, Donald L. Chido, transferor herein, testified that he has entered into a Contract of Sale with Raymond W. Jenkins and Norris M. Nelsen, to sell PUC No. 2875; that he has received a down-payment of \$500, and a note for the balance of the purchase price, which is to be paid at the rate of \$50 per month, plus ten per cent of the gross receipts over \$300 received by transferees from operations to be conducted under said PUC No. 2875; that there are no outstanding obligations against said operating rights.

Norris M. Nelsen testified that he and Raymond W. Jenkins had agreed to purchase PUC No. 2875; that Jenkins was an experienced trash-hauler, having worked for transferor; that both he and Mr. Jenkins proposed to work in said operation; that he is the owner of a 1956 three-fourths-ton G.M.C. Truck; that transferees' net worth is \$12,000.

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

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

Report of the Examiner recommends that transfer should 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 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 hereby is, approved.

That Donald L. Chido, Golden, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2875 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to Raymond W. Jenkins and Norris M. Nelson, co-partners, doing business as "Mountain Disposal Service," Golden, 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 transferees, 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.

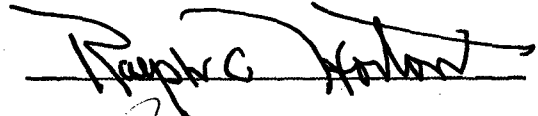
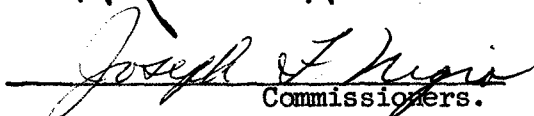
The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferees until changed according to law and the rules and regulations of this Commission.

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 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 THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1958.

mls

original

(Decision No. 50046)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEONARD WARD, 3141 SOUTH SANTA FE)
DRIVE, ENGLEWOOD, COLORADO, AND)
JAMES WYCKOFF, 3358 SOUTH EMERSON)
STREET, ENGLEWOOD, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16161

April 14, 1958

Appearances: Leonard Ward, Englewood,
Colorado, for Appli-
cants;
Robert E. McLean, Esq.,
Denver, Colorado, for
Ralph Shimel, Westway
Motor Freight, Golden
Ice and Hauling;
Donald L. Chido, Golden,
Colorado, for Frenchie's
Clean-up Service.

S T A T E M E N T

By the Commission:

Applicants herein seek a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of ashes, trash, and other waste materials within the City of Golden, 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, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, Leonard Ward testified he is one of the applicants herein; that he owns no equipment, but has had experience in ash and trash hauling, having driven for Englewood Pick-up Service; that he has had some requests for his proposed service; that he has not checked with authorities in Golden relative to need for his proposed service; that his net worth is \$2,000.

Elsie Smith, of Golden, Colorado, testified she felt there was some need for applicants' proposed service, but that at the present time, her husband hauls trash from their home.

Mabel Byrd, of Golden, Colorado, testified in support of said application, but admitted that her husband hauled their trash.

In opposition to granting of the authority herein sought, Donald L. Chido, Ralph Shimel, and LaVerna Dinkmyer testified for Frenchie's Clean-up Service, Westway Motor Freight, and Golden Ice and Hauling, stating that each of them is engaged in the transportation of ashes and trash in the territory sought to be served by applicants herein; that each has equipment which is idle; that they could handle more business; that there is no need for additional ash and trash service in said territory.

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

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 do not require applicants' proposed motor vehicle common carrier operations, and that the above-styled application should be denied.

O R D E R

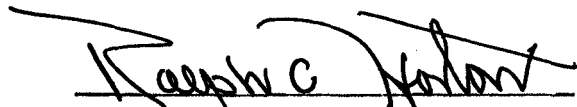
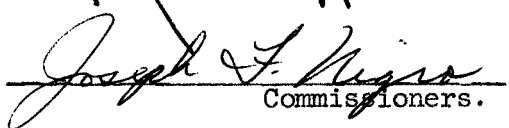
THE COMMISSION ORDERS:

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

That Application No. 16161 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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1958.

mls

revised

(Decision No. 50047)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE A. VALENCOUR, DOING BUSI-)
NESS AS "ACME SANITARY SERVICE,")
4704 TEJON STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)

APPLICATION NO. 16169

April 14, 1958

Appearances: J. V. Connor, Esq., Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to engage in the business of furnishing sanitary services at any location within the City and County of Denver, State of Colorado, and within the territory within a general radius of one hundred and twenty-five miles of said 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, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, applicant testified that he is engaged in the business of furnishing sanitary services within the City and County of Denver and the territory described in his application; that he has conducted said business for a period of fifteen years, and uses five tank trucks in this service; that his net worth is \$50,000.

Neil G. Grant, a member of the staff of this Commission, testified that there had been some question as to whether or not persons engaged in sanitary services should be required to obtain authority from this Commission; that until about three months ago, no effort had been made to require said operators to obtain authority from this Commission.

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 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 Findings should be, and the same hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Lawrence A. Valencour, doing business as "Acme Sanitary Service," Denver, Colorado, for the transportation of refuse, offal, and other waste materials, in the operation of a sanitary service, within the City and County of Denver, and within a radius of twenty-five miles of said City and County of Denver; and, in addition, at any location in any area reached or served by the following designated U. S. or State Highways, to the points indicated:

1. U. S. Highways 85 and 87 south to the Town of Monument, Colorado;
2. State Highway No. 83 south to the junction of U. S. Highways 85 and 87;
3. U. S. Highway No. 285 west to the Town of Fairplay, Colorado;
4. U. S. Highway No. 6 west to the Town of Frisco, Colorado;
5. U. S. Highway No. 40 west to the Town of Steamboat Springs, Colorado;
6. State Highway No. 9 between the Towns of Fairplay and Kremmling, Colorado;
7. U. S. Highway No. 34 and State Highway No. 16 between the Towns of Granby and Grand Lake, Colorado;
8. State Highways Nos. 72, 119, 274, 160, and 7, reaching the Towns of Blackhawk, Central City, Pinecliffe, Nederland, East Portal, Ward, and Lyons, Colorado;
9. U. S. Highways Nos. 85, 87, and 287, north to junction with State Highway No. 60;
10. U. S. Highway No. 6 east to the Town of Roggen, Colorado;
11. U. S. Highways Nos. 36, 40, and 287, east to junction with State Highway No. 71;
12. State Highway No. 86 east to junction with U. S. Highways Nos. 40 and 287;
13. State Highways Nos. 103 and 5 to the summit of Mount Evans;

to regularly-designated and approved disposal places, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

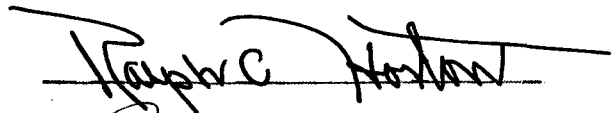

That applicant shall file tariffs of rates, rules and regulations as required by the rules and regulations of this Commission within twenty days from date.

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



Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 14th day of April, 1958.

mls

original

(Decision No. 50048)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DENVER SANITARY COMPANY, A COLO-)
RADO CORPORATION, 3161 WALNUT STREET,)
DENVER, COLORADO, FOR A CERTIFICATE) APPLICATION NO. 16154
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
- - - - -)

- - - - -
April 15, 1958
- - - - -

Appearances: Otto Halkowicz, Denver,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to engage in the cleaning of cess pools, septic tanks, sand and grease traps.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, Otto Halkowicz testified he is President of applicant herein; that said company has been in sanitary service since 1920, serving the City and County of Denver and the territory described in the instant

application; that said company owns one tank-truck, properly equipped to render this service; that there is a need for said service.

Neil G. Grant, an employee of the Commission, testified there had been some question as to whether or not persons engaged in sanitary service should be required to obtain authority from this Commission; that until approximately three months ago, no effort had been made to require said operators to obtain authority from this Commission.

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 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 The Denver Sanitary Company, a Colorado corporation, Denver, Colorado, for the transportation of refuse, offal, and other waste

materials produced in the cleaning of septic tanks, cess pools, grease and sand traps, between points within the City and County of Denver and within a sixty-five-mile radius thereof, excluding therefrom points contiguous to and lying one mile on each side of U. S. Highway No. 6, when said points are beyond 30 miles northeast of Denver, and all points contiguous to and lying one mile on each side of U. S. Highway No. 85, when said points are beyond 30 miles north of Denver, and points contiguous to and lying one mile on each side of U. S. Highway No. 87 and the Boulder Turnpike, when said points are beyond 20 miles north of Denver; and from said territory, to regularly-designated and approved disposal places, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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.

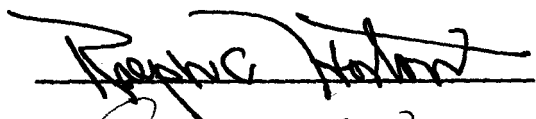
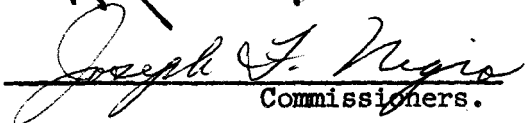
This Order shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.

ea



Commissioners.

original

(Decision No. 50049)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PETE DURAN, 3485 WEST DAKOTA AVENUE,)	
DENVER, COLORADO, FOR AUTHORITY TO)	
TRANSFER PUC NO. 3287 TO HARRY J.)	<u>APPLICATION NO. 16155-Transfer</u>
HUMPHRYES, 3072 SOUTH CORONA STREET,)	
ENGLEWOOD, COLORADO.)	

April 15, 1958

Appearances: James E. Turre, Esq., Englewood, Colorado, for Applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, Pete Duran, Denver, Colorado, owner and operator of PUC No. 3287, seeks authority to transfer said operating rights to Harry J. Humphryes, Englewood, Colorado, said PUC No. 3287 being the right to operate as a common carrier by motor vehicle for hire, for the transportation of:

ashes, trash, and other refuse, between points within the City and County of Denver, and from points within said City and County of Denver, to regularly-designated and approved dumps and disposal plants within the Counties of Adams, Arapahoe, and Jefferson, 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, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, Pete Duran, transferor herein, testified he is the owner of PUC No. 3287; that he had entered into a Contract of Sale to sell said operating rights to Harry J. Humphryes; that there are no outstanding operating obligations against said certificate; that the consideration for transfer of said operating rights, truck, and business, is the sum of \$1,350.00.

Harry J. Humphryes, transferee herein, testified he was the buyer of PUC No. 3287, and intended to devote his full time to operations thereunder; that his net worth is approximately \$6,500.00.

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

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

Report of the Examiner recommends that said transfer should 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 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 Findings should be, and hereby is, approved.

That Pete Duran, Denver, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and

to PUC No. 3287 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to Harry J. Humphryes, Englewood, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

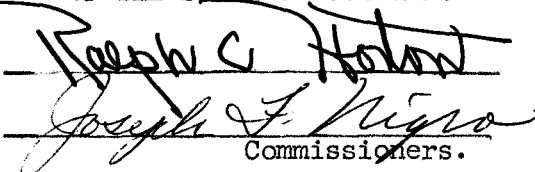
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 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


Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.
mls

original

(Decision No. 50050)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
OTTO HALKOWIEZ AND LUCY B. COYKEN-)
DALL, CO-PARTNERS, DOING BUSINESS)
AS "COLORADO SANITARY COMPANY," 1416)
32ND STREET, DENVER, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16153

April 15, 1958

Appearances: Otto Halkowicz, Denver,
Colorado, for Appli-
cants.

S T A T E M E N T

By the Commission:

Applicants herein seek a certificate of public convenience and necessity, authorizing them to engage in the business of sanitary service, cleaning cesspools, sand traps, grease traps, and septic tanks, within a sixty-mile radius of Denver, Colorado, excluding from said radius all territory beyond 35 miles northeast of Denver contiguous to U. S. Highway No. 6, and all territory beyond 30 miles north of Denver contiguous to U. S. Highway No. 85, and all territory beyond twenty miles north of Denver contiguous to U. S. Highway No. 87 and the Boulder Turnpike.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, Otto Halkowicz testified in behalf of applicants, stating they had purchased this business in 1942, and have operated it since that time; that they have operated within the City and County of Denver and a sixty-mile radius thereof, with some exceptions, rendering a general sanitary service, cleaning septic tanks, cesspools, grease and sand traps; that the net worth of said partnership is \$6,000; that they own two tank trucks properly equipped to render this service.

Neil G. Grant, a member of the staff of this Commission, testified there had been some question as to whether or not persons engaged in sanitary service should be required to obtain authority from this Commission; that until about three months prior to hearing, no effort had been made to require said operators to obtain authority.

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

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

Report of the Examiner recommends that certificate of public convenience and necessity issue to applicants 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 applicants' 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 the same hereby is, approved.

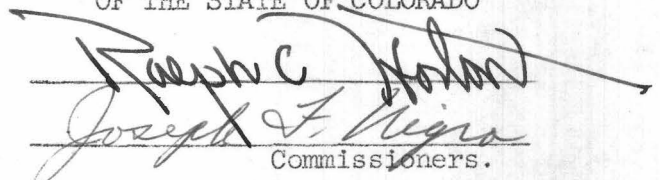
That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Otto Halkowicz and Lucy B. Coykendall, co-partners, doing business as "Colorado Sanitary Company," Denver, Colorado, for the transportation of refuse, offal, and other waste materials produced in the cleaning of septic tanks, cesspools, grease and sand traps, between points within the City and County of Denver, and within a sixty-mile radius thereof, excluding therefrom points contiguous to and lying one mile on each side of U. S. Highway No. 6, when said points are beyond 35 miles northeast of Denver, and all points contiguous to and lying one mile on each side of U. S. Highway No. 85, when said points are beyond 30 miles north of Denver, and points contiguous to and lying one mile on each side of U. S. Highway No. 87 and the Boulder Turnpike, when said points are beyond 20 miles north of Denver; and from said territory, to regularly-designated and approved disposal places, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.
mls

The Applicant is engaged in the business of purchasing, acquiring, accumulating electric energy and distributing and selling and furnishing electric energy to its members and non-member consumers on lines purchased from Eagle River Electric Company, Commission's Decision No. 21764 of December 29, 1943, Application No. 2135A, and purchased from the Mountain Utilities Corporation, Commission's Decision No. 41079, of August 7, 1953, Application No. 12430-Transfer, all in the Counties of Eagle, Garfield, Gunnison and Pitkin, in the State of Colorado. By Commission Decision No. 45671, of April 18, 1956, Application No. 14245-Transfer, the electric distribution system within the city limits of Aspen and the generation facilities in Pitkin County were authorized to be transferred to the City of Aspen and were so transferred. The principal office of Applicant is located at Glenwood Springs, Colorado.

Mr. W. E. Parkison, Attorney for the Holy Cross Electric Association, Inc., testified that the \$773,000.00 loan is required for the construction, completion and extension of electric distribution facilities, and for the reimbursement of general funds derived from income previously expended for (1) acquisition of real estate and improvements thereon, (2) acquisition of work equipment and (3) construction of electric distribution facilities. Of the \$773,000.00, the Association estimates that \$230,476.00 will be expended for electric facilities within the certificated areas. Applicant testified also that approximately \$190,000 of the \$230,476 would be expended in the territory around the City of Aspen and that after such construction there would remain no longer any of the purchased facilities from Mountain Utilities Corporation. It is on this amount of \$230,476.00 that the fee for the issuance of this certificate is based.

The Applicant's witness testified that the Holy Cross Electric Association, Inc., proposes to borrow \$773,000.00 to be made available under the proposed Amending Loan Contract, dated as of Feb-

ruary 17, 1958, limiting borrowings to not to exceed \$2,330,000.00, Exhibit No. C. This borrowing will be evidenced by a Mortgage Note for \$773,000.00 by the Holy Cross Association to the United States of America, dated February 20, 1958, and entered as Exhibit No. D in these proceedings. Also introduced at the hearing as Exhibit No. E is a copy of the Supplemental Mortgage to be executed by Applicant in favor of the United States of America, dated February 21, 1958, whereby Applicant mortgages and pledges all its property now owned or hereafter acquired for security for the payment of certain notes, including the Mortgage Note, Exhibit No. D, referred to above. Exhibits C, D, and E are hereby made a part of this Statement by reference.

The Supplemental Mortgage pertaining to the \$773,000.00 borrowing, Exhibit No. E, dated February 21, 1958, summarizes the heretofore duly authorized and executed mortgage notes including the present proposed \$773,000.00 note as follows:

<u>DATE</u>	<u>PRINCIPAL AMOUNT</u>	<u>FINAL PAYMENT DATE</u>
1. September 5, 1940	\$ 119,000	September 5, 1965
2. July 25, 1941	176,000	July 25, 1966
3. May 5, 1943	60,500	May 5, 1968
4. July 28, 1947	114,500	July 28, 1982
5. December 13, 1947	260,000	December 13, 1982
6. March 15, 1950	195,000	March 15, 1985
7. May 15, 1953	635,000	May 15, 1988
8. February 20, 1958	<u>773,000</u>	February 20, 1993
Total	\$2,333,000	

The Applicant also introduced its Balance Sheet as of December 31, 1957, Exhibit B, and its Operating Statement for the calendar Year 1957, Exhibit No. A, which are included in this Statement by reference. Total operating revenues in 1957 amounted to \$237,404.92; total cost of electric service amounted to \$199,463.81, thus leaving an excess of earnings of \$37,941.11. These earnings compare with \$26,160.25 for the Year 1956. Since the Company's inception, earnings have exceeded cost of service by a total of \$124,413.21, including the \$37,941.11

earned in the Year 1957. As of December 31, 1957, total electric plant, including \$104,011.49 of construction work in progress amounted to \$1,524,620.70 as compared to a total debt to the Rural Electrification Administration of \$1,312,270.04. Net plant, including the construction work in progress, stood at \$1,194,639.96 at the end of the Year 1957.

Applicant's witness testified that the Company is current in its interest payments and its repayment of debt to the Rural Electrification Administration and that it is the belief of management that the Association will be fully able to meet future obligations occasioned by the proposed borrowing of \$773,000.00 if approved.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the Holy Cross Electric Association, Inc., as to the properties and facilities previously certificated by this Commission.

That the Commission is fully advised in the premises.

That the above and foregoing Statement be incorporated as a part of these Findings, by reference.

That the issuance by Holy Cross Electric Association, Inc., of the Mortgage Note in the principal amount of \$773,000.00, dated February 20, 1958, Exhibit No. D, should be authorized and approved.

That the issuance by Holy Cross Electric Association, Inc., of the Amendment dated February 17, 1958, to the Amending Loan Contract, dated as of April 27, 1953, Exhibit No. C, should be authorized and approved.

That the issuance by Holy Cross Electric Association, Inc., of the Supplemental Mortgage, dated February 21, 1958, Exhibit No. E, should be authorized and approved.

That authorization and approval of the above-described commitments, by Holy Cross Electric Association, Inc., should pertain

only to expenditures of borrowed funds within the acquired certificated areas.

That the use of the borrowed funds by the Holy Cross Electric Association, Inc., for the purposes set forth in the foregoing Statement are not inconsistent with the public interest, or with the provisions of the law governing such transactions and should be approved.

That within one hundred and twenty (120) days of the final execution of the instruments authorized herein, Applicant should file with the Commission one conformed executed copy of each of said instruments.

O R D E R

THE COMMISSION ORDERS:

That the issuance by Holy Cross Electric Association, Inc., of the Mortgage Note in the principal amount of \$773,000.00, dated February 20, 1958, Exhibit No. D, be, and the same is hereby, authorized and approved.

That the issuance by Holy Cross Electric Association, Inc., of the Amendment, dated February 17, 1958, to the Amending Loan Contract, dated as of April 27, 1953, Exhibit No. C, be, and the same hereby is, authorized and approved.

That the issuance by Holy Cross Electric Association, Inc., of the Supplemental Mortgage, dated February 21, 1958, Exhibit No. E, be, and the same hereby is, authorized and approved.

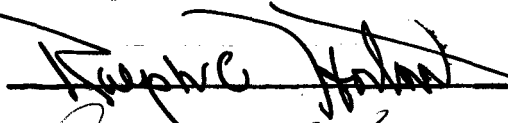

That authorizations and approvals above given relate only to that portion of the expenditures of borrowed funds by Applicant within its certificated areas.

That within one hundred and twenty (120) days of the final execution of the instruments authorized herein, Applicant should file with the Commission one conformed executed copy of each of said instruments.

That the Commission retains jurisdiction of this proceeding to the end that it may make such further Order, or Orders, in the premises as to it may seem to be proper and desirable.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.

mls

original

(Decision No. 50052)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHRIS HUNT, DOING BUSINESS AS "CHRIS)
HUNT WATER HAULING CONTRACTOR," P. O.)
BOX 130, KEYES, OKLAHOMA, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16156

April 15, 1958

Appearances: Chris Hunt, Keyes, Oklahoma,
pro se;
John R. Barry, Esq., Denver,
Colorado, for Basin Truck
Line.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of water, treating oil, and drilling mud, to wells being drilled in the 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, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, applicant herein testified that he is presently operating under Permit No. M-7822, transporting water, treating oil and mud from drilling operators and contractors drilling oil wells between points within the State of Colorado; that he is the owner of six water trucks, but has no trucks in Colorado at the present time; that he has had no calls in Northeastern Colorado, and only one from the Durango Area.

Lawrence Welderkin testified he is Division Sectional Superintendent for Shell Oil Company, covering the Southeastern part of the State of Colorado, including Washington County; that his company drills many oil wells in this section of Colorado; that he believes applicant's service would be of assistance to his company; that he would not call Sterling for service in Baca County, from a trucker living in Sterling, Colorado.

In opposition to the granting of authority herein sought, Cortlandt S. Dietler testified he is connected with Basin Truck Company, operating under PUC No. 2709; that his company offers the services proposed by the instant application; that it has five trucks suitable to render any service sought by this application; that issuance of additional authority would adversely affect the Basin Truck Company.

Report of the Examiner further states that applicant failed to establish public convenience and necessity for his proposed operations; that applicant could not establish statewide need, based on the needs of one customer, who failed to testify that he had had any trouble getting service from the presently-certificated carriers; that applicant, with headquarters in Keyes, Oklahoma, would not be in a better position to render service in Colorado than a carrier domiciled in Sterling, Colorado.

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

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 do not require applicant's proposed motor vehicle common carrier operations, and that said application should be denied.


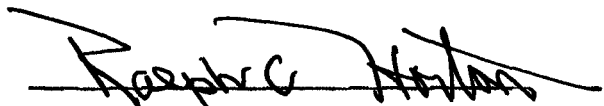

O R D E R

THE COMMISSION ORDERS:

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

That Application No. 16156 should be, and the same hereby is, denied.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
W. L. BRUCE, SR., PLAINVIEW, TEXAS,)
FOR AUTHORITY TO TRANSFER INTER-)
STATE OPERATING RIGHTS TO BRUCE &) PUC NO. 1929-I-Transfer
SON VAN & STORAGE CO., BOX 799,)
PAMPA, TEXAS.)

April 15, 1958

S T A T E M E N T

By the Commission:

Heretofore, W. L. Bruce, Sr., Plainview, Texas, 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. 1929-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Bruce & Son Van & Storage Co., Pampa, Texas.

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, as set forth in the Order following.

O R D E R

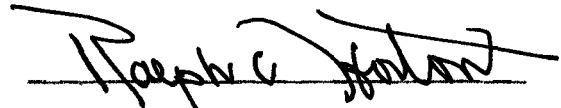

THE COMMISSION ORDERS:

That W. L. Bruce, Sr., Plainview, Texas, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1929-I to Bruce & Son Van & Storage Co., a corporation, Pampa, Texas, subject to payment of outstanding indebtedness

against said certificate, 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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HAROLD J. SHAW AND CLAYTON PHILLIPS,)
IDLEDALE, COLORADO, DOING BUSINESS)
AS "SHAW AND PHILLIPS DISPOSAL," FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16159

April 15, 1958

Appearances: Harold J. Shaw, Idledale,
Colorado, for Applicants;
Robert E. McLean, Esq., Den-
ver, Colorado, for Donald
Chido, S m Basile;
Ralph Shimel, Golden, Colo-
rado, for Westway Motor
Freight, Inc.

S T A T E M E N T

By the Commission:

Applicants herein seek a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of ashes and trash, in Jefferson County, south of West Alameda Avenue and west of Wadsworth Avenue.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, March 13, 1958, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On March 3, 1958, 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, applicants amended their application to show that they sought no authority outside the Town of Morrison, Colorado.

Report of the Examiner further states that at the hearing, Harold J. Shaw testified he resides in Idledale, Colorado, near Morrison, Colorado; that he and Clayton Phillips are applicants herein; that he and Phillips each own a truck, with which they propose to conduct their operations, in the event authority herein sought is granted; that witness had received a license from the City of Morrison, Colorado; that he knows of no one who hauls ashes and trash in Morrison; that his net worth is \$28,000, and that of Phillips is \$15,000; that he formerly was the owner of PUC No. 2827, which he sold to Donald Chido, a protestant herein, in August, 1956, said certificate covering the territory sought to be served by the instant application; that there are approximately sixty-five families and nineteen business houses in Morrison.

In support of the application, Ralph Montgomery testified he is the owner of the Holiday Inn in Morrison; that Don Chido, operating Frenchie's Clean-up Service, did haul his trash; that the service was not adequate, and that the price therefor was raised from four dollars to eight dollars per month; that Sam Basile, operating Sam's Ash and Trash Hauling, hauled his trash for some time, but gave up the service.

Leo St. Peter testified he is the owner of Wayside Inn in Morrison; that he has had to take care of his own trash-hauling; that Frenchie's Clean-up Service had hauled for him, but informed him that inasmuch as the service did not pay, it could not be continued.

Harold C. Jackson, Water Superintendent for the City of Morrison and the owner of White Rock Cafe, testified that there was no service for pick-up of ashes and trash in Morrison; that the service proposed by applicants herein is needed in Morrison.

Wilbur Manley testified he operates a Phillips "66" Service Station in Morrison; that there is a need by him for once-a-week trash service.

Sam Basile, who operates Sam's Ash and Trash Hauling, testified he had four trucks and a pick-up, which he uses in the conduct of his trash-hauling service; that he could only get four customers who would use his services once a week, at one dollar each, in Morrison, and that said service would not pay.

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

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 applicants' proposed 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 Findings should be, and hereby is, approved.

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Harold J. Shaw and Clayton Phillips, co-partners, doing business as "Shaw and Phillips Disposal," Idledale, Colorado, for the transportation of ashes, trash, and other waste materials, between points within the Town of Morrison, Colorado, and from points within said Town of Morrison, Colorado,

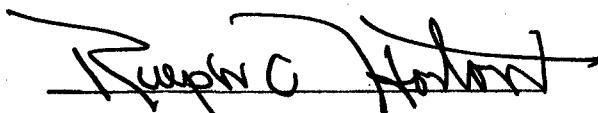

and from points within said Town of Morrison, Colorado, to regularly-designated and approved dumps and disposal places in Jefferson County, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELMO P. KNIGHT, DOING BUSINESS AS)
"KNIGHT ELECTRIC," P. O. BOX 34,)
EATON, COLORADO.)
-----)

PERMIT NO. M-476

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Elmo P. Knight dba Knight Electric
requesting that Permit No. M-476 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-476, heretofore issued to _____
Elmo P. Knight dba Knight Electric be,
and the same is hereby, declared cancelled effective April 3, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. H. S. [Signature]
James Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAX TOPLITZKY, DOING BUSINESS AS)
"M. TOPLITZKY & CO.," 217 DENARGO)
MARKET, DENVER 5, COLORADO.)
-----)

PERMIT NO. M-567

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bernerd E. Schilt
for estate of Max Toplitzky dba M. Toplitzky & Co.
requesting that Permit No. M-567 be cancelled.

FINDINGS

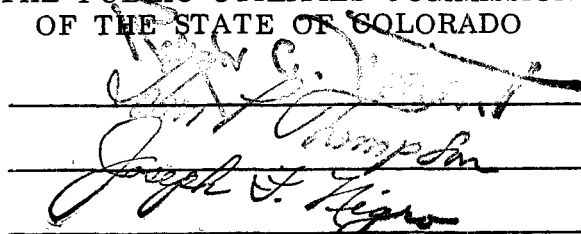
THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-567, heretofore issued to Max Toplitzky dba
M. Toplitzky & Co. be,
and the same is hereby, declared cancelled effective April 2, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE KAVANAUGH INC., 700 LINCOLN ST.,)
DENVER 3, COLORADO.)
-----)

PERMIT NO. M-3602

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Joe Kavanaugh Inc.

requesting that Permit No. M-3602 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3602, heretofore issued to _____
Joe Kavanaugh Inc. _____ be,
and the same is hereby, declared cancelled effective February 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Brown

John T. Thompson

Joseph T. Negro

Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAM BRADDY, 2401 "C" AVENUE, LAWTON,)
OKLAHOMA.)
)
)
)
-----)

PERMIT NO. M-5253

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Sam Braddy

requesting that Permit No. M-5253 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5253, heretofore issued to _____

Sam Braddy _____ be,

and the same is hereby, declared cancelled effective April 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

W. C. Thompson

John Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1958.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER P. DALE, 1286 WEST BAYAUD,)
DENVER 23, COLORADO.) PERMIT NO. ~~M~~-5338
_____))

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Walter P. Dale

requesting that Permit No. M-5338 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5338, heretofore issued to _____

Walter P. Dale _____ be,

and the same is hereby, declared cancelled effective April 11, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALT SCHEUNEMAN, 1222 17TH STREET,)
DENVER 2, COLORADO.)
)
)
)
-----)

PERMIT NO. M-7119

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Ora G. Oliver for estate of Walt Scheuneman
requesting that Permit No. M-7119 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7119, heretofore issued to _____
Walt Scheuneman be,
and the same is hereby, declared cancelled effective March 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOWELL MESERNEY HARDWARE CO., 106)
NORTH TEJON, COLORADO SPRINGS,)
COLORADO.)
-----)

PERMIT NO. M-7297

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Lowell Meserney Hardware Co.

requesting that Permit No. M-7297 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7297, heretofore issued to _____
Lowell Meserney Hardware Co. be,
and the same is hereby, declared cancelled effective November 30, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Frank C. [Signature]
John V. Thompson
Jacques F. Negro
Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARVIN L. ZELINGER, 438 NEWPORT ST.,)
DENVER 20, COLORADO.)

PERMIT NO. M-8431

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Marvin L. Zelinger

requesting that Permit No. M-8431 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8431, heretofore issued to _____

Marvin L. Zelinger be.

and the same is hereby, declared cancelled effective April 2, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Thompson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1958.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRED G. GUSTAFSON, DOING BUSINESS AS)
"ACME AUTO WRECKING & SALVAGE,")
P. O. BOX 16, WHEATRIDGE, COLORADO.)
-----)

PERMIT NO. M-9113

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Fred G. Gustafson dba Acme Auto Wrecking & Salvage
requesting that Permit No. M-9113 be cancelled.

FINDINGS

THE COMMISSION FINDS:

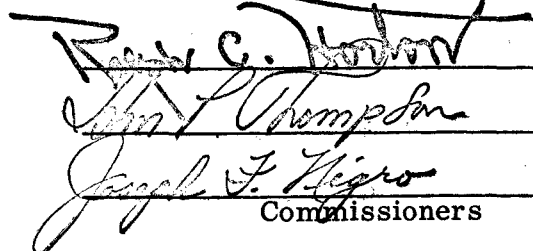
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9113, heretofore issued to _____
Fred G. Gustafson dba Acme Auto Wrecking & Salvage _____ be,
and the same is hereby, declared cancelled effective April 9, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARTIN MACHINE COMPANY, 816 N. EAST)
STREET, KEWANEE, ILLINOIS.)

PERMIT NO. M-10117

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Martin Machine Company _____
requesting that Permit No. M-10117 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10117, heretofore issued to _____
Martin Machine Company _____ be,
 and the same is hereby, declared cancelled effective March 25, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Rev. C. Hunt
 Gen. Chapman
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROSEMARY OSCAR, STAR ROUTE, BELLVUE,)
COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-10431

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Rosemary Oscar
requesting that Permit No. M-10431 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10431, heretofore issued to _____
Rosemary Oscar _____ be,
and the same is hereby, declared cancelled effective March 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John P. Thompson
Joseph J. Negro
Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BEN HERRERA, 2610 STOUT STREET,)
DENVER 5, COLORADO.)
)
)
-----)

PERMIT NO. M-12143

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Ben Herrera
requesting that Permit No. M-12143 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12143, heretofore issued to _____
Ben Herrera _____ be,
and the same is hereby, declared cancelled effective February 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson
John F. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 16th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
O. K. SWENSON, 453 EAST MAIN, TWIN)
FALLS, IDAHO.)
)
)
)
)
-----)

PERMIT NO. M-12473

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

O. K. Swenson

requesting that Permit No. M-12473 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12473, heretofore issued to _____

O. K. Swenson _____ be,

and the same is hereby, declared cancelled effective February 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

John V. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES R. MC BETH, WETMORE, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-12778

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

James R. McBeth

requesting that Permit No. M-12778 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12778, heretofore issued to _____

James R. McBeth be,

and the same is hereby, declared cancelled effective January 16, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD S. JOHNSON, 321 SOUTH 8TH)
STREET, COLORADO SPRINGS, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12825

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Richard S. Johnson
requesting that Permit No. M-12825 be cancelled.

FINDINGS

THE COMMISSION FINDS:

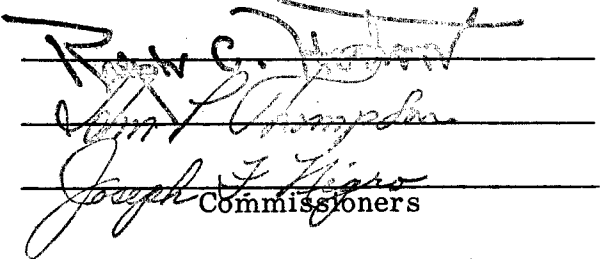
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12825, heretofore issued to _____
Richard S. Johnson _____ be,
and the same is hereby, declared cancelled effective December 31, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
G. L. TAYLOR, DOING BUSINESS AS)
"SOUTH SIDE RECREATION," WEST ELM,)
LAMAR, COLORADO.) PERMIT NO. M-12832
_____))
_____)

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
G. L. Taylor dba South Side Recreation
requesting that Permit No. M-12832 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12832, heretofore issued to _____
G. L. Taylor dba South Side Recreation be,
and the same is hereby, declared cancelled effective January 22, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LUCIANO RODRIGUEZ, BOX 622, ALAMOSA,)
COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-13106

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Luciano Rodriguez

requesting that Permit No. M-13106 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13106, heretofore issued to _____

Luciano Rodriguez _____ be,

and the same is hereby, declared cancelled effective March 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
NOAH R. SMITH, 1913 SOUTH MC AULEY)
DRIVE, WEST MEMPHIS, ARKANSAS.)
)
)
)
-----)

PERMIT NO. M-13159

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Noah R. Smith
requesting that Permit No. M-13159 be cancelled.

FINDINGS

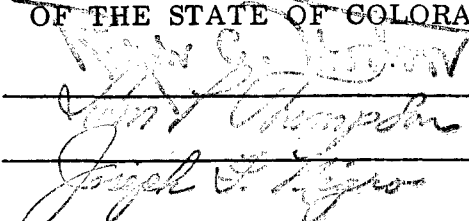
THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13159, heretofore issued to _____
Noah R. Smith _____ be,
and the same is hereby, declared cancelled effective March 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD L. SNOW, PAGOSA SPRINGS,)
COLORADO.) PERMIT NO. M-13205
_____)

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Richard L. Snow

requesting that Permit No. M-13205 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13205, heretofore issued to _____
Richard L. Snow _____ be,
and the same is hereby, declared cancelled effective April 6, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN VERNON ASHBROOK, 9501 WEST)
COLFAX, LAKEWOOD, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13220

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
John Vernon Ashbrook

requesting that Permit No. M-13220 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13220, heretofore issued to _____
John Vernon Ashbrook _____ be,
and the same is hereby, declared cancelled effective April 12, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MARJORIE J. JONES, DOING BUSINESS AS)
"MARGIE'S PIE SHOPPE," 5552 ALCOTT,)
DENVER 11, COLORADO.)
-----)

PERMIT NO. M-13407

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Marjorie J. Jones dba Margie's Pie Shoppe
requesting that Permit No. M-13407 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13407, heretofore issued to _____
Marjorie J. Jones dba Margie's Pie Shoppe be,
and the same is hereby, declared cancelled effective January 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
S. V. SCHENCK, ROUTE 2, MELON AVENUE,)
LA JUNTA, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13478

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

S. V. Schenck

requesting that Permit No. M-13478 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13478, heretofore issued to _____

S. V. Schenck _____ be,

and the same is hereby, declared cancelled effective February 10, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

[Signature]

[Signature]

[Signature]

Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLIFFORD W. WHITAKER, 1133 FLORENCE,)
COLORADO SPRINGS, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13751

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Clifford W. Whitaker
requesting that Permit No. M-13751 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13751, heretofore issued to _____
Clifford W. Whitaker _____ be,
and the same is hereby, declared cancelled effective January 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BENNY NASSER, DOING BUSINESS AS)
"BENNY'S SUPER MARKET," 824 DAYTON,)
AURORA, COLORADO.)
-----)

PERMIT NO. M-13770

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Benny Nasser dba Benny's Super Market

requesting that Permit No. M-13770 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13770, heretofore issued to _____
Benny Nasser dba Benny's Super Market _____ be,
and the same is hereby, declared cancelled effective March 30, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TOMMY G. FOSTER, RT. 1, BOX 70-F,)
LARAMIE, WYOMING.)
)
)
-----)

PERMIT NO. M-13858

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Tommy G. Foster
requesting that Permit No. M-13858 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13858, heretofore issued to _____
Tommy G. Foster _____ be,
and the same is hereby, declared cancelled effective March 10, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EARL S. MANARD, BOX 515, CROWELL,)
TEXAS.)

PERMIT NO. M-14663

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Earl S. Manard

requesting that Permit No. M-14663 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14663 , heretofore issued to _____

Earl S. Manard be.

and the same is hereby, declared cancelled effective April 5, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

R. G. [Signature]
 [Signature]
 J. F. [Signature]
 Commissioners

Dated at Denver, Colorado,

this 16th day of April, 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT J. DENSKY, 4827 WEST 14TH)
AVENUE, DENVER 4, COLORADO.)
)
)
-----)

PERMIT NO. M-14700

April 16, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Robert J. Densky

requesting that Permit No. M-14700 be cancelled.

FINDINGS

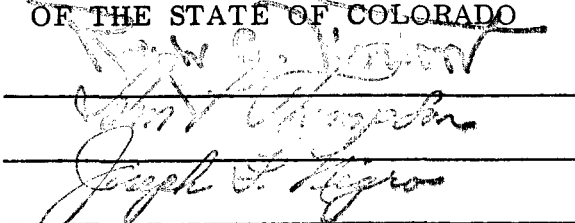
THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14700, heretofore issued to _____
Robert J. Densky _____ be,
and the same is hereby, declared cancelled effective April 9, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 16th day of April, 1958.
ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOWARD L. HERBERTSON, 39 NEWTON)
STREET, DENVER, COLORADO, FOR A CER-)
TIFICATE OF PUBLIC CONVENIENCE AND) APPLICATION NO. 15848
NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

April 15, 1958

Appearances: Howard L. Herbertson, Den-
ver, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of waste materials and trash, from construction jobs 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, November 8, 1957, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On November 7, 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, applicant testified he has been engaged in transportation of waste materials

and trash from construction jobs within the City and County of Denver for the past twenty-five years; that he is the owner of two Chevrolet Trucks, and has a net worth of \$10,000; that he employs a driver to assist him; that the work is of a specialized nature.

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 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 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 Howard L. Herbertson, Denver, Colorado, for the transportation of waste materials and trash, from construction jobs between points within the City and County of Denver, and from points within the City and County of Denver, to regularly-designated and approved dumps and disposal places in Adams, Arapahoe, and Jefferson Counties, State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of

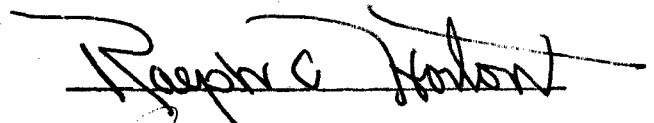
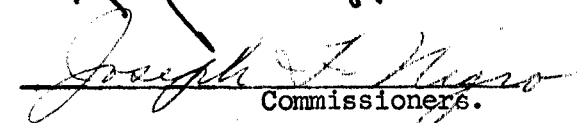
public convenience and necessity therefor.

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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS S. PEAVEY AND CECIL R.)
BELL, DOING BUSINESS AS "BLACK)
FOREST TIMBER PRODUCTS COMPANY,")
RURAL ROUTE 3, BOX 270, COLORADO)
SPRINGS, COLORADO.)

PERMIT NO. M-14503

April 15, 1958

S T A T E M E N T

By the Commission:

On April 9, 1958, the Commission entered its Decision No. 49997, cancelling Permit No. M-14503, due to misinterpretation of a communication addressed to the Commission by said permit-holders.

It now appears that permittees did not desire cancellation of said operating rights.

F I N D I N G S

THE COMMISSION FINDS:

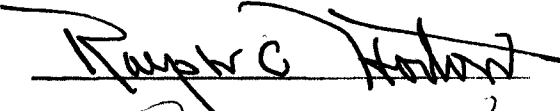
That said permit should be restored to active status.


O R D E R

THE COMMISSION ORDERS:

That Permit No. M-14503 should be, and the same hereby is, reinstated, as of April 3, 1958, Decision No. 49997 being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of April, 1958.

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)
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

APPLICATION NO. 15794

April 14, 1958

Appearances: Floyd T. Harris,
 Ft. Collins, Colorado, Applicant;
 Hafer and Wenke, Esqs., Ft. Collins,
 Colorado, by Harold E. Hafer for
 Applicant.

S T A T E M E N T

By the Commission:

On September 4, 1957, the above-styled application was filed with the Commission, and was set for hearing at the District Court Room, Greeley, Colorado, April 15, 1958, at 10:00 o'clock A. M., due notice of said setting being forwarded to all parties in interest.

The Commission is now in receipt of a communication from Hafer and Wenke, attorneys for applicant requesting the Commission to dismiss 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 hearing in the above-styled application set for April 15, 1958, should be, and the same hereby is vacated.

That Application Number 15794 should be, and the same hereby is, dismissed, at the request of the 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. Hobson
Joseph F. Kigis
Commissioners

COMMISSIONER THOMPSON NOT
PARTICIPATING

(STAL)
APR 15 1958
RECEIVED

Dated at Denver, Colorado,
this 14th day of April, 1958.

original

(Decision No. 50085)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN W. GRAHAM, BOX 1711, COLORADO)	
SPRINGS, COLORADO, FOR AUTHORITY TO)	APPLICATION NO. 16144-PP-Extension
EXTEND OPERATIONS UNDER PERMIT NO.)	
B-5032.)	

April 16, 1958

Appearances: John W. Graham, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application to extend operations under Permit No. B-5032 to include the right to transport coal from coal mines in Fremont, Huerfano and Las Animas Counties to Government installations and coal dealers in and around Colorado Springs and Pueblo, Colorado; and to transport ore for Graham and Desch from points within a radius of twenty-five miles of Gunnison and Cripple Creek, Colorado, to the nearest mill that can handle said ore.

The application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Commissioners' Room at the Court House in Pueblo, Colorado, at ten o'clock A. M., March 24, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant is the present holder of Permit No. B-5032, which is commonly designated as a sand and gravel authority. He has contracts to haul coal from coal mines in Fremont County to Camp Carson, the Pueblo Ordnance Depot, the State Hospital at Pueblo, and the State Prison in Canon City. He has had no requests to haul coal to these points from Huerfano and Las Animas Counties. This Commission,

however, takes official notice of the fact that there are extensive coal mines in Huerfano and Las Animas Counties that may provide coal to these several institutions. Since it is the purpose of this Commission to provide a service to the public, we feel that by granting the authority with respect to coal as requested in the application we make available to the several institutions coal from coal mines not only in Fremont County, but from Huerfano and Las Animas Counties. This, in our opinion, is in the public interest. It is significant that no one protested this phase of the application.

A protest was filed on March 11th -- although no one appeared in person -- by Partch Brothers, the holders of PUC No. 1636. They filed protest opposing the transportation of ore from points within twenty-five miles of Gunnison, Colorado.

It was the testimony of the applicant that he was in partnership with a Mr. Desch, and they are the owners of claims which would produce ore and which would require shipment to mills. In view of the fact that the ore hauling phase of this application is restricted to the ore owned by the applicant and would in no way impair the service of common carriers and in fact raises a serious question whether it constitutes a transportation for hire, the application to haul ore from mines or claims of Graham and Desch only in the Gunnison and Cripple Creek area to mills should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the extension of the authority sought in the instant application is compatible with the public interest, and will not impair the ability of common carriers to serve.

O R D E R

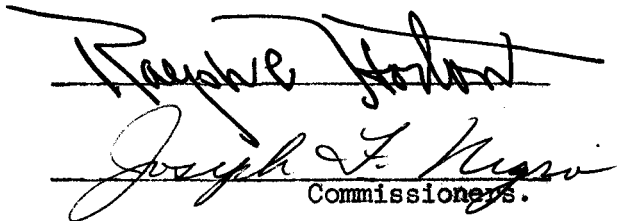
THE COMMISSION ORDERS:

That John W. Graham, Box 1711, Colorado Springs, Colorado, be, and he is hereby, authorized to extend his operations under Per-

mit No. B-5032, to include the right to transport coal from coal mines in Fremont, Huerfano and Las Animas Counties, to Government installations and coal dealers in and around Colorado Springs and Pueblo, Colorado; ore, for Graham and Desch only, from points within a twenty-five mile radius of Gunnison and Cripple Creek, Colorado, respectively, to the nearest mill that can handle said ore.

This Order is made a 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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of April, 1958.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. J. BURRESS, JR., DONALD A. HELLE-)
SEN, AND PAUL W. FARMER, CO-PARTNERS,)
DOING BUSINESS AS "A A TAXICAB COM-)
PANY," 801 NORTH GRAND AVENUE, PUEBLO,) APPLICATION NO. 16177-Transfer
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 3904 TO A A TAXICAB COMPANY,)
INC., 801 NORTH GRAND AVENUE, PUEBLO,)
COLORADO.)

April 16, 1958

Appearances: Frank R. Stewart, Esq.,
Pueblo, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

This is an application to transfer a certain taxicab authority in the City of Pueblo, Colorado, from C. J. Burress, Jr., Donald A. Hellesen, and Paul W. Farmer, co-partners, doing business as "A A Taxicab Company," to A A Taxicab Company, Inc., a corporation.

The application was regularly set for hearing, after appropriate notice to all interested parties, at ten o'clock A. M., March 24, 1958, at the Coutny Commissioners' Room, Pueblo, Colorado, where the matter was heard and taken under advisement.

Originally, the three co-partners were granted authority under PUC No. 3904 to operate a call and demand taxi service in Pueblo and within a fifteen-mile radius thereof. Subsequently and on January 23, 1958, the present applicants, as a co-partnership, acquired the authority of the old Veteran's Taxicab and Transportation Company, being PUC 1007, from Merritt L. Gordon, Receiver and Trustee in Bankruptcy. Since PUC No. 1007 and PUC No. 3904 substantially

overlapped, this Commission, in Decision No. 49486, dated January 23, 1958, modified PUC No. 1007, cancelled PUC No. 3904, and granted the authority for the transfer of PUC No. 1007 to the present co-partnership, A A Taxicab Company.

PUC No. 1007 as it now exists provides as follows:

Transportation of passengers between points (excluding Boone and points east thereof on line of Missouri Pacific Trans. Co.), within a radius of twenty-five miles of Pueblo, and from and to Pueblo and from Beulah. Transportation of passengers and hand baggage throughout the San Isabel Forest area, and between Pueblo on the one hand and Beulah, Rye, Westcliffe, Wetmore, and San Isabel City on the other.

(a) Transportation of passengers, on call and demand, by five-passenger taxicabs, only, from points in the City of Pueblo, Colorado, and points within a radius of twenty-five miles thereof, and from Beulah and the San Isabel National Forest area, to all other points in the State of Colorado; and

(b) subject to rates for service performed under sub-paragraph (a) shall not be less than those set forth in the Statement of this order, unless permission to do so be first obtained from the Commission after notice of application therefor to all competing carriers.

Transportation of passengers and their hand baggage which applicant is now authorized to transport, from point to point within the City of Pueblo, Colorado.

This is the only authority owned by the present A A Taxicab Company, and this is the authority that applicants now seek to transfer to the corporation.

This is merely a formality changing the structure of the entity owning the certificate. The three co-partners are the sole stockholders in the corporation. The corporation has no indebtedness and the respective co-partners have contributed sufficient capital to the corporation as stockholders to establish the financial responsibility of the corporation, which was established to the satisfaction of the Commission. Since the same operators of the present certificate

will be the operators of the corporation, we feel that the company is well qualified to conduct the operation and that this transfer is compatible with the public interest.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed transfer of the authority sought by the application is compatible with the public interest and should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. J. Burress, Jr., Donald A. Hellesen and Paul W. Farmer, co-partners, doing business as "A A Taxicab Company," Pueblo, Colorado, be, and they are hereby, authorized to transfer all their right, title and interest in and to the taxicab authority set forth in PUC No. 1007, which is made a part hereof by reference, to A A Taxicab Company, Inc., a corporation, Pueblo, 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 transferors and transferee, in writing, have advised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of 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.

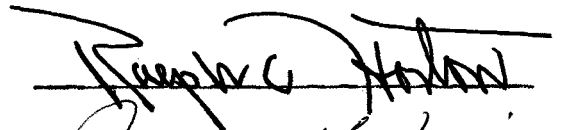

The tariff of rates, rules, and regulations of transferors

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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of April, 1958.

mls

original

(Decision No. 50087)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ELDEN E. ROGERS, DOING BUSINESS AS)
"ROGERS TRUCKING COMPANY," ROUTE 1,)
P. O. BOX 97, BOONE, COLORADO, FOR) APPLICATION NO. 16178-Transfer
AUTHORITY TO TRANSFER PUC NO. 2458)
TO FRANK POTOKER, 1227 BEULAH,)
PUEBLO, COLORADO.)

April 16, 1958

Appearances: Elden E. Rogers, Boone,
Colorado, pro se;
Frank Potoker, Pueblo,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Elden E. Rogers, doing business as "Rogers Trucking Company," is the owner and operator of PUC No. 2458, authorizing the transportation of milk and cream and other dairy products, to Pueblo, Colorado, from the following described territory, together with the back-haul of empty containers:

Beginning at a point 10 miles north of Pueblo, Colorado, thence west 30 miles, thence south 20 miles; thence east approximately 60 miles to State Highway No. 167, thence south to a point 10 miles south of U. S. Highway No. 50, thence east along a line parallel to U. S. Highway No. 50 and 10 miles south thereof to a point directly south of Manzanola, thence north to Manzanola, thence north along the middle of State Highway No. 207 to Crowley, thence north to the intersection of a line drawn east and west 10 miles north of Pueblo, Colorado, thence westerly along said line to the point of beginning.

By the instant application, applicant seeks to transfer his authority under said PUC No. 2458 to Frank Potoker, of Pueblo, Colorado.
The application, pursuant to prior setting, after appropriate

notice to all interested parties, was heard in the County Commissioners' Room, Pueblo, Colorado, at ten o'clock A. M., March 24, 1958, and at the conclusion thereof was taken under advisement.

This is a sale of the authority only for the total sum of \$5,000 in cash. The transferee is well experienced in the transportation business, being the owner and operator of PUC No. 2096. He has ample equipment to carry on the proposed operation and his financial responsibility was established to the satisfaction of the Commission.

There is no outstanding indebtedness against the certificate.

No one appeared in opposition to the transfer and it appears that the transfer is compatible with the public interest and should 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 Elden E. Rogers, doing business as "Rogers Trucking Company," Route 1, P. O. Box 97, Boone, Colorado, be, and he is hereby, authorized to transfer all his right, title and interest in and to PUC No. 2458 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Frank Potoker, 1227 Beulah, Pueblo, 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 ad-

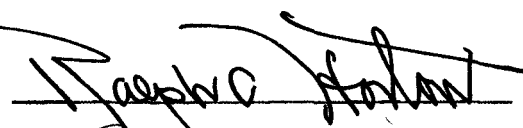

vised the Commission that said certificate has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this 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



Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of April, 1957.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HERBERT WAYNE CLARK AND DAVE B.)
SEALOCK, BURLINGTON, COLORADO.)

PUC NO. 2942-I

April 25, 1958

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Herbert Wayne Clark and Dave B. Sealock, Burlington, Colorado, requesting that Certificate of Public Convenience and Necessity No. 2942-I be cancelled.

F I N D I N G S


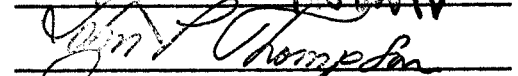
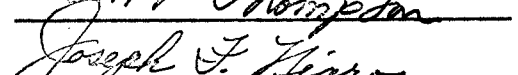
THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate No. 2942-I, heretofore issued to Herbert Wayne Clark and Dave B. Sealock, Burlington, Colorado, be, and the same is hereby, declared cancelled effective April 7, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,
this 25th day of April, 1958

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
U. S. A. C. TRANSPORT, INC., 457)
WEST FORT STREET, DETROIT 26,)
MICHIGAN.)
-----)

PERMIT NO. B-4244-I

April 17, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
U. S. A. C. Transport, Inc.

requesting that Permit No. B-4244-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4244-I, heretofore issued to _____
U. S. A. C. Transport, Inc. _____ be,
and the same is hereby, declared cancelled effective April 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Johnson

John P. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,
this 17th day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AVERY L. CAMPBELL, J. J. CAMPBELL AND)
CARROLL LOFLIN, DOING BUSINESS AS)
"LOFLIN AND CAMPBELL," 2035 BUNTING)
AVENUE, GRAND JUNCTION, COLORADO.)
-----)

PERMIT NO. B-4891-I

April 17, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Avery L. Campbell, J. J. Campbell and Carroll Loflin dba Loflin and Campbell
requesting that Permit No. B-4891-I be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. B-4891-I, heretofore issued to Avery L. Campbell,
J. J. Campbell and Carroll Loflin dba Loflin and Campbell be,
and the same is hereby, declared cancelled effective April 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 17th day of April, 195 8.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONSOF)
A. C. YENTER, BOX 173, ECKLEY,) PUC NO. 1096
COLORADO.)

April 25, 1958

S T A T E M E N T

By the Commission:

On November 5, 1957, the Commission authorized A. C. Yenter to suspend operationsunder his Certificate of Public Convenience and Necessity No. 1096 until April 17, 1958.

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:

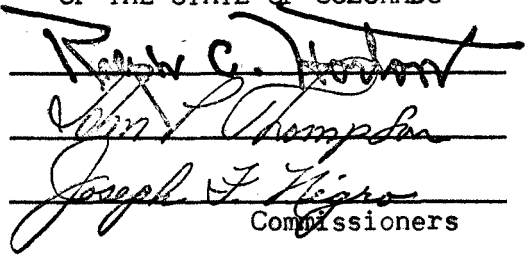
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate of Public Convenience and Necessity No. 1096 should be, and the same hereby is, reinstated as of April 4, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 25th day of April 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ARCADIO PRADO, JR., 4257 QUIVAS)
STREET, DENVER 11, COLORADO.)

PERMIT NO. B-5348

April 25, 1958

S T A T E M E N T

By the Commission:

On January 31, 1958, the Commission authorized Arcadio Prado, Jr., to suspend operations under his Permit No. B-5348 until July 21, 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.

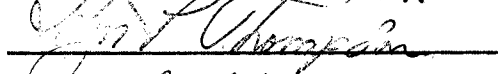
O R D E R

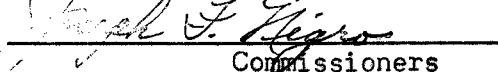
THE COMMISSION ORDERS:

That Permit No. B-5348 should be, and the same hereby is, reinstated as of March 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners

Dated at Denver, Colorado,
this 25th day of April 1958.

ma

original

(Decision No. 50093)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE T. KING, 1826 EAST 15TH, PUEBLO,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 16179

April 17, 1958

Appearances: Joe T. King, Pueblo,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity authorizing the transportation of trash, ashes, rubbish, dirt, junk and other waste material within a 15-mile radius of the City of Pueblo.

The application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at ten o'clock A. M., March 24, 1958, in the County Commissioners' Room, Pueblo, Colorado, and at the conclusion thereof, the matter was taken under advisement.

Applicant has had fifteen years experience as a trucker and has been conducting a trash operation in Pueblo since July, 1955. He has ample equipment to perform this service, and established his net worth to the satisfaction of the Commission.

Chris Bravo, who is a trash hauler in the City of Pueblo, holding PUC No. 2427, testified in behalf of applicant that additional service is required in the City of Pueblo. Mr. Bravo appeared as a public witness and established his qualifications as an expert to

render an opinion concerning the need for additional trash hauling service in Pueblo.

No one appeared in opposition to the granting of the application.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the granting of the instant application, and it does not appear that applicant's operations would impair the ability of existing carriers to serve.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed common carrier call and demand service of Joe T. King, 1826 East 15th, Pueblo, Colorado, for the transportation of trash, ashes, rubbish, dirt, junk and other waste material within a 15-mile radius of the City of Pueblo, Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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. Holmes

Joseph F. Negro
Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of April, 1958.

mls

original

(Decision No. 50094)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAY GONZALES, 1218 MONTERREY, PUEBLO,)
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO OPERATE)
AS A COMMON CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 16180

April 17, 1958

Appearances: Ray Gonzales, Pueblo,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application for a certificate of public convenience and necessity authorising the transportation of trash, ashes, rubbish, dirt, junk and other waste material within a 15-mile radius of the City of Pueblo, Colorado.

The application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at ten o'clock A. M., March 24, 1958, in the County Commissioners' Room, Pueblo, Colorado, and at the conclusion thereof, the matter was taken under advisement.

Applicant is well experience as a truck operator and has some twenty-five customers who depend upon him for his trash hauling service. He has ample equipment to carry on the proposed operation and his financial responsibility was established to the satisfaction of the Commission.

Chris Bravo, who is a trash hauler in the City of Pueblo, holding PUC No. 2427, testified in behalf of applicant and stated that additional service for trash hauling is needed in the City of

Pueblo. Mr. Bravo appeared as a public witness and established his qualifications as an expert to render an opinion concerning the need for additional trash hauling service in Pueblo.

No one appeared in opposition to the granting of the application.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require the granting of the instant application, and it does not appear that applicant's proposed operations will impair the ability of existing carriers to serve.

O R D E R

THE COMMISSION ORDERS:

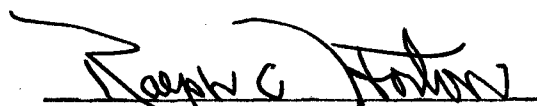

That public convenience and necessity require the proposed common carrier call and demand service of Ray Gonzales, 1218 Monterrey, Pueblo, Colorado, for the transportation of trash, ashes, rubbish, dirt, junk and other waste material within a 15-mile radius of Pueblo, Colorado, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

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



Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of April, 1958.

original

(Decision No. 50095)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WALTER HAMILTON, DOING BUSINESS AS)
"HAMILTON & SONS MOTOR TRANSPORTA-)
TION," 2232 PINE STREET, PUEBLO,)
COLORADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16181-PP

April 17, 1958

Appearances: Walter Hamilton, Pueblo,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, Walter Hamilton, doing business as "Hamilton & Sons Motor Transportation," 2232 Pine Street, Pueblo, Colorado, seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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.

The application, pursuant to prior setting, after appropriate notice to all interested parties, was heard in the County Com-

missioners' Room, Pueblo, Colorado, at ten o'clock A. M., March 24, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant, appearing in his own behalf, testified that he has ample equipment with which to carry on his proposed operation, being well experienced in the trucking business, and established his financial responsibility to the satisfaction of the Commission.

No one appeared in opposition to favorable action on the application, and it does not appear that the granting of the permit, and applicant's operations thereunder will impair the ability of common carriers operating in the territory.

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Walter Hamilton, doing business as "Hamilton & Sons Motor Transportation," 2232 Pine Street, Pueblo, 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.

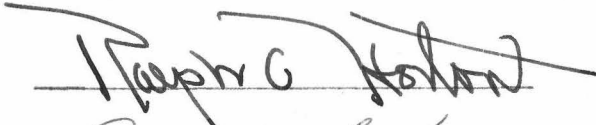

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of April, 1958.

mls

equal

(Decision No. 50096)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
GARNETT P. CALL, DOING BUSINESS AS)	
"VALLEY TAXI SERVICE," 500 SOUTH)	
8TH STREET, ROCKY FORD, COLORADO,)	
FOR AUTHORITY TO TRANSFER PUC NO.)	<u>APPLICATION NO. 16188-Transfer</u>
1989 TO DOROTHY M. HERNANDEZ, DOING)	
BUSINESS AS "VALLEY TAXI SERVICE,")	
506 NORTH 10TH STREET, ROCKY FORD,)	
COLORADO.)	
-----)	

April 17, 1958

Appearances: Cover Mendenhall, Esq.,
Rocky Ford, Colorado,
for Transferee.

S T A T E M E N T

By the Commission:

By the instant application, Garnett P. Call, doing
business as "Valley Taxi Service," 500 South 8th Street, Rocky
Ford, Colorado, seeks to transfer PUC No. 1989, with authority
as follows:

Call and demand taxicab service, and package
delivery service, for the transportation of:
passengers in cabs of not to exceed six passen-
gers and driver capacity, between points within
a radius of ten (10) miles of Rocky Ford, in-
cluding Rocky Ford, Colorado, and from and to
points in said area to and from points within
a radius of 75 miles of Rocky Ford, excluding
Pueblo, Colorado, and excluding service to, from
or between points in La Junta, Colorado, on
business originating in La Junta, at rates
non-competitive with the rates of line-haul
motor vehicle and rail carriers of passengers
operating in said area, notice of any change
of rates to be promptly given to such carriers
by applicant; and including delivery service of
small packages which can be carried in a taxicab,
between points in Rocky Ford, Colorado, and points
within a radius of five (5) miles thereof,

to Dorothy M. Hernandez, doing business as "Valley Taxi Service,"
506 North 10th Street, Rocky Ford, Colorado.

The application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in La Junta, Colorado, at ten o'clock A. M., March 25, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

There is a contract of sale existing between Garnett P. Call and Dorothy M. Hernandez, providing for the sale of this certificate for a total consideration of \$1,500, to be paid in cash upon final approval of the transfer by this Commission.

The financial responsibility of transferee was established to the satisfaction of the Commission. The transferee is a telephone operator and is married to the operator of a liquor store. They propose to continue the operation upon a twenty-four-hour basis by employing proper help, and by devoting some time personally to the operation.

No one appeared in protest.

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.

O R D E R

THE COMMISSION ORDERS:

That Garnett P. Call, doing business as "Valley Taxi Service," 500 South 8th Street, Rocky Ford, Colorado, be, and is hereby, authorized to transfer all right, title and interest in and to PUC No. 1989 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Dorothy M. Hernandez, doing business as "Valley Taxi Service," 506 North 10th Street, Rocky Ford, Colorado, subject to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

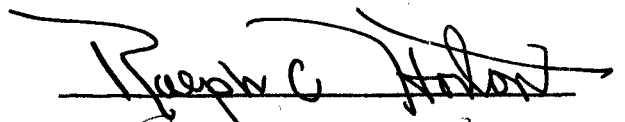
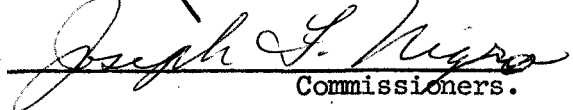
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of April, 1958.

ea

signed

(Decision No. 50097)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
J. T. RANGLES AND KENNETH PATTERSON,)
JR., DOING BUSINESS AS "RANGLES &)
PATTERSON," ULYSSES, KANSAS, CO-) APPLICATION NO. 16187-PP
PARTNERS, FOR A CLASS "B" PERMIT)
TO OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

April 17, 1958

Appearances: J. T. Randles, Ulysses,
Kansas, pro se;
Kenneth Patterson, Jr.,
Ulysses, Kansas, pro se;
H. W. Billings, Springfield,
Colorado, pro se;
L. E. Walker, Walsh, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

This is an application for authority to operate as a private carrier by motor vehicle for hire, for the transportation of onions, sugar beets, and broomcorn, between points within the counties of Baca and Prowers, State of Colorado.

The application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in La Junta, Colorado, at ten o'clock A. M., March 25, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

The applicants are experienced in the trucking business, having the necessary equipment, and the financial net worth to render the service sought. They propose to haul the commodities specified from the fields of farmers to storage places or loading docks.

The matter was protested by H. W. Billings and L. E.

Walker, who are both common carriers authorized to render this service.

A shipper-witness testified that at harvest time when the onions are in the fields they must be moved out quickly or there is danger of losing the entire crop. This area is an extensive farming area. When the crops are ready for harvest there is a great demand within a limited period of time for this specialized type of service, which includes not only the transportation of the commodity but some farm work as well. Since the type of service required is specialized, requires additional service beyond transportation, and is seasonal, it is required but once a year. We believe it is a proper subject of private carrier authority. Undoubtedly, at the time this service is required there are not enough trucks to conveniently and safely render service required by the public for the limited few weeks. Thereafter, there is very little demand for this type of service for the rest of the year.

Since farming is so vital to the area, this Commission cannot stand upon legal niceties that might jeopardize the crops of a large number of farmers, and the very backbone of the economy of a large section of our state.

The applicants did not establish any need for the transportation of broomcorn which was the commodity most vigorously protested by the protestants. We will therefore grant the application, deleting therefrom the authority to transport broomcorn.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed service is compatible with the public interest and should be authorized.

That the proposed service will not impair the ability of common carriers to serve in the area.

O R D E R

THE COMMISSION ORDERS:

That J. T. Randles and Kenneth Patterson, Jr., doing business

as "Randles & Patterson," Ulysses, Kansas, be, and they are hereby, authorized to operate as a private carrier by motor vehicle for hire, for the transportation of onions and sugar beets from point to point in Baca and Prowers Counties, Colorado.

In all other respects the application is hereby denied.

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 authority sheets.

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.

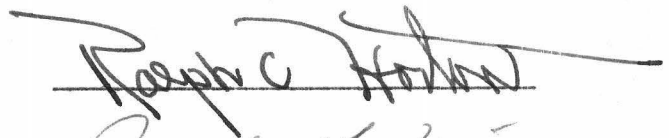
This Order shall become effective twenty-one days from date.


THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of April, 1958.

ea





Commissioners.

original

* * *

APPLICATION NO. 16185

0000 0000 0000 0000 0000 0000 0000 0000

S T A T E M E N T

It was established that the partners have been in the trucking business for a number of years and that they have equipment that can render the type of service they seek to offer, and, although they do not have any tanks at the present time, they have made arrangements to obtain tank equipment if the authority is granted.

There was no testimony by any shipper-witness, by any prospective customer, or by any witness representing the public that there is a present need for such service. There was no evidence that there are any oil wells being drilled in the area sought to be certificated, and one of the applicants frankly admitted that he has no requests for the service but he is anticipating that a need may develop.

Further, there was no testimony whatsoever that any of the existing common carriers authorized to conduct this service were unable to serve or that they render inadequate service. The matter was vigorously protested by the several common carriers who are authorized to conduct this type of service in the area.

The evidence wholly fails to meet the standards of public need fixed by the Legislature of Colorado. This Commission has repeatedly asserted that ordinarily public convenience and necessity must be established by shipper-witnesses. Not only was there failure of proof in this regard but a complete failure of proof as to any public need whatsoever. The privilege to serve as a common carrier is so vested in a public interest that the people of Colorado have asserted the authority of their police power over this very vital phase of our economy. The privilege of engaging in this business carries with it special correlative duties. Obtaining a certificate, therefore, is not a matter of right but is one which must meet the standards authorized by the state. Mere desire to engage in a type of business that may or may not prove lucrative, and that may or may not be required, is insufficient.

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 do not require the granting of the authority sought herein, and that there is no evidence of present existing common carrier service being inadequate

to satisfy the needs of the public.

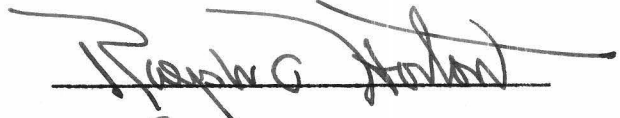
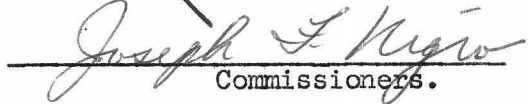
O R D E R

THE COMMISSION ORDERS:

That the instant application (No. 16185), be, and it hereby is, denied.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER JOHN P. THOMPSON
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of April, 1958.

ea

original

(Decision No. 50099)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JAMES A. HOUGHTON, DOING BUSINESS)	
AS "HUERFANO FREIGHT LINES," WALSEN-)	
BURG, COLORADO, FOR AUTHORITY TO)	APPLICATION NO. 16195-Transfer
TRANSFER PUC NO. 391 AND 391-I TO)	
RAY TITTEL, 512 PENNSYLVANIA AVENUE,)	
WALSENBURG, COLORADO.)	

April 17, 1958

Appearances: James A. Houghton, Walsen-
burg, Colorado, pro se;
Ray Tittel, Walsenburg,
Colorado, pro se.

S T A T E M E N T

By the Commission:

James A. Houghton, doing business as "Huerfano Freight
Lines," Walsenburg, Colorado, is the owner and operator of PUC No.
391 and 391-I, authorizing the following transportation:

Freight, between Redwing and Walsenburg,
Colorado, and intermediate points, but
not including points between Tioga and
Walsenburg;

transportation of farm products, includ-
ing livestock, farm machinery, including
farm equipment, used furniture and house-
hold goods (in household lots), timber
and sawmill products, between points
within the area (except as herein re-
stricted), extending north to the Huer-
fano-Custer County Line, east to U. S. 85,
south to U. S. 160 and west to the crest
of the mountains, which is substantially
the western boundary line of Huerfano
County, and from and to points in said
area to and from points in the State of
Colorado, provided, that the south bound-
ary line of pickup area for commodities
other than livestock shall be the town-
ship line between Townships 28-S and 29-S
and south boundary lines of pickup area
for livestock shall be a line drawn east

and west through a point 5 miles north of La Veta, and applicant shall not transport household goods or farm machinery between Denver and Gardner, Colorado.

By Decision No. 28275: Authorized to discontinue line-haul scheduled service between Gardner and Walsenburg and intermediate points, and to substitute call and demand service from, to and between the same points, in lieu thereof.

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.

By the instant application, applicant seeks to transfer his operating rights under said PUC-391 and PUC-391-I to Ray Tittel, 512 Pennsylvania Avenue, Walsenburg, Colorado.

The application, pursuant to prior setting, after appropriate notice to all interested parties, was heard in the County Commissioners' Room of the Court House in Pueblo, Colorado, at ten o'clock A. M., March 24, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant seeks to transfer the certificate as well as three trucks and four trailers.

The transferee, Ray Tittel, is experienced in the trucking business and his net worth is approximately \$40,000. This is a transaction involving the sale of the certificates, trucks and trailers for a consideration of \$7,500, reflected by the transfer of equity in certain lands owned by the transferee herein. There are no outstanding debts against the certificate or the equipment.

No one appeared in protest to the transfer of the certificates.

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.

O R D E R

THE COMMISSION ORDERS:

That James A. Houghton, doing business as "Huerfano Freight Lines," Walsenburg, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to PUC No. 391 and PUC No. 391-I -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Ray Tittle, 512 Pennsylvania Avenue, Walsenburg, Colorado, subject to outstanding indebtedness against said operation, if any there be, whether secured or unsecured, the transfer of interstate operating rights being subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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 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.

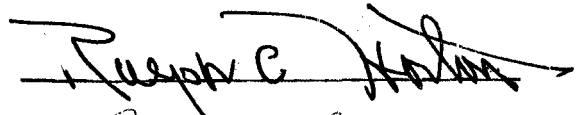

The tariff of rates, rules, and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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 certificates up to the time of

transfer of said certificates.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER THOMPSON NOT PARTICIPATING.

Dated at Denver, Colorado,
this 17th day of April, 1958.

mls

original

(Decision No. 50100)

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, COLO-)
RADO, FOR AUTHORITY TO CONSTRUCT)
HIGHWAY-RAILROAD GRADE SEPARATION)
STRUCTURES AT MILEPOST 74+3560.9)
(BIJOU STREET); MILEPOST 75+1654.6)
FEET (MANITOU BRANCH) AND MILEPOST)
75.38 (CIMARRON STREET) OVER THE)
TRACKS AND RIGHTS-OF-WAY OF THE DEN-)
VER AND RIO GRANDE WESTERN RAILROAD)
COMPANY IN THE CITY OF COLORADO)
SPRINGS, EL PASO COUNTY, STATE OF)
COLORADO.)

APPLICATION NO. 15955

April 17, 1958

Appearances: George L. Zoellner, Esq.,
Denver, Colorado, and
Joseph M. Montano, Esq.,
Denver, Colorado, for
Department of Highways;
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 December 9, 1957, and was thereafter set to be heard in Colorado Springs, Colorado, at the Little Theatre, City Auditorium, on March 10, 1958.

After appropriate notice to all interested parties, to the owners of adjacent property and to the City Manager of Colorado Springs, the matter was there heard and taken under advisement by the Commission.

Purpose of the application is to secure Commission approval for the construction of certain highway overpass structures across

trackage of the Denver & Rio Grande Western Railroad Company in Colorado Springs, Colorado. The new structures will pertain to construction of a new Freeway-type Highway being built through Colorado Springs as a part of the Federal Interstate Highway System.

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: Sketch map and Title Page of Project Plans. Shows general location of three railroad separation structures in relation to other features of city streets, Rio Grande Railroad and Monument Creek.
- Exhibit B: Layout Sheet and Profile of Bijou Street access across Rio Grande main line. Milepost 74+3560.9.
- Exhibit C: Plan and Elevation Sheet to show two Freeway overpass bridges over Manitou branch. Milepost 75+1654.6.
- Exhibit D: Plan and Elevation Sheet to show access overpass of Cimarron Street across main line. Milepost 75.38
- Exhibit E: Right-of-way Map Sheet to show project limits and ownership of adjacent properties at each crossing site.
- Exhibit F: Agreement made November 4, 1957 between Department of Highways and The Denver & Rio Grande Western Railroad Co. for construction of the new overpass bridges.
- Exhibit G: Prepared Statement of Mr. King pertaining to the project to explain further details of agreements, approvals, roads involved, need for structures, construction details and statement of costs.

Mr. King explained that the proposed Freeway route through Colorado Springs has recently been designated as State Highway No. 11.

The official route description reads:

"From a junction with State Highway No. 1 north of Colorado Springs (near Pikeview), southerly via Colorado Springs, to a junction with State Highway No. 1 near the South City limits of Colorado Springs."

The new routing is in a marginal land area paralleling the Rio Grande Railroad and Monument Creek. Thus, State Highway No. 1 remains in its present location along Nevada Avenue as a business route through Colorado Springs and will be properly signed as such. The east-west Highway U. S. No. 24 along Colorado Avenue is not interchanged directly with the Freeway; however, access is being provided at both Cimarron and Bijou Streets.

The railroad overpasses at Milepost 75+1654.6 on the Manitou Branch are required by reason of Interstate Design Standards, which eliminate all railroad grade crossings. The proposed installation will consist of twin overpass structures, approximately 153 feet long, to carry Freeway traffic over the railroad. The two bridges will be separated by a 26-foot median. The west-erly bridge will have a 30-foot clear roadway with 2 foot safety curbs. The easterly bridge will have a 42-foot clear roadway with 2- foot safety curbs. The additional width on this bridge is necessary to accommodate traffic using a ramp from the Cimarron Street Interchange which is being constructed immediately south of the bridge. The structure at Cimarron Street (Milepost 75.38) is required by reason of the Interchange at the Freeway and Cimarron Street. This structure will consist of a four-lane bridge 252 feet 9 inches long and will span the Rio Grande main line and Conejos Street. No previous crossing has existed at this location and the new separation structure will serve as an added access facility in this area. The additional structure is necessary at Bijou Street (Milepost 74+3560.9) to provide for a heavy volume of traffic desiring ingress and egress at the Bijou Street Interchange. The new structure will be 487 feet long and be constructed over the Rio Grande main line and Monument Creek. It will accommodate four lanes of traffic in a west bound direction and the present Bijou Street bridge will then handle east bound movement.

All southbound rail traffic from Denver over the Denver & Rio Grande, the Atchison, Topeka and Santa Fe, the Colorado and Southern, and the Chicago Rock Island and Pacific trains from the east operate through the Bijou Street and the Cimarron areas. In addition, these overpasses are within the yard limits, necessitating numerous switching movements. The Cimarron Street overpass is within the "Sierra Madre Industrial District," which undoubtedly will expand with the rapid growth which Colorado Springs is now experiencing. No highway or street traffic will be exposed to train movements at the locations specified in this application. Highway-railroad grade separations provide the utmost in safety.

It is proposed that all clearances at the completed structures will conform to those set up by the Commission in its regulations, dated June 1, 1952. These clearances may be summarized as follows:

	<u>Commission's</u> <u>Requirements</u> <u>Minimum</u>	<u>Bijou</u> <u>Milepost</u> <u>74+3560.9</u>	<u>Manitou Branch</u> <u>Milepost</u> <u>75+1654.6</u>	<u>Cimarron</u> <u>Milepost</u> <u>75.38</u>
Horizontal	8' 6"	10' 8"	18' 4"	11' 0"
Vertical	22' 6	23' 0"	23' 0"	23' 9"

According to Mr. King, design of the proposed structures has received careful study and review by the Engineering Department of the Railroad, by the Bureau of Public Roads, and the Department of Highways in cooperation with its Consulting Engineers. Construction plans provide for reinforced concrete decks, piers and abutments. On the Freeway crossing, (Manitou Branch) and at the Cimarron crossing (Main Line), the design provides for precast and prestressed concrete girders meeting the specifications of The American Association of State Highway Officials and the United States Bureau of Public Roads Criteria for Prestressed Concrete Bridges.

At the Bijou Street Bridge over the main line, the design provides for the use of built-up steel plate Girders and steel I-Beam

construction. All structures will provide steel Handrailing meeting the Department's specifications. 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.

Agreements between the principal parties as involved in the instant application have all been completed and generally provide the following:

- a. Agreement, dated November 4, 1957, (Exhibit F) between the Department of Highways and the Denver and Rio Grande Western Railroad Company provides for construction, operation and maintenance of the structures at Milepost 74+3560.9 (Bijou Street) and at Milepost 75+1654.6 (Manitou Branch).
- b. Agreement, dated January 16, 1958, between the Denver and Rio Grande Western Railroad Company and City of Colorado Springs, labeled D.&R.G. contract No. 22210, provides for construction, operation and maintenance of the Cimarron Street Overpass at Milepost 75.38.
- c. Freeway Agreement, dated June 4, 1956, identified as CS 04-0001-14, between the State Highway Commission and the City of Colorado Springs, provides for route approval, public ingress to and egress from the Freeway arterial lanes, lighting, landscaping and signing.

The entire cost of the proposed grade separation structures and related work is summarized as follows:

<u>Bijou Street</u>		<u>Manitou Branch</u>
Structure	\$146,445	\$113,905
Track Adjustments	<u>9,555</u>	<u>2,095</u>
	\$156,000	\$116,000
 <u>Cimarron Street</u>		
Structure		\$136,250
Retaining Wall		10,000
Track Adjustments		<u>6,750</u>
		\$153,000

Total cost to Department \$425,000.

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 Colorado Springs and the Denver & Rio Grande Western Railroad Company.

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 structures as proposed herein, over trackage of The Denver & Rio Grande Western Railroad Company in Colorado Springs, El Paso County, Colorado.

That horizontal and vertical clearances for the proposed structures exceed the clearance requirements established by the Commission, and are therefore acceptable.

O R D E R

THE COMMISSION ORDERS:

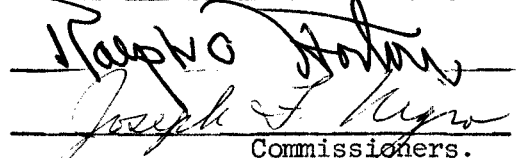
That Applicant, the State Highway Commission of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to authorize and approve the installation, construction and maintenance of the following highway-railroad grade separation structures over tracks and right-of-way of The Denver & Rio Grande Western Railroad Company in the City of Colorado Springs, El Paso County, Colorado, viz.:

- (a) Bijou Street Overpass MP. 74+3560.9.
- (b) Manitou Branch Overpass MP. 75+1654.6.
- (c) Cimarron Street Overpass MP. 75.38.

That the work to be done, costs, installation, maintenance, and other work shall be as indicated in the preceding Statement and Exhibits "A", "B", "C", "D", "E", "F", and "G", 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.

COMMISSIONER THOMPSON NOT PARTICIPATING.
Dated at Denver, Colorado,
this 17th day of April, 1958.
mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THERON B. HOOKER, DOING BUSINESS)
AS "DERBY CAB COMPANY," 7360) PUC NO. 3079
ONEIDA STREET, DERBY, COLORADO.)
-----)

April 18, 1958

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Jerrald L. Hooker, on behalf of Derby Cab Company, Derby, Colorado, owner and operator of PUC No. 3079, requesting authority to temporarily suspend operations under said operating rights.

F I N D I N G S

THE COMMISSION FINDS:

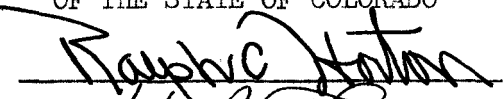
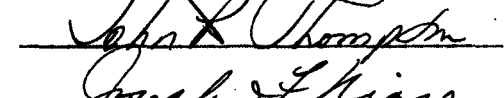

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Theron B. Hooker, doing business as "Derby Cab Company," Derby, Colorado, should be, and hereby is, authorized to suspend operations under PUC No. 3079 for the period April 21, 1958, until June 21, 1958.

That unless said certificate-holder shall, prior to expiration of said suspension period, reinstate said certificate by filing insurance and otherwise complying with all rules and regulations of the Commission applicable to common carrier certificates, said certificate, without further action by the Commission, shall stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 18th day of April, 1958.

request

(Decision No. 50102)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF A GENERAL)
INVESTIGATION OF LIVESTOCK)
COMMON CARRIERS OF NORTHERN) CASE NO. 5144
AND NORTHEASTERN COLORADO.)
-----)

April 22, 1958

S T A T E M E N T

By the Commission:

WHEREAS, the Public Utilities Act of the State of Colorado and the Rules and Regulations of the Commission adopted pursuant to said Act, require that common carriers by motor vehicle keep proper records, assess and collect proper rates, and confine their operations within the specified authority as granted by the Commission; and

WHEREAS, it appears that the following livestock common carriers by motor vehicle have not complied with the Public Utilities Act and the Rules and Regulations of this Commission in regard to the keeping of proper records, assessing and collecting proper rates, and not operating within their proper authority:

<u>PUC No.</u>	<u>NAME</u>	<u>ADDRESS</u>
910 & I	E. R. Betz, O. B. Fuqua and D. L. Downing, d/b/a A B C Trucking	901 Hospital Road, Ft. Collins, Colo.
620 & I	E. W. Driscoll, d/b/a Ackley Truck Line,	1702 W. Edison St., Brush, Colo.
549	Wendell Ahnstedt, d/b/a Ahnstedt Truck Line,	Holyoke, Colorado
577	Edward W. Cross, d/b/a Akron Truck Line,	42 Date Ave., Akron, Colo.
1628	Marcus and Wallace Amick,	Rt. #1, Otis, Colo,
1147 & I	Archer & Archer, Inc.,	Julesburg, Colo.
458 and 1422	Harry Attebery, d/b/a Attebery Truck Line,	Akron, Colo.

<u>PUC No.</u>	<u>NAME</u>	<u>ADDRESS</u>
449	Bates & Sons, Inc.,	Hygiene, Colo.
535	Dewey Bibbey,	2020 - 5th Ave., Greeley, Colo.
435 & I	Alice Frances Blakley, d/b/a Blakley Livestock Trucking Co.,	Livestock Exch.Bld. Denver 16, Colo.
992 & I	William Blankenbeckler,	211 Platte St., Sterling, Colo.
351, 370, 474 & I	Frank M. Cadwell, d/b/a Cadwell Trucking Co.,	Rt. #4 Box 432, Pueblo, Colo.
1090 & I and 1655	Frank M. Cadwell,	Rt #4 Box 432, Pueblo, Colo.
984 & I	Everett J. Miller, d/b/a Canon Ball Express,	Flagler, Colo.
2149 & I	Oliver F. & Oliver J. Clyncke, d/b/a Oliver Clyncke,	Rt #1, Boulder, Colo.
381, 408 & 1782	Glenn Cowley,	Grover, Colo.
1590 & I	Henry Dillehay,	Ovid, Colo.
1371 & I	Vernon Dotson,	Eaton, Colo.
945 & I	Guy Hart, d/b/a Farm Hauling Service,	2nd Ave. & Emery, Longmont, Colo.
774 & I; 2048	G. A. Keiser, d/b/a Greeley Truck Line,	1645 - 1st Ave., Greeley, Colo.
870	John L. Hartway,	Box 45, Peetz, Colo.
1181	K. C. Henson,	Box 764, Ft. Morgan, Colo.
403	Lester D. Kemp,	Arriba, Colo.
1048	F. R. Lamb,	Box 32,Ault,Colo.
1472 & I	Raymond Nauta, d/b/a Nauta Trucking Service,	P. O. Box 405, Ft. Collins,Colo.
1847 & I	Harold L. Neal and Albert Neal, d/b/a Neal Brothers Truck Line,	Wiggins, Colo.
818	Harvey Nelson,	Crook, Colo.
776	Ralph Armstrong and Herman Smith, d/b/a Otis Truck Line,	Otis, Colo.
1129	Parachini & Sons,	Weldona, Colo.
519 & I	O. R. Reed & W. E. McMahan, d/b/a Ray Reed Service,	P. O. Box 429, Greeley, Colo.
432 & I	Jacob J. Schaefer,	Box 23, Windsor, Colo.

<u>PUC No.</u>	<u>NAME</u>	<u>ADDRESS</u>
1314 & I	Claude J. Schmatjen,	Cheyenne Wells, Colo.
1276 & I	Lester E. Smith,	Box 43, Sterling, Colo.
337 & 489-I	Sorenson Truck Service, Inc.,	306 Kimbark St., Longmont, Colo.
436 & I	S. G. Leischuck, d/b/a Stockyards Livestock Hauling Co.	4702 Williams St., Denver 16, Colo.
518 & I	Marshall and Eunice Anderson, d/b/a Stroh's Catteliners,	2412 - 8th Ave., Greeley, Colo.
1150 & I	Martin E Stutheit,	Idalia, Colo.
819 & B-1492 & I	Paul Vandenbark & Harold Yost, d/b/a V y Truck Line,	Haxtun, Colo.
869	Ben L. Walker,	New Raymer, Colo.
775 & I	Dee Wann,	Limon, Colo.
1461	Martin Wilshusen,	Yuma, Colo.
B-1236	Walter W., W. O., John J., Joe O., and Glen U. Yearous, d/b/a Yearous Truck Lines, Co.	Box 51, Ft. Morgan, Colo.
1096	A. C. Yenter,	Box 173 Eckley, Colo.
622	Yockey Trucking Co., Inc.,	6626 Livestock Exch. Bld., Denver 16, Colo.
1066 & I	Paul Hickman, d/b/a Yuma County Transportation,	Yuma, Colo.
1105	Vergil E. Means, d/b/a Yuma Livestock Auction,	Yuma, Colo.
961	Paul G. Zimmerman,	Burlington, Colo.;
and		

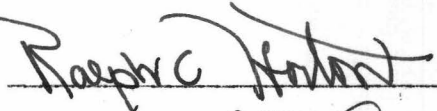
WHEREAS, the staff of the Commission has made a preliminary investigation, and has concluded that each and every livestock common carrier herein apparently has violated the Public Utilities Act and one, or more, of the Commission's Rules and Regulations Governing Common Carriers by Motor Vehicle; and

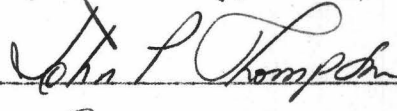
WHEREAS, the mandatory provisions of the law make it necessary that the Commission take immediate action to conduct a general investigation of all matters pertaining to the transportation of livestock by common carriers by motor vehicle in Northern and Northeastern Colorado.

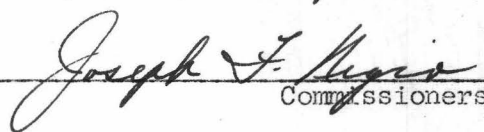
NOW, THEREFORE, IT IS ORDERED BY THE COMMISSION, on its own motion, that there be, and there is hereby instituted, a complaint against, and a general investigation of all livestock common carriers as hereinabove named.

IT IS FURTHER ORDERED, That the above-named livestock common carriers be summoned to appear before The Public Utilities Commission of the State of Colorado, in the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, between May 5th---May 9th, inclusive, 1958, and that a summons be issued herein to each and every livestock common carrier, setting out the exact day and time that each carrier is to appear. Failure to appear will result in further action by the Commission as provided for by law.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 22nd day of April, 1958.

ea

original

(Decision No. 50103)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MARVIN OSWALD AND LESTER MEIER, DO-)
ING BUSINESS AS "ROCK CREEK TRANS-)
PORTATION COMPANY," BEEMER, NEBRASKA,)
FOR AUTHORITY TO TRANSFER INTERSTATE)
OPERATING RIGHTS TO LESTER MEIER,)
DOING BUSINESS AS "ROCK CREEK TRANS-)
PORTATION," BEEMER, NEBRASKA.)

PUC NO. 3829-I-Transfer

April 22, 1958

S T A T E M E N T

By the Commission:

Heretofore, Marvin Oswald and Lester Meier, doing business as "Rock Creek Transportation Company," Beemer, Nebraska, were authorized, subject to the provisions of the Federal Motor Carrier Act of 1935, to operate as a common carrier by motor vehicle for hire, in interstate commerce, and PUC No. 3829-I issued to them.

Said certificate-holders now seek authority to transfer said operating rights to Lester Meier, said Marvin Oswald being desirous of withdrawing from said partnership.

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.

O R D E R

THE COMMISSION ORDERS:

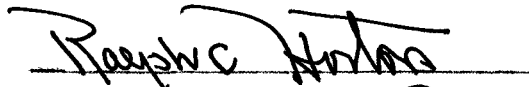

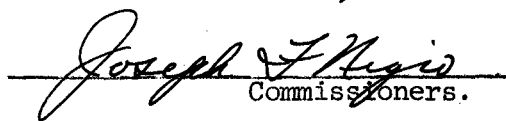
That Marvin Oswald and Lester Meier, doing business as "Rock

Creek Transportation Company," Beemer, Nebraska, should be, and they hereby are, authorized to transfer all right, title, and interest in and to PUC No. 3829-I to Lester Meier, doing business as "Rock Creek Transportation," Beemer, Nebraska, said Marvin Oswald being hereby authorized to withdraw from said partnership.

That transfer herein authorized is subject to payment of outstanding indebtedness against said operating rights, 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 22nd day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHWESTERN TRANSPORTATION COMPANY,)
816 WATER STREET, CANON CITY, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-)
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)

APPLICATION NO. 16223-PP

April 22, 1958

Appearances: Max E. Wilson, Esq., Canon
City, Colorado, for
Applicant;
Marion R. Smyser, Esq.,
Denver, Colorado, for Rio
Grande Motor Way, Inc.,
and Denver and Rio Grande
Western Railroad Company.

S T A T E M E N T

By the Commission:

On March 17, 1958, Southwestern Transportation Company, a corporation, filed its application for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of crushed or pulverized limestone, in bulk, in tank-type vehicles, between all points within the State of Colorado, and burned lime, including hydrated lime and quick lime, in sacks and in bulk, in tank-type vehicles, from plant of Colorado Lime Company at Pikeview, Colorado, to all points within the State of Colorado.

The above application was regularly set for hearing, and heard, at 330 State Office Building, Denver, Colorado, on April 11, 1958, and at the conclusion thereof, the matter was taken under advisement.

At the hearing, the evidence disclosed that Southwestern Transportation Company is a transportation company based at Canon

City, Colorado, having common carrier authority from this Commission, and has operated in Canon City for many years, being well qualified both by experience and financially, to render the transportation service offered in the instant application.

Stanley Blunt, President of applicant company, stated he had requests to haul pulverized and crushed limestone to highway construction jobs throughout the State of Colorado, in the special equipment that he is now using in his cement haul; that due to said requests, applicant would like to give the needed service.

Several witnesses appeared in support of the application.

Mr. Carl Breitweiser, Sales Engineer of Northwestern Engineering Company, stated he had contacted the applicant company and had requested their service for the hauling of crushed or pulverized limestone to road construction jobs within the State of Colorado.

Other witnesses testified as to their need for applicant's proposed service:

J. R. Sumner, of Colorado Lime Company, stated he also would use applicant's service for the delivery of pulverized limestone, but also desired applicant's service for the delivery of hydrated lime, quick lime, and burned lime, in sacks and in bulk, from their plant at Pikeview, Colorado, to all points within the State of Colorado. He stated he contacted Stanley Blunt, the President of Southwestern Transportation Company, requesting said service, and was informed that his plant was located a mile or two beyond applicant's base territory. He stated he needed a carrier who had the type of equipment that applicant proposed to use, and that he needed, and would use, applicant's service.

No testimony was given protesting the granting of the instant application, and it appears from the record that the granting of said authority will not impair the efficiency of existing adequate

common carrier motor vehicle service now operating in the area proposed by applicant, and that said permit should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That applicant is fit, willing and able to perform the aforementioned transportation service properly, and will conform to the provisions of the Carrier Acts, and regulations and requirements of the Colorado Public Utilities Commission.

That the application should be granted for the further reasons set forth in the above and foregoing Statement, which, by reference, is made a part of these Findings.

O R D E R

THE COMMISSION ORDERS:

That Southwestern Transportation Company, 816 Water Street, Canon City, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of crushed or pulverized limestone, in bulk, in tank-type vehicles, between all points within the State of Colorado, and burned lime, including hydrated lime and quick lime, in sacks and in bulk, in tank-type vehicles, from plant of Colorado Lime Company at Pikeview, Colorado, to all points within the 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 authority sheets.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Heston
John P. Thompson
Joseph F. Nisio
Commissioners.

Dated at Denver, Colorado,
this 22nd day of April, 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

*** *

IN THE MATTER OF THE APPLICATION OF)
CHARLES WORTHMAN, 2251 WEST CENTER)
AVENUE, DENVER, COLORADO, FOR AUTH-) APPLICATION NO. 16224-PP-Extension
ORITY TO EXTEND OPERATIONS UNDER)
PERMIT NO. B-4039.)

April 22, 1958

Appearances: Charles Worthman, Denver,
Colorado, pro se;
Marion R. Smyser, Esq.,
Denver, Colorado, for
Rio Grande Motor Way,
Inc., and Denver and
Rio Grande Western
Railroad Company;
Peter B. Kooi, Denver,
Colorado, for North
Park Transportation
Company.

S T A T E M E N T

By the Commission:

Applicant herein is the owner and operator of Private Car-
rier Permit No. B-4039, authorizing:

Transportation of forest and sawmill pro-
ducts, including logs and timber, but not
finished lumber, to Denver, Colorado, and
points within 10 miles thereof, from
points within 5 miles of the Towns of
Fraser, Winter Park and Breckenridge, and
from points within a radius of 50 miles of
Salida, Colorado;

transportation of forest and sawmill pro-
ducts, including rough lumber, logs and
timber but not including finished lumber,
from the sawmill of Larry Harp, only, lo-
cated approximately 6 miles east of Basalt,
Colorado, to Denver, Colorado.

On January 30, 1958, application was filed by the applicant
herein, seeking authority to extend operations under said permit to
include the right to transport forest and sawmill products, including

rough and finished lumber, logs, and timber, from sawmills and forests within the National Forest in the State of Colorado, to any rail loading point or sawmills within 35 miles of said forest; also to Denver, Colorado, and to Colorado Springs, Colorado, and to sawmills within a 10-mile radius thereof, all for McTavish and Correll, as directed.

The application, after notice to all parties in interest, was regularly set for hearing, and heard at 330 State Office Building, Denver, Colorado, on April 11, 1958, and at the conclusion of the hearing, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is presently operating under a private carrier permit for the transportation of logs and timber within certain areas within the State of Colorado. It appears that McTavish and Correll, lumber dealer, has requested the services of applicant to deliver forest and sawmill products, including rough and finished lumber, logs and timber, from National Forests in the State of Colorado, including Denver and Colorado Springs and a radius of 10 miles thereof.

Applicant stated that he had equipment and was well qualified financially and by experience to serve this customer, McTavish and Correll, and he was here asking for authority to give the service that his customer desires.

Mr. Correll, one of the partners of McTavish and Correll, stated his company needed applicant's proposed service; that the service was from National Forests to their lumber yards and loading points throughout the State of Colorado; that in their business they used common carrier service, but found they needed a carrier they could use for emergency hauls to take care of their business and they were here requesting the granting of the application for the reason that common carriers, while handling most of their business, did not furnish adequate service to take care of all their business and they

needed Applicant's proposed service.

R. E. Turano, appearing for Rio Grande Motor Way, Inc., protested the granting of the authority to points served by his company as a line-haul carrier, and also to points within a radius of 50 miles of Steamboat Springs, Colorado. The witness told of the equipment of his company, the need for business, especially on back hauls, and stated they were ready, willing and able to serve if the territory was in their certificated area.

Peter B. Kooi, General Manager of North Park Transportation Company, also objected to any authority being granted in Jackson County for the purpose of hauling lumber or timber products, stating his company had equipment and was well qualified to serve in applicant's proposed area.

In considering the above application, it is well to look at the application as to what applicant proposes to do. Considerable testimony was given as to the lumber originating in Montrose, Colorado. If the authority were granted as asked for in the instant application, applicant could not haul from Montrose, Colorado, for the reason that Montrose is not situated within the National Forest, and there are many points upon the lines of Rio Grande Motor Way that would also be similar.

We have noted in our consideration that this permit is limited in origin to forests situated within the National Forests, and for one customer -- McTavish and Correll, only. It therefore appears, in the judgment of the Commission, that the threat of this carrier to the taking away of business of the common carriers, is not too serious for the reason that the original application is limited.

So, therefore, upon the record as made, and after careful consideration thereof, the Commission is of the opinion, and finds that it did not appear from the evidence that the granting of the authority will impair the efficiency of existing adequate common carriers

by motor vehicle now operating in the area sought to be served by applicant, and that said extension should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application for extension should be granted for the reasons heretofore set forth in the above and foregoing Statement, which is made a part of these Findings by reference.

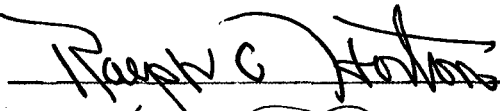


O R D E R

THE COMMISSION ORDERS:

That Charles Worthman, 2251 West Center Avenue, Denver, Colorado, be, and he is hereby, authorized to extend his operations under Permit No. B-4039, to include the transportation of forest and sawmill products, including rough and finished lumber, logs, and timber, from sawmills and forests within the National Forest in the State of Colorado, to any rail loading point or sawmills within 35 miles of said forest, also to Denver, Colorado, and to Colorado Springs, Colorado, and to sawmills within a 10 mile radius thereof, all for McTavish and Correll, as directed.

This Order is made a 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 22nd day of April, 1958.

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original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FINKBEINER BROS. TRUCKING CO., INC.,)
3667 BLAKE STREET, DENVER, COLORADO,) APPLICATION NO. 16170-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)
UNDER PERMIT NO. A-2054.)
-----)

April 22, 1958

Appearances: Fred Finkbeiner, Denver,
Colorado, for Applicant;
Marion F. Jones, Esq., Denver,
Colorado, and
Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for R. B.
"Dick" Wilson, Inc.

S T A T E M E N T

By the Commission:

Heretofore, Finkbeiner Bros. Trucking Co., Inc., Denver,
Colorado, was authorized to operate as a Class "A" private car-
rier by motor vehicle for hire, for the transportation of:

coal, from the Northern Colorado coal fields to
Denver; sand, gravel, and other road-surfacing
materials, from pits and supply points in the
State of Colorado, to points within a radius of
fifty miles of said pits and supply points, ex-
cluding service in Boulder, Clear Creek, and
Gilpin Counties,

said operating rights being designated "Permit No. A-2054."

By the instant application, said permit-holder seeks
authority to extend operations under said Permit No. A-2054 to
include the right to transport 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 Fremont, Huerfano, and Las Animas Counties, to Denver, Colorado; coal, from mines in Axel Basin, to railroad loading points at Craig, Colorado; and to coal dealers and suppliers in Grand Junction, Colorado, and all intermediate 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, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that protestants herein had no objection to granting of authority sought, in the event operations 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 extended service will impair the efficiency of any common carrier service operating in the territory sought to be served by applicant.

F I N D I N G S

THE COMMISSION FINDS:

That authority herein sought should be granted, as set forth in the Order following.

O R D E R

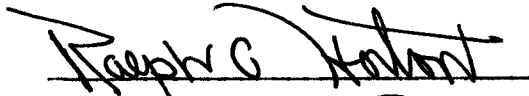


THE COMMISSION ORDERS:

That Finkbeiner Bros. Trucking Co., Inc., Denver, Colorado, should be, and hereby is, authorized to extend operations under Permit No. A-2054, to include the right to transport 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 Fremont, Huerfano, and Las Animas Counties, to Denver, Colorado; coal, from mines in Axel Basin, to railroad loading points at Craig, Colorado, and to coal dealers and suppliers in Grand Junction, Colorado, and all intermediate points, limited to the use of dump trucks, only. That Permit No. A-2054 shall, in the future be known as "Permit No. B-2054."

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 22nd day of April, 1958.

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOSEPH C. ROSE, 495 NORTH WINDER-)	
MERE, LITTLETON, COLORADO, FOR AU-)	
THORITY TO TRANSFER PUC NO. 851 TO)	<u>APPLICATION NO. 16226-Transfer</u>
FORREST ARCHIE GREEN, DOING BUSI-)	
NESS AS "FORREST ARCHIE GREEN TRUCK)	
LINE," 4575 SOUTH ELATI STREET,)	
ENGLEWOOD, COLORADO)	
-----)	

April 22, 1958

Appearances: Richard Cossaboom, Esq.,
Littleton, Colorado,
for Applicants;
H. D. Hicks, Denver, Colo-
rado, for Centennial
Truck Line.

S T A T E M E N T

By the Commission:

Heretofore, Joseph C. Rose, Littleton, Colorado, was
authorized to operate as a common carrier by motor vehicle for
hire, for the transportation of:

farm products, including livestock, farm supplies
and farm equipment, not on schedule, from farm to
farm, farm to town, and town to farm, within a
radius of ten miles of Littleton, Colorado, and
from points outside thereof, to the area for cus-
tomers residing therein; provided, however, that
he shall not engage in the transportation of fur-
niture, machinery, and lumber, from Denver to said
Littleton area, and shall not transport any com-
modity along the line of any scheduled common car-
rier, except farm products and livestock, from town
to town, all of which service shall be on call and
demand, only,

said operating rights being designated "PUC No. 851."

Said certificate-holder, by the above-styled application,
seeks authority to transfer said PUC No. 851 to Forrest Archie
Green, doing business as "Forrest Archie Green Truck Line," Engle-
wood, 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, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that the consideration for transfer of equipment and said operating rights is the sum of \$15,000, to be paid upon approval of transfer by this Commission; that there are no outstanding unpaid operating obligations against said certificate; that transferee's net worth is \$30,000.

No one appeared in opposition to granting authority herein 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 outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

O R D E R

THE COMMISSION ORDERS:

That Joseph C. Rose, Littleton, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 851 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to Forrest Archie Green, doing business as "Forrest Archie Green Truck Line," Englewood, 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,

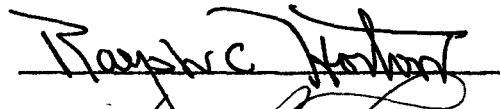


the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, 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.

Dated at Denver, Colorado,
this 22nd day of April, 1958.

ea

revised

(Decision No. 50108)

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 TO WITHDRAW, ON A)
YEAR-LONG BASIS THE AGENCY WHICH IT) APPLICATION NO. 16217
IS REQUIRED TO MAINTAIN AT GRAND)
VALLEY, COLORADO, FROM APRIL 15 TO)
DECEMBER 1 OF EACH YEAR.)
-----)

April 22, 1958

S T A T E M E N T

By the Commission:

Pursuant to Rule 6 of this Commission's Rules and Regulations Pertaining to Railroads and Express Companies Operating in the State of Colorado, The Denver and Rio Grande Western Railroad Company, by W. C. Horner, Superintendent of Transportation, did on March 18, 1958, file its Petition requesting authority to withdraw its seasonal agent from the station at Grand Valley, Garfield County, Colorado.

Grand Valley is located on Applicant's main line, approximately seventeen miles west from the agency station of Rifle, Colorado, and about thirty-four miles east from the agency station of Palisade, Colorado; all of said stations are served by good paved all-weather highways.

Pursuant to Decision No. 38708, dated May 20, 1952, the seasonal service of an agent was provided from April 16th to November 30 of each year, and the requested withdrawal will result in a year-around closing of the station.

Applicant states that an agent is not required at Grand Valley for the safe operation of train service on Applicant's railroad; in recent years the station revenue has not been sufficient

to justify keeping an agent at the station during the seasonal period of livestock and fruit movement; that less-than-carload rail shipments have been and are now handled in substituted truck service to and from Grand Valley with pickup and delivery service to consignors and consignees; that the other station duties involving ticket sales, milk and cream shipments and express business have all been of minor volume, and can be readily handled by other methods with only minimum inconvenience to the general public; that the billing on carload shipments into and out of Grand Valley can be satisfactorily and conveniently handled by the Agent at Rifle, Colorado. Request is therefore made to withdraw the agent at Grand Valley as a means toward more economical and efficient railroad operation.

Upon investigation by the Commission, the matter of low revenue was further verified as follows:

GRAND VALLEY STATION

Comparative Statement 1956 and 1957
(Open April 16th to Nov. 30th yearly)

<u>Year</u>	<u>Total Revenue</u>	<u>Station Expense</u>	<u>Balance</u>
1956	\$3,569.46	\$2,838.91	\$ 730.55
1957	1,714.14	3,528.15	1,814.01 (Loss)

In the above station items there has been no allocation of costs related to the system expenses of maintenance, train operation expense or general office expense.

In this matter we see material for concern, particularly when we review the files of our previous hearing wherein the part-year agency service was authorized. As a further comparative statement we note the following:

REVENUES AND EXPENSES
1950 and 1951

<u>Year</u>	<u>Total Revenue</u>	<u>Total Expense</u>	<u>Balance</u>
1950	\$6,674.67	\$3,720.59	\$2,954.08
1951	6,824.56	3,990.50	2,834.05

In the recent data we note revenues amount to some 39% of the earlier two-year period, while expenses on the curtailed basis of only six months' annual operation continue at the high amount of 84% of the earlier two-year expense total. It is apparent the business volume has been down far in excess of the savings anticipated in our previous order. At that time we commented as follows:

"The fact that applicant may be permitted to close said Grand Valley station for a portion of the year does not mean that if the business conditions in the future justify such action, it will not be again required to maintain the same."

It appears now that the action at this time must be to again permit the proposed station closing for the reason that we do not have sufficient justification to order continuance when the decline in revenues is so pronounced.

In our further inquiry, the proposed agency closing will have small public effect because of the limited volume of business handled at the station. Carload shipments of livestock have long been the major commodity, and the Commission is quite aware that routine ordering of cars and billing of shipments can all be handled at a station other than the point of origin or destination. In this instance, the agency service as provided at Rifle will be readily available.

As a matter of public information and pursuant to the Commission's rule herein, appropriate notice of the proposed change in service was posted at the depot in Grand Valley, Colorado, on March 18, 1958, wherein it was indicated that any protests to the proposed service change should be forwarded to the Commission.

No protests having been submitted, and since none appear in the files of the Commission, the Commission determined to hear, and has heard, said matter, forthwith, without further notice, upon the records and files herein.

F I N D I N G S

THE COMMISSION FINDS:

That safe and economical railroad operation does not require the maintenance of an agent at the Grand Valley station, Grand Valley, Colorado.

That public convenience and necessity in the Grand Valley area for handling of the current seasonal station business can be adequately served by other agency stations on a year-around basis.

That authority sought in the instant application for withdrawal of the seasonal agency service as specified should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above Statement and Findings be made a part hereof.

That The Denver and Rio Grande Western Railroad Company be, and it hereby is, authorized to withdraw its seasonal agent from the station at Grand Valley, Garfield County, Colorado.

That the Commission shall retain jurisdiction over this matter to make such further order or orders as may be required.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hovatt
John P. Thompson
Joseph F. Nease
Commissioners.

Dated at Denver, Colorado,
this 22nd day of April, 1958.

ea

harman
(Decision No. 50109)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FERNANDO BACA, 511 SOUTH 5TH STREET,)
ROCKY FORD, COLORADO, FOR A CLASS)
"B" PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16186-PP

April 23, 1958

Appearances: Fernando Baca, Rocky Ford,
Colorado, pro se.

S T A T E M E N T

By the Commission:

This is an application for authority to operate as a private carrier by motor vehicle, for the transportation of farm produce from point of origin to packing sheds and rail loading points within a 50 mile radius of Rocky Ford, Colorado.

The application was set for hearing, after appropriate notice to all interested parties, at the Court House in La Junta, Colorado, at ten o'clock A. M., March 25, 1958, where the matter was heard and taken under advisement.

The applicant is an experienced trucker whose financial responsibility was established to the satisfaction of the Commission. He is called upon from time to time to haul onions, hay, beets, corn and beans to storage sheds and railroad loading points. Applicant will gather onions in the field and transport them to the designated places.

This is a seasonal operation and highly specialized that must be rendered during the harvest of crops, and we believe that this type of service is in the public interest and is the proper subject for private carrier authority.

No one appeared in protest.

F I N D I N G S

THE COMMISSION FINDS:

That the proposed operation is compatible with the public interest and will not impair the ability of common carriers to serve in the area.

O R D E R

THE COMMISSION ORDERS:

That Fernando Baca, 511 South 5th Street, Rocky Ford, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, excluding broomcorn, from farms and fields within a radius of 50 miles of Rocky Ford, Colorado, to packing sheds and railway loading points within said area.



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 authority sheets.

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.

CHAIRMAN HORTON NOT PARTICIPATING.
Dated at Denver, Colorado,
this 23rd day of April, 1958.
mls

original

(Decision No. 50110)

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")
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 15845-PP

April 23, 1958

Appearances: Donald P. Johnson, Golden,
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 logs and poles, from forests to sawmills within a radius of fifty miles of said forests, and rough lumber, from sawmills to markets within the 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, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant has suitable equipment with which to conduct his proposed operation; that his net worth is \$12,000.

No one appeared in opposition to the granting of authority herein 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 service 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.

O R D E R

THE COMMISSION ORDERS:

That Donald P. Johnson, Golden, 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 poles, from forests to sawmills within a radius of fifty miles of said forests, and rough lumber, from sawmills to markets within the 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 his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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. Johnson
John Thompson
Joseph F. Kugler
Commissioners.

Dated at Denver, Colorado,
this 23rd day of April, 1958.
mls

original

(Decision No. 50111)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JULIO ZARAGOZA, BOX 514, FORT LUP-)
TON, COLORADO, FOR A CLASS "B" PER-) APPLICATION NO. 16109-PP
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)

April 23, 1958

Appearances: Julio Zaragoza, Fort Lup-
ton, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, excluding livestock, from points within a radius of fifty miles of Fort Lupton, Colorado, to markets and storage places within said fifty-mile radius, and to Denver, 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, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant is the owner of a 1950 one and one-half-ton Chevrolet Truck, which he will use in the conduct of his operations, in the event authority herein sought is granted; that his net worth is \$6,000; that he proposes to transport vegetables.

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 does not appear that applicant's proposed operations will impair the efficiency of 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 authority herein sought should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS

That Julio Zaragoza, Fort Lupton, Colorado, should be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of farm produce, excluding livestock, from points within a radius of fifty miles of Fort Lupton, Colorado, to markets and storage places within said fifty-mile radius, and to Denver, 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 authority sheets.

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. Kiger
Commissioners.

Dated at Denver, Colorado,
this 23rd day of April, 1958.

mls

original

(Decision No. 50112)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
TOM MC KEE, 9910 WEST 44TH AVENUE,)
WHEATRIDGE, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. B-4615 AND) APPLICATION NO. 16233-PP-Transfer
PERMIT NO. B-4615-I TO MC KEE TRUCK-)
ING CO., INC., A COLORADO CORPORA-)
TION, 9910 WEST 44TH AVENUE, WHEAT-)
RIDGE, COLORADO.)
-----)

April 23, 1958

Appearances: Stockton, Linville and Lewis,
Esqs., Denver, Colorado,
for Applicants.

S T A T E M E N T

By the Commission:

Heretofore, Tom McKee, Wheatridge, Colorado, was
authorized to operate as a Class "B" private carrier by motor
vehicle for hire, for the transportation of:

brewing barley, in bulk, and seed barley,
in bulk and bags, between points and places
in Colorado, for the Adolph Coors Company,
Golden, Colorado, only; grain, in bulk, from
points and places in Colorado, to mills and
elevators of the Colorado Milling and Elevator
Company, only; between all points in Colorado
and the Colorado State Boundary Lines, where
all highways cross the same, in interstate
commerce, only, subject to the provisions of
the Federal Motor Carrier Act of 1935, as amended,

said operating rights being known as "Permits Nos. B-4615 and
B-4615-I."

By the above-styled application, said permit-holder seeks
authority to transfer said Permits Nos. B-4615 and B-4615-I to
McKee Trucking Co., Inc., a Colorado corporation, Wheatridge,
Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard at the Hearing
Room of the Commission, 330 State Office Building, Denver, Colorado,

April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Articles of Incorporation of Transferee herein were filed with the Commission, showing Tom McKee is the owner of substantially all stock in said corporation. It appears that McKee Trucking Co., Inc., Transferee herein, has \$5,000 in its treasury; that said corporation will lease equipment from Transferor herein.

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

The operating experience and financial responsibility of transferee were established to the satisfaction of the Commission, and it appears that there are no outstanding unpaid operating obligations against said permits.

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 permits, if any there be.

O R D E R

THE COMMISSION ORDERS:

That Tom McKee, Wheatridge, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-4615 and Permit No. B-4615-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to McKee Trucking Co., Inc., a Colorado corporation, Wheatridge, Colorado, subject to payment of outstanding indebtedness against said permits, 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 permits 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 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 permits up to time of transfer of said permits.

This order is made a part of the permits authorized to be transferred.

Transfer of interstate operating rights herein authorized is subject to the provisions of 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

Ralph C. Norton

John P. Thompson

Joseph E. Nigro
Commissioners.

Dated at Denver, Colorado,
this 23rd day of April, 1958.

ea

original

(Decision No. 50113)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
R. W. DINKMEYER, DOING BUSINESS AS)
"GOLDEN ICE & HAULING," ROUTE 1,)
BOX 239, GOLDEN, COLORADO, FOR AU-)
THORITY TO TRANSFER PUC NO. 2547 TO) APPLICATION NO. 16225-Transfer
RAY JENKINS AND RICHARD E. JONES,)
CO-PARTNERS, DOING BUSINESS AS)
"GOLDEN DISPOSAL," 1225 - 18TH)
STREET, GOLDEN, COLORADO.)
-----)

April 23, 1958

Appearances: R. W. Dinkmeyer, Golden,
Colorado, pro se;
Ray Jenkins, Golden, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, R. W. Dinkmeyer, doing business as "Golden Ice & Hauling," Golden, Colorado, was granted a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, for the transportation of:

trash, ashes, and junk, from points and places located within the City of Golden, Colorado, and within a one-mile radius thereof, to trash dumps located outside the City of Golden and within a five-mile radius thereof,

said operating rights being known as "PUC No. 2547."

By the instant application, said certificate-holder seeks authority to transfer said operating rights to Ray Jenkins and Richard E. Jones, co-partners, doing business as "Golden Disposal," Golden, 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, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that the consideration for transfer of said operating rights and one truck is the sum of \$2,750.00; that transferees' net worth is \$7,000.00.

No one appeared in opposition to granting authority herein sought.

The operating experience and financial responsibility of transferees 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 outstanding indebtedness against said operation, if any there be.

O R D E R

THE COMMISSION ORDERS:

That R. W. Dinkmeyer, doing business as "Golden Ice & Hauling," Golden, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2547 -- with authority as set forth in the preceding Statement, which is made a part hereof, by reference -- to Ray Jenkins and Richard E. Jones, co-partners, doing business as "Golden Disposal," Golden, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

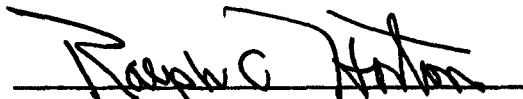

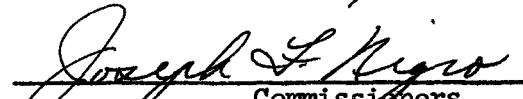
That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 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 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 23rd day of April, 1958.

ea

original

(Decision No. 50114)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
SIMON H. FRESQUEZ, 5151 MILWAUKEE)	
STREET, DENVER, COLORADO, FOR A)	
CLASS "B" PERMIT TO OPERATE AS A)	APPLICATION NO. 16230-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

April 23, 1958

Appearances: Simon H. Fresquez, Denver,
Colorado, pro se;
Marion F. Jones, Esq., Denver,
Colorado, and
Alvin J. Meiklejohn, Jr., Esq.,
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 a radius of fifty miles of Denver, to brick yards within a twenty-mile radius of Denver; peat moss and barnyard fertilizer, from supply points within a radius of

ten miles of Denver, 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, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant's net worth is \$10,000; that he is the owner of a G.M.C. 1957 Dump Truck, with which he proposes to conduct his operations.

Protestants stated they would not object to granting of authority herein sought, in the event operations 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 did not appear that applicant's proposed operations as hereinafter limited, will impair the operations 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.

O R D E R

THE COMMISSION ORDERS:

That Simon H. Fresquez, 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; clay, from pits and supply points within a radius of fifty miles of Denver, to brick yards within a radius of twenty miles of Denver; peat moss and barnyard fertilizer, from supply points within a radius of one hundred miles of Denver, to points within a radius of ten miles of Denver, Colorado, operations hereunder to be limited to the use of dump trucks, only.

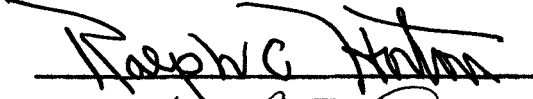


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 23rd day of April, 1958.

ea

original

(Decision No. 50115)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF
HARLEY CRANDALL, BOX 271, STRASBURG,
COLORADO, FOR A CLASS "B" PERMIT TO
OPERATE AS A PRIVATE CARRIER BY
MOTOR VEHICLE FOR HIRE.

APPLICATION NO. 16229-PP

April 23, 1958

Appearances: Harley Crandall, Strasburg,
Colorado, pro se;
Marion F. Jones, Esq., Den-
ver, Colorado, and
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R. B. "Dick" Wilson,
Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks a Class "B" permit, authorizing him to operate as a 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 appro-

priate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that applicant's net worth is \$10,000; that protestants would have no objection to granting authority herein sought, if said operating rights were restricted 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 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 permit should issue to applicant herein, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Harley Crandall, Strasburg, 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, limited to the use of dump trucks, only.

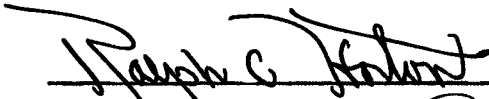
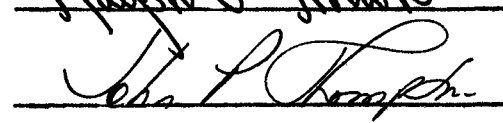
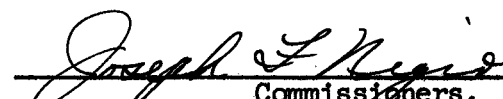
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 23rd day of April, 1958.

mls

original

(Decision No. 50116)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
MAX ADAMS, 8185 WEST 63RD PLACE,)	
ARVADA, COLORADO, FOR A CLASS "B")	<u>APPLICATION NO. 16228-PP</u>
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	

April 23, 1958

Appearances: Max Adams, Arvada, Colo-
rado, pro se;
Marion F. Jones, Esq.,
Denver, Colorado, and
Alvin J. Meiklejohn, Jr.,
Esq., Denver, Colorado,
for R. B. "Dick" Wilson,
Inc.

S T A T E M E N T

By the Commission:

Applicant herein seeks a Class "B" permit, authorizing him to operate as a 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 appro-

priate notice to all parties in interest, was heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, April 14, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, applicant testified that his net worth was \$5,000; that he was agreeable to a restriction, for use of dump trucks, only, on any authority herein 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 service 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.

O R D E R

THE COMMISSION ORDERS:

That Max Adams, 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.

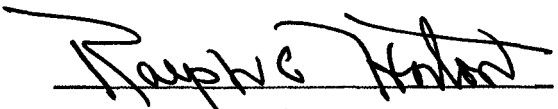


That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 insurance, and has secured authority sheets.

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 23rd day of April, 1958.

mls

original

(Decision No. 50117)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN O. HARDIN, JR., DOING BUSINESS)
AS "HARDIN CONSTRUCTION COMPANY,")
11795 WEST 8TH AVENUE, GOLDEN, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 16231-PP

April 23, 1958

Appearances: Marion F. Jones, Esq., Den-
ver, Colorado, and
Alvin J. Meiklejohn, Jr.,
Esq., 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, applicant herein seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials 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, April 14, 1958, 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, Attorneys for Protestants indicated they had no objection to granting of authority herein sought, if said operations 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 John O. Hardin, Jr., doing business as "Hardin Construction Company," Golden, 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.

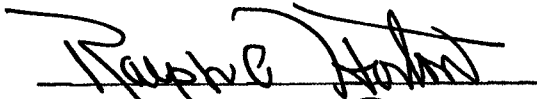

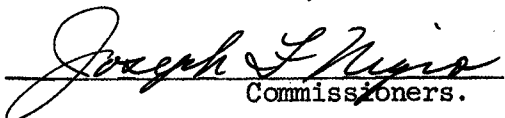
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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 23rd day of April, 1958.

mls

original

(Decision No. 50118)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH H. COWAN, 625 THIRD STREET,)
GREELEY, COLORADO, FOR AUTHORITY TO)
TRANSFER PERMIT NO. B-4611 TO COWAN-) APPLICATION NO. 16237-PP-Transfer
CARFIELD HOUSEMOVERS, INC., 625)
THIRD STREET, GREELEY, COLORADO.)
- - - - -)

- - - - -
April 23, 1958
- - - - -

Appearances: Samuel Telep. Esq., Greeley,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

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

houses and buildings (excluding box cars and trolley cars), between points in Jackson, Larimer, and Weld Counties, Colorado, and between points in those counties, on the one hand, and, on the other, points in the State of Colorado, except applicant shall not be permitted to render service from Denver to points within a five-mile radius of the City Limits of Denver, to points within the above-described area, it being understood, however, that applicant will be permitted to move from said area to points within the City of Denver and a five-mile radius thereof,

said operating rights being known as "Permit No. B-4611."

By the above-styled application, said permit-holder seeks authority to transfer said operating rights to Cowan-Carfield Housemovers, Inc., a corporation, Greeley, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Greeley, Colorado, April 15, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that transferee herein is a corporation, and Articles of Incorporation are on file with the Commission; that there are no outstanding unpaid operating obligations against said permit.

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

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

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 there be.

O R D E R

THE COMMISSION ORDERS:

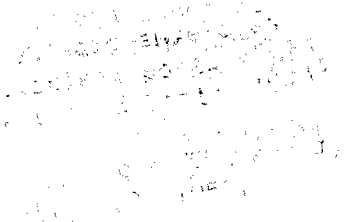
That Ralph H. Cowan, Greeley, Colorado, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-4611 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Cowan-Carfield Housemovers, Inc., Greeley, 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 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 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 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, and shall become effective twenty-one days from date.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Ralph C. Hobart
John P. Thompson
Joseph L. Higgins
Commissioners.

Dated at Denver, Colorado,
this 23rd day of April, 1958.

ea

request

(Decision No. 50119)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HERBERT L. CONLEY, 830 EAST MYRTLE)
STREET, FORT COLLINS, COLORADO, FOR)
A CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 16235
AND NECESSITY TO OPERATE AS A COMMON)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

April 23, 1958

Appearances: Herbert L. Conley, Fort
Collins, Colorado, pro se;
Eugene Fischer, Esq., Fort
Collins, Colorado, for
Lester R. Kent; James T.
Rickard.

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, for the transportation of trash, sand, and gravel.

Said application was regularly set for hearing before the Commission, at the District Court, Court House, Greeley, Colorado, due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, applicant appeared, requesting that said hearing be continued to a future date.

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. 16235 should be, and the same hereby is, continued, to be re-set for hearing 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. Hobart
John P. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 23rd day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
COLORADO & UTAH COAL COMPANY, 704)
BOSTON BUILDING, DENVER 2, COLORADO.)
)
)
)
-----)

PERMIT NO. M-88

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Colorado & Utah Coal Co.

requesting that Permit No. M-88 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-88, heretofore issued to _____

Colorado & Utah Coal Co. _____ be,

and the same is hereby, declared cancelled effective January 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holm
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 195 8.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRED C. HAMMEL, RR #1, BOX 99,)
CANON CITY, COLORADO)

PERMIT NO. M-212

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Fred C. Hammel

requesting that Permit No. M-212 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-212, heretofore issued to

Fred C. Hammel

be,

and the same is hereby, declared cancelled effective April 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Vincent
 John P. Thompson
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

 dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT H. MENG, DOING BUSINESS AS)
"MENG'S NEW & USED FURNITURE," 205 MAIN)
STREET, FORT MORGAN, COLORADO)
_____))
_____)

PERMIT NO. M-288

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Robert H. Meng, d/b/a Meng's New & Used Furniture
requesting that Permit No. M-288 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-288, heretofore issued to _____
Robert H. Meng, d/b/a Meng's New & Used Furniture be,
and the same is hereby, declared cancelled effective April 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Robert C. Harkin
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

(Decision No. 50123)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
STANLEY N. TRUEBLOOD, BOX NO. 67,)
LARKSPUR, COLORADO.)
)
)
)
-----)

PERMIT NO. M-1572

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Stanley N. Trueblood.

requesting that Permit No. M-1572 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1572, heretofore issued to _____

Stanley N. Trueblood. be,

and the same is hereby, declared cancelled effective April 24, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hanson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 195 8.

DK

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RALPH H. LEWTON, BOX NO. 702, LYONS,)
COLORADO.)

PERMIT NO. M-1656

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Ralph H. Lewton,

requesting that Permit No. M-1656 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1656, heretofore issued to

Ralph H. Lewton,.

be,

and the same is hereby, declared cancelled effective April 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of April , 1958.

 dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAM KAPLAN, DOING BUSINESS AS "KAP'S)
VENDING COMPANY," 2314 BROADWAY,)
DENVER 5, COLORADO)

PERMIT NO. M-2286

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Sam Kaplan, dba "Kaps Vending Co."

requesting that Permit No. M-2286 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2286, heretofore issued to _____

Sam Kaplan, dba "Kaps Vending Co."

be,

and the same is hereby, declared cancelled effective April 17, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. B. BARR LUMBER COMPANY, 1028 PATTEN*
SON BUILDING, 1706 WELTON STREET,)
DENVER 2, COLORADO.)
)
)
-----)

PERMIT NO. M-2336

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
W. B. Barr Lumber Company.
requesting that Permit No. M-2336 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2336, heretofore issued to _____
W. B. Barr Lumber Company. _____ be,
and the same is hereby, declared cancelled effective April 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Ralph G. Hodson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KITIMAT CORPORATION, 5400 COLORADO)
BOULEVARD, DENVER 16, COLORADO.)

PERMIT NO. M-4150

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Kitimat Corporation.

requesting that Permit No. M-4150 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4150, heretofore issued to

Kitimat Corporation.

be,

and the same is hereby, declared cancelled effective April 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of April, 1958.

 dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FOUR STATES MUD COMPANY, P.O. BOX NO.)
936, FARMINGTON, NEW MEXICO)

PERMIT NO. M-4191

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Four States Mud Company.

requesting that Permit No. M-4191 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4191, heretofore issued to _____

Four States Mud Company. be,

and the same is hereby, declared cancelled effective February 19, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

Dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN MASSARD & DOYLE T. JOHNS, DOING)
BUSINESS AS "BEST LAUNDRY & DRY CLEANERS)
(THE)," 124 E. FIRST STREET, SALIDA,)
COLORADO.)
-----)

PERMIT NO. M-7372

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Edwin Massard & Doyle T. Johns, d/b/a "Best Cleaners & Dry Cleaners "The"
requesting that Permit No. M-7372 be cancelled.

FINDINGS

THE COMMISSION FINDS:

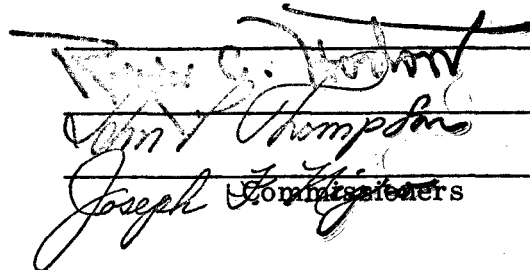
That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7372, heretofore issued to _____
"Edwin Massard & Doyle T. Johns, d/b/a Best Cleaners & Dry Cleaners "The" be,
and the same is hereby, declared cancelled effective March 29, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. EHNKE, DOING BUSINESS AS,)
"BOB'S CURVE SERVICE", 825 W. TOMICHI)
AVENUE, GUNNISON, COLORADO.)
_____))

PERMIT NO. M-7934

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Robert L. Ehnke, d/b/a "Bob's Curve Service",
requesting that Permit No. M-7934 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7934, heretofore issued to _____
Robert L. Ehnke d/b/a Bob's Curve Service. _____ be,
and the same is hereby, declared cancelled effective April 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RATON LUMBER COMPANY, P.O. BOX 830,)
RATON, NEW MEXICO.)
)
)
)
-----)

PERMIT NO. M-8668

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Raton Lumber Company.

requesting that Permit No. M-8668 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8668, heretofore issued to _____

Raton Lumber Company, _____ be,

and the same is hereby, declared cancelled effective March 21, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Robert C. Hartman
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

(Decision No. 50132)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GLENN & DONALD HENDRICKSON, 904 DEUEL,))
FORT MORGAN, COLORADO.))
))
-----)

PERMIT NO. M-9682

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Glenn & Donald Hendrickson.

requesting that Permit No. M-9682 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9682, heretofore issued to _____

Glenn & Donald Hendrickson. be,

and the same is hereby, declared cancelled effective April 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hootman
John P. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 195 8.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRY K. WATANABE & LOTTIE A. HARTNETT)
DOING BUSINESS AS, "ELITE FLORISTS")
5800 EAST COLFAX AVENUE, DENVER 20,)
COLORADO.)
-----)

PERMIT NO. M-10711

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Harry K. Watanabe & Lottie A. Hartnett d/b/a Elite Florists.

requesting that Permit No. M-10711 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10711, heretofore issued to _____

Harry K. Watanabe & Lottie A. Hartnett d/b/a Elite Florists. _____ be,

and the same is hereby, declared cancelled effective April 17, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hodson

John P. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FELICIANO RAEI, P.O. BOX 196, NORTH)
PUEBLO ROAD, TAOS, NEW MEXICO.)
)
)
)
-----)

PERMIT NO. M-11631

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Feliciano Rael.

requesting that Permit No. M-11631 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11631, heretofore issued to _____

Feliciano Rael. be,

and the same is hereby, declared cancelled effective March 19, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hahn
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT E. LOUGHEED, 557 E. EASTMAN,)
ENGLEWOOD, COLORADO.)

PERMIT NO. M-12568

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Robert E. Lougheed.

requesting that Permit No. M-12568 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12568, heretofore issued to _____

Robert E. Loughheed. _____ be,

and the same is hereby, declared cancelled effective April 13, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hooten
 John P. Thompson
 Joseph F. Kigro
 Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

 dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RANDALL L. SCHRECKHISE, 606 SO. 13th.)
STREET, ROCKY FORD, COLORADO.)

PERMIT NO. M-12782

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Randall L. Schreckhise.

requesting that Permit No. M-12782 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12782, heretofore issued to _____

Randall L. Schreckhise be,

and the same is hereby, declared cancelled effective April 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph G. Hooton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AMERICAN WHOLESALERS, INCORPORATED,)
1929 WEST GLENDALE AVENUE, PHOENIX,)
ARIZONA.)
-----)

PERMIT NO. M-12949

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

American Wholesalers Inc.

requesting that Permit No. M-12949 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M -12949, heretofore issued to _____

American Wholesalers, Inc. be,

and the same is hereby, declared cancelled effective April 18, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Anderson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 195 8.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SAM S. TOCHIHARA, ROUTE NO. 1,
BRIGHTON, COLORADO.

PERMIT NO. M-13575

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Sam S. Tochiara.

requesting that Permit No. M-13575 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13575, heretofore issued to _____

Sam S. Tochiara.

be,

and the same is hereby, declared cancelled effective March 19, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN A. GALLAGHER, BOX NO. 57,)
WESTCLIFFE, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-14157

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

John A. Gallagher.

requesting that Permit No. M-14157 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14157, heretofore issued to _____

John A. Gallagher be,

and the same is hereby, declared cancelled effective March 10, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANCIS AND WESLEY MOORE, BOX NO. 63,)
YAMPA, COLORADO.)
)
)
)
-----)

PERMIT NO. M-14196

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Francis and Wesley Moore.

requesting that Permit No. M-14196 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14196, heretofore issued to _____

Francis and Wesley Moore. be,

and the same is hereby, declared cancelled effective April 18, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holman
John P. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 195 8.

dk

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

April 28, 1958

S T A T E M E N T

By the Commission:

On November 13, 1957, the Commission authorized Alex Greenwalt to suspend operations under his Certificate of Public Convenience and Necessity No. 3341 until April 24, 1958.

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:

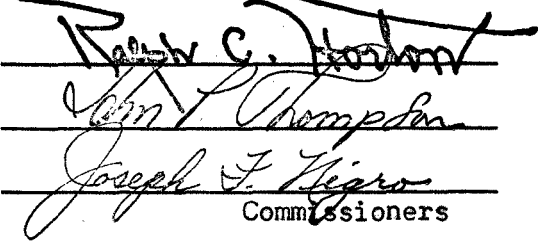
That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That Certificate of Public Convenience and Necessity No. 3341 should be, and the same hereby is, reinstated as of March 25, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
E. D. KOONCE, DOING BUSINESS AS)
E. D. KOONCE WATER SERVICE, BOX)
186, FT. MORGAN, COLORADO.)

PERMIT NO. B-4763

April 28, 1958

S T A T E M E N T

By the Commission:

On March 28, 1958, the Commission authorized E. D. Koonce, DBA E. D. Koonce Water Service, to suspend operations under his Permit No. B-4763 until September 22, 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-4763 should be, and the same hereby is, reinstated as of April 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hartman
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

ma

(Decision No. 50143)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES ROBB, BIG SPRINGS,)
NEBRASKA.)

PUC NO. 1339-I

April 28, 1958

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. 1339-I be suspended for six months from April 21, 1958.

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 Charles Robb be, and he is hereby, authorized to suspend his operations under PUC No. 1339-I until October 21, 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 G. Horton

John P. Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

ma

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
NOAH SMITH, 709 SOUTH UNION BLVD.,)
COLORADO SPRINGS, COLORADO.)

PUC NO. 3857-I

April 28, 1958

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. 3857-I be suspended for six months from March 20, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

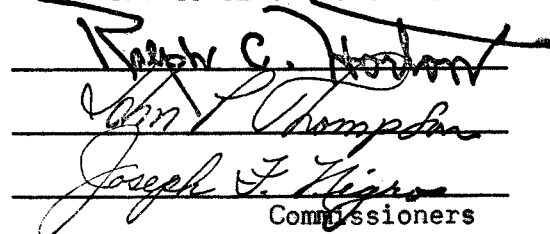
O R D E R

THE COMMISSION ORDERS:

That Noah Smith be, and he is hereby, authorized to suspend his operations under PUC No. 3857-I until September 20, 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 carriers 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 28th day of April 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT LANTZ AND JACQUELINE)
LANTZ, DOING BUSINESS AS "LANTZ)
TRUCK LINE," BENNETT, COLORADO.)

PERMIT NO. A-36

April 28, 1958

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. A-36 be suspended for six months from April 21, 1958.

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 Lantz and Jacqueline Lantz, dba Lantz Truck Line, be, and they are hereby, authorized to suspend operations under Permit No. A-36 until October 21, 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. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

(Decision No. 50146)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN S. NEVIN, 812 WARNER STREET,)
FT. MORGAN, COLORADO.)

PERMIT NO. B-1942

April 28, 1958

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-1942 be suspended for six months from April 14, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That John S. Nevin be, and he is hereby, authorized to suspend his operations under Permit No. B-1942 until October 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

Ralph C. Hartman
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

(Decision No. 50147)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LEE MEDINA, BOX 579, CENTER,)
COLORADO.)

PERMIT NO. B-3561

April 28, 1958

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-3561 be suspended for six months from April 21, 1958.

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 Lee Medina be, and he is hereby, authorized to suspend his operations under Permit No. B-3561 until October 21, 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. Horton
John P. Thompson
Joseph J. Higgins
Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

(Decision No. 50148)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ALSON W. STEELE, BOX 48, LA PORTE,)
COLORADO.)

PERMIT NO. B-4852

April 28, 1958

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-4852 be suspended for six months from April 21, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

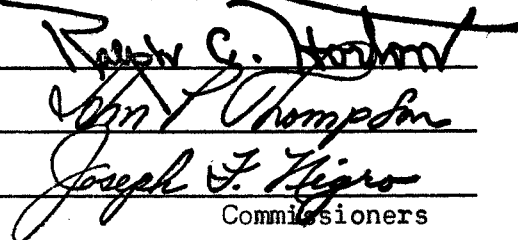
O R D E R

THE COMMISSION ORDERS:

That Alson W. Steele be, and he is hereby, authorized to suspend his operations under Permit No. B-4852 until October 21, 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 governing private carrier permits, said permit, without further action by the Commission, shall be revoked without theright to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners

Dated at Denver, Colorado,
this 28th day of April, 1958.

(Decision No. 50149)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM L. WOLSLEBEN, 1625 16TH)
STREET, BOULDER, COLORADO.)

PERMIT NO. B-5039

April 28, 1958

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-5039 be suspended for six months from March 23, 1958.

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 William L. Wolsleben be, and he is hereby, authorized to suspend his operations under Permit No. B-5039 until September 23, 1958.

That unless said permit-holder shall, prior to the expiration date 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. Horn
John P. Thompson
Joseph F. Higgs
Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

(Decision No. 50150)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GORDON L. WILSON, ROUTE 1, AMITY,)
ARKANSAS.)

PERMIT NO. B-5055

April 28, 1958

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-5055 be suspended for six months from November 28, 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 Gordon L. Wilson be, and he is hereby, authorized to suspend his operations under Permit No. B-5055 until May 28, 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. Horton
John P. Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

ma

(Decision No. 50151)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
OTIS W. SMITH, GENERAL DELIVERY,)
BOLORES, COLORADO.)

PERMIT NO. B-5237

April 28, 1958

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 April 7, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

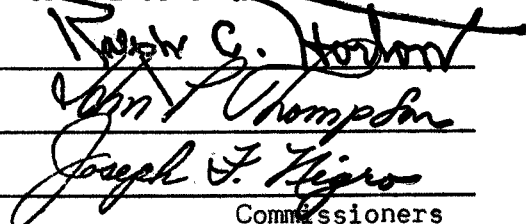
O R D E R

THE COMMISSION ORDERS:

That Otis W. Smith be, and he is hereby, authorized to suspend his operations under Permit No. B-5237 until October 7, 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 28th day of April 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN VERNON ASHBROOK, 9501 WEST)
COLFAX, LAKEWOOD, COLORADO.)

PERMIT NO. B-5289

April 28, 1958

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-5289 be suspended for six months from April 12, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

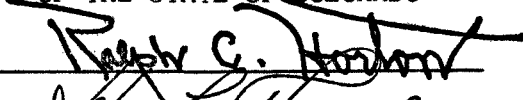
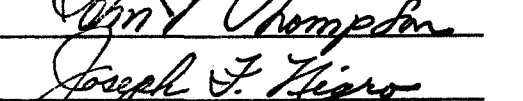
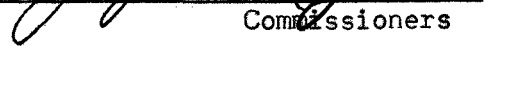
O R D E R

THE COMMISSION ORDERS:

That John Vernon Ashbrook be, and he is hereby, authorized to suspend his operations under Permit No. B-5289 until October 12, 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 28th day of April 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANCIS R. HOLLIFIELD, BOX 234,)
PENROSE, COLORADO.)

PERMIT NO. B-5355

April 28, 1958

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-5355 be suspended for six months from April 14, 1958.

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 Francis R. Hollifield be, and he is hereby, authorized to suspend operations under Permit No. B-5355 until October 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

Ralph C. Horton

John Thompson

Joseph F. Negro

Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KITIMAT CORPORATION, 5400 COLORADO)
BOULEVARD, DENVER 16, COLORADO.)

Permit No. B-5382

April 28, 1958

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 Permit No. B-5382 be suspended for six months from April 1, 1958.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E E R

THE COMMISSION ORDERS:

That the Kitimat Corporation be, and hereby is, authorized to suspend operations under Permit No. B-5382 until October 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. Horton
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 28th day of April 1958.

signal

(Decision No. 50155)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INVESTIGATION AND SUSPENSION OF)	
PROPOSED DISCONTINUANCE OF WATER)	<u>INVESTIGATION AND SUSPENSION</u>
SERVICE BY PURE SPRING WATER SUP-)	<u>DOCKET NO. 409</u>
PLY COMPANY, FOWLER, COLORADO.)	
- - - - -)	

RE INVESTIGATION AND SUSPENSION OF)	
PROPOSED INCREASE IN RATES BY PURE)	<u>INVESTIGATION AND SUSPENSION</u>
SPRING WATER SUPPLY COMPANY, FOWLER)	<u>DOCKET NO. 411</u>
COLORADO.)	
- - - - -)	

- - - - -
April 25, 1958
- - - - -

Appearances: A. L. Forbes, Esq., Fowler,
Colorado, for Pure Spring
Water Supply Company;
Cover Mendenhall, Esq.,
Rocky Ford, Colorado,
for Protestants;
Lawrence L. Fenton, Esq.,
Ordway, Colorado,
for Protestants;
A. L. Mueller, Esq., Denver,
Colorado, and
J. M. McNulty, Denver, Colo-
rado, for the Commission's
Staff.

S T A T E M E N T

By the Commission:

The Pure Spring Water Supply Company, of Fowler, Colorado, signified its intent to abandon water service to its customers in accordance with the Rules of Practice and Procedure of the Commission.

The Commission, by Decision No. 49640, dated January 22, 1958, in Investigation and Suspension Docket No. 409, suspended the proposed discontinuance of water service until May 31, 1958, unless otherwise ordered.

Subsequent to filing for abandonment, the Water Company filed a new tariff, proposing to increase the rates to all of its

customers. The procedure followed in the rate filing was also according to the Rules of Practice and Procedure of the Commission.

The Commission, by Decision No. 49779, dated March 6, 1958, in Investigation and Suspension Docket No. 411, suspended the proposed effective date of the rate increase until July 18, 1958, unless otherwise ordered.

At the same time (March 6, 1958), the Commission set the matters of the abandonment and the proposed increase in rates for hearing at the Court House at La Junta, Colorado, on Tuesday, March 25, 1958. All interested parties were notified of the time and place of hearing, including various protestants who had written in to the Commission opposing the abandonment. The above two dockets were heard on a consolidated record and at the conclusion of the hearing, the Commission took the matter under advisement.

The Pure Spring Water Supply Company was incorporated under the laws of the State of Colorado, on October 25, 1906, and started building its present water supply system, starting in the year of its incorporation. In 1924, it added to its system by the purchase of the Crystal Springs Pipe Line and Water Company. No major property additions had been made to the system since 1930. The source of water for this system is from springs located in hills north of Fowler, Colorado. These springs have a natural flow of water and this flow has been augmented by the laying of tile into collecting cisterns located in said hills. Originally, the water fed by gravity from the cistern into a four-inch transmission line from the hills easterly down the Arkansas Valley about five miles to a point near the Olney Springs cemetery where the line divides, one branch continuing down the river valley southeast to Rocky Ford, approximately eighteen miles distance, and the other branch going north and east to the Towns of Crowley and Ordway, a distance of approximately twelve miles. A few years ago a pump was installed at the head of the transmission line to increase the pressure in order to improve

the service on the system since the force of gravity was not sufficient to maintain the pressure at the lower end of the system, probably due to the corrosion on the inside of the transmission line.

The Water Company at one time supplied water service to several towns in the Arkansas Valley, among which were the Towns of Fowler, Crowley, and Ordway. The exact number of customers served during the peak period of this Company's operation is not disclosed in this record. The files of the Commission reveal that at the end of the Year 1949, the Company still had about 300 customers on its system, even though at that time the Towns of Fowler, Crowley and Ordway were no longer customers of the Company. It is quite obvious that as this Company lost service to the various towns, and consequently revenues, it became more difficult to maintain the lines as originally built for service for a greater number of customers. In our Decision No. 33992, of December 28, 1949, in Investigation and Suspension Docket No. 259, we went into considerable detail in regard to operations of this Company. We see no point in reiterating to any great extent what we said therein other than to state at this time that there was considerable mismanagement of this Company in years past. While it is true that the present management is new and has inherited the situation from its predecessors, we, nevertheless, must face the facts as they exist today.

The Company at the present time has issued and outstanding 1,039 shares of capital stock of \$100 par value, and \$5,000 worth of bonds. The present debt ratio of this Company is 5% but at one time it was as high as 49% debt. In 1924, the Company authorized and issued thirty-year first mortgage bonds in the amount of \$100,000, bearing interest at the rate of 6%. The Company retired \$5,000 worth of bonds in 1936 and, in 1941, after the sale of part of its water system to the Town of Fowler, retired an additional \$63,000 in bonds from the proceeds of the sale. After this sale to the Town of Fowler, a new series of 6% bonds in the amount of \$32,000 replaced the remaining bonds of the first issue, and \$10,000 of this amount was

retired in 1946. There are still \$5,000 in bonds of this issue outstanding. In addition to the bonds outstanding, one of the stockholders of the Company holds a note for \$2,000, so that at the present time this Company has only a small indebtedness outstanding compared to its total capitalization.

Testimony at the hearing revealed that most of the transmission main that is still in service was installed in 1906, or thereabouts, and therefore has been in service for approximately fifty years. It has been increasingly difficult to maintain water pressure in the transmission main, and each time there has been a break in the line, sediment and scale from the inside of the pipe has caused clogging of the water meters of those customers still on the system. Because of the difficulty of maintaining the meters, some of the bills are based on an estimate due to the meter outages which further complicates the true revenue picture of this Company. Exhibit No. 2 introduced at the hearing shows that for the Year 1956 this Company had a net operating loss of \$1,673.92, and for the Year 1957, a net loss of \$2,813.99. While there may be some question as to the amount of money spent for repairs during these years that might have been charged to capital accounts, in all probability it would not be sufficient in amount to change the financial picture to any great extent. During these same years, approximately \$1,900 per year has been charged to depreciation expense, and even if this item is eliminated for the Year 1957 and a further adjustment made for repairs charged to expense by a transfer to a capital account, it is doubtful if the Company would have operated in the black for the Year 1957. As of December 31, 1957, there were 141 customers remaining on the water system. The average number of customers for 1957 would be approximately 151.

For the Year 1957, the depreciation reserve, as shown by the books of the Company, amounts to approximately 65% of the depreciable property. This percentage obviously is not in accordance

with the actual physical condition of the property, since the testimony presented was to the effect that the system -- for all practical purposes -- is worn out, and to function properly, particularly the transmission system, it would need replacing in its entirety. We are not unduly concerned with the setting up of a rate base and rate of return since under the circumstances, while the Company has been operating in the red, it cannot expect to obtain sufficient revenues from the remaining customers to make what would be termed an adequate rate of return in the normal sense. It is quite obvious that under present circumstances with only a limited number of customers, this Company could not raise sufficient capital to rebuild this system so as to continue rendering service. The witness for the staff of the Commission estimated it would cost \$258,237.00 to replace the transmission system at today's prices.

We are reluctant to permit an abandonment, but to do otherwise would not accomplish anything since the time is coming when it will be economically not feasible, and very difficult physically because of major leaks, to continue to keep the mains of this Company in such a state of repair as to continue rendering service.

Representatives of the various groups of customers located along this water system appeared at the hearing and testified. All of the witnesses believed that the new rates proposed for domestic water service are exorbitant and protested the granting of the increase. They also protested the proposed abandonment. The majority of customers could build cisterns and obtain tank-wagon water for their needs but this would involve an expense on their part and it varied depending on the type of cistern that would be required. All of these customers were reluctant to build these cisterns since they wanted to continue to receive water service from the Company. Our sympathies are with the customers and undoubtedly, in a few instances there will be some hardships when this Company goes out of business, but we see no alternative at the present time, and all we can do is to delay somewhat the inevitable and give these customers

some time to prepare for the ultimate abandonment of this system.

A group of the customers were anxious to purchase the land and the springs as a source of water from the Company should it go out of business. The Company set a price of \$125,000 for the land and water, which precluded this particular group of customers from making any purchase. A customer-witness testified that it might have been possible to obtain \$50,000 from the Farm and Home Administration to purchase the land and water, providing approximately 100 customers could be secured to take water service. Apparently, there are not 100 customers in this particular area where service might be continued even if the property in question could be purchased for that amount. While this Commission, if it were to permit an outright abandonment, could not control the sale of the land and water rights, yet we believe in fairness to the present customers that they should be given an opportunity to buy this property so as to obtain a source of water. Some of the customers can obtain water from other sources either by joining small mutual water companies, or by obtaining water from some of the municipalities near where they live. There is a group of customers, however, not in either of the above categories that would certainly benefit if the land and water could be purchased as a nucleus for a new cooperative water system. We strongly urge cooperation to the end that this might be accomplished.

Since we feel that abandonment of this system is inevitable, we do not intend to grant the full rate increase as requested as it will undoubtedly work a hardship on the customers without a corresponding benefit to either the Company or the customers. If the Company can pay out-of-pocket costs until such time as it abandons service, it will be fortunate.

The present retail rate charged by the Company is:

First 500 gallons or less per month	\$1.50
Excess over 500 gallons per 100 gallons	.30

The proposed retail rate by the Company is:

First 1,000 gallons or less per month	\$6.00
All over 1,000 gallons per 100 gallons	.60

The rate to the Coca Cola Company at the present time is:

Per 1,000 gallons	\$1.50
Minimum bill per month	22.50

The proposed rate to Coca Cola Company is:

Per 1,000 gallons	\$6.00
Minimum bill	22.50

It can be seen that the proposed rate is a considerable increase over the existing rate. As we have stated, this system was originally built for many more customers than are presently being served, and we do not feel that under the circumstances the remaining customers should have to pay a rate that would make any return on the investment. According to the testimony of the Company witness and the exhibits submitted by the Company, the rate as proposed would return \$704.04 in excess of the operating expenses and interest charges for the test year. However, included in this amount is approximately \$1,900 of depreciation expense which we do not consider as an out-of-pocket cost. The witness for the Water Company also testified that in applying the proposed new rates for the test year, he took the water consumption for the Month of January 1958 and determined the revenue for this month and then multiplied by twelve to obtain his test year revenues. This may or may not be a fair representation of the revenue, depending on whether or not the Month of January is a representative month. If the consumption for the Month of January would be below the average of the other months, then the revenues as calculated by the Company for the test year would be low, and the Company under the conditions as assumed would actually have a greater revenue.

In disallowing the full rate as requested, we do not intend to imply that any of the expenses incurred by Applicant are exorbitant or that they are not actual legitimate operating expenses, including the charge for depreciation. We believe that to grant the full rate increase as requested would be unjust and unreasonable. Our intention is to alleviate, in part, some of the financial difficulty by granting a partial increase, pending the abandonment of the water system.

If we allow a rate increase in the amount of 50% of that requested by the Company, we believe that this Company can continue to operate until such time as abandonment is permitted. We realize that as customers drop off the revenue will decline, but the increase in rates should help offset this loss in revenue and permit the Company to keep this system in repair so that the customers can continue to receive water service until they can obtain another source of water. The whole purpose of the rate increase is to help the Company keep this system going to allow time for the customers to secure another source of water. It should also allow time for those customers who are interested in buying the land and water rights a period for further negotiations. We are unable to predict at this time how long a period of time should be allowed. Undoubtedly, the customers will be able to accomplish what they need to do during the summer of 1958. If this matter of abandonment is held in abeyance for the time being, we can at a later time again examine the situation to see what conditions then prevail.

The rate that we will permit to be filed will be as follows:

Retail Customers:

For the first 1,000 gallons or less per month . .	\$4.50
For all water used over 1,000 gallons per	
month, per 100 gallons45
Minimum bill per month	\$4.50

Coca Cola Company:

Per 1,000 gallons	\$3.00
Minimum bill per month\$22.50

Under the old Company rate, the first 500 gallons in the minimum charge cost \$1.50, or at the rate of .30¢ per 100 gallons. The prescribed rate gives 1,000 gallons for \$4.50, the minimum charge, which is at the rate of .45¢ per 100 gallons, or a 50% increase per 100 gallons over the old rate. Excess gallonage over 500 gallons in the old rate cost .30¢ per 100 gallons, while under the prescribed rate the excess usage over 1,000 gallons would cost .45¢ per 100 gallons, or a 50% increase in the rate. The rate to the Coca Cola Company does not change in the monthly minimum charge but the charge for 1,000 gallons is increased to \$3.00 per thousand, which is 50% of the increase requested by the Company.

We will, accordingly, keep the matter of abandonment of the Water Company under suspension pending a further order of this Commission in Investigation and Suspension Docket No. 409. Our order to follow will grant 50% of the requested rate in order to help the Company maintain its system until such time as abandonment is permitted.

F I N D I N G S

THE COMMISSION FINDS:

That the Pure Spring Water Supply Company of Fowler, Colorado, is a public utility, subject to the jurisdiction of this Commission.

That the Commission is fully advised in the premises.

That the rate as filed by the Pure Spring Water Supply Company, being Third Revised Sheet No. 2 and First Revised Sheet No. 5 of its Colorado P. U. C. Tariff No. 2, are unjust, unreasonable, and should not be permitted to become effective.

That the rates as set forth in our Order to follow are just and reasonable, and Pure Spring Water Supply Company should be permitted to file said rates to become effective as set forth in said Order.

That the matter of discontinuance of water service by Pure Spring Water Supply Company in Investigation and Suspension

Docket No. 409 should be held in abeyance pending further order of this Commission.

That Investigation and Suspension Docket No. 411, regarding the proposed increase in rates by Pure Spring Water Company, should be closed.

O R D E R

THE COMMISSION ORDERS:

That the rates filed by the Pure Spring Water Supply Company, being Third Revised Sheet No. 2 and First Revised Sheet No. 5 of its Colorado P. U. C. Tariff No. 2, are hereby declared to be unjust, unreasonable and not permitted to become effective.

That the rates set forth herein are just and reasonable and that Pure Spring Water Supply Company should be permitted to file said rates on not less than one day's notice to the Commission in the manner prescribed, to become effective on May 1, 1958, for all water sold on and after said date.

That the rates hereby authorized are as follows:

Retail Customers:

For the first 1,000 gallons or less per month . .	\$4.50
For all water used over 1,000 gallons per	
month, per 100 gallons45
Minimum bill per month	\$.45

Coca Cola Company:

Per 1,000 gallons	\$3.00
Minimum bill per month	\$22.50

That Investigation and Suspension Docket No. 411, regarding the proposed increase in rates by the Pure Spring Water Supply Company, be, and it hereby is, closed.

That the matter of the discontinuance of water service by Pure Spring Water Supply Company in Investigation and Suspension Docket No. 409, be, and it hereby is, held in abeyance, pending a further order of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Harold C. Hahort
John Thompson
Joseph F. Puccio
Commissioners.

Dated at Denver, Colorado,
this 25th day of April, 1958.
ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALSON W. STEELE, BOX 48, LA PORTE,)
COLORADO.)
)
)
)
-----)

PERMIT NO. M-1913

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Alson W. Steele.

requesting that Permit No. M-1913 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1913, heretofore issued to _____

Alson W. Steele. _____ be,

and the same is hereby, declared cancelled effective April 21, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holm
John F. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN S. NEVIN, 812 WARNER STREET,)
FORT MORGAN, COLORADO.)
)
)
)
-----)

PERMIT NO. M-2882

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

John S. Nevin.

requesting that Permit No. M-2882 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2882, heretofore issued to _____

John S. Nevin. be,

and the same is hereby, declared cancelled effective April 14, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John P. Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LARRY ALAN ELLINGTON, BOX NO. 164,)
COTOPAXI, COLORADO.)

PERMIT NO. M-10876

April 28, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Larry Alan Ellington.

requesting that Permit No. M-10876 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10876, heretofore issued to

Larry Alan Ellington.

be,

and the same is hereby, declared cancelled effective April 22, 1958.

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

Ralph C. Howard
 John P. Thompson
 Joseph F. Negro
 Commissioners

Dated at Denver, Colorado,

this 28th day of April, 1958.

revised

(Decision No. 50159)

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 AUTHORITY TO EXTEND ELECTRIC)
LINES AND FACILITIES TO SERVE BROOM-) APPLICATION NO. 16167-Amended
FIELD HEIGHTS FILING NO. 2 IN S $\frac{1}{2}$ OF)
SECTION 26, AND THE NE $\frac{1}{4}$ OF SECTION)
35, TOWNSHIP 1-SOUTH, RANGE 69-WEST,)
BOULDER COUNTY, COLORADO.)
-----)

April 25, 1958

Appearances: Lee, Bryans, Kelly and
Stansfield, Esqs., by
Bryant O'Donnell, Esq.,
Denver, Colorado,
for Applicant;
Grant, Shafroth and Toll,
Esqs., by
Erl H. Ellis, Esq., Denver,
Colorado, for Union Rural
Electric Association, Inc.;
Everett R. Thompson, Denver,
Colorado, and
J. M. McNulty, Denver, Colo-
rado, for the Commission.

S T A T E M E N T

By the Commission:

On February 28, 1958, Public Service Company of Colorado
filed with this Commission an application, and on March 6, 1958,
Union Rural Elctric Association, Inc. filed its protest to said
application with the Commission.

The matter was set for hearing after due notice to all
interested parties, March 7, 1958, in the Hearing Room of the Com-
mission, 330 State Office Building, Denver, Colorado. The matter
was duly heard on said date and, at the conclusion of the hearing,
the Commission took the matter under advisement.

The procedure being following in this proceeding was set forth by the Commission in its Decision No. 47074, dated January 7, 1957, in Application No. 13576 - Case No. 5108. This procedure set forth the manner in which applicants could proceed in the event it was necessary to extend its facilities over 300 feet in the aggregate from presently-existing facilities. Applicant also followed the procedure as set forth in the stipulation, being Exhibit "T" in Application No. 15076, and Application No. 15150.

The application as filed requested a certificate in the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-five (35), and the South Half ($S\frac{1}{2}$) of Section Twenty-six (26), Township One (1) South, Range Sixty-nine (69) West, Boulder County, Colorado, known as Broomfield Heights Filing No. 2.

At the hearing, counsel for Applicant requested permission to amend the application to include an additional area, being the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section Thirty-five (35), Township One (1) South, Range Sixty-nine (69) West, Broomfield Heights Filing No. 1. The Union Rural Electric Association, Inc., appearing in this matter protesting the granting of the certificate to Public Service Company of Colorado, also protested the amendment of the application as proposed by Applicant. At the hearing, the Commission reserved the ruling on the request for the amendment. After studying the record and evidence in this matter, we now rule that Applicant be permitted to amend its application. All interested parties were present at the hearing and the objections stated have been duly noted.

The Broomfield Heights area is partly within and partly without the area defined in Appendix "A" in our Decision No. 47074 of January 7, 1957. The Public Service Company is presently serving in the Broomfield Heights area that is located outside of the Appendix "A" territory. It also has lines and equipment inside the Appendix "A" territory in parts of Broomfield Heights first filing. It is presently serving 628 residential consumers in the Broomfield Heights 1st Filing.

A witness appeared on behalf of The Turnpike Land Company, the company developing this area, and stated that there were approximately 814 homes presently built in the No. 1 and No. 2 Filings, and that the company hopes to build 600 more homes in the No. 2 Filing in the Year 1958. At the present time, the grading of streets and certain land improvements are under way preparatory to starting the building of homes in the 2nd Filing. The Turnpike Land Company hopes to build over 700 homes eventually in the 2nd Filing and ultimately it has hopes of constructing six thousand houses in the Broomfield Heights area. The witness for the Turnpike Land Company desired the extension of Public Service Company facilities to render service in the area to be developed. Broomfield Heights Filing No. 1 and No. 2 are contiguous, and the layout of the streets apparently are all part of a planned subdivision.

Union Rural Electric Association, Inc. appeared in protest to this application. It has a line partially in the north portion of Section 35 and partially in the south portion of Section 26, Township 1-South, Range 68-West. A portion of this same line also extends along a part of the northeast border of Section 35. This line is in the area requested to be certificated to Public Service Company. Union Rural Electric Association, Inc. still serves some customers on the line located in Section 26, but the exact number we are not sure of in this record, although it may be as many as four. It may also still be serving one customer in Section 35. Union REA apparently has another customer in the Northeast Quarter ($NE\frac{1}{4}$) of Section 26, but it is not in the area sought in the instant application.

Union Rural Electric Association, Inc. presented testimony in protest to the instant application together with statements as to how it might serve this area. No application for service in this area by Union Rural Electric Association is before this Commission, which fact we deem to be significant.

Since Public Service Company is presently serving in Broomfield Heights, Filing No. 1, and since the area sought to be certificated is an integral part of Broomfield Heights, it appears that the best interests of the public can be served by having one utility render service. This interest of the public is paramount and transcends all considerations of the respective adversary utilities competing for this territory. After examining all exhibits, including those in the record by reference, the Commission is of the opinion that the application of Public Service Company of Colorado should be granted.

F I N D I N G S

THE COMMISSION FINDS:

1. That the Commission has jurisdiction of the Applicant and of the subject matter in the instant application.
2. That the Commission is fully advised in the premises.
3. That the foregoing Statement be made a part hereof by reference.
4. That public convenience and necessity require, and will require, the granting of Application No. 16167 of Public Service Company of Colorado, as amended, to render electric service in the Northeast Quarter ($NE\frac{1}{4}$) and the North Half of the Southeast Quarter ($N\frac{1}{2}SE\frac{1}{4}$) of Section Thirty-five (35), and the South Half ($S\frac{1}{2}$) of Section Twenty-six (26), Township One (1) South, Range Sixty-nine (69) West, Boulder County, Colorado, known as Broomfield Heights Filing No. 1 and No. 2.

O R D E R

THE COMMISSION ORDERS:

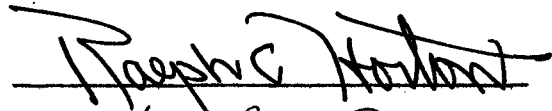


That Public Service Company of Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to extend its facilities to render electric service in the Northeast Quarter ($NE\frac{1}{4}$) and the North Half of the Southeast Quarter ($N\frac{1}{2}SE\frac{1}{4}$) of Section Thirty-five (35), and the South Half ($S\frac{1}{2}$) of Section Twenty-six (26), Township One (1) South, Range Sixty-nine (69) West, Boulder County, Colorado, known

as Broomfield Heights Filings No. 1 and No. 2, all as more fully shown on Exhibit No. 6, being a map submitted at the hearing which, by reference, is made a part hereof.

That Public Service Company of Colorado shall render electric service under the certificate granted herein under the rates, rules and regulations of said company, now or hereafter on file with this Commission, until changed according to law and the rules and regulations of this Commission.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 25th day of April, 1958.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
A CORPORATION ORGANIZED AND EXIST-)
ING UNDER THE LAWS OF THE STATE OF)
COLORADO, FOR AN ORDER AUTHORIZING)
THE ISSUANCE OF 160,000 SHARES OF)
ITS CUMULATIVE PREFERRED STOCK)

APPLICATION NO. 16286
Securities

S T A T E M E N T

By the Commission:

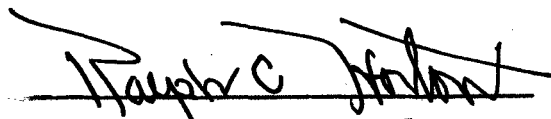

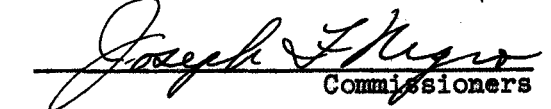
Upon consideration of the application filed April 23, 1958,
by Public Service Company of Colorado, a Corporation, in the above-styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on May 7, 1958,
at 10:00 o'clock A. M., 330 State Office Building, Denver, Colorado, respect-
ing the matters involved and the issues presented in this proceeding. Any
interested municipality or any representative of interested consumers or
security holders of applicant corporation, and any other person whose par-
ticipation herein is in the public interest, may intervene in said proceed-
ings. Intervention petitions should be filed with the Commission on or
before May 1, 1958, and should set forth the grounds of the proposed inter-
vention, and the position and interest of the petitioners, in the pro-
ceeding, and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 25th day of April, 1958.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PHILIP P. HONEKER, 2156 FEDERAL)
BOULEVARD, DENVER, COLORADO.) PUC NO. 3847
-----)

April 22, 1958

Appearances: Robert E. McLean, Esq.,
 Denver, Colorado, for
 Philip P. Honeker.

S T A T E M E N T

By the Commission:

On December 20, 1957, the Commission entered its Decision No. 49237, authorizing Philip P. Honeker, Denver, Colorado, to suspend operations under PUC No. 3847 until May 27, 1958.

The Commission is now in receipt of a communication from Robert E. McLean, Attorney for said Philip P. Honeker, requesting reinstatement of said operating rights as of April 22, 1958.

Inasmuch as said certificate-holder has met all requirements of the Commission regarding operations of common carriers,

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 PUC No. 3847 should be, and the same hereby is, reinstated, as of April 22, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Harkins
John P. Thompson
Joseph F. Higin
Commissioners.

Dated at Denver, Colorado,
this 22nd day of April, 1958.

original

(Decision No. 50162)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF	}	<u>PERMIT NO. B-5002</u>
PETE UMBRIACO, 5900 NORTH WASH-		
INGTON STREET, DENVER, COLORADO.		
-----)	

April 21, 1958

S T A T E M E N T

By the Commission:

On October 22, 1957, the Commission entered its Decision No. 48899, authorizing Pete Umbriaco, Denver, Colorado, owner of Permit No. B-5002, to suspend operations under said permit until April 22, 1958.

The Commission is now in receipt of a request from said permit-holder, requesting authority to further suspend operations under said Permit No. B-5002 for an additional six months' period.

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 Pete Umbriaco, Denver, Colorado, should be, and he hereby is, authorized to further suspend operations under Permit No. B-5002 until October 22, 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 order by the Commission, shall

stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holton
John P. Thompson
Joseph F. Kyrle
Commissioners.

Dated at Denver, Colorado,
this 21st day of April, 1958.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE PUBLIX CORPORATION, 3455 WEST)
ARKINS COURT, DENVER, COLORADO, FOR)
AUTHORITY TO TRANSFER ITS OPERATING)
RIGHTS GRANTED BY DECISION NO. 4320,) APPLICATION NO. 16140-Transfer
BEING A PORTION OF PUC NO. 1223, TO)
YELLOW CAB TOURWAYS, INC., 3455 WEST)
ARKINS COURT, DENVER, COLORADO.)
-----)

April 25, 1958

Appearances: Walter M. Simon, Esq.,
Denver, Colorado, for
Applicants;
I. B. James, Denver, Colo-
rado, for Rocky Mountain
Motor Company; Colorado
Transportation Company.

S T A T E M E N T

By the Commission:

The above-styled application was regularly set for hearing,
and heard, at the Hearing Room of the Commission, 330 State Office
Building, Denver, Colorado, March 10, 1958, and at the conclusion of
the evidence, the matter was taken under advisement. The parties
have filed statements of position and the matter now stands submitted
for decision.

In some respects the application may be ambiguous. Apparently
believing that a transfer in the general terms the applicant seeks
might be construed by the applicant as authorizing transportation
not actually authorized, the protestant James has entered his protest.

By our Decision No. 4320, this Commission, on May 20, 1932,
authorized M. P. Masterson, doing business as "Masterson Auto Service,"
to operate motor taxicabs and buses in the transportation of:

passengers and their personal baggage to and from the City and County of Denver, from and to any and all other counties, cities, towns, and points within the State of Colorado, in the nature of special taxicab and bus service.

If this language contains authority to conduct sightseeing operations, it is by implication only. This authority was numbered PUC No. 82. For convenience, this authority may be referred to as the "original authority."

By our Decision No. 41032, dated July 28, 1953, this Commission extended the authority of PUC No. 82 to include the right to transport:

passengers and their personal baggage, upon call and demand, from point to point within the geographical limits of the City and County of Denver, State of Colorado, taxicab service within said City and County of Denver being limited to the use of one car.

For convenience, this authority may be referred to as "the extension."

By various other decisions of other dates, Masterson was authorized, under PUC No. 82, to conduct motor vehicle operations for the transportation of passengers, in round trip service only, between Denver and many points of interest in the State of Colorado, expressly in sightseeing service.

On July 5, 1954, by our Decision No. 43097, in a split certificate case, the Commission, after hearing evidence as to what the parties themselves intended the divided portions to cover, and reviewing part of that evidence for the purpose of characterizing the two operations which would result from the split, authorized Masterson to transfer "all taxicab operating rights under PUC No. 82 -- being the operating rights granted by Decision No. 4320, as extended by Decision No. 41032" to Publix Cab Company for consolidation with the then existing operating rights of Publix Cab Company under its PUC No. 1223. The Statement portion of that decision refers to other authorized numbers owned by Masterson which were there transferred to Masterson's son, Thomas B. Masterson,

and concluded in the following language:

"By Application No. 13004, he seeks to transfer all sightseeing operating rights under PUC No. 82 to the same transferee" (that is, the son), "and all taxicab operating rights under said PUC No. 82 to Publix Cab Company, Denver, Colorado."

According to that decision, both the son and the attorney for the transferee, Publix Cab Company, explained the necessity for the transfer of taxicab rights to Publix Cab Company "in order to round out and clarify the present authority of that Company." We will not review here that explanatory testimony. It does appear, however, that the transfer to Publix Cab Company intended by the parties and approved in that decision did not include any sightseeing rights, but included only taxicab rights. Taken as a whole, it appears quite clear from that decision that PUC No. 82 was to be split, with Masterson's son to retain all the sightseeing rights and Publix Cab to obtain taxicab rights. Nothing in that proceeding indicated any intention to establish any new or additional sightseeing operation.

By our Decision No. 49310, this Commission, on December 31, 1957, approved the transfer to Publix Corporation of all the operating rights which Publix Cab Company then had under its PUC No. 1223, with an exception not material here. By its present application, the Publix Corporation seeks to remove these Masterson rights from PUC No. 1223 and transfer them to Yellow Cab Tourways, Inc., which now conducts operations under PUC No. 87.

The ownership and control of the transferor and transferee is identical so far as we are informed; the same ownership through other corporations now controls over 75% of the taxi service locally available in Denver. Doubtless, these owners have good and sufficient reason for maintaining their operations under various corporation entities. This present transfer, however, is largely a matter of moving a marker from one square to another. Good business practice, tax practice, or other reasons may make this desirable from the point of view of owners; but the marker does not change its shape or size in the process in moving. If any person wishes to have

construed the operating rights split off by Masterson and transferred to Publix in 1954, the appropriate way to have it done is by complaint or application for construction, when we can hear evidence from anyone interested and, from the evidence, arrive at a decision which can be reviewed in the Courts, and which can become final. This present proceeding is not such a proceeding, and as it has not been placed in issue and we have not had the benefit of testimony on this subject, we are not disposed here to make any construction of that authority. The evidence in this proceeding indicates that the transferee corporation is qualified financially and by experience to conduct the operation proposed; no reason appears why the transfer should not be approved in such fashion as to authorize the transfer of whatever authority Publix acquired from Masterson, the original owner. An Order will be entered accordingly.

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That The Publix Corporation, Denver, Colorado, should be, and hereby is, authorized to split its authority PUC No. 1223, and transfer to Yellow Cab Tourways, Inc., Denver, Colorado, for consolidation with its PUC No. 87, that portion of said PUC No. 1223 which derives originally from the transfer of operating rights by M. P. Masterson to Publix Cab Company, pursuant to our Decision No. 43097, dated July 5, 1954; subject to payment of outstanding indebtedness against said operating rights, 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.

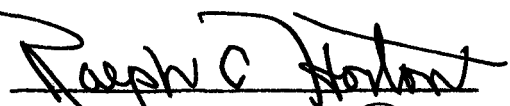

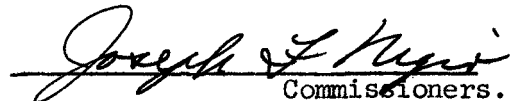
The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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.

The operating rights herein authorized to be transferred shall be consolidated with, and become a part of, and be operated under, PUC No. 87.

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 April, 1958.

original

(Decision No. 50164)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
R. E. BAUGHMAN, DOING BUSINESS AS)
"HIAWATHA MOTOR COACHES," TOPEKA,)
KANSAS, FOR AUTHORITY TO TRANSFER)
INTERSTATE OPERATING RIGHTS TO)
THUNDERBIRD TRANSPORTATION CO.,)
INC., P. O. BOX 211, KANSAS CITY,)
KANSAS.)

PUC NO 3733-I-Transfer

April 28, 1958

S T A T E M E N T

By the Commission:

Heretofore, R. E. Baughman, doing business as "Hiawatha Motor Coaches," Topeka, Kansas, was authorized to operate as a common carrier by motor vehicle for hire, in interstate commerce, subject to the provision of the Federal Motor Carrier Act of 1935, as amended, and PUC No. 3733-I issued to him.

Said certificate-holder now seeks authority to transfer said operating rights to Thunderbird Transportation Co., Inc., Kansas City, Kansas.

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 should be authorized, as set forth in the Order following.

O R D E R

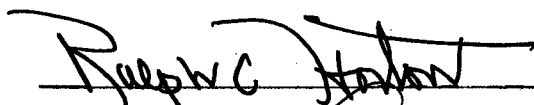


THE COMMISSION ORDERS:

That R. E. Baughman, doing business as "Hiawatha Motor Coaches,"

Topeka, Kansas, should be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3733-I to Thunderbird Transportation Co., Inc., Kansas City, Kansas, 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 28th day of April, 1958.

mls

original

(Decision No. 50165)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ARROW FREIGHT LINES, BROKEN BOW,)
NEBRASKA.)

PUC NO. 1363-I
CASE NO. 238-CC

April 28, 1958

S T A T E M E N T

By the Commission:

On August 21, 1957, in Case No. 238-CC, the Commission entered its Order, revoking PUC No. 1363-I.

The Commission is now in receipt of a communication from said certificate-holder, requesting reinstatement of said operating rights.

Inasmuch as it appears that all requirements of the Commission have been met by Arrow Freight Lines,

F I N D I N G S

THE COMMISSION FINDS:

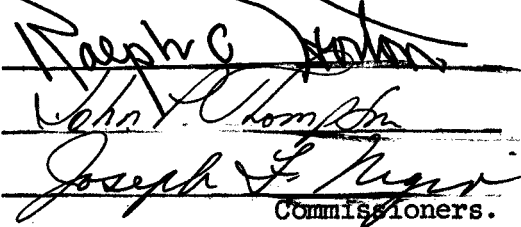
That said operating rights should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 1363-I should be, and the same hereby is, reinstated, as of August 21, 1957, revocation order entered by the Commission on said date in Case No. 238-CC being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Commissioners.

Dated at Denver, Colorado,
this 28th day of April, 1958.

mls

signal

(Decision No. 50166)

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

April 28, 1958

S T A T E M E N T

By the Commission:

On November 13, 1957, the Commission entered its Decision No. 49028, authorizing Orval L. Sebring, Gunnison, Colorado, owner of Permit No. B-3903, to suspend operations under said permit until May 1, 1958.

The Commission is now in receipt of a request from said permit-holder, requesting authority to further suspend operations under said Permit No. B-3903 for an additional period of six months.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

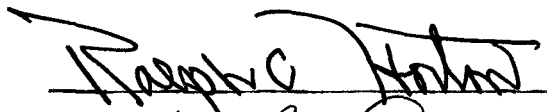

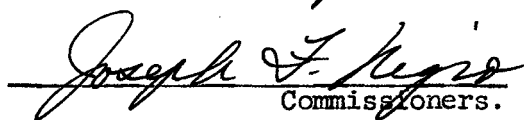
THE COMMISSION ORDERS:

That Orval L. Sebring, Gunnison, Colorado, should be, and he hereby is, authorized to further suspend operations under Permit No. B-3903 until November 1, 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 28th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROSS B. SMERNOFF, DOING BUSINESS AS)
"ROSS' FLORAL DELIVERY," 685 SOUTH)
DECATUR STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-) APPLICATION NO. 16222-Extension
IENCE AND NECESSITY, AUTHORIZING)
EXTENSION OF OPERATIONS UNDER PUC)
NO. 3941.)
-----)

April 25, 1958

Appearances: Ross B. Smernoff, dba Ross'
Floral Delivery, Denver,
Applicant; Robert G. McIlhenny,
Attorney at Law, Denver, Colo-
rado, for Applicant.

S T A T E M E N T

By the Commission:

On March 7, 1958, the above-styled application was filed with the Commission, and was set for hearing at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, April 28, 1958, at 10:00 o'clock A. M., due notice of said setting being forwarded to all parties in interest.

Attorney for Applicant has requested the Commission to dismiss 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 hearing in the above-styled application, set for April 28, 1958, should be, and the same hereby is vacated.

That Application No. 16222-Extension should be, and the same hereby is, dismissed, at the request of Attorney for Applicant.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph C. Hooten
John P. Thompson
Joseph F. Hines
Commissioners

Dated at Denver, Colorado,
this 25th day of April, 1958.

original

(Decision No. 50168)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EARL G. DIEDRICH, 413 WEST 8TH)
STREET, LEADVILLE, COLORADO, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE) APPLICATION NO. 16287
AND NECESSITY TO OPERATE AS A COM-)
MON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)
-----)

April 28, 1958

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, for the transportation of garbage, ashes, dirt, rock, brush and other waste materials, between all points within the corporate limits of the City of Leadville, Colorado, and the Leadville City Dumps and a ten-mile radius of said City of Leadville and the designated Leadville City Dump..

Inasmuch as interested parties have indicated they have no objection to the granting of certificates, limited to the service herein sought to be performed by applicant, the Commission determined to hear, and has heard, said application, forthwith, without formal notice, upon the records and files herein.

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 operations, 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:

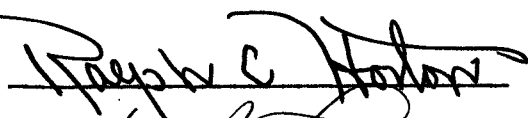
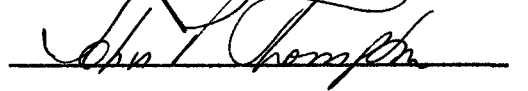

That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of Earl G. Diedrich, Leadville, Colorado, for the transportation of garbage, ashes, dirt, rock, brush, and other waste materials, between all points within the corporate limits of the City of Leadville, Colorado, and the Leadville City Dumps and a ten-mile radius of said City of Leadville, Colorado, and designated Leadville City Dumps, and this order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

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




Commissioners.

Dated at Denver, Colorado,
this 28th day of April, 1958.

ea

equal

(Decision No. 50169)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VERE WESTWOOD, 968 NORTH SECOND)
EAST, OREN, UTAH, FOR AUTHORITY TO)
TRANSFER INTERSTATE OPERATING RIGHTS) PUC NO. 2947-I-Transfer
TO VERE WESTWOOD, INC., 99 WEST)
THIRD NORTH, MOAB, UTAH.)
-----)

April 28, 1958

S T A T E M E N T

By the Commission:

Heretofore, Vere Westwood, Oren, 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.

Said certificate-holder now seeks authority to transfer said operating rights to Vere Westwood, Inc., 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 in the public interest, and should be authorized, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Vere Westwood, Oren, Utah, should be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2947-I to Vere Westwood, Inc., 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

Harold C. Holton
John P. Thompson
Joseph F. Kiger
Commissioners.

Dated at Denver, Colorado,
this 28th day of April, 1958.

ea

original

(Decision No. 50170)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE DEPARTMENT OF HIGHWAYS OF THE)
STATE OF COLORADO, 4201 EAST AR-)
KANSAS AVENUE, DENVER, COLORADO, FOR)
AUTHORITY TO INSTALL SUPPLEMENTAL)
HIGHWAY-RAILWAY GRADE CROSSING PRO-)
TECTION DEVICES AT THE ATCHISON,)
TOPEKA AND SANTA FE RAILWAY COM-)
PANY'S MILEPOST 502 + 2087, LOCATED)
ON MAIN STREET (STATE HIGHWAY NOS.)
6 AND 59), IN THE CITY OF LAMAR,)
PROWERS COUNTY, STATE OF COLORADO.)
-----)

APPLICATION NO. 15953

April 28, 1958

Appearances: George L. Zoellner, Esq.,
Denver, Colorado, for
Department of Highways;
Douglas McHendrie, Esq.,
Denver, Colorado, for
Atchison, Topeka and
Santa Fe Railway Company;
J. L. McNeill, Denver, Colo-
rado, 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 Com-
mission on December 11, 1957, and was thereafter set to be heard
at the Hearing Room of the Commission, 330 State Office Building,
Denver, Colorado, on March 3, 1958.

After appropriate notice to all interested parties and
to the Mayor of the City of Lamar, Colorado, the matter was heard
and taken under advisement by the Commission.

The purpose of the application is to secure Commission
approval for the installation of auxiliary flashing light signals
to be placed in a new curbed median section on Main Street at each

side of the Santa Fe main line track, and to operate in conjunction with existing flashing signals and short-arm gates now installed at the crossing.

At the hearing, a correction in the application was offered by counsel for Applicant whereby "all expenses" incurred by the Railroad Company would be reimbursable by the Department of Highways. The following exhibits were offered and explained by Mr. E. L. King, who is Assistant to the Plans and Surveys Engineer of the Department of Highways, at Denver, Colorado:

- Exhibit A: Sketch map and Title Page of Project Plans to show layout of Main Street crossing and Santa Fe tracks in Lamar, Colorado.
- Exhibit B: Plan and Profile Sheet No. 10 of Project Plans to show details of curbed median section and proposed use of flashing lights at Santa Fe trackage over Main Street (U. S. Highway #287) in Lamar, Colorado.
- Exhibit C: Project Plan Sheet No. 14 to show wiring plans of Santa Fe Railway Co. and proposed location of new flashing signals at center of highway in relation to existing flashing lights and gates as now installed on curb sides of highway.
- Exhibit D: Prepared Statement of Mr. King pertaining to the project to explain further details of Agreements, Approvals, roads involved, need for signals and statement of cost.
- Exhibit E: (Received March 27, 1958--Late-filed) Agreement made November 27, 1957 between Department of Highways and The Atchison, Topeka and Santa Fe Railway Company relating to the new installation, maintenance and future payments pertaining to the whole signal layout.

It appears that present flashing light and gate arm protection on Main Street is the result of railroad-highway negotiations of 1947. Since that time, traffic volumes have greatly increased and in October 1957, the City of Lamar enacted City Ordinance No. 443 to prohibit parking at all times between the northerly Santa Fe track and Beech Street in order that the crossings could permit a free flow of traffic.

According to Mr. King, the instant project will consist of minor grading, drainage stabilization, curbs, gutters and bituminous paving to provide an eight-foot parking lane and two $11\frac{1}{2}$ -foot driving lanes on each side of a new curbed median along the center line of the street. At the Santa Fe rail crossing it is proposed to supplement the gate-arm protection by the installation of flashing light signals in the median section at each side of the main line track. In this manner, the new lights will provide warning of an approaching train for each driving lane of the four-lane improvement.

Main Street as involved herein is also designated as State Highway No. 6 and 59 and U. S. Highway No. 287. Crossing at grade is made over one main line, one passing and two spur tracks of the Santa Fe Railway. There are sixteen scheduled trains daily and one switching movement. Maximum train speeds are thirty miles per hour. Average daily vehicular traffic on Main Street is 7500 vehicles, and authorized speed limit is thirty-five miles per hour. As noted above, the automatic devices offer protection for main line trains, while the occasional train movements on the three switching and passing tracks are flagged by train crews. No accidents have been recorded with the gate-arm protection and the proposed lights are now offered as a part of the current street widening improvement.

Cost of railroad work for the proposed signal addition is \$2,930.00 as based on the Santa Fe estimate of November 27, 1957. In accordance with the agreements herein, the Santa Fe shall be fully reimbursed for the signal work and upon completion thereof, shall assume full maintenance and operation of the entire installation. Department of Highways will furnish and install necessary advance warning signs at its expense.

No objections to the proposed work have been received by the Commission and none were presented at the hearing. As may be noted from the agreements submitted herein, approvals have been

given by the Chief Engineer, Department of Highways; by the Bureau of Public Roads, and is authorized by the State Highway Commission and the City of Lamar.

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 installation and maintenance of the supplemental flashing light signals as proposed herein for placement at the Main Street crossing of The Atchison, Topeka and Santa Fe Railway Company trackage in Lamar, Prowers County, Colorado.

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 installation, construction and maintenance of supplemental flashing light signals to be placed in the curbed median section of Main Street and at each side of The Atchison, Topeka and Santa Fe Railway Company main line crossing over said Main Street (U. S. #287), in the City of Lamar, Prowers 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", "C", "D", and "E", 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


Joseph C. Hutton

John P. Thompson

Joseph F. Lewis
Commissioners.

Dated at Denver, Colorado,
this 28th day of April, 1958.
ea

original

(Decision No. 50171)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
PHILIP P. HONEKER, 2156 FEDERAL)	
BOULEVARD, DENVER, COLORADO, FOR)	APPLICATION NO. 16066-Transfer
AUTHORITY TO TRANSFER PUC NO. 3847)	<u>SUPPLEMENTAL ORDER</u>
TO OLINDA M. HONEKER, 3439 WILLIAM)	
STREET, DENVER, COLORADO.)	

April 28, 1958

Appearances: Robert E. McLean, Esq.,
Denver, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

On November 27, 1957, Philip P. Honeker, Denver, Colorado, owner of PUC No. 3847, filed with this Commission his application, seeking authority to transfer said operating rights to Olinda M. Honeker.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, February 10, 1958, due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, transferor herein, Philip P. Honeker, requested that said matter be continued, to be re-set for hearing before the Commission at a future date to be determined by the Commission, which action was taken by the Commission on February 20, 1958, by Decision No. 49668.

The Commission is now in receipt of a communication from Robert E. McLean, Attorney for applicants herein, stating said applicants no longer desire 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.

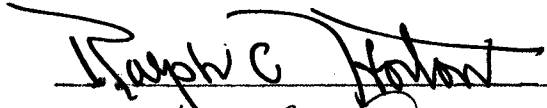


O R D E R

THE COMMISSION ORDERS:

That Application No. 16066 should be, and the same hereby is, dismissed, at request of Robert E. McLean, Attorney for Applicants 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 28th day of April, 1958.

mls

original

(Decision No. 50172)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM H. HARRISON AND EDNA S.)
HARRISON, CO-PARTNERS, BOX 157,)
GRANBY, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY)
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO 15421
SUPPLEMENTAL ORDER

April 28, 1958

Appearances: Barnard and Barnard, Esqs.,
Granby, Colorado, by
Doyte C. Dudley, Esq., Gran-
by, Colorado, for Appli-
cants;
I. B. James, Denver, Colorado,
for Colorado Motor Way, Inc.,
Denver-Boulder Bus Company.

S T A T E M E N T

By the Commission:

On August 12, 195 , the Commission entered its Decision No. 48508, in the above-styled application, granting to William H. Harrison and Edna S. Harrison, co-partners, Granby, Colorado, a certificate of public convenience and necessity, authorizing operations as a common carrier by motor vehicle for hire, for the transportation of:

passengers and their baggage, in taxicab service, between all points in Grand County, State of Colorado, and from and to all points in said County, to and from all points within the State of Colorado, including service within the corporate limits of the Towns of Granby, Grand Lake, Fraser, Hot Sulphur Springs, and Kremmling, Colorado.

On April 10, 1958, inasmuch as applicants had not fulfilled requirements set forth in said Decision No. 48508, the Commission entered its Decision No. 50021, revoking operating rights granted by Decision No. 48508, for failure of applicants to comply with require-

ments set forth in said Decision No. 48508.

It now appears that all requirements of the Commission relative to operations of common carriers have been met by applicants herein, and the Commission is in receipt of a request from said applicants that said operating rights be reinstated.

F I N D I N G S

THE COMMISSION FINDS:

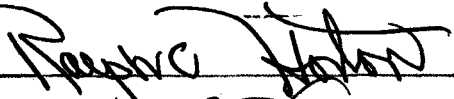
That said request should be granted.


O R D E R

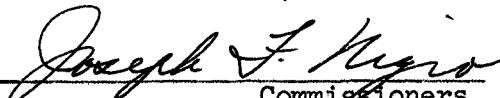
THE COMMISSION ORDERS:

That operating rights granted to William H. Harrison and Edna S. Harrison, Granby, Colorado, by Decision No. 48508, of date August 12, 1957, should be, and the same hereby are, reinstated, as of April 10, 1958, Decision No. 50021 being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO







Commissioners.

Dated at Denver, Colorado,
this 28th day of April, 1958

mls

original

(Decision No. 50173)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RALPH CARESTIA, RURAL ROUTE 1,) PERMIT NO. B-3547
FLORENCE, COLORADO.)

April 28, 1958

S T A T E M E N T

By the Commission:

Pursuant to authority contained in Decision No. 32198, of date February 18, 1949, Ralph Carestia, Florence, Colorado, acquired Permit No. B-3547, said permit being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

coal and wood, between points within a one-hundred-mile radius of Florence, Colorado, excluding all service from or to points in Teller County.

The Commission is now in receipt of a communication from said permit-holder, requesting that said operating rights be amended, by restricting operations to points within a fifty-mile radius of Florence, Colorado

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted and said operating rights amended and restricted, as requested by Ralph Carestia, Florence, Colorado, owner thereof.

O R D E R

THE COMMISSION ORDERS:

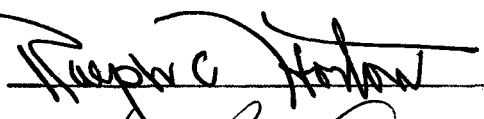
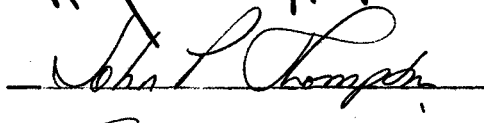
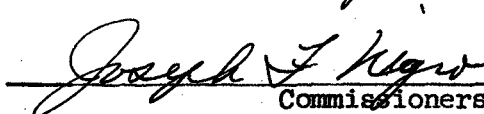
That Permit No. B-3547 should be, and the same hereby is,

restricted, as requested by Ralph Carestia, Florence, Colorado, owner and operator thereof, so that said Permit No. B-3547, in the future, shall authorize said permit-holder to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

coal and wood, between points within a radius of fifty miles of Florence, Colorado, excluding all service from or to points in Teller County.

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 28th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ABEL MARES, 1519 DECATUR STREET,)
DENVER, COLORADO, FOR CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY) APPLICATION NO. 16267
TO OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

April 29, 1958

Appearances: Samuel D. Menin, Esq.,
Denver, Colorado,
for Applicant;
R. B. Danks, Esq.,
Denver, Colorado, for
Colorado Transfer and
Warehousemen's Association;
H. D. Hicks, Denver, Colo-
rado, for Centennial
Truck Lines, Inc.;
Hubert Work, Denver, Colo-
rado, for Weicker Transfer
and Storage Company.

S T A T E M E N T

By the Commission:

By application filed February 21, 1958, the applicant seeks authority to engage in the moving and hauling business in Denver and within a 50-mile radius of Denver. In addition to this general language, the applicant specifically seeks authority to serve Sunrise Donut Corporation and LaMode Furniture Company.

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, April 24, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of his application. He explained that he now has a three-quarter-ton flat bed pickup

truck and intends to use only equipment of this size or smaller. Himself a person of Spanish extraction, he lives in a Spanish-speaking neighborhood in Denver, and from time to time one or another of his neighbors asks him to help with moving their furniture from one house to another. He has in mind serving Spanish-speaking people only; his office would be in his home. Concerning the donut shop and the furniture store, the service he proposes is an emergency service only and is intended to supplement the service which these companies now provide for themselves in their own vehicles.

No public or customer-witnesses appeared or testified, nor did any witness indicate that the proposed service was desired or would be used if it were authorized.

Mr. Hubert Work, Treasurer of Weicker Transfer and Storage Company, a general cartage common carrier in the area, testified in protest, as did Mr. Barry Bekins, Vice-President of Bekins Van and Storage Company, a household goods mover in the area. It appears from their testimony that there are a number of vehicles available for the type of work proposed and that a substantial part of their equipment is idle a substantial portion of the time. Each of these companies has Spanish-speaking employees; each of them is actively soliciting business, attempting to use its idle equipment; and each of them expressed the view that any further division of the limited revenues available from this type of work in the area will adversely affect their ability to continue to offer the broad common carrier service they now provide to the public.

We are not able to conclude from the evidence in this case that the public convenience or necessity requires an additional carrier of this type in Denver at this time. It will be noted that no public witness appeared. There is no evidence that any persons who had household or other goods to move could not get them moved promptly and safely at reasonable rates. On the contrary, there was evidence that the granting of the application would tend

actually to interfere with the existing service to the public.

In all the facts and circumstances of this particular case, the application must be denied.

It will be noted that the applicant seeks to enter the business of transportation for hire. Nothing in the law prevents him from renting his truck to neighbors in circumstances that he has mentioned, so long as he does not also drive the truck or provide the driver for the neighbor. An attempt was made to indicate that the applicant's neighbors lack funds with which to hire established moving service. Presumably this same condition would prevail if the applicant entered the business, as he, too, would have to charge rates sufficient to compensate him for his time and the use of his equipment just as other carriers now must do. If the applicant's neighbors are not able to pay such necessary costs, then the only alternative would be for them to rent a truck and do their work themselves. If the applicant, therefore, seriously intends to be of assistance to his neighbors, the law provides him a way through the rental of his truck, so long as he does not also drive or provide a driver.

Taking the situation in all its aspects then, we believe the application must be denied. An Order will be entered accordingly.

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 denied.

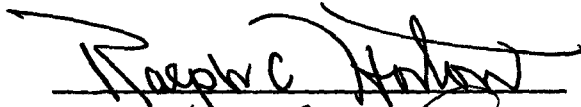


O R D E R

THE COMMISSION ORDERS:

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 29th day of April, 1958.

ea

regional

* * *

APPLICATION NO. 16255-Lease

APPLICATION NO. 16256-Lease

APPLICATION NO. 16257-Lease

APPLICATION NO. 16258-Lease

April 29, 1958

S T A T E M E N T

The Aurora Corporation is presently the owner of PUC No. 1529; Checker Cab, Inc., of PUC No. 2378; The Englewood Transportation Company of PUC No. 2450; and The Publix Corporation of PUC No. 1223. These authorities in general authorize taxicab operations in the Denver area. By the present applications, these corporations seek to lease their rights to Yellow Cab, Inc., Denver, Colorado.

Said applications, pursuant to prior setting, after appropriate notice to all parties in interest, were consolidated for hearing and heard at the Hearing Room of the Commission, 330 State Office Building, Denver, Colorado, April 21, 1958, and at the conclusion of the evidence, the matters were taken under advisement.

Mr. Fayette M. Elliott, General Manager of lessee corporation, testified in support of the applications. It appears from the testimony and the records of the Commission that the authorities described above are all beneficially owned by the same group of people through various corporate organizations. These same people also control the lessee corporation. Without regard to the reasons why the record title should be held in a number of different corporations, it is a more practical business practice to operate all of the cabs out of one headquarters through one management and as a single group. The leases here are proposed merely to clear the record so that this more efficient method of operating can be put into effect. Over a period of time, it is expected that all of the corporations operating under any of the authorities mentioned will be Yellow Cabs, and operated under that name. No change in the ownership or operation is involved in this proceeding, this proceeding being merely a clerical one to permit the records to show how the owners are actually operating their authorities. No one appeared in protest and no reason appears why the owners of these authorities should not be permitted to operate them through a single management.

An order will be entered accordingly approving these leases.

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 leases are compatible with the public interest, and should be authorized, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That The Aurora Corporation, Denver, Colorado, should be, and it hereby is, authorized to lease PUC No. 1529 to Yellow Cab, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That Checker Cab, Inc., Denver, Colorado, should be, and it hereby is, authorized to lease PUC No. 2378 to Yellow Cab, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That The Englewood Transportation Company, Denver, Colorado, should be, and it hereby is, authorized to lease PUC No. 2450 to Yellow Cab, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

That The Publix Corporation, Denver, Colorado, should be, and it hereby is, authorized to lease PUC No. 1223 to Yellow Cab, Inc., Denver, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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 the respective certificates up to the time of transfer of said certificates, (PUC Nos. 1529, 2378, 2450, and 1223).

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Holm
John A. Thompson
Joseph F. Nigro
Commissioners.

Dated at Denver, Colorado,
this 29th day of April, 1958.

ea

original

(Decision No. 50176)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
HOMER L. BROWN, DOING BUSINESS AS)
"CRIPPLE CREEK-VICTOR AND COLORADO)
SPRINGS STAGE AND FREIGHT LINES,")
530 SOUTH SAWATCH, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 32 TO GEORGE F. JACKSON, DO-)
ING BUSINESS AS "A-ONE TRUCK LINE,")
2903 NORTH TEJON STREET, COLORADO)
SPRINGS, COLORADO.)

APPLICATION NO. 16141-Transfer

IN THE MATTER OF THE APPLICATION OF)
GEORGE F. JACKSON, DOING BUSINESS)
AS "A-ONE TRUCK LINE," 2903 NORTH)
TEJON STREET, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO EXTEND)
OPERATIONS UNDER PERMIT NO. A-404.)

APPLICATION NO. 16142-PP-Extension

SUPPLEMENTAL ORDER

April 29, 1958

Appearances: George M. Gibson, Esq.,
Colorado Springs, Colo-
rado, for Transferee
and Applicant;
Homer L. Brown, Colorado
Springs, Colorado, pro
se;
Howard D. Hicks, Denver,
Colorado, for Centen-
nial Truck Lines, Inc.

S T A T E M E N T

By the Commission:

By our Decision No. 49911, dated March 25, 1958, we author-
ized the transfer of PUC No. 32 to George F. Jackson, subject to cer-
tain conditions, one of which was that failure to file acceptance
within thirty days from the effective date of the Order would auto-
matically revoke the authority granted to make the transfer.

The buyer, Mr. Jackson, now requests an extension of time

within which to act, stating that arrangements being made with creditors cannot be completed within the time specified in the Order. No reason appears why the time should not be extended until June 1, 1958. An Order will be entered accordingly.

F I N D I N G S

THE COMMISSION FINDS:

That an extension of time, until June 1, 1958, in which to file acceptance of transfer of PUC No. 32 should be granted.

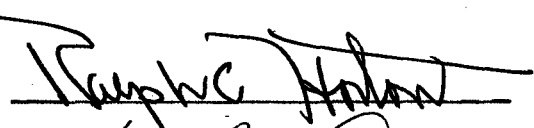

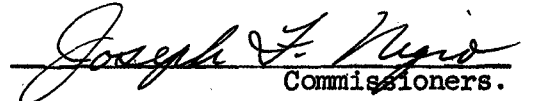
O R D E R

THE COMMISSION ORDERS:

That extension of time until June 1, 1958, in which to file acceptance of transfer of PUC No. 32 be, and the same hereby is, granted.

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 29th day of April, 1958.

mls

reynold

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
F. A. MATHEWS, ROUTE 1, BOX 140,)	
LONGMONT, COLORADO, FOR AUTHORITY)	
TO LEASE PERMIT NO. A-588 TO ROBERT)	<u>APPLICATION NO. 16238-PP-Lease</u>
FAULKNER, ROUTE 2, BOX 122, PLATTE-)	
VILLE, COLORADO.)	
-----)	

April 29, 1958

Appearances: F. A. Mathews, Longmont,
Colorado, pro se;
Robert Faulkner, Platteville,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, F. A. Mathews, Longmont, Colorado, owner of Permit No. A-588, seeks authority to lease said operating rights to Robert Faulkner, Platteville, Colorado, in accordance with terms and conditions set forth in Lease Agreement, copy of which is on file with the Commission.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Greeley, Colorado, April 15, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, it appeared that there are no outstanding unpaid operating obligations against said permit.

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

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

F I N D I N G S

THE COMMISSION FINDS:

That the proposed lease is in the public interest and should

be authorized, as set forth in the Order following.

O R D E R


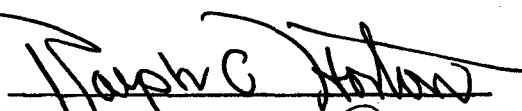

THE COMMISSION ORDERS:

That F. A. Mathews, Longmont, Colorado, should be, and he hereby is, authorized to lease Permit No. A-588 to Robert Faulkner, Platteville, Colorado, in accordance with terms and conditions set forth in Lease Agreement filed with the instant application, which, by reference, is made a part hereof, and subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

The right of lessee 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 lessor of delinquent reports, if any, covering operations under said permit up to time of lease of said permit.

This Order is made a part of the permit authorized to be leased, and 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 29th day of April, 1958.

ea

original

(Decision No. 50178)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ISAAC CURTIS, TOPONAS, COLORADO,)
FOR A CLASS "B" PERMIT TO OPERATE) APPLICATION NO. 16263-PP
AS A PRIVATE CARRIER BY MOTOR VE-)
HICLE FOR HIRE.)
-----)

April 29, 1958

Appearances: Isaac Curtis, Toponas,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, Isaac Curtis, Toponas, Colorado, seeks a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of unfinished timber products, from point to point within a radius of fifty miles of Toponas, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Steamboat Springs, Colorado, at ten o'clock A. M., April 22, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant, appearing in support of his application, testified that his net worth is approximately \$2,000, and that he has one GMC 1950 truck with flat bed with which to carry on his operations. He appears to be well qualified by experience and financially to carry on his proposed operations and it does not appear that the granting of the permit and applicant's operations thereunder will impair the efficiency of common carriers operating in the territory.

No one appeared in opposition to favorable action on the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That the instant application should be granted as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Isaac Curtis, Toponas, Colorado, be, and he is hereby, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of unfinished timber products from point to point within a radius of fifty miles of Toponas, Colorado.


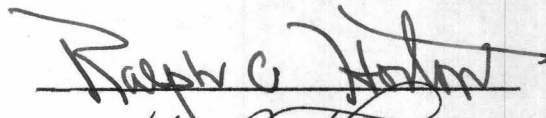

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 authority sheets.

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.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of April, 1958.

ea

original

(Decision No. 50179)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
FRED A. CARROLL, ROBERT COLEMAN AND)	
MYRON JEFFCOAT, CO-PARTNERS, DOING)	
BUSINESS AS "PINACLE TRUCK LINE,")	APPLICATION NO. 16265-PP-Extension
HAYDEN, COLORADO, FOR AUTHORITY TO)	
EXTEND OPERATIONS UNDER PERMIT NO.)	
B-4876.)	
-----)	

April 29, 1958

Appearances: Myron Jeffcoat, Hayden,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

Applicants herein are the owners and operators of Permit
No. B-4876, authorizing:

Transportation of coal from mines within a
radius of twenty-five miles of Hayden, to
Hayden, Colorado;

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 Colo-
rado, 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 con-
struction 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; rough lumber and poles,
from sawmills within a radius of thirty miles of
Hayden, Colorado, to planing mill at Hayden, Colorado.

By the instant application, they seek an extension of
said permit to include the right to transport coal to any point
within a 25-mile radius of Hayden, Colorado, and to haul coal from
and to any points within a 25-mile radius of Craig, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Steamboat Springs, Colorado, at ten o'clock A. M., April 22, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

Myron Jeffcoat, one of the co-partners, appeared in behalf of the application, testifying as to their equipment, financial responsibility and operating experience. Applicants have been transporting coal from mines near Hayden, to Hayden, rough lumber and poles from sawmills within a radius of 30 miles of Hayden to planing mills at Hayden, and also have sand and gravel authority. They appear to be well qualified by experience, have ample equipment, and their financial responsibility was established to the satisfaction of the Commission.

No one appeared in opposition to the granting of the extension to said permit, and it does not appear that the extended operations of applicants will impair the efficiency of common carriers operating in the territory.

F I N D I N G S

THE COMMISSION FINDS:

That the extension of authority under Permit No. B-4876 sought by applicants is compatible with the public interest and should be authorized.

O R D E R

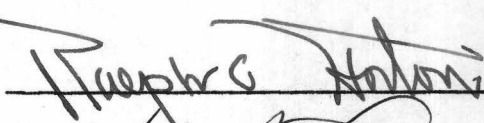
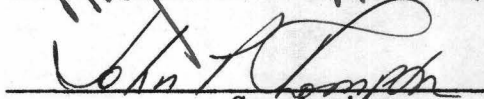
THE COMMISSION ORDERS:

That Fred A. Carroll, Robert Coleman and Myron Jeffcoat, co-partners, doing business as "Pinacle Truck Line," Hayden, Colorado, should be, and are hereby, authorized to extend their operations under Permit No. B-4876 to include the right to transport coal to any point within a 25-mile radius of Hayden, Colorado, and to haul coal from and to any point within a 25-mile radius of Craig, Colorado.

That 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 29th day of April, 1958.

ea

renewal

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE E. LEVKULICH, JR., AND LEO K.)
TUCKER, CO-PARTNERS, DOING BUSINESS)
AS "MOUNTAIN AIR SPRAY COMPANY," CRAIG,) APPLICATION NO. 16261
COLORADO, FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY.)
- - - - -)

- - - - -
April 30, 1958
- - - - -

Appearances: George E. Levkulich, Jr.,
Craig, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

By the instant application, George E. Levkulich, Jr., and Leo K. Tucker, co-partners, doing business as "Mountain Air Spray Company," Craig, Colorado, seek a certificate of public convenience and necessity, authorizing the transportation, by airplane, of passengers and property, not on schedule, from Craig, Colorado, to and between all points within the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Steamboat Springs, Colorado, at ten o'clock A. M., April 22, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, George E. Levkulich, Jr., appeared in behalf of the application, testifying as to his operating experience and his equipment. He stated that he has had 7500 hours of flying and the equipment consists of two airplanes, a Cessna 180 and a Piper PA-18, his base of operations being at Craig, Colorado. He has had twelve years as a flyer, holding commercial and instructor's licenses. He stated that the financial statement of the partnership is on file with the Commission.

W. H. Terrill, the Sheriff of Moffat County, appeared in support of the application and testified that the proposed service of applicant is needed, especially for emergencies and for passengers going to other points from Craig.

It appears that applicants are well equipped to carry on the proposed call and demand service by airplane, and well qualified by experience and financially to operate such a service. It further appears that a service as here contemplated is needed and in the public interest.

No one appeared at the hearing to protest the granting of the instant application.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require, and will require, the proposed call and demand service of applicants, by airplane, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed service of applicants, George E. Levkulich, Jr., and Leo K. Tucker, co-partners, doing business as "Mountain Air Spray Company," Craig, Colorado, for the transportation, by airplane, of passengers and property, not on schedule but on call and demand, from Craig, Colorado, to and between all points within the State of Colorado, their base of operations to be at Craig, Colorado, for the solicitation of business, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

Applicants shall not establish an office or branch for the purpose of developing business at any town other than Craig, Colorado, and airports located within ten miles of said town.

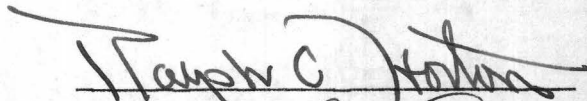
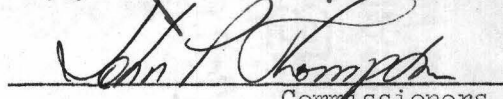
Applicants shall file tariffs, rate schedules, and rules and regulations with, and to be approved by, this Commission, within

thirty (30) days from the date hereof, and such rates so filed for transportation of passengers between points served by air carriers operating on schedule over fixed routes, and in competition therewith, shall be sufficiently in excess of the per-passenger effective rates of said fixed-route carriers by air so operating on schedule between said points to be non-competitive therewith.

The applicants shall carry suitable insurance protection, covering public liability, property damage, and passenger insurance, and shall continue to carry such insurance and any other insurance protection that may be required by the Commission.

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 30th day of April, 1958.

ea

equal

(Decision No. 50181)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RALPH FLESCH, WALDEN, COLORADO, FOR)
AUTHORITY TO TRANSFER PERMITS NOS.)
B-4105 AND B-4105-I TO RALPH FLESCH,) APPLICATION NO. 16264-PP-Transfer.
ERNA MAE FLESCH AND RICHARD FLESCH,)
CO-PARTNERS, DOING BUSINESS AS "RALPH)
FLESCH & SON," WALDEN, COLORADO.)
-----)

April 30, 1958

Appearances: Ralph Flesch, Walden,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, Ralph Flesch, Walden, Colo-
rado, seeks to transfer all his right, title and interest under
Permit No. B-4105 and B-4105-I, with authority as follows:

Transportation of logs from points within a
radius of ten miles of Rabbit Ears Pass to
Kremmling, Colorado;

Transportation of sand, gravel, fluorspar and
other ore, between points in Jackson County,
Colorado;

Transportation of fluorspar between points in
Jackson County, Colorado, in interstate commerce
only, subject to the provisions of the Federal
Motor Carrier Act of 1935, as amended,

to Ralph Flesch, Erna Mae Flesch and Richard Flesch, co-partners,
doing business as "Ralph Flesch & Son," Walden, Colorado.

Said application, pursuant to prior setting, after appro-
priate notice to all interested parties, was heard at the Court
House in Steamboat Springs, Colorado, at ten o'clock A. M., April 22,
1958, and at the conclusion of the evidence, the matter was taken
under advisement.

Ralph Flesch, appearing on behalf of the application,
testified at the hearing that it is his desire to transfer the permit,

including the interstate operating rights, to himself, his wife, and son, and operate as a co-partnership. He stated that there are no outstanding debts against the permit and the same equipment will be used in the operation. He is well qualified to carry on the said operations by experience, and his financial responsibility was established to the satisfaction of the Commission.

No one appeared in opposition to the transfer of the permits and it would seem that the proposed transfer is compatible with the public interest and should 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 Ralph Flesch, Walden, Colorado, be, and he hereby is, authorized to transfer all his right, title and interest in and to Permit No. B-4105 and B-4105-I -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to Ralph Flesch, Erna Mae Flesch and Richard Flesch, co-partners, doing business as "Ralph Flesch & Son," Walden, Colorado, subject to outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

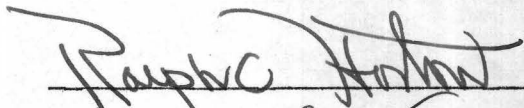
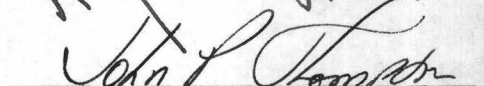
That said transfer shall become effective only if and when, but not before, said transferor and transferees, in writing, have advised the Commission that said permit has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of 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 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 right of transferees to operate under this Order shall depend upon their compliance with all present and future laws and rules and regulations of the Commission, and the prior filing by transferor of delinquent reports, if any, covering operations under said permits up to time of transfer of said permits.

The transfer of interstate operating rights authorized herein is subject to the Federal Motor Carrier Act of 1935, as amended.

This order is made a part of the permits authorized to be transferred, and 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 30th day of April, 1958.

ea

original

(Decision No. 50182)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
E. G. MAHAN, STEAMBOAT SPRINGS, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC) APPLICATION NO. 16262-Transfer
NO. 1717 TO J. B. CROSS, STEAMBOAT)
SPRINGS, COLORADO.)
-----)

April 30, 1958

Appearances: E. G. Mahan, Steamboat
Springs, Colorado, pro se;
J. B. Cross, Steamboat
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

By the instant application, E. G. Mahan, Steamboat Springs, Colorado, seeks to transfer all his right, title and interest in and to PUC No. 1717, with authority as follows:

Transportation, on call and demand, as a scavenger, for the periodical and continuous removal of ashes, trash, debris, refuse and garbage, from the Town of Steamboat Springs, to such garbage disposal places and city dumps in the vicinity of Steamboat Springs as may be provided by the Board of Trustees of said town,

to J. B. Cross, Steamboat Springs, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all interested parties, was heard at the Court House in Steamboat Springs, Colorado, at ten o'clock A. M., April 22, 1958, and at the conclusion of the evidence, the matter was taken under advisement by the Commission.

Both the transferor and transferee appeared at the hearing in support of the application for transfer. It appears that the consideration for the transfer is the sum of \$200.00, and that there are no outstanding debts against said certificate. The net worth of transferee is approximately \$6,000, and he appears to be well qualified by experience to carry on the proposed operation.

No one appeared in opposition to the transfer of said operating rights and it appears that the proposed transfer is compatible with the public interest.

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 E. G. Mahan, Steamboat Springs, Colorado, be, and he is hereby, authorized to transfer all his right, title and interest in and to PUC No. 1717 -- with authority as set forth in the above and foregoing Statement, which is made a part hereof by reference -- to J. B. Cross, Steamboat Springs, Colorado, subject to outstanding indebtedness 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.

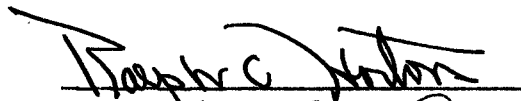

The tariff of rates, rules and regulations of transferor shall, upon proper adoption notice, become and remain those of transferee until changed according to law and the rules and regulations of this Commission.

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 30th day of April, 1958.

ea

original

(Decision No. 50183)

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)	APPLICATION NO. 15708-PP
SERVICE," 5401 WEST COLFAX AVENUE,)	<u>SUPPLEMENTAL ORDER</u>
DENVER, COLORADO, FOR A CLASS "B")	
PERMIT TO OPERATE AS A PRIVATE CAR-)	
RIER BY MOTOR VEHICLE FOR HIRE.)	

April 30, 1958

S T A T E M E N T

By the Commission:

On November 15, 1957, in Application No. 15708-PP, the Commission entered its Decision No. 49081, granting to Harold J. Knowles, doing business as "Knowles' Trailer and Repair Service," Denver, Colorado, the right to operate as a Class "B" private carrier by motor vehicle for hire.

On April 10, 1958, the Commission entered its Decision No. 50024, revoking operating rights granted to applicant herein by said Decision No. 49081, for failure of said applicant to comply with requirements set forth in Decision No. 49081.

It now appears that applicant has complied with all requirements set forth in said Decision No. 49081, 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

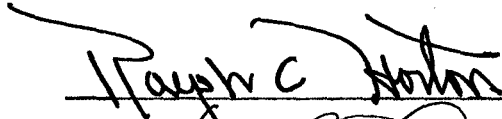

THE COMMISSION ORDERS:

That Decision No. 50024, of date April 10, 1958, should be,

and the same hereby is, set aside, vacated, and held for naught, only insofar as it revoked operating rights heretofore granted to Harold J. Knowles, doing business as "Knowles' Trailer and Repair Service," Denver, Colorado, in Application No. 15708-PP, by Decision No. 49081, of date November 15, 1957.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 30th day of April, 1958.

mls

original

(Decision No. 50184)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ORVAL L. SEBRING, BOX 382,) PUC No. 2343-I
GUNNISON, COLORADO.)

April 30, 1958

S T A T E M E N T

By the Commission:

On November 13, 1957, the Commission entered its Decision No. 49027, authorizing Orval L. Sebring, Gunnison, Colorado, owner of PUC No. 2343-I, to suspend operations under said operating rights until May 1, 1958.

The Commission is now in receipt of a request from said certificate-holder, requesting authority to further suspend operations under said PUC No. 2343-I for an additional period of six months.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

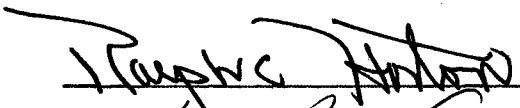
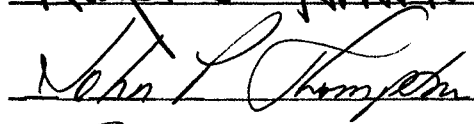
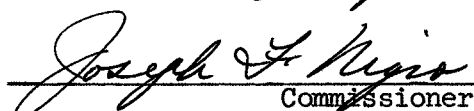
THE COMMISSION ORDERS:

That Orval L. Sebring, Gunnison, Colorado, owner of PUC No. 2343-I, should be, and he hereby is, authorized to further suspend operations under said PUC No. 2343-I, until November 1, 1958.

That unless said certificate-holder shall, prior to expiration of said suspension period, make a request, in writing, for 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 stand revoked, without right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners.

Dated at Denver, Colorado,
this 30th day of April, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASES IN RATES ON ACID,)
SULPHURIC, IN BULK IN TANK)
TRUCKS, MINIMUM WEIGHT 30,000)
POUNDS, FROM RICO, COLORADO,)
TO DURANGO, URAVAN, NATURITA,)
AND SLICK ROCK, COLORADO.)
ALSO, ADD IGNACIO AND GUNNISON,)
COLORADO, VIA DON WARD, INC.,)
DURANGO, COLORADO.)

CASE NO. 1585

April 29, 1958

S T A T E M E N T

By the Commission:

On April 2, 1958, The Motor Truck Common Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed with this Commission, 7th Revised Page No. 191 to its Tariff No. 12-A, Colorado P.U.C. No. 11, containing Item No. 1200, covering the following, viz: Acid, Sulphuric, in bulk in tank trucks, minimum weight 30,000 pounds, from Rico, Colorado, to Durango, Colorado, 500; Uravan, Colorado, 630; Naturita, Colorado, 580; Ignacio, Colorado, 580; Slick Rock, Colorado, 560; and Gunnison, Colorado, 850, for account of Don Ward, Inc., Durango, Colorado, Certificate No. 3240. This certificate was transferred from Verl Hamilton to Don Ward, Inc., by Decision No. 47959, dated May 28, 1957.

By Decision No. 45112, dated January 5, 1956, effective nunc pro tunc December 13, 1955, the Commission prescribed a rate of 480 cents per net ton from Rico to Durango and 500 cents to Naturita on this commodity. By Decision No. 47444, dated February 28, 1957, Uravan was added as a destination at a rate of 550 cents. By Decision No. 48828, dated October 2, 1957, Slick Rock was added as a destination at a rate of 520 cents.

All of the rates were and are now in cents per ton of 2,000 pounds and are not subject to Item No. 960. (Penalty rule in connection with call and demand common carrier operations.)

The revenue per truck-mile based on the proposed rates and minimum weight on the round-trip highway mileage would be 45¢ to Durango, 52.95¢ to Uravan, 57.24¢ to Naturita, 42.75¢ to Ignacio, 43.75¢ to Slick Rock and 41.13¢ to Gunnison.

The annual report of 1957 of this carrier on file in the office of the Commission shows an operating ratio of 105.9%, an operating revenue of \$233,140.00, an operating expense of \$247,036.00, an operating loss of \$13,896.00, an average haul of 238.1 miles, which is considerably more than the one-way highway distances involved herein. Total truck miles operated, 404,120, which based upon the above stated operating expense produces an average cost per truck mile of 61.11 cents, which is somewhat higher than the above-named truck-mile revenues. However, the annual report shows that in 1957 the average load weighed 23.51 tons. On the basis of 23.51 tons per load the truck-mile earnings under the proposed rates would result in a small amount over the average cost.

F I N D I N G S

THE COMMISSION FINDS:

That, in accordance with the provisions of Paragraph C-(1)-(A) of its Rules of Practice and Procedure, the proposed rates are just and reasonable, and an order should be entered prescribing the said changes.

O R D E R

THE COMMISSION ORDERS, That:

1. The statement and findings be, and the same are hereby made a part hereof.
2. This order shall become effective forthwith.
3. The proposed rates in cents per ton of 2,000 pounds on Sulphuric Acid, in bulk in tank trucks, minimum weight 30,000 pounds, set forth in the statement shall on May 7, 1958, be the prescribed rates 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 which shall not be less than those herein prescribed for motor vehicle common carriers.

5. On and after May 7, 1958, Don Ward, Inc., and any other motor vehicle common carrier operating in competition with Don Ward, Inc., in the transportation of Sulphuric Acid in bulk in tank trucks shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed.

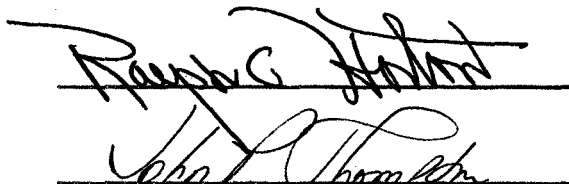
6. On and after May 7, 1958, all private carriers by motor vehicle operating in competition with Don Ward, Inc., in the transportation of Sulphuric Acid, in bulk in tank trucks, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed.

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 ordered by 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 29th day of April, 1958.

mem

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
N. W. KAISER, J. L. THOMPSON, & C. R.)
HUSTEAD & R. E. HUSTEAD, DOING BUSINESS)
AS "KAISER'S PROPANE SERVICE".) PERMIT NO. M-4370
320 N. 4TH. STREET, STERLING, COLORADO.)
-----)

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
N. W. Kaiser, J.L. Thompson, & C.R. and R.E. Hustead, d/b/a "Kaiser's Propane Service."
requesting that Permit No. M-4370 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4370, heretofore issued to N. W. Kaiser,
J. L. Thompson, & C.R. and R. E. Hustead d/b/a "Kaiser's Propane Service." be,
and the same is hereby, declared cancelled effective April 25, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,
this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES F. MILLS, ROUTE 2, BOX NO. 198B,
GOLDEN, COLORADO.

PERMIT NO. M-14012

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Charles F. Mills

requesting that Permit No. M-14012 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14012, heretofore issued to _____

Charles F. Mills, _____ be,

and the same is hereby, declared cancelled effective April 21, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Johnson
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CLIFFORD RAY WASHBURN, 2030 SOUTH LOW
ELL, DENVER 9, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13765

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Clifford Ray Washburn.

requesting that Permit No. M-13765 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M -13765 , heretofore issued to _____

Clifford Ray Washburn. _____ be,

and the same is hereby, declared cancelled effective April 24, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May , 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK HARDRICK, BOX NO. 247, MESA,)
COLORADO.)
)
)
)
-----)

PERMIT NO. M-13714

May 5, 1958
STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Frank Hardrick.
requesting that Permit No. M-13714 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13714, heretofore issued to _____
Frank Hardrick. be,
and the same is hereby, declared cancelled effective April 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO
Ralph C. Horton
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,
this 5th day of May, 1958.
dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN H. HAUSCHILDT, 7811 POPLAR)
STREET, DERBY, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-13152

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Edwin H. Hauschildt.

requesting that Permit No. M-13152 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13152, heretofore issued to _____

Edwin H. Hauschildt. be,

and the same is hereby, declared cancelled effective April 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MICHAEL L. SFERRA and LEO FICCO, DOING
BUSINESS AS M. and L. PRODUCE COMPANY)
2021 EAST 68TH STREET, DENVER 16,)
COLORADO.)
-----)

PERMIT NO. M-6545

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____
Michael L. Sferra & Leo Ficco, d/b/a M. & L. Produce Company.
requesting that Permit No. M-6545 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6545, heretofore issued to _____
Michael L. Sferra & Leo Ficco, d/b/a M. & L. Produce Company. be,
and the same is hereby, declared cancelled effective April 20, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROCK RIVER LUMBER, INCORPORATE,)
P. O. BOX 1791, ROCK RIVER, WYOMING.)

PERMIT NO. M-348

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Rock River Lumber, Inc.,

requesting that Permit No. M-348 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-348 , heretofore issued to

Rock River Lumber Inc.

and the same is hereby, declared cancelled effective December 1, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Thorne
John Thompson
Joseph F. Higgins
Commissioners

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR N. CARLSON, STONEHAM, COLORADO)

PERMIT NO. M-8235

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Arthur N. Carlson.

requesting that Permit No. M-8235 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8235, heretofore issued to _____

Arthur N. Carlson be,

and the same is hereby, declared cancelled effective March 28, 1957.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK JACQUES, BOX NO. 102, KIM,)
COLORADO.)

PERMIT NO. M-8575

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Frank Jacques.

requesting that Permit No. M-8575 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8575, heretofore issued to _____

Frank Jacques. _____ be,

and the same is hereby, declared cancelled effective April 15, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May, 1958.

 dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BURL A. APPLGARTH AND PAUL T. APPLGARTH, DOING BUSINESS AS MESA MOTORS.)
PALISADE, COLORADO.)
-----)

PERMIT NO. M-10120

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Burl A. Applegarth & Paul T. Applegarth d/b/a Mesa Motors.

requesting that Permit No. M-10120 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10120, heretofore issued to _____

Burl A. Applegarth & Paul T. Applegarth d/b/a Mesa Motors. be,

and the same is hereby, declared cancelled effective April 7, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE MEDINA, P, O. BOX NO. 43,)
GRANADA, COLORADO.)
)
)
-----)

PERMIT NO. M-11338

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Joe Medina.

requesting that Permit No. M-11338 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11338, heretofore issued to _____

Joe Medina. be,

and the same is hereby, declared cancelled effective March 26, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MANUEL GRIEGO, LA VETA, COLORADO.)

PERMIT NO. M-12505

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from

Manuel Griego

requesting that Permit No. M-12505 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12505 , heretofore issued to

Manuel Griego.

be,

and the same is hereby, declared cancelled effective April 1, 1958.

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

Ralph C. Horton
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of May, 195 8.

 dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
RICHARD M. and VIOLA D. LAKE and RAY)
G. and PHYLLIS M. LOVAS, DOING BUSINESS)
AS "TRAPPER'S LAKE LODGE", BUFORD,)
COLORADO.)
-----)

PERMIT NO. M-12624

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Richard M. & Viola D. Lake, & Ray G. & Phyllis M. Lovas, d/b/a "Trapper's Lake Lodge.
requesting that Permit No. M-12624 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12624, heretofore issued to _____

Richard M. & Viola D. Lake, & Ray G. & Phyllis M. Lovas, d/b/a "Trapper's be,
Lake Lodge."
and the same is hereby, declared cancelled effective March 31, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Horton
John Thompson
Joseph F. Negro
Commissioners

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VIRGAL MEYER, BOX NO. 571, EVANS,)
COLORADO.)
)
)
)
-----)

PERMIT NO. M-12669

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Virgal Meyer.

requesting that Permit No. M-12669 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12669, heretofore issued to _____

Virgal Meyer. _____ be,

and the same is hereby, declared cancelled effective April 3, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Ralph C. Hodson
John P. Thompson
Joseph F. Ziegler
Commissioners

Dated at Denver, Colorado,

this 5th day of May, 1958.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
W. L. ALLEN & L. J. TOMPSON, DOING)
BUSINESS AS, "A & T SPEED LUNCH,")
4747 KIPLING, WHEATRIDGE, COLORADO.)
-----)

PERMIT NO. M-12798

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

W. L. Allen & L.J. Tompson d/b/a "A & T Spee-D Lunch."

requesting that Permit No. M-12798 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12798, heretofore issued to _____

W. L. Allen & L.J. Tompson d/b/a "A & T Spee-D Lunch."

be,

and the same is hereby, declared cancelled effective April 1, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May, 195 8.

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GUY E. FIELDS, 801 E. 3rd. STREET,)
FLORENCE, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12829

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Guy E. Fields,

requesting that Permit No. M-12829 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12829, heretofore issued to _____

Guy E. Fields. _____ be,

and the same is hereby, declared cancelled effective March 27, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Reuben C. Horton
John P. Thompson
Joseph F. Nigro
Commissioners

Dated at Denver, Colorado,

this 5th day of May, 195 8

dk

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WENDELL PRIOR, DOING BUSINESS AS,)
"PRIOR'S" 1314 NORTH BROADWAY,)
IMPERIAL, NEBRASKA.)
-----)

PERMIT NO. M-14485

May 5, 1958

STATEMENT

By the Commission:

The Commission is in receipt of a communication from _____

Wendell Prior, d/b/a "Prior's".

requesting that Permit No. M-14485 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14485, heretofore issued to _____

Wendell Prior, d/b/a "Prior's." _____ be,

and the same is hereby, declared cancelled effective April 28, 1958.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

Dated at Denver, Colorado,

this 5th day of May, 195 8.

dk

original

(Decision No. 50203)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
VIOLA G. KNAUS, DOING BUSINESS AS)
"V & V KNAUS," ROUTE 1, BOX 94,)
LITTLETON, COLORADO, FOR A CLASS "B") APPLICATION NO. 16273-PP
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

May 1, 1958

Appearances: Viola G. Knaus, Littleton,
Colorado, pro se;
Jones & Meiklejohn, Jr.,
Esq., Denver, Colorado,
by Leslie R. Kehl, Esq.,
for R. B. "Dick" Wilson,
Inc.

S T A T E M E N T

By the Commission:

By application filed March 20, 1958, 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 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points; core sand, moulding sand, loam, fireclay, sea coal and lime-rock from pit 15 miles southwest of Littleton, Colorado, to brick

yards and foundries within 100 miles of said pit; livestock, grain and farm supplies for Helmer Brothers, only, from ranch 15 miles southwest of Littleton, Colorado, to and from the Denver Market; show cattle from said ranch to wherever the stock is to be shown.

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, April 28, 1958, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of her application, as did Mr. E. P. Hedges, an accountant and credit manager for Denver Equipment Company. There was no testimony in protest. It appears from the evidence that the applicant is the daughter of the owner of certain land located 15 miles southwest of Littleton, Colorado, known as the Helmer ranch. This ranch is used to raise livestock, but also has for many years produced special materials used by foundries in connection with their work. These special sands, loams, fireclay, and sea coal of the particular characteristic required by foundries, are available at only limited sources of supply. They are available at other points than this ranch, such points being up to 75 miles from point of delivery. It is only this type of raw material which the applicant has in mind to haul and which the supporting witness desires to have hauled. The applicant does not expect, contemplate, nor seek authority to haul pit run gravel, nor do any work in connection with the construction of roads or highways or other construction work. The broad form of sand and gravel authority is sought, however, to eliminate any question should her right to haul the special materials thus described be put in issue. The specification of core sand, moulding sand, etc., is intended only to particularize what might more generally be authorized under the standard form of sand and gravel authority. As to this portion of the authority, the applicant consents

to restricting the operation to the use of dump trucks only.

Concerning the following terminology in the application:

"livestock, grain and farm supplies for
Helmer Brothers only from ranch 15
miles southwest of Littleton, Colorado,
to and from the Denver market; show
cattle from said ranch to wherever the
stock is to be shown"

the evidence is that this ranch is the family ranch of the applicant and that she seeks to haul only livestock in which she or her family has an ownership interest. The language is insufficient in that it does not in terms permit the return of show cattle to the ranch; the Order following will correct this oversight.

The applicant asks that the authority, if issued, be numbered B-3935, as she has formerly had this number before voluntarily discontinuing operations in 1949. No reason appears why this should not be done.

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 set forth in the following Order.

That operating rights herein granted applicant should bear the number "B-3935" being the number of a permit formerly held by her.

O R D E R

THE COMMISSION ORDERS:

That Viola G. Knaus, doing business as "V & V Knaus," Little-

ton, Colorado, should be, and she 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 75 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 75 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 75 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 75 miles of said pits and supply points; core sand, moulding sand, loam, fireclay, sea coal and lime-rock, from pit 15 miles southwest of Littleton, Colorado, to brick yards and foundries within 100 miles of said pit; all of the foregoing limited to the use of dump trucks only; livestock, grain and farm supplies for Helmer Brothers, only, from ranch 15 miles southwest of Littleton, Colorado, to and from the Denver market; show cattle to and from said ranch, from and to wherever stock is shown.

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

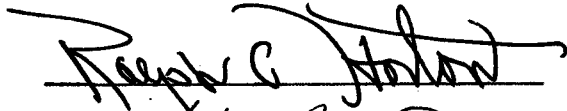

That this is the permit herein provided for, but it shall not become effective until applicant has filed a statement of her customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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

That operating rights herein granted shall be numbered
Private Carrier Permit No. B-3935.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER NIGRO NOT PARTICIPATING.

Dated at Denver, Colorado,
this 1st day of May, 1958.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
AMERICAN SANITARY PRODUCTS)	PERMIT NO. M-3259
COMPANY 1514 ARAPAHOE STREET,)	CASE NO. 85380-INS.
DENVER, COLORADO.)	
-----)	

April 30, 1958

S T A T E M E N T

By the Commission:

On April 23, 1958, the Commission, in Case No. 85380-Ins., entered its Order, revoking Permit No. M-3259 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:

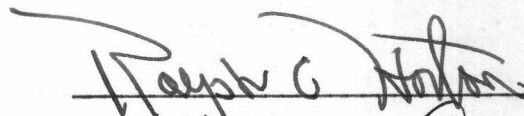
That said operating rights should be restored to active status.

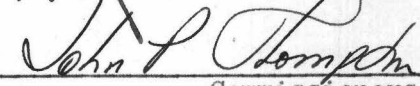
O R D E R

THE COMMISSION ORDERS:

That Permit No. M-3259 should be, and the same hereby is, reinstated, as of April 23, 1958, revocation order entered by the Commission on said date in Case No. 85380-Ins. being hereby vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER JOSEPH F. NIGRO
NOT PARTICIPATING.
Dated at Denver, Colorado,
this 30th day of April, 1958.
ea