

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WEICKER TRANSFER AND STORAGE COM-)
PANY, 1700 FIFTEENTH STREET, DENVER,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY, AU-)
THORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 341.)

APPLICATION NO. 18776-Extension

December 7, 1961

Appearances: Raymond B. Danks, Esq., Denver,
Colorado, for Applicant;
Hubert Work, Denver, Colorado,
for Weicker Transportation
Company;
John P. Thompson, Esq., Denver,
Colorado, for Brighton-Fort
Lupton Transportation Company,
Lafferty Moving and Storage;
Floyd A. Henrickson, Denver,
Colorado, for Denver-Loveland
Transportation.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Applicant herein is presently the owner and operator of PUC
No. 341, which generally authorizes a transfer, moving, and general
cartage business in the City and County of Denver, and in the Counties
of Adams, Arapahoe and Jefferson, with occasional authority throughout
the State of Colorado, and other authority which is not pertinent to
the application herein. Applicant's authority contains a restriction:

"That the applicant shall not be permitted,
without further authority from the Commis-
sion, to establish a branch office, or
to have an agent employed in any other town
or city than Denver for the purpose of de-
veloping business."

By virtue of the instant application, Weicker Transportation
and Storage Company seeks authority to establish an office in Brighton,

Colorado, located in Adams County, and to employ an agent, or agents thereat, for the purpose of developing business.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 5, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant proposes to utilize the service of an agent who formerly worked for applicant company, at the time Weicker operated a line-haul authority from Ault to Trinidad, Colorado. This agent resides in Brighton, working out of the Denver Office, soliciting business in the Brighton Area for Weicker and Allied Van Lines.

Weicker proposes to locate two motor vehicles in Brighton, for the purpose of rendering service as needs require in the area. No dock or warehouse is contemplated in the immediate future; service of the motor vehicles will be handled by local garages, and the motor vehicles will be stored in public garages in Brighton. Thus, the total operating expenses for the proposed operation will consist of depreciation of the vehicles, estimated at \$1,200 per year; the sales and commissions for the agent, and the ordinary out-of-pocket expenses for the maintenance of said trucks.

Applicant does not know, nor can it determine, the exact amount of the cost of operation, since it is uncertain as to what business developments will be.

With the equipment stationed in Brighton, Weicker proposes to engage in a local cartage business, supplying such deliveries as are required by local shippers, from point to point within the Brighton area. It also proposes to engage in household moving in the area, which, according to their records, average about three per month, originating in the Brighton area. Weicker will also solicit business in interstate commerce to complement this operation.

Weicker has indulged in some survey, but it was unable to determine what the operation would produce, on either intrastate or interstate commerce. It was the opinion, however, of Hubert Work, Executive Vice-President of Weicker, that the operation would be profitable, and that it would contribute to a reduction in their operating ratios.

The application was supported by some public witnesses, most of whom were members of the City Council, one of whom was the Mayor of Brighton, as well as several businessmen. The substance of their testimony was that there is no local cartage service in Brighton at the present time, and that one would be useful, although it would be used infrequently by most businessmen. It was also their opinion that the proposed operation, with dedication of equipment stationed in Brighton itself, would be useful and convenient to citizens who require transportation of household goods within the area. The public witnesses, however, were unable, with any amount of certainty, to give any evidence as to the amount of usage that would be given to such a service.

The matter was protested by Lafferty Moving and Storage, in Greeley, Colorado, and by Irwin Hoenstein, of Brighton-Fort Lupton Transportation Company.

These two carriers have established a working agreement since the granting of authorization to Lafferty for the establishment of an office for the solicitation of business in the Brighton area. It is proposed between these two carriers that Brighton-Fort Lupton will engage in a local cartage business to the extent allowed by its authority, and that Lafferty will operate in his base territory on the longer hauls outside the City of Brighton. It was conceded that they do not now have such an operation established, and that Lafferty does not propose to establish equipment in Brighton. Brighton-Fort Lupton, however, is based in Brighton primarily, and does have equipment based

there. It could be utilized in this local cartage service, as well as in its line-haul service.

On the basis of all of the evidence, we must concede that there is a paucity of information as to the needs for this type of an operation, and as to the economic feasibility thereof. We do find that some need does exist for a local point to point transportation service within the Brighton area, for the moving of household goods, the origin of which would be in the Brighton area. We further find that there is some need for local cartage service, and that there does not now exist a common carrier rendering this type of service -- either on movement of household goods or in local cartage service, in the Brighton area at the present time. Our conclusion in this is based on the fact that neither Lafferty nor Denver-Ft. Lupton has established such a service beyond the preliminary stages. We do not now make any resolution of the issue as to whether or not Brighton-Fort Lupton does have point to point authority within the Brighton area, since clearly the service proposed by Brighton-Fort Lupton and Lafferty has not been established to the degree that they are considered to be serving the public.

Regarding the testimony of Hubert Work as expert testimony, by virtue of his long experience with Weicker, and based upon the surveys he conducted, and using his conclusions as having probative value this operation is needed and will prove economically feasible, since there is no carrier presently rendering such service in the area, we find and conclude that public convenience and necessity require the granting of the authority herein prayed for.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the extended motor vehicle common carrier service of Weicker Transfer and Storage Company, Denver, Colorado, under PUC No. 341, by the establishment of

a branch office, or agent, in Brighton, Colorado, for the purpose of developing business, and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.



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

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 7th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KIRK K. BOYD, GENERAL DELIVERY,)
RIDGEWAY, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-12854

December 14, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kirk K. Wood,
Ridgeway, Colorado
requesting that Permit No. M-12854 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12854, heretofore issued to Kirk K. Wood
Ridgeway, Colorado be,
and the same is hereby, declared cancelled effective September 2, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph L. Negro
Joseph C. Horton
King E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 14th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE KAVANAUGH, DOING BUSINESS AS,)
"KAVANAUGH'S SURGICAL SUPPLIES",)
21 EAST COLORADO AVENUE, COLORADO)
SPRINGS, COLORADO.)
-----)

PERMIT NO. M-14243

December 14, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George Kavanaugh,
dba "Kavanaugh's Surgical Supplies", Colorado Springs, Colorado
requesting that Permit No. M-14243 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14243, heretofore issued to George Kavanaugh,
dba "Kavanaugh's Surgical Supplies", Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 28, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Ziehl
Commissioners

Dated at Denver, Colorado,

this 14th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS D. BEAL, 717 SOUTH 2ND AVENUE,)
BRIGHTON, COLORADO.)
)
)
-----)

PERMIT NO. M-4471

December 14, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Thomas D. Beal,
Brighton, Colorado
requesting that Permit No. M-4471 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4471, heretofore issued to Thomas D. Beal,
Brighton, Colorado be,
and the same is hereby, declared cancelled effective November 24, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Henry E. Zuehlke
Commissioners

Dated at Denver, Colorado,

this 14th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
THOMAS D. BEAL, 717 SOUTH)
SECOND AVENUE, BRIGHTON, COLO-)
RADO.)

PUC NO. 5026-I

December 14, 1961
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 5026-I be suspended for six months from November 24, 1961.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Thomas D. Beal, Brighton, Colorado

_____ be, and is hereby, authorized to suspend operations under PUC No. 5026-I until May 24, 1962.

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

Dated at Denver, Colorado,
this 14th day of December, 196 1.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VIRGIL LEE PHIPPS, DOING BUSINESS AS,)
"REFRIGERATION DELIVERY SERVICE",)
2050 SOUTH KING, DENVER 19, COLORADO.)
-----)

PERMIT NO. M-2873

December 14, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Virgil Lee Phipps,
doing business as, "Refrigeration Delivery Service", Denver 19, Colorado
requesting that Permit No. M-2873 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2873, heretofore issued to Virgil Lee Phipps, doing
business as, "Refrigeration Delivery Service", Denver 19, Colorado be,
and the same is hereby, declared cancelled effective November 21, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 14th day of December, 1961.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57661)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
VIRGIL LEE PHIPPS, DOING BUSINESS)
AS, "REFRIGERATION DELIVERY)
SERVICE", 2050 SOUTH KING, DENVER)
19, COLORADO.)

PERMIT NO. B-5863

December 14, 1961

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-5863 be suspended
for six months from November 21, 1961.

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 Virgil Lee Phipps, doing business as, "Refrigeration Delivery
Service", Denver 19, Colorado
be, and is hereby, authorized to suspend his operations under Permit
No. B-5863 until May 21, 1962.

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

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,
this 14th day of December, 19 61.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
OLEN J. LOVE, DOING BUSINESS AS,)
"J - TRUCKING", 11 HOUSTON)
ROAD, TULIA, TEXAS.)

PUC NO. 4949-I

December 14, 1961
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 4949-I be suspended for six months from November 5, 1961.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Olen J. Love, doing business as, "J - Trucking",
Tulia, Texas
_____ be, and is hereby, authorized to suspend operations under PUC No. 4949-I until May 5, 1962.

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

Joseph F. Nigro
George C. Houston
Henry E. Ziehlings

Dated at Denver, Colorado,
this 14th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES E. LAMAR, BELLVUE, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-7286

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles E. Lamar,
Bellvue, Colorado

requesting that Permit No. M-7286 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7286, heretofore issued to Charles E. Lamar,
Bellvue, Colorado

and the same is hereby, declared cancelled effective December 3, 1961. be,

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zwick
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
KENNETH AND STEVAN FULLENWIDER,)
P. O. BOX 561, RANGELY, COLORADO.)

PERMIT NO. M-6117

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Kenneth and Stevan
Fullenwider, Rangely, Colorado

requesting that Permit No. M-6117 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6117, heretofore issued to Kenneth and Stevan Fullenwider, Rangely, Colorado be,
and the same is hereby, declared cancelled effective November 28, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Kurt E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES E. MUES AND EDWARD EMERSON,)
5680 EAST 71ST PLACE, DERBY, COLORADO)
_____))
_____)

PERMIT NO. M-8233

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James E. Mues and
Edward Emerson, Derby, Colorado
requesting that Permit No. M-8233 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8233, heretofore issued to James E. Mues and Edward
Emerson, Derby, Colorado be,
and the same is hereby, declared cancelled effective December 2, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57666)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JAMES E. MUES AND EDWARD)
EMERSON, 5680 EAST 71ST PLACE,)
DERBY, COLORADO.)

PERMIT NO. B-6032

December 21, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named
permittee requesting that their Permit No. B-6032 be suspended
for six months from December 2, 1961.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That James E. Mues and Edward Emerson, Derby, Colorado

be, and are hereby, authorized to suspend their operations under Permit
No. B-6032 until June 2, 1962.

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

Joseph F. Negro
Ralph G. Hobart
Wm. E. Zupke
Commissioners

Dated at Denver, Colorado,
this 21st day of December, 1961.

)

JAKE KAUFFMAN
923 Whitford
Loveland, Colorado

AUTHORITY NO. B 5008
M 7524

CASE NO. 6938 Ins.

December 8, 1961

STATEMENT

By the Commission:

On November 28, 1961, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

FINDINGS

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated,
as of the date of revocation, and the said revocation Order be, and
the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Tigre
Frank C. Gordon
Henry E. Zuckers
Commissioners.

Dated at Denver, Colorado,
this 8th day of December, 1961

(Decision No.)

57668

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF

SCHULT MOBILE HOMES, CORP.
Route 20
Middlebury, Indiana

AUTHORITY NO. M 5790

CASE NO. 6940 Ins.

December 11, 1961

S T A T E M E N T

By the Commission:

On November 28, 1961, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. [unclear]
Henry E. [unclear]
Commissioners.

Dated at Denver, Colorado,
this 11th day of December, 1961

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
J. V. BURTON AND MRS. J. V. BURTON,)
DOING BUSINESS AS, "JIM BURTON'S)
FEED MARKET AND RANCHERS EXCHANGE",)
1359 NORTH RAILROAD STREET, LARAMIE,)
WYOMING, _____)

PERMIT NO. M-7669

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from J. V. Burton and Mrs.
J. V. Burton, dba "Jim Burton's Feed Market and Ranchers Exchange", Laramie, Wyoming
requesting that Permit No. M-7669 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7669, heretofore issued to J. V. Burton and Mrs. J. V.
Burton, dba "Jim Burton's Feed Market and Ranchers Exchange", Laramie, Wyoming be,
and the same is hereby, declared cancelled effective December 8, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DEL MILLER, 323 RUDD AVENUE, CANON)
CITY, COLORADO.)

PERMIT NO. M-3088

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Del Miller, Canon
City, Colorado

requesting that Permit No. M-3088 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3088, heretofore issued to Del Miller, Canon
City, Colorado be.

and the same is hereby, declared cancelled effective December 7, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
 Ralph C. Norton
 Henry E. Zaulings
 Commissioners

Dated at Denver, Colorado,

this 21st day of December, 19~~6~~61.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EADS HIDE AND SKIN CORPORATION, P. O.)
BOX 461, AMARILLO, TEXAS.)
_____)
_____)

PERMIT NO. M-5985

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Eads Hide and Skin
Corporation, Amarillo, Texas
requesting that Permit No. M-5985 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5985, heretofore issued to Eads Hide and Skin
Corporation, Amarillo, Texas be,
and the same is hereby, declared cancelled effective November 24, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LLOYD A. ELLSWORTH, DOING BUSINESS AS,
"LLOYD'S RADIO AND TELEVISION SERVICE",
1002 BRAGDON, PUEBLO, COLORADO.
-----)

PERMIT NO. M-14433

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lloyd A. Ellsworth,
dba "Lloyd's Radio and Television Service", Pueblo, Colorado
requesting that Permit No. M-14433 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14433, heretofore issued to Lloyd A. Ellsworth, dba
"Lloyd's Radio and Television Service", Pueblo, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Ken E. Zurling
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS SCHOEN, DOING BUSINESS AS,)
"LOU'S MUSIC BOX", 2700 SOUTH COLO-)
RADO BOULEVARD, DENVER 22, COLORADO.)
-----)

PERMIT NO. M-8655

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Louis Schoen, doing
business as, "Lou's Music Box", Denver 22, Colorado
requesting that Permit No. M-8655 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8655, heretofore issued to Louis Schoen, doing
business as, "Lou's Music Box", Denver 22, Colorado be,
and the same is hereby, declared cancelled effective November 17, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,
this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M AND F TRADING CORPORATION, 5001)
PACKINGHOUSE ROAD, DENVER 16, COLO-)
RADO.)
-----)

PERMIT NO. M-6848

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M and F Trading
Corporation, Denver 16, Colorado
requesting that Permit No. M-6848 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6848, heretofore issued to M and F Trading
Corporation, Denver 16, Colorado be,
and the same is hereby, declared cancelled effective August 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Raymond C. Houston
Henry E. Zailings
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
M AND F TRADING CORPORATION,)
5001 PACKINGHOUSE ROAD, DENVER)
16, COLORADO.)
-----)

PUC NO. 4648-I

December 21, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from M and F Trading Corporation, Denver 16, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4648-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. 4648-I heretofore issued to M and F Trading Corporation, Denver 16, Colorado

be, and the same is hereby, declared cancelled effective August 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Negro
Joseph C. Norton
Henry L. Zandberg
Commissioners

Dated at Denver, Colorado,
this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
WALTER E. DAVIS AND JAMES L.)
GREELING, DOING BUSINESS AS,)
"D AND G TRUCKING COMPANY",)
1634 MC GREGOR, WICHITA FALLS,)
TEXAS.)

PUC NO. 5023-I

December 21, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Walter E. Davis
and James L. Greeling, doing business as, "D & G Trucking Company", Wichita Falls,
Texas

requesting that Certificate of Public Convenience and Necessity No. 5023-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. 5023-I heretofore issued to Walter E. Davis
and James L. Greeling, doing business as, "D & G Trucking Company", Wichita Falls,
Texas

be, and the same is hereby, declared cancelled effective November 21, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hout
Walter E. Ziegler
Commissioners

Dated at Denver, Colorado,
this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PROSPERO GONZALES, STAR ROUTE 3,)
ORDWAY, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-4246

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Prospero Gonzales,
Ordway, Colorado

requesting that Permit No. M-4246 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4246, heretofore issued to Prospero Gonzales,
Ordway, Colorado be,

and the same is hereby, declared cancelled effective October 14, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE RATES ON CEMENT, IN BAGS, MINIMUM WEIGHT)
40,000 POUNDS FROM PORTLAND, COLORADO, TO)
ALAMOSA, ANTONITO, LA JARA, ROMEO, AND SAN)
LUIS, COLORADO; ALSO PROVIDE THAT ON TRAFFIC)
MOVING UNDER THE PROVISIONS OF COLORADO MOTOR)
CARRIERS' ASSOCIATION, AS AGENT, MOTOR FREIGHT)
TARIFF NO. 14, COLORADO P.U.C. NO. 13, THE)
COUNTIES OF ALAMOSA, CONEJOS, COSTILLA AND HUER-)
FANO WILL BE CONSIDERED AS PLAINS TERRITORY WHEN)
SHIPMENTS ARE TRANSPORTED BY FRED T. GIBSON OR)
THOMAS W. ROGERS.)

INVESTIGATION AND SUSPENSION

DOCKET NO. 459

December 7, 1961

S T A T E M E N T

BY THE COMMISSION:

On August 24, 1961, the Commission entered its Decision No. 57054, setting the above-styled matter for hearing before the Commission, 532 State Services Building, Denver, Colorado, on September 19, 1961, at ten o'clock A. M.

At the time and place designated for hearing, Fred T. Gibson and Thomas W. Rogers joined in a request that said matter be continued, to be later re-set for hearing before the Commission, with notice to all parties of interest, which was granted by Decision No. 57323 dated October 11, 1961.

The matter was originally suspended for a period of 120 days or until December 20, 1961, unless otherwise ordered by the Commission. It now appears that the matter cannot be concluded in the 120 day period and therefore should be further suspended for an additional period of 6 months.

F I N D I N G S

THE COMMISSION FINDS, That:



The schedules published to become effective August 25, 1961, which were suspended until December 20, 1961, as set forth in Decision No. 57054 dated August 24, 1961, shall be further suspended for an additional period of 6 months or until June 20, 1962.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the schedules set forth in the statement.
3. The operation of the said schedules shall be further suspended for an additional period of 6 months or until June 20, 1962, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.
4. The rates, rules, regulations and provisions sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.
5. On or before January 23, 1962, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in support of their case including verified copies of income tax reports to the Federal and Colorado State Governments for the past two years.
6. A copy of this order shall be filed with the said tariff in the office of the Commission and a copy hereof be forthwith served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, 4060 Elati Street, Denver 16, Colorado; Mr. Fred T. Gibson, dba Gibson Truck Line, La Jara, Colorado; Mr. Thomas W. Rogers, Manassa, Colorado; and Mr. John Norman, Manager, Motor Tariff Service, 1304 Cherokee Street, Denver 4, Colorado.
7. This proceeding and the same is hereby set for public hearing before the Commission on February 6, 1962, 10:00 A. M. in the Court House, Alamosa, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 7th day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING

ph

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN SLOPE GAS COMPANY, 900 FIF-)
TEENTH STREET, DENVER, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO CONSTRUCT)
AND OPERATE A NATURAL GAS TRANS-)
MISSION PIPELINE FROM A POINT NEAR)
DEL NORTE, IN RIO GRANDE COUNTY,)
COLORADO, TO POINTS WITHIN SAGUACHE,)
CHAFFEE, AND LAKE COUNTIES, COLO-)
RADO.)
- - - - -)

APPLICATION NO. 18589

- - - - -
December 8, 1961
- - - - -

Appearances: Bryant O'Donnell, Esq.,
Denver, Colorado, for
Applicant;
Allen Davis, Esq., Saguache,
Colorado, for the Town
of Saguache;
John Boyle, Esq., Salida,
Colorado, pro se;
Rush and Rush, Esqs., Salida,
Colorado, for Salida Gas
Service Company;
Shirley Avery, Buena Vista,
Colorado, for Eveready
Freight Service;
H. M. Howard, Esq., Center,
Colorado, for the Town
of Center;
William Diedrich, Leadville,
Colorado, and
George Harris, Leadville,
Colorado, for the City
of Leadville;
J. M. McNulty, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

This is an application by Western Slope Gas Company for a
certificate of public convenience and necessity to construct and
operate a natural gas transmission pipeline from a point near Del
Norte, in Rio Grande County, Colorado, to points within Saguache,
Chaffee, and Lake Counties, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Salida, Colorado, November 9, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

Western Slope Gas Company is a public utility, as defined by the laws of the State of Colorado, and is a wholly-owned subsidiary of Public Service Company of Colorado, operating a pipeline in Western Colorado, and in the San Luis Valley.

This applicant, under authority of this Commission, recently constructed a pipeline from gas fields in an area known as the "San Juan Basin," in Southwestern Colorado, northerly to Del Norte, Monte Vista, and Alamosa, to serve other communities en route, and serving other cities south of Alamosa, in Conejos County.

The Company proposes to extend this line northerly from Del Norte to Saguache, serving Center from a lateral, and to continue the extension north to Poncha Springs, to serve the City of Salida, and to continue northerly, serving Buena Vista and Leadville, all with a six-inch pipeline, and to extend said line, as a four-inch line, from Leadville to Climax, Colorado.

In this operation, the Company will operate exclusively as a pipeline, selling the gas to municipal distributors, the parent Company Public Service Company of Colorado, or to independent distributors. One direct sale is anticipated to the Climax Molybdenum Corporation, at Climax, Colorado.

In support of this application, the Commission received evidence from various public officials in the various areas and communities, establishing the fact that there does not now exist any natural gas service in any of the areas to be served, and that heating requirements in these various areas are met with either liquefied petroleum gas, or with coal -- both of which are more expensive than the proposed natural gas service of the applicant.

It was also established by these public witnesses that such a service is needed and desirable in their respective communities,

and it would not only provide a convenience for the customers now residing there, as well as a cheaper source of fuel, but it would enhance and benefit the opportunities of these respective communities in obtaining additional industry and service for their areas -- all to their economic betterment and welfare.

SUPPLY

At a prior hearing, held in Alamosa on June 6 and 7, 1961,^{1/} this applicant adduced evidence on reserves and deliverabilities of natural gas from its sources of supply, considering the total demand for not only the pipeline to Del Norte and Alamosa, Colorado, which, for convenience, has been designated as the "San Luis Southern Division," but also took into consideration the proposed extension sought to be certificated by this application.

It was the opinion of DeGolyer and MacNaughton, qualified geologists, that the total reserves dedicated under all contracts which the applicant had with several producers, based upon 15.025 psi pressure base at sixty degrees Fahrenheit, expressed in terms of MMCF, was 62,674. In addition to these reserves, Western Slope has acquired a small additional amount from the Mobile Oil Company, and at least a reserve of 1,000 MCF per day for twenty years acquired from Colorado Gas Transmission Company.

Considering prior reserves and the additions of Mobile and Colorado Gas Transmission Company dedications, it was the opinion of the company experts that there is a total of 70,375 MMCF. Considering the annual requirement of 3,599 MMCF, based upon market data which we shall discuss below, the company has a supply with a reserve life of 19.6 years. This life is based upon dedication of present productions; it does not include further exploration and development in the proven fields by present producers with whom the company has contracts that will afford additional reserve supply to the company.

It was the further opinion of the experts for DeGolyer and MacNaughton at the original hearing held in Alamosa, Colorado, that

^{1/} - Western Slope Gas Company Application No. 18446.

deliverable reserves at that time were approximately 14 years, which, by the additions of gas under the Mobile Oil Company and the Colorado Gas Transmission Company, would be increased -- all of which are well above the 12 years deliverable reserves normally required.

COST

It was estimated by the experts for the company that the cost of new facilities, including transmission plant, and general plant, will amount to \$3,600,000 in the first year, and will require the expenditure of an additional \$170,000 over the next three years. This expenditure is to be financed by a direct loan from the parent company, Public Service Company of Colorado, on a short-term basis, at a 5% interest rate, to be borrowed from the parent company as needed, the total indebtedness to be later converted into long-term securities of the applicant company.

At the time of the hearing, as of September 30, 1961, an interim Balance Sheet of the company disclosed a Net Plant of \$6,301,000; Current Assets of over \$550,000, with Total Assets of over \$6,900,000; Current Liabilities, deducting \$3,600,000, which would be owed to the parent company, are approximately \$435,000. The \$3,600,000 listed as owed to the parent company is not truly a short-term or current liability, since it is proposed to convert this indebtedness by the issuance of long-term securities of Western Slope.

Fixed Indebtedness of the company amounted to \$1,685,000, and Common Equity was valued at \$900,000, with an Earned Surplus of approximately \$162,000.

MARKET DATA

It was determined on the basis of investigation and survey by company experts, that annual sales, at 15.025 psia in the first year to Buena Vista, Center, Leadville, Poncha Springs, Saguache, and Salida, would amount to 294,700 MCF, and the direct sales of

Climax Molybdenum on an interruptible industrial contract would amount to 200,000 MCF, giving a total annual sales in the first year of approximately 495,000 MCF, which would increase in the second year to 1,188,000 MCF, to 1,426,000 MCF in the third year, and ultimately to 1,564,000 MCF in the fourth year, the major volume of the increases being accounted for by Leadville and Salida, and by the direct industrial sale to Climax Molybdenum. This direct sale will be on a BTU basis calculated at 500,000 million BTU per annum. Company use in lost and unaccounted-for gas will total 30,000 MCF in the fourth year. It is also estimated by the company that contract demand at local pressure base in the fourth year will not exceed 10,700 MCF in all of the cities to be served in this new division.

It was the opinion of the company experts that the line was of sufficient capacity to supply peak demand well into the foreseeable future on the basis of self-explanatory formulas showing peak-day flows.

ESTIMATES OF OPERATING REVENUES

Since the extension in the instant application is part of the integrated system, including the San Luis Southern Operation, the entire project must be observed as a whole.

In view of the fact that gas was introduced into the Valley on October 15, 1961, there is not sufficient data from operating experience to determine actual income. Estimates for the Southern Division, however, project an operating income of \$424,000, after all operating deductions, which increases to approximately \$550,000 by the third year.

By virtue of the instant application, the projected revenues, on the basis of the commodity charge of \$.25, and a contract demand charge of \$3.80, should produce in the Northern Division over \$522,000 at the end of the second year, and increase to approximately \$800,000 by the end of the fourth year, and with the revenues obtained from the industrial sales to Climax Molybdenum, total revenues should be over

\$675,000 in the second year, to over \$960,000 in the third year. The total system should then have revenues of over 1-3/4 million dollars the second year, to approximately \$2,200,000 by the end of the fourth year.

The company proposes to continue the same initial scheduled rates -- \$.25 commodity charge, and \$3.80 demand charge -- based upon contract demand, wherein the purchasers will nominate their demands for the ensuing year and firmly contract to take 90% of said demand, for which the purchaser shall be responsible. Any excess over 90% of nominated demand will be paid for on an actual basis by the purchaser.

F I N D I N G S

THE COMMISSION FINDS:

1. That the reserve supply and deliverability of the applicant are adequate to meet present and future public convenience and necessity.
2. That the capacity of the proposed line is adequate to meet present and future public convenience and necessity, and that the cost therefor is reasonable.
3. That the projected anticipated revenues and operating expenses of the company are reasonable estimates, based upon experience and expert conclusions, and that on the basis thereof, the proposed extension is economically feasible.
4. That the communities to be served, at the present time, have no service of natural gas, and that the initial proposed rates will result in a cost to the consumer less than the cost of other fuels now being utilized by the consumer, and that service of natural gas in the several communities, and to the industrial customer, will be of convenience and benefit to said customers.

Therefore, the Commission concludes that public convenience and necessity require the extension and construction of the line, as prayed for.

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the proposed construction and operation, by Western Slope Gas Company, Denver, Colorado, of a natural gas transmission pipeline from a point near Del Norte, in Rio Grande County, Colorado, to points within Saguache, Chaffee, and Lake Counties, Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall set up and maintain its books and accounts in accordance with the Uniform System of Accounts, as prescribed by this Commission.

That the work on said line shall commence as soon as feasible and be prosecuted expeditiously in order that gas shall be available for consumption well before the next heating season.

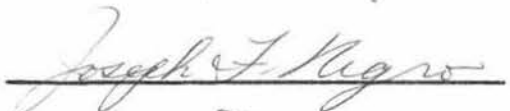
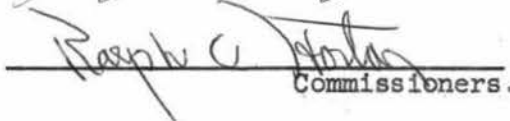
That applicant shall, within one (1) year after the completion of the construction of the facilities proposed herein, file with this Commission a map showing the location of the pipeline as finally constructed, together with detailed actual costs of said construction.

The Commission shall retain jurisdiction of the instant matter to make such further order or orders as may be required in the premises.

That Western Slope Gas Company shall file and publish its initial rates and charges, as part of its tariff, and shall continue to make such initial rates and charges, and shall not change said rates and charges until further Order of this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 8th day of December, 1961.
ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
PUBLIC SERVICE COMPANY OF COLORADO,)
FOR AN ORDER AUTHORIZING THE PUR-)
CHASE BY APPLICANT OF THE MUNICIPAL)
ELECTRIC DISTRIBUTION SYSTEM AND)
RELATED FACILITIES OF THE TOWN OF)
ERIE, WELD COUNTY, COLORADO, AND)
THE CONSTRUCTION OF A GAS DISTRI-)
BUTION SYSTEM IN SAID TOWN, AND FOR)
A CERTIFICATE OF CONVENIENCE AND)
NECESSITY TO PURCHASE, MANUFACTURE,)
GENERATE, TRANSMIT, DISTRIBUTE AND)
SELL ELECTRICAL ENERGY AND GAS,)
EITHER NATURAL, ARTIFICIAL OR MIXED,)
IN SAID TOWN OF ERIE, TO EXERCISE)
FRANCHISE RIGHTS TO BE ACQUIRED WITH)
RESPECT THERETO AND TO DISTRIBUTE)
AND SELL NATURAL GAS IN THE AREA)
ADJACENT TO SAID TOWN AND ALONG THE)
GAS TRANSMISSION LINE TO BE CON-)
STRUCTED TO SAID TOWN, ALL SUBJECT)
TO CONDITIONS STATED.)
- - - - -)

APPLICATION NO. 18555-AMENDED
SUPPLEMENTAL ORDER

- - - - -
December 12, 1961
- - - - -

Appearances: Lee, Bryans, Kelly and Stans-
field, Esqs., Denver, Colo-
rado, by Robert S. Gast, Jr.,
Esq., Denver, Colorado,
for Applicant;
J. M. McNulty, Denver, Colo-
rado, and
E. R. Thompson, Denver, Colo-
rado, for the Staff of
the Commission.

S T A T E M E N T

By the Commission:

In the above-entitled application, by Decision No.
56982, of August 4, 1961, the Commission authorized Public Service
Company of Colorado to acquire the municipal electric distribution
system and related facilities of the Town of Erie. Among other
things, the Order provided that the Public Service Company would
submit to the Commission for its approval within one hundred and
twenty days after the acquisition of the municipal electric system

of the Town of Erie, the proposed entries to be made on its books to reflect such acquisition, the date such acquisition was effected, and the final acquisition costs to Public Service Company of said system.

The Public Service Company, in compliance with the above order, submitted the proposed Journal Entries that it proposes to make. The staff of the Commission has made an investigation of the Public Service Company methods used in establishing the original costs of the acquired municipal electric system, and also made a field inspection in Erie of the property acquired. Apparently, there is no disagreement between the staff and the Company as to the method used or the results obtained. Since this matter has already been heard by the Commission, we see no point in reopening the record in this matter to approve the final Acquisition Costs and the proposed Journal Entries, but will issue the Order herein based on the records and files in this matter.

F I N D I N G S

THE COMMISSION FINDS:

That the Commission has jurisdiction of the 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 Acquisition Costs to Public Service Company of Colorado of the municipal electric distribution system of the Town of Erie should be approved.

That the proposed Journal Entries as submitted by Public Service Company of Colorado, as set forth in our Order to follow should be approved.

That the amount of \$7,693.04 proposed to be charged to Account No. 114, Utility Plant Acquisition Adjustments, should be approved, to be amortized over a fifteen-year period, beginning January, 1962. Monthly credits to Account No. 114, amounting to 1/180th each of the total amount of \$7,693.04, should be permitted to be charged to Account No. 406, Amortization of Utility Plant Acquisition Adjustments.

O R D E R

THE COMMISSION ORDERS:

That Public Service Company of Colorado, be, and hereby is, authorized to book the Journal Entries set out below reflecting the purchase of the municipal electric system of the Town of Erie.

JOURNAL ENTRIES

<u>ACCOUNT NO.</u>	<u>ACCOUNT NAME</u>	<u>DEBITS</u>	<u>CREDITS</u>
102	Utility Plant Purchased or Sold	\$41,052.36	
131	Cash		\$41,052.36
	To record the purchase and incidental expenses thereto.		
101	Utility Plant in Service	48,971.22	
102	Utility Plant Purchased or Sold		48,971.22
	To record original cost.		
102	Utility Plant Purchased or Sold	15,611.90	
108	Reserve for Depreciation		15,611.90
	To record estimated reserve.		
114	Utility Plant Acquisition Adjustments	7,693.04	
102	Utility Plant Purchased or Sold		7,693.04
	To record plant acquisition adjustment		

That the amount of \$7,693.04 charged to Account No. 114, Utility Plant Acquisition Adjustments, be amortized over a fifteen-year period, beginning January 1962, by a monthly credit to Account No. 114, amounting to 1/180th each of the total amount of \$7,693.04, and a Debit to Account No. 406, Amortization of Utility Plant Acquisition Adjustments in the same amount.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, as prescribed by this Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry G. Gentry
Commissioners.

Dated at Denver, Colorado,
this 12th day of December, 1961.

ea

original

(Decision No. 57681)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN POWER & GAS COMPANY, A DELA-)
WARE CORPORATION, 144 SOUTH 12TH)
STREET, LINCOLN 1, NEBRASKA, FOR)
AUTHORITY TO ISSUE \$5,000,000 PRIN-)
CIPAL AMOUNT OF 5% CONVERTIBLE DE-)
BENTURES AND SUCH NUMBER OF SHARES)
OF ITS COMMON STOCK OF THE PAR)
VALUE OF \$5 PER SHARE AS SUCH DE-)
BENTURES SHALL BE CONVERTIBLE INTO)
AND TO ISSUE 4-3/4% NOTES TO BANKS)
NOT EXCEEDING \$10,000,000 PRIN-)
CIPAL AMOUNT.)
-----)

APPLICATION NO. 18801-SECURITIES
(AMENDED)

December 19, 1961

Appearances: J. W. Preston, Esq.,
Pueblo, Colorado, and
Melvin A. Hardies, Esq.,
Chicago, Illinois,
for Applicant;
E. R. Thompson, Denver,
Colorado, and
J. M. McNulty, Denver,
Colorado, for the
Staff of the Commission.

S T A T E M E N T

By the Commission:

Western Power & Gas Company (Applicant) filed applica-
tion No. 18801 with this Commission on November 6, 1961. By such
application, Applicant sought authority of this Commission under
Section 115-1-4, Colorado Revised Statutes, 1953, to (1) issue
\$5,000,000 principal amount of 5% Convertible Debentures and such
number of shares of its Common Stock of the par value of \$5 per
share as such Debentures shall be convertible into, and (2) issue
up to \$10,000,000 principal amount of 2-1/2 year, 4-3/4% notes.

Said application was set for hearing with notice to all
interested parties in compliance with the statutes of Colorado and

the rules and regulations of this Commission, at ten o'clock A. M., on November 22, 1961, in Room 502-D, State Services Building, Denver, Colorado, and was there heard by the Commission.

No petitions were filed in opposition to the application, and no one appeared at the hearing opposing the authority sought by the application. At the conclusion of the hearing, Applicant was granted leave to file a further verified statement, setting forth certain terms of its proposed transactions which, at the date of the hearing, had not been finally fixed. Applicant thereafter filed with the Commission a verified Amendment December 8, 1961, to its original Application, setting forth certain additional information concerning the proposed transactions.

From the original Application, the testimony thereon, and the Amendment to the original Application, it appears that: Applicant is a corporation created, organized and existing under the laws of the State of Delaware as of December 31, 1935, and duly qualified to do business as a foreign corporation in Colorado. Its principal office in Colorado is at 115 West Second Street, Pueblo, Colorado; its general offices are at 144 South 12th Street, Lincoln 1, Nebraska.

Applicant is engaged in the business of owning and operating electric utility properties in Colorado and gas utility properties in Nebraska and South Dakota. Applicant also owns a majority of the Common Stock of Central Telephone Company and Southeastern Telephone Company. Central Telephone Company in turn owns a majority of the Common Stock of LaCrosse Telephone Corporation, Lexington Telephone Company, Middle States Telephone Company of Illinois and Virginia Telephone & Telegraph Company. These subsidiaries are all engaged in the business of providing telephone service in various parts of the states of Minnesota, Illinois, Iowa, Wisconsin, Virginia, North Carolina, Florida and Nevada.

Applicant has made arrangements, subject to consummation of legal details and to the authorization of this Commission and the Nebraska State Railway Commission, to secure funds from The Equitable Life Assurance Society of the United States in the amount of \$5,000,000, for a 15-year term (repayable at the rate of \$1,000,000 per year beginning with the 11th year), at an interest cost of 5% per annum. It was originally proposed that the Company issue and sell to Equitable for cash at 100% of the principal amount thereof \$5,000,000 of 5% Convertible Debentures due 15 years from the date of the Debenture Indenture under which they were to be issued. The Company, However, objected to certain restrictive covenants (the "Restrictive Covenants") which Equitable wished to have included in the Debenture Indenture. The Company's position is that, so long as such Restrictive Covenants are under the control of Equitable the Company can reasonably expect a waiver or modification when appropriate, but upon a public distribution by Equitable of the Debentures (even if not now contemplated) it would be a practical impossibility to get any relief from any such Restrictive Covenant which might become unduly burdensome, especially since the call price of the Debentures might make redemption prohibitively expensive.

It has accordingly been agreed between the Company and Equitable that

(a) if Equitable shall purchase the Debentures directly, the Restrictive Covenants will either be made by the Company in the purchase agreement between the Company and Equitable (which will be incapable of being assigned to the public generally) or, if made in the Debenture Indenture will be inoperative upon a public distribution of the Debentures; or

(b) Equitable will lend the Company \$5,000,000 upon a note having the same maturity and substantially the same terms as the Debentures, except that it will not be convertible into common stock but will be exchangeable for Debentures, and the Restrictive Covenants will be made in a loan agreement between the Company and Equitable, appurtenant to the note and will not be made in the Debenture Indenture providing for the Debentures.

In any such case, Equitable will have the benefit of the Restrictive Covenants so long as its funds are invested in the Company, but when and if it disposes of its investment to the public, the Company will not be bound by the Restrictive Covenants.

At the time of the hearing, there was some uncertainty as to the conversion prices to be applicable to the Debentures. The Company, by its Amendment to Application, makes it clear that for the eight years following the expiration of the period of approximately two years during which the Debentures will not be convertible, the conversion rate will be \$31 principal amount of Debentures for each share of common stock of the Company and thereafter it will be \$34 principal amount of Debentures for each share of common stock. These conversion rates are subject to adjustment upon certain events as provided in the Debenture Indenture.

The note, if issued, and the Debentures will be redeemable at the option of the Applicant upon a schedule beginning at 110% of the principal amount thereof, reduced to 105% in the eleventh year and declining 1% annually thereafter to 101% in the year prior to maturity (except that redemption is prohibited for the first two years and for the next three years may not be made out of the proceeds of borrowing at an interest cost of less than (5%). Redemptions through the sinking fund will be made at 100% of the principal amount of the note or the Debentures, as the case may be, redeemed. The Debentures will be issued under an Indenture to Harris Trust and Savings Bank, as Trustee, substantially in the form filed with the Commission at the hearing, except as to the treatment of the Restrictive Covenants as above described.

On August 29, 1961, Applicant entered into an agreement with Morgan Guaranty Trust Company of New York, Harris Trust and Savings Bank and The First National Bank of Chicago under which such banks agreed to lend the Applicant, at any time prior to December 31, 1961, up to \$10,000,000 (in the respective proportions of \$5,000,000, \$2,500,000 and \$2,500,000) on 2-1/2-year notes,

bearing interest at $4\frac{3}{4}\%$ per annum. Applicant agreed to pay a commitment fee to such banks of $1\frac{1}{4}\%$ of 1% per annum from July 1, 1961 to December 31, 1961, on the unused portion of the credit available under said agreement.

On September 21, 1961, the Applicant's subsidiary, Central Telephone Company, acquired by statutory merger the properties of Southern Nevada Telephone Co., located in and around Las Vegas, in Clark County, Nevada. In order to maintain, as nearly as possible, its proportionate ownership of the Common Stock of Central Telephone Company, the Applicant purchased, for a consideration of \$10,423,487 (\$25.16875 per share), from certain holders of Common Stock of Southern Nevada Telephone Co. approximately 52% of the Common Stock of Central Telephone Company issuable to Southern Nevada Telephone Co. Common Stockholders upon such merger. The Applicant also, on September 29, 1961, purchased from Central Telephone Company 75,000 of its theretofore authorized and unissued common shares for a consideration of \$1,950,000 (\$26 per share). The prices paid by Applicant for the aforesaid shares of Common Stock of Central Telephone Company are substantially less than the current market prices for such shares. To provide the funds necessary for such purchases and additional funds necessary to pay for construction expenditures of the Applicant, the Applicant borrowed \$14,000,000 from banks on 90-day notes, due December 20, 1961 (to the extent of \$12,000,000) and December 28, 1961 (to the extent of \$2,000,000).

Applicant represents that the proceeds (after deduction of expenses) from the proposed issuance of the Debentures or the \$5,000,000 note to Equitable, as the case may be, and the 2-1/2-year $4\frac{3}{4}\%$ notes to banks are required for and will be used by Applicant (a) to discharge the short-term bank loans incurred to acquire shares of Common Stock of Central Telephone Company and for the construction, completion, extension or improvement of its facilities; and (b) for the acquisition of property and further construction, completion, extension and improvement of its facilities.

Applicant represents that its expenses in connection with the proposed borrowing to be made from Equitable or the sale of the Debentures to Equitable, as the case may be, (exclusive of a commitment fee to be paid to Equitable of $5/8$ of 1% per annum from October 1, 1961 to the date of delivery of the note or Debentures, as the case may be) are estimated at not to exceed \$25,000; that the Applicant will pay no commission or fee to any broker or agent for securing the loan from Equitable or selling the Debentures to Equitable, as the case may be; and that its expenses in connection with the issuance of the 2-1/2-year 4-3/4% notes (exclusive of the commitment fee of 1/4 of 1% per annum from July 1, 1961) are estimated at not to exceed \$15,000.

F I N D I N G S

THE COMMISSION FINDS:

That Western Power & Gas Company is a public utility as defined in Chapter 115-1-3, Colorado Revised Statutes, 1953.

That this Commission has jurisdiction of said Company and of the subject matter of the application herein.

That the Commission is fully advised in the premises.

That

(a) the issuance by Western Power & Gas Company of a \$5,000,000 fifteen year 5% note exchangeable at the option of the holder thereof, pursuant to the provisions of a loan agreement relating to such note, for an equal principal amount of 5% Convertible Debentures with the same maturity, the issuance of such Debentures under a Debenture Indenture providing therefor and making provision, also, for the convertibility of such Debentures at the option of the holders thereof into common stock of the Company and the issuance of such common stock at conversion rates beginning, at the expiration of approximately two years, during which there shall be no conversion privilege, at \$31 per share or, alternatively,

(b) the issuance and sale by Western Power & Gas Company of \$5,000,000 principal amount of 15 year 5% Convertible Debentures to be issued under a Debenture Indenture providing therefor and making provision, also, for the convertibility of such Debentures at the option of the holders thereof, into common stock of the Company and the issuance of such common stock at conversion rates beginning at the expiration of approximately two

years, during which there shall be no conversion privilege, at \$31 per share; and

the issuance by the Company of up to \$10,000,000 principal amount of 2-1/2 year 4-3/4% notes to banks are not inconsistent with the public interest; that such issues are permitted by law and are consistent with the provisions of Chapter 115-1-4, Colorado Revised Statutes, 1953; and that the Order sought should be issued and made effective forthwith.

O R D E R

THE COMMISSION ORDERS:

That

(a) the issuance by Western Power & Gas Company of a \$5,000,000 fifteen year 5% note exchangeable at the option of the holder thereof for an equal principal amount of 5% Convertible Debentures with the same maturity, the issuance of such Debentures under a Debenture Indenture providing therefor and making provision, also, for the convertibility of such Debentures at the option of the holders thereof into common stock of the Company, and the issuance of such number of shares of common stock of the Company as such Debentures shall be convertible into, or, alternatively,

(b) the issuance and sale by Western Power & Gas Company of \$5,000,000 principal amount of fifteen year 5% Convertible Debentures to be issued under a Debenture Indenture providing therefor and making provision, also, for the convertibility of such Debentures at the option of the holders thereof into common stock of the Company and the issuance of such number of shares of common stock of the Company as such Debentures shall be convertible into,

and the issuance of up to \$10,000,000 principal amount of 2-1/2 year 4-3/4% notes be, and they hereby are, authorized and approved.

That the aforesaid \$5,000,000 note shall, when and if issued, bear on the face thereof, for proper and easy identification thereof, a legend as follows:

C. P. U. C. Identification No. 18801-A.

That the aforesaid 5% Convertible Debentures shall, when issued, bear on the face thereof, for proper and easy identification thereof, a legend as follows:

C. P. U. C. Identification No. 18801-B.

That the certificates for Common Stock issuable upon conversions of the aforesaid 5% Convertible Debentures shall, when issued, bear on the face thereof, for proper and easy identification thereof, a legend as follows:

C. P. U. C. Identification No. 18801-C,
which identification number need not, however, appear upon any certificates representing a re-issue or transfer of such shares.

That the aforesaid 2-1/2-year 4-3/4% notes shall, when issued, bear on the face thereof for proper and easy identification thereof, a legend as follows:

C. P. U. C. Identification No. 18801-D.

That as promptly as may be feasible after consummation of the transactions herein authorized (or such of them as shall be consummated) Applicant shall furnish the Commission with verified copies of

(a) any loan agreement and any purchase agreement entered into with Equitable in relation to such transactions;

(b) any note the Company shall have issued to Equitable; and

(c) the Debenture Indenture in the form in which it is executed.

That Applicant shall make a certified report to the Commission within ninety (90) days after the sale of the \$5,000,000 5% note or the 5% Convertible Debentures and the issuance of up to \$14,000,000 of bank notes heretofore authorized to be issued and sold, stating the monies received therefrom and, in detail, expenses incident to such sales accompanying the same, with copies of the entires recorded on the books of the Company as a result of the consummation of the financing as before provided.

That nothing herein shall be construed to imply any recommendations or guaranty of, or any obligation with respect to, said issues of the aforementioned securities on the part of the State of Colorado.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of December, 1961.

ea

IN THE MATTER OF THE APPLICATION OF)	
SOUTHEAST COLORADO POWER ASSOCIATION)	
901 WEST THIRD STREET, LA JUNTA, COLO-)	
RADO, FOR PERMISSION TO IMPROVE)	
FACILITIES, AND FOR PERMISSION TO)	APPLICATION NO. 18865
BORROW MONEY, AND FOR ORDER AUTHORIZING)	Securities
ISSUE OF SECURITY.)	

S T A T E M E N T

By the Commission:

Upon consideration of the application of Southeast Colorado Power Association, a Corporation in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on December 22, 1961, at 10:00 o'clock A. M., 532 State Services Building, Denver, Colorado, respecting the matters involved and issues presented in the proceeding. Any interested municipality or any representative of interested consumers or security holders of applicant corporation, and any other person whose participation herein is in the public interest, may intervene in said proceedings. Intervention petitions should be filed with the Commission on or before December 15, 1961, and should set forth the grounds of the proposed intervention and the position and interest of the petitioners, in the proceeding and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro

Ralph C. Noton

Henry F. Palen
Commissioners

Dated at Denver, Colorado,
this 11th day of December, 1961.

original

(Decision No. 57683)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF }
CHARLES V. EDWARDS, 2386 HI-WAY 6-50, }
GRAND JUNCTION, COLORADO, FOR A }
CLASS "B" PERMIT TO OPERATE AS A }
PRIVATE CARRIER BY MOTOR VEHICLE }
FOR HIRE. }

APPLICATION NO. 18834-PP

December 12, 1961

STATEMENT AND FINDINGS OF FACT

By the Commission:

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

Said application was regularly set for hearing at the Court House, Grand Junction, Colorado, on December 7, 1961, due notice of the time and place being forwarded to all parties in interest.

Notwithstanding said notice, applicant failed to appear either

in person or by counsel at the time and place designated for hearing.

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

No one appeared in opposition to the granting of the authority sought, and it does not appear that the granting of said permit and that the proposed operations thereunder, will impair the efficient public service of any common carrier, and that the instant application should be granted, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Charles V. Edwards, Grand Junction, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph F. Negro
Frank C. Hobart
Henry J. Pulgaro
Commissioners.



Dated at Denver, Colorado,
this 12th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FOUR-WAY TRUCKING, INC., 1333 NORTH)
22ND STREET, GRAND JUNCTION, COLO-)
RADO, FOR A CLASS "B" PERMIT TO)
OPERATE AS A PRIVATE CARRIER BY)
MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18833-PP

December 12, 1961

STATEMENT AND FINDINGS OF FACT

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 home 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 transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing at the Court House, Grand Junction, Colorado, on December 7, 1961, due notice of the time and place being forwarded to all parties in interest.

Notwithstanding said notice, applicant failed to appear either

in person or by counsel at the time and place designated for hearing.

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

No one appeared in opposition to the granting of the authority sought, and it does not appear that the granting of said permit and operations proposed thereunder will impair the efficient public service of any authorized common carrier, and that the instant application should be granted, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Four-Way Trucking, Inc., Grand Junction, Colorado, be, and 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 home 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 transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph F. Nigro
Ralph C. Watson
Samuel J. Delgado
Commissioners.

Dated at Denver, Colorado,
this 12th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
RAY FULBRIGHT, BOX 118, GLENWOOD)
SPRINGS, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18820-PP

December 13, 1961

Appearances: Robert Delaney, Esq., Glen-
wood Springs, Colorado,
for Applicant.

STATEMENT AND FINDINGS OF FACT

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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles; logs, poles, and rough lumber, from forests and sawmills, to sawmills, railroad loading points, storage places, and mines, within a radius of fifty miles of said forests or sawmills, in the State of Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Glenwood Springs, Colorado, December 5, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

A number of witnesses consisting of coal mine operators, a road contractor, and an excavator testified in support of the application to the effect that they need and would use the services of the applicant if the application is granted.

There was no protest to the granting of the application, and no reason appears why the same should not be granted.

O R D E R

THE COMMISSION ORDERS:

That Ray Fulbright, Glenwood Springs, Colorado, be, and 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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insul-rock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles; logs, poles, and rough lumber, from forests and sawmills, to sawmills, railroad loading points, storage places, and mines, within a radius of fifty miles of said forests or sawmills, in 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 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 13th day of December, 1961.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF DARYL HINKLE, CARBONDALE, COLORADO, FOR AUTHORITY TO TRANSFER PUC NO. 1816 TO BEUFORD R. BOGUE, BASALT, COLORADO.	} APPLICATION NO. 18821-Transfer
---	----------------------------------

December 13, 1961

Appearances: Daryl Hinkle, Carbondale,
Colorado, pro se;
Beuford R. Bogue, Basalt,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Daryl Hinkle, Carbondale, Colorado, is the owner and operator
of PUC No. 1816, authorizing:

transportation, on call and demand, over ir-
regular routes, of farm products (including
livestock and wool in grease), road equipment
and machinery, farm supplies and equipment
(including emigrant moveables, as defined in
Frt. Classif. #17 - R C Fyfe's ICC Classif.
#30), from point to point within a radius of
15 miles of Carbondale, Colorado, and from
and to points in said area, to and from points
in the State of Colorado; ores and concen-
trates, mining supplies and equipment and oil
well supplies, from point to point within a
radius of 20 miles of Marble, Colorado, and
from and to points in said area, to and from
points in the State of Colorado; ores and con-
centrates, mining machinery, equipment, and
supplies between points within a 10 mile ra-
dius of Twin Lakes, and from points in said
area to Leadville and the Arkansas Valley
Smelter, at Malta, near Leadville, and mining
machinery, equipment, and supplies from Lead-
ville and Malta, to points within a radius of
10 miles of Twin Lakes, excepting service to
or from that portion of said 10 mile radius
which lies east of the mountain range between
Fairplay and Leadville; livestock between
points within the area extending to a line
drawn north and south through New Castle on
the west, to the first Correction Line on the

north, to a line drawn north and south through Independence Pass on the east, and to the Township Line between Townships 11 and 12 on the south, and to and from points in said area, from and to points in the State of Colorado; with the proviso that the transportation of commodities aforementioned - except livestock and farm products in bulk - shall be limited to service from farm to farm, farm to town, and town to farm, with no competition with common carriers by motor vehicle between towns served by them,

and by the instant application seeks authority to transfer said PUC No. 1816 to Beuford R. Bogue, Basalt, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Glenwood Springs, Colorado, at two o'clock P. M., on December 5, 1961.

From the testimony and evidence presented, it appears that the transferor will have no debts against the authority and that the transferee is financially qualified and has adequate experience to carry on the operation.

No one appeared in opposition to the proposed transfer.

The Commission is of the opinion and finds that the proposed transfer is compatible with the public interest and should be granted, subject to outstanding indebtedness, if any.

O R D E R

THE COMMISSION ORDERS:

That Daryl Hinkle, Carbondale, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 1816 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Beuford R. Bogue, Basalt, 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.

Dated at Denver, Colorado,
this 13th day of December, 1961.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GERALD C. WERKING, GLENWOOD SPRINGS,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY, AU-) APPLICATION NO. 18819
THORIZING OPERATION AS A COMMON CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)
-----)

December 13, 1961

Appearances: George Petre, Esq., Glenwood
Springs, Colorado, for
Applicant;
Leslie R. Kehl, Esq., Denver,
Colorado, for Fairplay
Motor Co., Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On October 16, 1961, the above-styled applicant filed his application with the Commission for a certificate of public convenience and necessity, authorizing the transportation of mobile homes to or from Glenwood Springs, Colorado, to or from any other point within the State of Colorado.

The application was regularly set for hearing at the Court House, Glenwood Springs, Colorado, at two o'clock P. M., December 5, 1961, due notice of time and place of the hearing being forwarded to all interested parties.

At the commencement of the hearing, a letter from Harold D. Torgan, dated December 4, 1961, addressed to the Commission, relating to the matter, was marked as Exhibit No. 1. This letter indicated that the writer was Attorney for practically all of the trailer haulers having a PUC authority in Colorado, and that his clients would be willing to not protest the application if the same were restricted and modified as indicated.

Attorney for applicant, upon reconsideration of the application, moved for leave to file an amended application to incorporate the restriction and modifications hereinabove referred to and to enlarge the scope of the authority requested.

Counsel for protestant objected to the continuance on the grounds that witnesses were present who would be inconvenienced to come to another hearing, and that expense would be incurred on the part of his client.

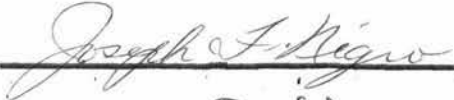
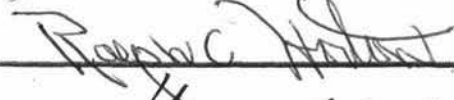

The Commission finds that the motion for leave to file an amended application should be granted and the objection thereto overruled.

O R D E R

THE COMMISSION ORDERS:

That the applicant be, and is hereby, granted leave to file an amended application on or before January 4, 1962, the same to be set for hearing at some time in the future by the Secretary, with notice given to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




Commissioners

Dated at Denver, Colorado,
this 13th day of December, 1961.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
W. ROSCOE AUSTIN, DOING BUSINESS AS)	
"AUSTIN TRANSFER & STORAGE COMPANY,")	
134 NORTH FIRST STREET, MONTROSE,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	
PUC NO. 3397 TO JACK W. BALDWIN AND)	APPLICATION NO. 18826-Transfer
LINNIE C. BALDWIN, DOING BUSINESS)	
AS "AUSTIN TRANSFER & STORAGE COM-)	
PANY," 134 NORTH FIRST STREET,)	
MONTROSE, COLORADO.)	
-----)	

December 13, 1961

Appearances: Theodore L. Brooks, Esq.,
Montrose, Colorado, for
Transferor and Transferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

W. Roscoe Austin, doing business as "Austin Transfer & Storage Company," Montrose, Colorado, is the owner and operator of PUC No. 3397, authorizing:

Call and demand transportation service,
for the conduct of a general cartage business
in the City of Montrose, State of Colorado,

and by the instant application seeks authority to transfer said PUC No. 3397 to Jack W. Baldwin and Linnie C. Baldwin, doing business as "Austin Transfer & Storage Company," Montrose, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, at 9:30 o'clock A. M., December 6, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

Jack W. Baldwin, one of the transferees, testified in support of the application. His financial statement and the contract providing for the transfer are on file with the Commission. From the evidence, it appears that there are no debts against the certificate,

and that the transfer would not be against the public interest and should be approved.

No one appeared in opposition to the granting of the transfer.

ORDER

THE COMMISSION ORDERS:

That W. Roscoe Austin, doing business as "Austin Transfer & Storage Company," Montrose, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3397 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Jack W. Baldwin and Linnie C. Baldwin, doing business as "Austin Transfer & Storage Company," Montrose, 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 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

Joseph F. Negro

Ralph C. Horton

Harry Gailings
Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1961.

ea

original

(Decision No. 57689)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN W. KNOWLES, FRANK W. KNOWLES,)	
AND E. L. KNOWLES, DOING BUSINESS)	
AS "KNOWLES SALES & SERVICE COMPANY,")	
P. O. BOX 687, GUNNISON, COLORADO,)	<u>APPLICATION NO. 18825-PP-Transfer</u>
FOR AUTHORITY TO TRANSFER PERMIT)	
NO. B-5878 TO AUBORN HOWARD, 623)	
NORTH 12TH, GUNNISON, COLORADO.)	
-----)	

December 13, 1961

S T A T E M E N T

By the Commission:

John W. Knowles, Frank W. Knowles and E. L. Knowles,
doing business as "Knowles Sales & Service Company," Gunnison,
Colorado, are the owners and operators of Permit NoB-5878, authorizing:

Transportation of freight, including newspapers,
moving on Ephraim Freightways, Inc. billing in
pick-up and delivery service from or to Ephraim
Freightways, Inc. docks or vehicles in Gunnison,
Colorado, on the one hand, and, on the other hand,
all points within the Gunnison area within the
scope of Ephraim Freightways, Inc. authority
under Permit No. A-494, for Ephraim Freightways,
Inc. only,

and by the instant application seek authority to transfer said
Permit No. B-5878 to Auborn Howard, Gunnison, Colorado.

Said application was regularly set for hearing at the
Court House, Montrose, Colorado, at 9:30 o'clock A. M , on December 6,
1961, due notice of the time and place being forwarded to all parties
in interest.

The matter was called up for hearing, and the applicant
failed to appear, however, Lee Scott, of the Commission's staff,
stated that he was familiar with the matter and that the transfer
would be in the public interest.

No one appeared to protest the application.

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

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 John W. Knowles, Frank W. Knowles, and E. L. Knowles, doing business as "Knowles Sales & Service Company," Gunnison, Colorado, be, and hereby are, authorized to transfer all their right, title, and interest in and to Permit No. B-5878 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Auborn Howard, Gunnison, Colorado, subject to payment of outstanding indebtedness against said permit, 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 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 transferors of delinquent reports, if any, covering operations under said permit up to 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

Joseph F. Negro
Robert C. Johnson
Henry G. Mulvey
Commissioners.

Dated at Denver, Colorado,
this 13th day of December, 1961.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
FRANCIS KUBOSKE, DOING BUSINESS AS)
"SAN JUAN SCENIC JEEP TOURS," OURAY,)
COLORADO, FOR A CERTIFICATE OF PUB-) APPLICATION NO. 18824-Amended
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

December 13, 1961

Appearances: Philip F. Icke, Esq., Ouray,
Colorado, for Applicant;
Theodore L. Brooks, Esq.,
Montrose, Colorado, for
Telluride Transfer Co.,
Protestant.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By application filed August 30, 1961, applicant herein seeks a certificate of public convenience and necessity to operate as a common carrier by motor vehicle for hire, to operate a taxi-cab service to transport passengers and their baggage, to and from Ouray, Colorado, and a ten (10) mile radius around Ouray, Colorado, and to all points and places within the State of Colorado, with no pickup service out of the ten (10) mile radius of Ouray, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, at 9:30 o'clock A. M , on December 6, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of the application to the effect that there was no other service available in town; that miners, from time to time, need service on a call and demand basis; that other residents in the area also have made demands for the

proposed service; and, that he proposed to use a closed jeep station wagon in the operation. The financial statement of the applicant was put on file.

After conference between counsel for the parties, applicant moved to amend his application to restrict the authority against pickup service in the City of Telluride. No objection was made to the motion and it was granted. The protestant withdrew the protest.

The Commission finds that public convenience and necessity require the proposed services, and that the authority sought should be granted, as restricted in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Francis Kuboske, doing business as "San Juan Scenic Jeep Tours," Ouray, Colorado, be, and he hereby is, authorized to operate ~~asa~~ taxicab service to transport passengers and their baggage, to and from Ouray, Colorado, and a ten (10) mile radius around Ouray, Colorado, and to all points and places within the State of Colorado, said authority being restricted against pickup service in the City of Telluride, 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

Joseph F. Negro
Raymond C. Johnson
Donald H. Johnson
Commissioners.

Dated at Denver, Colorado, ✓
this 13th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
PAUL E. QUIRK, DOING BUSINESS AS)
"GOLDEN CAB COMPANY", 701 - 14TH)
STREET, GOLDEN, COLORADO.)

PUC NO. 1683

December 14, 1961
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 1683 be suspended for six months from December 5, 1961.

F I N D I N G STHE COMMISSION FINDS:

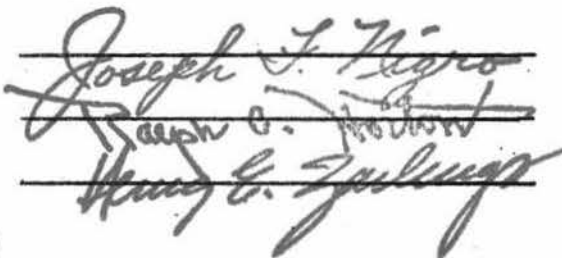
That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Paul E. Quirk, doing business as, "Golden Cab Company",
Golden, Colorado

 be, and is hereby, authorized to suspend operations under PUC No. 1683 until June 5, 1962.

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

Dated at Denver, Colorado,
this 14th day of December, 1961.

(Decision No.)
57692

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF

ARTHUR E. ATKISSON
CHEYENNE MOUNTAIN WHOLESALE
119 E. Moreno
Colorado Springs, Colorado

AUTHORITY NO. M 9860
CASE NO. 6751 Ins.

December 14, 1961

S T A T E M E N T

By the Commission:

On November 28, 1961, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Robert C. Gordon
Henry E. Zuckerman
Commissioners.

Dated at Denver, Colorado,
this 14th day of December, 1961

copy
(Decision No. 57693)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF

DON RAY
1308 North Park
Altus, Oklahoma

AUTHORITY NO. PUC 4992-I

CASE NO. 6976 Ins.

December 15, 1961

S T A T E M E N T

By the Commission:

On November 28, 1961, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. [illegible]
Henry E. [illegible]
Commissioners

Dated at Denver, Colorado,
this 15th day of December, 1961

IN THE MATTER OF THE PETITION OF
COLORADO-UTE ELECTRIC ASSOCIATION, INC.,
MONTROSE, COLORADO, FOR AN ORDER AUTHOR-
IZING IT TO EXECUTE A NOTE TO THE UNITED
STATES OF AMERICA.

APPLICATION NO. 18872
Securities

S T A T E M E N T

By the Commission:

Upon consideration of the application of Colorado-Ute
Electric Association, Inc., a Corporation in the above styled matter:

O R D E R

THE COMMISSION ORDERS:

That a public hearing be held, commencing on December 28,
1961, at 10:00 o'clock A. M., 532 State Services Building, Denver,
Colorado, respecting the matters involved and issues presented in the
proceeding. Any interested municipality or any representative of
interested consumers or security holders of applicant corporation,
and any other person whose participation herein is in the public
interest, may intervene in said proceedings. Intervention petitions
should be filed with the Commission on or before December 22, 1961,
and should set forth the grounds of the proposed intervention and
the position and interest of the petitioners, in the proceeding
and must be subscribed by interveners.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSEPH F. NIGRO

RALPH C. HORTON

HENRY E. FARLENGO

Commissioners

(SEAL)

ATTEST: A true copy

J. J. Mahoney
Secretary

Dated at Denver, Colorado,
this 14th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELTON L. MANOS, P. O. BOX 446,)
NORWOOD, COLORADO.)

PERMIT NO. M-5351

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Elton L. Manos,
Norwood, Colorado
requesting that Permit No. M-5351 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5351, heretofore issued to Elton L. Manos,
Norwood, Colorado be,
and the same is hereby, declared cancelled effective August 19, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
 Ralph C. Norton
 Wm. E. Zuckers
 Commissioners

Dated at Denver, Colorado,
this 21st day of December , 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALVA B. HIBBS, DOING BUSINESS AS,)
"MODERN GAS AND EQUIPMENT COMPANY,")
660 GRAND AVENUE, DEL NORTE, COLO-)
RADO.)
-----)

PERMIT NO. M-5717

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Alva B. Hibbs, doing
business as, "Modern Gas and Equipment Company", Del Norte, Colorado
requesting that Permit No. M-5717. be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5717, heretofore issued to Alva B. Hibbs, doing
business as, "Modern Gas and Equipment Company", Del Norte, Colorado be,
and the same is hereby, declared cancelled effective December 24, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Gordon
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ERNEST VANDERHOFF, 621 - 33RD ROAD,)
CLIFTON, COLORADO.)
)
)
)
-----)

PERMIT NO. M-11576

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ernest Vanderhoff,
Clifton, Colorado
requesting that Permit No. M-11576 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11576, heretofore issued to Ernest Vanderhoff,
Clifton, Colorado be,
and the same is hereby, declared cancelled effective November 27, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JIMMIE S. MARTINEZ, P. O. BOX 685,)
MONTE VISTA, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-7696

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jimmie S. Martinez,
Monte Vista, Colorado

requesting that Permit No. M-7696 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7696, heretofore issued to Jimmie S. Martinez,
Monte Vista, Colorado be,
and the same is hereby, declared cancelled effective December 10, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Wm. E. Ziegler
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VERNON MADER, DOING BUSINESS AS,)
"GRANADA PROPANE", GRANADA, COLORADO.)
_____))
_____)

PERMIT NO. M-14589

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Vernon Mader, doing
business as, "Granada Propane", Granada, Colorado
requesting that Permit No. M-14589 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14589, heretofore issued to Vernon Mader, doing
business as, "Granada Propane", Granada, Colorado be,
and the same is hereby, declared cancelled effective March 15, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWARD C. BRADBURY, DOING BUSINESS)
AS, "ED'S WHOLESALE", 141 BLAKE)
STREET, SALIDA, COLORADO.)
-----)

PERMIT NO. M-128

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edward C. Bradbury,
doing business as, "Ed's Wholesale", Salida, Colorado
requesting that Permit No. M-128 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-128, heretofore issued to Edward C. Bradbury,
doing business as, "Ed's Wholesale", Salida, Colorado be,
and the same is hereby, declared cancelled effective August 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
L. M. AND C. C. OLIN, 6970 NIAGARA)
STREET, DERBY, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13305

December 21, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from L. M. and C. C. Olin,
Derby, Colorado
requesting that Permit No. M-13305 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13305, heretofore issued to L. M. and C. C. Olin,
Derby, Colorado be,
and the same is hereby, declared cancelled effective November 19, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 21st day of December, 1961.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57702)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
L. M. AND C. C. OLIN, 6970)
NIAGARA STREET, DERBY, COLORADO.)
)
)
)

PERMIT NO. B-6098

December 21, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named
permittee requesting that their Permit No. B-6098 be suspended
for six months from November 19, 1961.

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 L. M. and C. C. Olin, Derby, Colorado

be, and are hereby, authorized to suspend their operations under Permit
No. B-6098 until May 19, 1962.

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

Joseph F. Nigro
Joseph C. Woodson
Henry C. Zepher
Commissioners

Dated at Denver, Colorado,
this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DONALD CAMPER, ROUTE 1 BOX 27,)
CANON CITY, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12255

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Donald Camper,
Canon City, Colorado
requesting that Permit No. M-12255 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12255, heretofore issued to Donald Camper,
Canon City, Colorado be,
and the same is hereby, declared cancelled effective October 25, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DONALD CAMPER, ROUTE 1 BOX 27,)
CANON CITY, COLORADO.)

PUC NO. 4284-I

December 28, 1961
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 4284-I be suspended for six months from October 25, 1961.

F I N D I N G STHE COMMISSION FINDS:

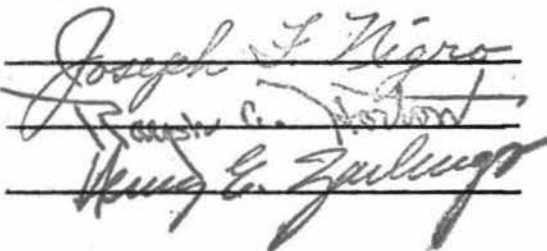
That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Donald Camper, Canon City, Colorado

 be, and is hereby, authorized to suspend operations under PUC No. 4284-I until April 25, 1962.

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

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK SMITH, 1218 EAST 8TH STREET,)
TRINIDAD, COLORADO.)
)
)
)
-----)

PERMIT NO. M-2089

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank Smith,
Trinidad, Colorado
requesting that Permit No. M-2089 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2089, heretofore issued to Frank Smith,
Trinidad, Colorado be,
and the same is hereby, declared cancelled effective December 14, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Wm. E. Zarlenga
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JIM PENN, 1311 MAINE, EADS, COLORADO.)
_____)
_____)_____
_____)

PERMIT NO. M-10513

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jim Penn,
Eads, Colorado
requesting that Permit No. M-10513 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10513, heretofore issued to Jim Penn,
Eads, Colorado be,
and the same is hereby, declared cancelled effective December 18, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DERALD L. NELSON, P. O. BOX 173,)
FAIRMONT, NEBRASKA.)
)
)
)
-----)

PERMIT NO. M-7929

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Derald L. Nelson,
Fairmont, Nebraska
requesting that Permit No. M-7929 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7929, heretofore issued to Derald L. Nelson,
Fairmont, Nebraska be,
and the same is hereby, declared cancelled effective December 12, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Holcomb
Wm. L. Ziegler
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DERALD L. NELSON, P. O. BOX)
173, FAIRMONT, NEBRASKA.)
-----)

PUC NO. 4672-I

December 28, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Derald L. Nelson,
Fairmont, Nebraska

requesting that Certificate of Public Convenience and Necessity No. 4672-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. 4672-I heretofore issued to Derald L.
Nelson, Fairmont, Nebraska

be, and the same is hereby, declared cancelled effective December 12, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. E. KINDGREN, DOING BUSINESS AS,)
"PLAINS POULTRY AND EGG COMPANY",)
209 SOUTH 2ND AVENUE, STERLING,)
COLORADO.)
-----)

PERMIT NO. M-755

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. E. Kindgren, doing
business as, "Plains Poultry and Egg Company", Sterling, Colorado
requesting that Permit No. M-755 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-755, heretofore issued to E. E. Kindgren, doing
business as, "Plains Poultry and Egg Company", Sterling, Colorado be,
and the same is hereby, declared cancelled effective August 15, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN H. POE, RECEIVER FOR)
"UNIVERSAL PETROLEUM COMPANY",)
428 NATIONAL BANK OF TULSA)
BUILDING, TULSA, OKLAHOMA.)

PUC NO. 3396-I

December 28, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from John H. Poe,
Receiver for, "Universal Petroleum Company", Tulsa, Oklahoma

requesting that Certificate of Public Convenience and Necessity No. 3396-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. 3396-I heretofore issued to John H. Poe,
Receiver for, "Universal Petroleum Company", Tulsa, Oklahoma

be, and the same is hereby, declared cancelled effective November 24, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Henry E. Zalkow
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. DOWNING, 4401 WEST)
KENTUCKY AVENUE, DENVER 19,)
COLORADO.)

PUC NO. 4790 & I

December 28, 1961
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that his PUC No. 4790 & I be suspended for six months from November 20, 1961.

F I N D I N G STHE COMMISSION FINDS:

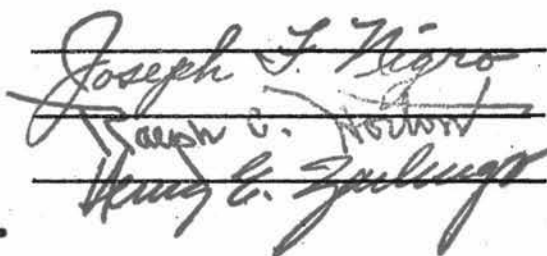
That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Robert L. Downing, Denver 19, Colorado

_____ be, and is hereby, authorized to suspend operations under PUC No. 4790 & I until May 20, 1962.

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

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
POWERED PRODUCTS OF TEXAS, INCORPOR-)
ATED, 4711 EAST FIFTH STREET, AUSTIN,)
TEXAS.)
-----)

PERMIT NO. M-6922

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from POWDERED PRODUCTS
OF TEXAS, INC., AUSTIN, TEXAS
requesting that Permit No. M-6922 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6922, heretofore issued to POWDERED PRODUCTS
OF TEXAS, INC., AUSTIN, TEXAS be,
and the same is hereby, declared cancelled effective November 18, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 195/ 61.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALTER HENRY WILSON, 1100 JERSEY)
STREET, DENVER 20, COLORADO.)
)
)
)
-----)

PERMIT NO. M-11669

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Walter Henry Wilson,
Denver 20, Colorado

requesting that Permit No. M-11669 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11669, heretofore issued to Walter Henry Wilson,
Denver 20, Colorado be,
and the same is hereby, declared cancelled effective December 7, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
STRYCO SALES, INCORPORATED, P. O.)
BOX 1098, ALBUQUERQUE, NEW MEXICO.)

PERMIT NO. M-15877

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Stryco Sales, Inc.,
Albuquerque, New Mexico

requesting that Permit No. M-15877 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15877, heretofore issued to Stryco Sales, Inc.,
Albuquerque, New Mexico be,
and the same is hereby, declared cancelled effective November 18, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Wm. E. Zarling
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 195/ 61.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
STRYCO SALES, INCORPORATED,)
P. O. BOX 1098, ALBUQUERQUE,)
NEW MEXICO.)

PUC NO. 4182-I

December 28, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Stryco Sales, Inc.,
Albuquerque, New Mexico

requesting that Certificate of Public Convenience and Necessity No. 4182-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. 4182-I heretofore issued to Stryco Sales,
Inc., Albuquerque, New Mexico

be, and the same is hereby, declared cancelled effective November 18, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph O. Hooton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1956 61.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOE WAKEMAN, 1400 EAST 2ND STREET,)
HUTCHINSON, KANSAS.)
)
)
)
)
-----)

PERMIT NO. M-2663

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joe Wakeman,
Hutchinson, Kansas
requesting that Permit No. M-2663 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2663, heretofore issued to Joe Wakeman,
Hutchinson, Kansas be,
and the same is hereby, declared cancelled effective November 23, 1961

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Wm. E. Zuckers
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ANNA V. JAMES, POUDRE CANON ROUTE,)
BELLVUE, COLORADO.)
)
)
)
-----)

PERMIT NO. M-4348

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Anna V. James,
Bellvue, Colorado
requesting that Permit No. M-4348 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4348, heretofore issued to Anna V. James,
Bellvue, Colorado be,
and the same is hereby, declared cancelled effective December 22, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
UFRACIO GALLEGOS, P. O. BOX 464,)
DEL NORTE, COLORADO.)

PERMIT NO. M-11880

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ufracio Gallegos,
Del Norte, Colorado
requesting that Permit No. M-11880 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11880, heretofore issued to Ufracio Gallegos,
Del Norte, Colorado be,
and the same is hereby, declared cancelled effective December 15, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Homer E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN F. TOLER, 506 SOUTH 11TH STREET,)
COLORADO SPRINGS, COLORADO.)
)
)
-----)

PERMIT NO. M-119

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John F. Toler,
Colorado Springs, Colorado
requesting that Permit No. M-119 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-119, heretofore issued to John F. Toler,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 16, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS M. WYMAN, P. O. BOX 278,)
CRAIG, COLORADO.)
)
)
)
-----)

PERMIT NO. M-8675

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Louis M. Wyman,
Craig, Colorado
requesting that Permit No. M-8675 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8675, heretofore issued to Louis M. Wyman,
Craig, Colorado be,
and the same is hereby, declared cancelled effective December 9, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,
this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JERRY K. BULLARD, 611 WEST PARK,)
LAMAR, COLORADO.)
)
)
)
-----)

PERMIT NO. M-14899

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Jerry K. Bullard,
Lamar, Colorado

requesting that Permit No. M-14899 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14899, heretofore issued to Jerry K. Bullard,
Lamar, Colorado be,
and the same is hereby, declared cancelled effective October 5, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Hordant
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 195/ 61.

original

(Decision No. 57722)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
GEORGE A. FAGLER AND GEORGE H.)	
FAGLER, DOING BUSINESS AS)	
"A & H EXPRESS," 2027 WEST)	<u>PUC NO. 3978</u>
ALAMEDA AVENUE, DENVER, COLO-)	
RADO.)	
- - - - -)	

- - - - -
December 15, 1961
- - - - -

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-named certificate-holders, owners and operators of PUC No. 3978, requesting to use the trade name and style: "A. & H. Moving & Express Company," in the conduct of operations under said certificate.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show PUC No. 3978 to be owned and operated by:


"George A. Fagler and
George H. Fagler, doing
business as 'A. & H. Moving
& Express Company,' "


in lieu of:

"George A. Fagler and
George H. Fagler,
doing business as
'A. & H. Express.' "

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 15th day of December, 1961.

ea

original

(Decision No. 57723)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)		
COLORADO MOTORWAY, INC., 1805)	PUC NO. 5	PUC NO. 2365
BROADWAY, DENVER, COLORADO.)	PUC No. 5-I	PUC No. 2365-I

December 18, 1961

S T A T E M E N T

By the Commission:

Request has been received by Colorado Motorway, Inc., Denver, Colorado, owner and operator of the above-styled certificates of public convenience and necessity, that said operating rights be consolidated, said consolidated operation to be known as "PUC No. 5 and PUC No. 5-I."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That PUC No. 5, PUC No. 5-I, PUC No. 2365, and PUC No. 2365-I be, and they hereby are, consolidated, said consolidated operation to be known as "PUC No. 5 and PUC No. 5-I," as requested by Colorado Motorway, Inc., Denver, Colorado, owner and operator of said certificates of public convenience and necessity.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Magia
Ralph C. Hutton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of December, 1961.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) RAYMOND GOALDER AND MARY GOALDER,) GENERAL DELIVERY, FRISCO, COLORADO,) FOR A CLASS "B" PERMIT TO OPERATE AS) A PRIVATE CARRIER BY MOTOR VEHICLE) FOR HIRE.) -----)	<u>APPLICATION NO. 18792-PP</u>
---	---------------------------------

December 18, 1961

Appearances: Raymond Goalder, Frisco, Colo-
rado, for Applicants.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

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

Salida, Colorado, November 9, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, Raymond Goalder, one of applicants herein, appeared and testified in support of said application.

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

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 applicants' proposed operations will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicants; that permit should issue to applicants herein.

O R D E R

THE COMMISSION ORDERS:

That Raymond Goalder and Mary Goalder, Frisco, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

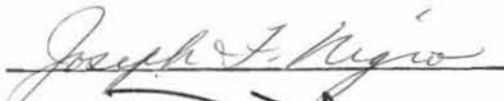
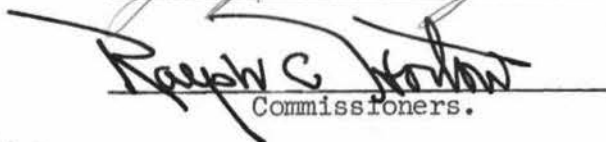
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of December, 1961.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOHN ROBERT MARTINEZ, DOING BUSINESS)
AS "MARTINEZ TRASH AND GARBAGE COM-)
PANY," 326 PALMER AVENUE, SALIDA,)
COLORADO, FOR A CERTIFICATE OF PUB-) APPLICATION NO. 18777
LIC CONVENIENCE AND NECESSITY TO)
OPERATE AS A COMMON CARRIER BY)
MOTOR VEHICLE FOR HIRE.)
-----)

December 18, 1961

Appearances: Boyle and Witty, Esqs.,
Salida, Colorado,
for Applicant;
Marvin Fletcher, Salida,
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 transportation of trash, garbage, and rubbish from within the corporate limits of the City of Salida, Chaffee County, Colorado, to appropriate dumps.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Salida, Colorado, November 9, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

Applicant herein is the son of John Martinez, the elder Martinez having operated an ash and trash-hauling business in Salida since 1938, and had paid a City License until approximately five years ago, serving some 75 to 100 customers.

The Superintendent of Schools and real estate operators testified that they had used the elder Martinez, and more recently his son, continuously for a number of years, and that the Martinez' had rendered good service. John Robert Martinez acquired a truck

and assumed his father's business after returning from the Korean War. It was his impression that all that was necessary was to have a City License, and he is now serving approximately 150 customers. Service by the younger Martinez has been confirmed by the Mayor of Salida.

The matter was protested by Mr. Marvin Fletcher, who is the holder of PUC No. 4037, which authorizes service in the City of Salida. Some testimony was adduced that Martinez operates an open truck, which scatters trash on the streets.

The financial fitness of Martinez was established to the satisfaction of the Commission.

The fact of continued service clearly establishes a need in the City of Salida for the service that is being rendered by applicant herein. The long and continued operation of this applicant cannot be termed to be willfully illegal, since he did attempt to comply with the City Ordinances. He had rendered good service, and he professes to be unaware of the fact that he was required to have authority from this Commission.

Considering the nature of this type of operation, and the knowledge of applicant, we believe that his failure to obtain a certificate was actually an honest lack of knowledge, and not a willful intent to violate the laws of the State of Colorado.

Giving credence, therefore, to applicant's explanation for failure to obtain a certificate, and in view of the long service rendered by him and his father before him, to a substantial number of satisfied customers in Salida, it is our conclusion that public convenience and necessity have been established, and that the instant application should be granted.

F I N D I N G S

THE COMMISSION FINDS:

That public convenience and necessity require applicant's proposed 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:

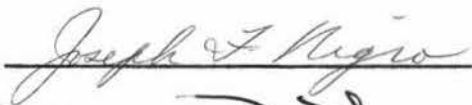
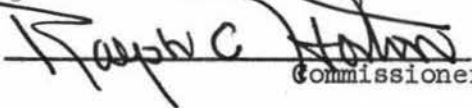
That public convenience and necessity require the motor vehicle common carrier call and demand transportation service of John Robert Martinez, doing business as "Martinez Trash and Garbage Company," Salida, Colorado, for the transportation of trash, garbage, and rubbish, from within the Corporate Limits of the City of Salida, Chaffee County, Colorado, over irregular routes, to designated points of disposal or dump grounds as may be designated by said City, or others having authority so to do, 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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 18th day of December, 1961.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SAM KRAMER, BOX 284, NATURITA, COLO-)
RADO, FOR AUTHORITY TO EXTEND OPERA-) APPLICATION NO. 18829-PP-Extension
ATIONS UNDER PERMIT NO. B-4273.)

December 18, 1961

Appearances: Leslie R. Kehl, Esq., Denver,
Colorado, for Fairplay
Motor Co.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Sam Kramer, Naturita, Colorado, is the owner and operator
of Permit No. B-4273, authorizing:

transportation of perlite from any of the
Alexite Company's mines located in Huerfano,
Custer and Fremont Counties, to their plants
at Colorado Springs, El Paso County, and
Florence, Colorado, in Fremont County, or to
rail shipping points;

Decision No. 40220 amends authority by sub-
stituting name of Great Lakes Carbon Corpora-
tion for that of Alexite Company;

transportation of vanadium and uranium ore
between points within a radius of 50 miles
from company mines of Vanadium Corporation
of America and Four Corners Uranium Corpora-
tion to mills and reduction plants located at
Naturita, Colorado;

transportation of vanadium and uranium ore be-
tween points within a radius of 150 miles from
company mines of Vanadium Corporation of
America and Four Corners Uranium Corporation,
to mills and reduction plants located at
Naturita, Durango and Grand Junction, Colorado,

and by the instant application seeks authority to extend operations
under said Permit No. B-4273, 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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles; all kinds of ores, from mines to mills, within a radius of two hundred miles of Naturita, Colorado.

Said application was regularly set for hearing at the Court House, Montrose, Colorado, on December 6, 1961, at 9:30 o'clock A. M., due notice of the time and place of the hearing being forwarded to all interested parties.

The application was called up for hearing and the applicant did not appear; however, the Commission was later informed that the applicant was in Meeker and could not make himself available at the time of the hearing.

The protestant put on evidence in protest to the effect that protestant was engaged in hauling ore and that any loss of business would impair its efficient service to the public and that some of its equipment has been idle over long periods of time.

The protestant, however, stated that if authority to haul "all kinds of ore from mines to mills within a radius of two hundred miles of Naturita, Colorado," were delted that it would have no protest to the granting of the application.

The Commission makes the files a part of the record.

The Commission finds that the extension of authority re-

requested should be granted as is restricted and set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Sam Kramer, Naturita, Colorado, be, and hereby is, authorized to extend operations under Permit No. 4273, 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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

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

Joseph F. Negro
Raymond C. Horton
Henry E. Zailerger
Commissioners.

Dated at Denver, Colorado,
this 18th day of December, 1961.

mls

original

(Decision No. 57727)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
CLINTON R. CLIFT, BOX 443, NUCLA,)	APPLICATION NO. 18823-PP-Extension
COLORADO, FOR AUTHORITY TO EXTEND)	
OPERATIONS UNDER PERMIT NO. B-4705.)	

December 18, 1961

Appearances: Donald E. Cashen, Esq., Mont-
rose, Colorado, for Appli-
cant;
C. J. Schuler, Telluride,
Colorado, for Telluride
Transfer Co.

STATEMENT AND FINDINGS OF FACT

By the Commission:

The applicant is the owner of Private Carrier Permit No.
B-4705, which authorizes operation as a private carrier by motor ve-
hicle for hire, as follows:

transportation of ore from mines located within
a radius of 100 miles of Naturita, Colorado, to
mills in Naturita, Colorado, and Durango, Colo-
rado;

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 within a
radius of 50 miles of said pits and supply
points, and for the transportation of sand,
gravel, dirt, stone and refuse from and to build-
ing construction jobs to and from points within
a radius of 50 miles of said jobs, excluding ser-
vice in Boulder, Clear Creek and Gilpin Counties;
Decision No. 42084, dated February 24, 1954, re-
duces radius on the transportation of ore from
150 miles of mines to 100 miles of mines; trans-
portation of coal, from coal pit belonging to the
Edna Coal Company, to the Colorado Ute Power
Plant, at Nucla, Colorado,

and by the instant application, applicant seeks to extend and enlarge
such permit to authorize transportation of ore, from mines located

within the area of his present authority (radius of 100 miles of Naturita, Colorado), to mills in Grand Junction, Colorado, Uravan, Colorado, Rifle, Colorado, and Slickrock, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, at 9:30 o'clock A. M., December 6, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of the application to the effect that he has had some fifteen years experience in trucking and has been operating under Temporary Authority. He further testified that there was need for his service as many have made requests for such service.

The protestant stipulated he would withdraw his protest if the authority were restricted against gold bearing ores containing lead, zinc, copper, and silver.

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

O R D E R

THE COMMISSION ORDERS:

That Clinton R. Clift, Nucla, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4705, to include the right to transport ore, including uranium and vanadium ore, from mines located within the area of his present authority (radius of 100 miles of Naturita, Colorado), to mills in Grand Junction, Colorado, Uravan, Colorado, Rifle, Colorado, and Slickrock, Colorado, restricted against the transportation of gold bearing ores containing lead, zinc, copper, and silver.

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

Joseph F. Nigro
Joseph C. Hahn
Frank Zuleger
Commissioners.

Dated at Denver, Colorado,
this 18th day of December, 1961.

mls

original

(Decision No. 57728)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLAYTON W. KEMPTON AND LAWRENCE)
PFIFER, CO-PARTNERS, DOING BUSINESS)
AS "KEMPTON & PFIFER," BOX 102C,)
MONTROSE, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18830-PP

December 18, 1961

Appearances: Clayton W. Kempton, Mont-
rose, Colorado, pro se;
Lawrence Pfifer, Montrose,
Colorado, pro se.

STATEMENT AND FINDINGS OF FACT

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 one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application, pursuant to prior setting, after appro-

priate notice to all parties in interest, was heard at the Court House, Montrose, Colorado, at 9:30 o'clock A. M., December 6, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

The applicants testified in support of the application that they had two dump trucks which would be used in the operation; that they had had a number of years experience in trucking and that one had a net worth of approximately \$9,000, and the other a net worth of approximately \$15,000; that there is a need for the services and the authority would be used if granted.

There was no protest to the granting of the application.

It did not appear that the proposed service of applicants will impair the efficiency of any common carrier service operating in the territory which applicants seek to serve.

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

That the authority sought should be granted.

O R D E R

THE COMMISSION ORDERS:

That Clayton W. Kempton and Lawrence Pfifer, co-partners, doing business as "Kempton & Pfifer," Montrose, Colorado, be, and hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of one hundred 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 home and small construction jobs within a radius of one hundred 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 one hundred miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of one hundred miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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

Joseph F. Nigro
Robert C. Hutton
Harold Zandberg
Commissioners.

Dated at Denver, Colorado,
this 18th day of December, 1961.

mls

original

(Decision No. 57729)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CHARLES O. COONS, DOING BUSINESS AS)
"TRANS-WORLD VAN LINES," 1940 SOUTH)
BANNOCK STREET, DENVER, COLORADO,)
FOR AUTHORITY TO TRANSFER PUC NO.)
3432 TO WILLIAM R. MOORE, DOING)
BUSINESS AS "MOORE & MOORE MOVING)
& STORAGE COMPANY," 2519 WEST)
COLORADO AVENUE, COLORADO SPRINGS,)
COLORADO.)
- - - - -)

APPLICATION NO. 18804-Transfer

- - - - -
December 19, 1961
- - - - -

Appearances: Truman A. Stockton, Jr.,
Esq., Denver, Colorado,
for Applicants;
Carl Swanson, Denver,
Colorado, for copy
of Order.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Charles O. Coons, doing business as "Trans-World Van
Lines," Denver, Colorado, is the owner and operator of PUC No.
3432, authorizing:

Transportation of musical instruments and
equipment, theatrical props and equipment,
small amounts of household goods, new and
used office furniture and supplies, not to
exceed the amount that can be transported
conveniently in a three-quarters-ton-truck,
between points in the City and County of
Denver, Colorado,

and by the instant application seeks authority to transfer said PUC
No. 3432 to William R. Moore, doing business as "Moore & Moore
Moving & Storage Company," Colorado Springs, Colorado.

The application was set for hearing on November 27, 1961,
at ten o'clock A. M., in the Hearing Room of the Commission, 532
State Services Building, Denver, Colorado. The same was then and
there heard by an Examiner duly designated and to whom the hearing

was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That no one protests the granting of the proposed transfer.

That the transferor appeared and testified that he has entered into an agreement to sell said certificate, copy of contract being on file with the Commission; that the consideration for the transfer is \$700; and that the Internal Revenue Service has a tax lien in the amount of \$362.84 filed against said certificate.

That the transferee testified in support of the transfer that he has ample and suitable equipment, sufficient net worth, and operating experience to render and continue operations under said certificate.

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

O R D E R

THE COMMISSION ORDERS:

That Charles O. Coons, doing business as "Trans-World Van Lines," Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3432 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to William R. Moore, doing business as "Moore & Moore Moving & Storage Company," Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said certificate, if any there be, whether secured or unsecured.

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

the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Anton
Henry E. Zedler
Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1961.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DELTA BRICK AND TILE COMPANY, BOX)
523, DELTA, COLORADO, FOR AUTHORITY)
TO TRANSFER PERMIT NO. B-1305 TO) APPLICATION NO. 18827-PP-Transfer
DALE P. BLUMBERG, DOING BUSINESS)
AS "DALE'S TRANSFER AND STORAGE,")
DELTA, COLORADO.)
- - - - -)

- - - - -
December 19, 1961
- - - - -

Appearances: Dale P. Blumberg, Delta,
Colorado, for Transferor
and Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Delta Brick and Tile Company, Delta, Colorado, is the
owner and operator of Permit No. B-1305, authorizing:

Transportation of household goods, only, from
point to point in a radius of fifty (50) miles
of Delta, Colorado.

Transportation of household goods from point
to point within the Cities of Delta, Montrose,
and Grand Junction, Colorado; and extended to
include the transportation of refined sugar
from the Holly Sugar Corporation's warehouse
in Delta to retail grocery stores within the
City of Delta, Colorado,

and by the instant application seeks authority to transfer said
Permit No. B-1305 to Dale P. Blumberg, doing business as "Dale's
Transfer and Storage," Delta, Colorado.

Said application, pursuant to prior setting after appro-
priate notice to all parties in interest, was heard at the Court
House, Montrose, Colorado, at 9:30 o'clock A. M., December 6, 1961,
and at the conclusion of the evidence, the matter was taken under
advisement.

The transferee testified in support of the application
to the effect that the operation would be carried on in substantially
the same manner, and that there were no debts against the permit.

There were no protests to the application.

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

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

O R D E R

THE COMMISSION ORDERS:

That Delta Brick and Tile Company, Delta, Colorado, be, and hereby is, authorized to transfer all its right, title, and interest in and to Permit No. B-1305 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Dale P. Blumberg, doing business as "Dale's Transfer and Storage," Delta, Colorado, subject to payment of outstanding indebtedness against said permit, 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 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

Joseph F. Negro
Robert C. Horton
Henry C. Ziegler
Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1961.

ea

original

(Decision No. 57731)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
HARDIE W. JAMIESON, 225 SUNSET)	
HILLS, GRAND JUNCTION, COLORADO,)	
FOR AUTHORITY TO TRANSFER PERMIT)	APPLICATION NO. 18844-PP-Transfer
NO. B-5524 TO MOAB TRUCK CENTER,)	
INC., 225 SUNSET HILLS, GRAND)	
JUNCTION, COLORADO.)	
- - - - -)	

- - - - -
December 19, 1961
- - - - -

Appearances: Jerry W. Uhrlaub, Esq.,
Grand Junction, Colorado,
for Transferor and
Transferee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Hardie W. Jamieson, Grand Junction, Colorado, is the
owner and operator of Permit No. B-5524, authorizing:

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 pounds 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.

Transportation of uranium and vanadium ores
and fissionable materials, mining supplies
of such nature as will not require special
equipment in the loading or unloading of same
on return movements only to mines from which
ore is being hauled, such supplies not to
exceed 1,000 pounds per return truck trip,
from mines, mills, and ore stockpiles west
of the Continental Divide of Colorado, within
a radius of 250 miles of Uravan, Colorado,
except points within a radius of 20 miles of
Alma, Colorado, to unloading points within
said territory,

and by the instant application, seeks authority to transfer said Permit No. B-5524 to Moab Truck Center, Inc., Grand Junction, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Grand Junction, Colorado, at 9:00 o'clock A. M., December 7, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

Testimony was received in support of the application to the effect that there were no debts against the permit and that the transferee had a net worth of approximately \$20,000.

No one appeared in opposition to the proposed transfer.

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

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 Hardie W. Jamieson, Grand Junction, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to Permit No. B-5524 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Moab Truck Center, Inc., Grand Junction, 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 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

Joseph F. Negro
Barth C. Hutton
Henry Zedler
Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1961.

ea

original

(Decision No. 57732)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JUNIOR A. COLE AND RAYMOND C. COLE,)
CO-PARTNERS, DOING BUSINESS AS)
"COLE BROTHERS TRAILER TRANSPORT,")
2485 U. S. HIGHWAY 6-50, GRAND) APPLICATION NO. 18832-Transfer
JUNCTION, COLORADO, FOR AUTHORITY)
TO TRANSFER PUC NO. 3642 AND PUC)
NO. 3642-I TO TRAILER HOMES RENTAL)
& SALES, INC., 2485 U. S. HIGHWAY)
6-50, GRAND JUNCTION, COLORADO.)
-----)

December 19, 1961

Appearances: Junior A. Cole, Grand
Junction, Colorado,
pro se;
Raymond C. Cole, Grand
Junction, Colorado,
pro se.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Junior A. Cole and Raymond C. Cole, co-partners, doing
business as "Cole Brothers Trailer Transport," Grand Junction,
Colorado, are the owners and operators of PUC No. 3642 and PUC
No. 3642-I, authorizing:

Transportation and towing of house trailers,
mobile trailer homes, and all types of trailers,
in tow-away service, from point to point within
a radius of two hundred miles of Grand Junction,
Colorado.

Transportation of vehicle trailers and mobile
homes, between all points in Gunnison, Montrose,
Delta, Ouray, and San Miguel Counties, and from
and to all points in said Counties, to and from
all points within 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, Colorado.

Transportation and towing of house trailers, mobile
trailer homes and all types of trailers in tow-
away service, to and from, and from and to all
points within the State of Colorado.

Between all points in Colorado and the Colorado
state boundary lines where all highways cross same
in interstate commerce, only, subject to the pro-
visions of the Federal Motor Carrier Act of 1935,
as amended,

and by the instant application, seek authority to transfer said PUC No. 3642 and PUC No. 3642-I to Trailer Homes Rental & Sales, Inc., Grand Junction, Colorado.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Court House, Grand Junction, Colorado, at 9:00 o'clock A. M., December 7, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

Junior A. Cole, one of the applicants, appeared and testified in support of the application, and it appears from the testimony and from the financial statement and files of record that the transfer would be in the public interest.

No one appeared in opposition to the proposed transfer.

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

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 Junior A. Cole and Raymond C. Cole, co-partners, doing business as "Cole Brothers Trailer Transport," Grand Junction, Colorado, be, and hereby are, authorized to transfer all their right, title, and interest in and to PUC No. 3642 and PUC No. 3642-I -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Trailer Homes Rental & Sales, Inc., Grand Junction, Colorado, subject to payment of outstanding indebtedness against said certificates, 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 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 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.

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

Joseph F. Negro

Joseph C. Arnold

Alvin E. Ziegler
Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1961.

ea

original

(Decision No. 57733)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LEONARD G. ORME, DOING BUSINESS AS)
"ORME FLYING SERVICE," ROUTE 1,)
MONTROSE, COLORADO, FOR A CERTIFI-)
CATE OF PUBLIC CONVENIENCE AND NE-)
CESSITY, AUTHORIZING OPERATION AS A)
COMMON CARRIER, BY AIRPLANE.)

APPLICATION NO. 18822

December 19, 1961

Appearances: Daniel S. King, Esq., Mont-
rose, Colorado, for Appli-
cant;
Ray Wilson, Denver, Colorado,
for the Staff of the Com-
mission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, applicant seeks a certificate of public convenience and necessity, authorizing operation as a common carrier, by airplane, for the transportation of persons and property, 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 at the Court House, Montrose, Colorado, at 9:30 o'clock A. M., December 6, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

The applicant testified in support of the application to the effect that he is a rancher and is also engaged in the flying business; has hanger service available at Montrose; has had flying experience with the United States Government, and has been flying aircraft since his discharge from the service; and that he holds a commercial license. He

further testified that service was available, but abandoned about a year ago and that he has received and continues to receive numerous calls, averaging from two to three calls per day for the service for which he seeks authority. He further testified that he has a net worth of about \$80,000.

An exhibit consisting of fifteen letters addressed to the Commission from the United States Forest Service, State Highway Department, various businessmen in the area, and the County Commissioners, was received in evidence.

No one protests the granting of the application.

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

O R D E R

THE COMMISSION ORDERS:

That public convenience and necessity require the operation as a common carrier, by airplane, of Leonard G. Orme, doing business as "Orme Flying Service," Montrose, Colorado, for the transportation of persons and property, on call and demand, between all points in the State of Colorado.

That applicant shall not establish an office or branch, for the purpose of developing business, except at Montrose, Colorado, and airports located within a radius of ten miles thereof.

Applicant shall file tariffs, rate schedules, and rules and regulations with, and to be approved by, this Commission, and all required reports within thirty (30) days from 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 applicant 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

Joseph F. Nigro
Ralph C. Hobart
Henry Zaidner
Commissioners.

Dated at Denver, Colorado,
this 19th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASE LABOR AND HOURLY)
CHARGES. TRANSPORTATION OF)
HOUSEHOLD GOODS - SOUTH SIDE)
MOVING AND STORAGE, INC.)

CASE NO. 1585

December 15, 1961

S T A T E M E N T

BY THE COMMISSION:

On December 13, 1961, the Colorado Motor Carriers' Association, as Agent, for and on behalf of South Side Moving & Storage, Inc., filed Application No. 191 requesting permission to publish the following tariff changes in Motor Freight Tariff No. 14, Colorado P.U.C. 13, to become effective one day after the filing thereof. Rates to apply only via South Side Moving & Storage, Inc.

Item No. 1160:

Increase labor charge to \$4.00 per hour per man,
and increase overtime labor charge to \$6.00 per
hour per man.

Present charges are labor \$2.50 and overtime \$3.75

Item No. 1230:

Increase the charge under Column 1 to \$12.00 per
hour.

Present charge \$10.00 per hour.

Column 1 hourly charge will apply when the origin or destination of the shipment is Metropolitan Denver, which includes the City and County of Denver, Colorado, and all points located within a radius of five miles of the Denver City Limits. This hourly charge applies to distances up to 30 miles of Denver including the use of truck and two men.

The petitioning agent, as here pertinent, represents, that:

1. The presently effective labor charge of \$2.50 per hour and overtime labor charge of \$3.75 per hour became effective April 10, 1951, and that the presently effective charge of \$10.00 per hour for the services of two men and a truck, when the origin or destination of the shipment is Metropolitan Denver became effective on June 5, 1958.

2. The carrier is experiencing a steady increase in the cost of all equipment, services and supplies utilized in the conduct of its business.
3. The increased charges proposed herein are the same as those which became effective for this carrier on June 24, 1959, in its Local Cartage Tariff No. 6, Colorado P.U.C. No. 6, for application between points in the Denver Metropolitan area.

F I N D I N G S

THE COMMISSION FINDS:

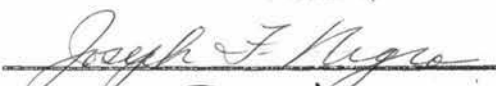
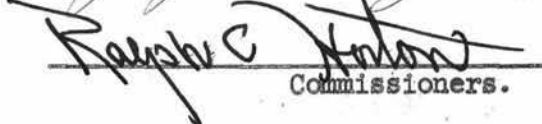
That Application 191 as set forth in the statement should be set for public hearing to determine the lawfulness of the increased hourly charges.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are made a part hereof.
2. It shall enter upon a hearing concerning the lawfulness of the said schedules.
3. Seven days prior to the hearing date hereon respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of his case including verified copies of income tax reports to the Federal and Colorado State Governments for the past two years.
4. A copy of this order shall be forthwith served upon J. R. Smith, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado; George W. Wiederspan, President, South Side Moving & Storage, Inc., 341 South Lincoln Street, Denver 9, Colorado; and John Walberg, Esq., Majestic Building, 209 - 16th Street, Denver 2, Colorado.
5. This application be, and the same is hereby set for hearing before the Commission on January 25, 1962, at 10 A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado;
this 15th day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DUNCAN LOWELL, CASTLE ROCK, COLO-)
RADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 3984 TO JOHN G. BURGER,) APPLICATION NO. 18845-Transfer
CASTLE ROCK, COLORADO.)
- - - - -)

- - - - -
December 20, 1961
- - - - -

Appearances: Paul Snyder, Esq., Castle
Rock, Colorado, for
Applicants.

S T A T E M E N T

By the Commission:

By the above-styled application, Duncan Lowell, Castle Rock, Colorado, owner and operator of PUC No. 3984, seeks authority to transfer said operating rights to John G. Burger, Castle Rock, Colorado, said PUC No. 3984 being the right to operate as a common carrier by motor vehicle for hire, on call and demand, for the transportation of:

ashes and trash, building refuse, and tree limbs, within the Town of Castle Rock, Colorado, and to the Castle Rock Town Dump, limited to the use of one truck, only.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard December 14, 1961, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

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.

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 Duncan Lowell, Castle Rock, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3984 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to John G. Burger, Castle Rock, 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 time of transfer of said certificate.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Holton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of December, 1961.

ea

original

(Decision No. 57736)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOY IVEY, DOING BUSINESS AS "JOY)	
IVEY TRUCKING," ROUTE 2, BRIGHTON,)	
COLORADO, FOR AUTHORITY TO TRANSFER)	<u>APPLICATION NO. 18846-PP-Transfer</u>
PERMIT NO. B-1693 TO FLOYD IVEY,)	
ROUTE 2, BOX 181, BRIGHTON, COLO-)	
RADO.)	
-----)	

December 20, 1961

Appearances: Floyd Ivey, Brighton,
Colorado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Joy Ivey, doing business as "Joy Ivey Trucking," Brighton, Colorado, owner and operator of Permit No. B-1693, seeks authority to transfer said operating rights to Floyd Ivey, Brighton, Colorado, said Permit No. B-1693 being the right to operate as a private carrier by motor vehicle for hire, for the transportation of:

Transportation of coal and road-surfacing material from point to point within a radius of fifty (50) miles of Denver.

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 (50) 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 (50) 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 (50) miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of fifty miles of said pits and supply points.

Said application, pursuant to prior setting, after appropriate notice to all parties in interest, was heard at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 14, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that transferee herein is father of transferor; that transferee has, for the last seven years, been operating under Permit No. B-1693 by virtue of lease agreement with transferor; that there are no outstanding operating debts against said permit; that transferee, pecuniarily and otherwise, is qualified to carry on said operations.

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, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Joy Ivey, doing business as "Joy Ivey Trucking," Brighton, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-1693 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Floyd Ivey, Brighton, 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 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

Joseph F. Negro
Joseph C. Houtant
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of December, 1961.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
GOLDEN ASH AND TRASH SERVICE)
COMPANY, A COLORADO CORPORATION,)
AND ROBERT A. GROVE AND MARGARET)
H. GROVE, P. O. BOX 924, GOLDEN,) PUC NO. 2605
COLORADO, FOR AUTHORITY TO MORTGAGE)
OPERATING RIGHTS AND CAPITAL STOCK)
TO GEORGE G. CHRISTIANSEN AND)
RUSSELL D. VOLK, COLORADO BUILD-)
ING, DENVER, COLORADO.)
-----)

IN THE MATTER OF THE APPLICATION OF)
RICHARD E. JONES, DOING BUSINESS AS)
"GOLDEN DISPOSAL," 1051 FORD STREET,)
GOLDEN, COLORADO, FOR AUTHORITY TO) APPLICATION NO. 18848-Transfer
TRANSFER PUC NO. 2547 TO ROBERT A.)
GROVE, 15835 WEST 13TH AVENUE, GOLDEN,)
COLORADO.)
-----)

December 20, 1961

Appearances: George G. Christiansen, Esq.,
Denver, Colorado, for
Robert A. Grove;
Joseph Pittroff, Esq., Denver,
Colorado, for Golden
Disposal.

S T A T E M E N T

By the Commission:

By Application No. 18848-Transfer, Richard E. Jones,
doing business as "Golden Disposal," Golden, Colorado, owner of
PUC No. 2547, seeks authority to transfer said operating rights
to Robert A. Grove, Golden, Colorado, said PUC No. 2547 being the
right 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 application, pursuant to prior setting, after appro-
priate notice to all parties in interest, was heard by the Commission
at the Hearing Room of the Commission, 532 State Services Building,

Denver, Colorado, December 14, 1961, 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 PUC No. 2547; that transferee, pecuniarily and otherwise, is qualified to carry on said operation.

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

On October 16, 1961, the Commission entered its Decision No. 57340, authorizing Golden Ash and Trash Service Company, a Colorado corporation, Golden, Colorado, and Robert A. Grove and Margaret H. Grove, officers of said corporation, to mortgage all right, title, and interest in and to PUC No. 2605 and 300 shares of Capital Stock of said corporation issued to said Robert A. Grove and Margaret H. Grove, Golden, Colorado, to George C. Christiansen and Russell D. Volk, Denver, Colorado, to secure payment of the sum of \$1,900.00.

Subsequently, and as Exhibit 8 introduced in evidence at the hearing on Application No. 18848-Transfer, "Release of Mortgage" of date October 26, 1961, was filed, duly signed by all parties in interest, releasing mortgage authorized by Decision No. 57340, of date October 16, 1961.

Transferor herein requests that he now be authorized to mortgage PUC No. 2547 and PUC No. 2605 to transferee herein.

F I N D I N G S

THE COMMISSION FINDS:

1. That mortgage of PUC No. 2605 authorized by Decision No. 57340, of date October 16, 1961, should be released.
2. That the proposed transfer of PUC No. 2547 is in the public interest, and should be authorized.
3. That transferee herein should be authorized to mortgage all right, title, and interest in and to PUC No. 2547 and PUC No. 2605 to Richard E. Jones, Golden, Colorado.

O R D E R

THE COMMISSION ORDERS:

That mortgage of PUC No. 2605, authorized by Decision No. 57340, of date October 16, 1961, from Golden Ash and Trash Service Company, a Colorado corporation, and Robert A. Grove and Margaret H. Grove, Golden, Colorado, to George G. Christiansen and Russell D. Volk, Denver, Colorado, be, and the same hereby is, released.

That Richard E. Jones, doing business as "Golden Disposal," Golden, Colorado, be, and he hereby is, authorized to transfer all right, title, and interest in and to PUC No. 2547 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Robert A. Grove, 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 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 the Commission.

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

That Robert A. Grove, Golden, Colorado, individually,
and as an officer of Golden Ash and Trash Service Company, a Colo-
rado corporation, Golden, Colorado, be, and he hereby is, authorized
to mortgage all right, title, and interest in and to PUC No. 2547
and PUC No. 2605 to Richard E. Jones, Golden, Colorado.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of December, 1961.

ea

original

(Decision No. 57738)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASES IN LABOR CHARGES AND)	
HOURLY CHARGES FOR TRANSPORTATION)	
OF USED HOUSEHOLD GOODS.)	<u>INVESTIGATION AND SUSPENSION</u>
-----	<u>DOCKET NO. 470</u>

December 19, 1961

Appearances: John Norman, Denver, Colorado,
for Colorado Transfer and
Warehousemen's Association;
A. J. Tait, Denver, Colorado,
for the Staff of the Commis-
sion.

S T A T E M E N T

By the Commission:

The above-styled matter was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 15, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, proponents failed to appear, either in person or by counsel.

Thereupon, A. J. Tait, appearing for the Staff of the Commission, moved to dismiss said matter, for failure of proponents to prosecute.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled proceedings should be dismissed for failure of proponents herein to prosecute.

O R D E R

THE COMMISSION ORDERS:

That Investigation and Suspension Docket No. 470 be, and the same hereby is, dismissed and closed upon the docket of the Commission,

due to failure of proponents herein to prosecute.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hoban
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of December, 1961.

mls

original

(Decision No. 57739)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)
JAMES C. MC COURT, JOHN H. MC COURT,)
AND ROBERT G. MC COURT, DOING BUSI-)
NESS AS "STATEWIDE TRUCKING COM-)
PANY," 2327 GLENARM PLACE, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PERMIT NO. B-3466 TO VIKING LOGGING)
AND CONSTRUCTION COMPANY, DOING)
BUSINESS AS "STATEWIDE TRUCKING COM-)
PANY," 3700 SOUTH LIPAN, ENGLEWOOD,)
COLORADO.)

APPLICATION NO. 18847-PP-Transfer

December 20, 1961

Appearances: James C. McCourt, Denver,
Colorado, for Transferors;
Delbert M. Cox, Esq., Denver,
Colorado, for Transferee;
Peter Crouse, Esq., Denver,
Colorado, for Don Ward, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

This is an application to transfer Permit No. B-3466 from James C. McCourt, John H. McCourt, and Robert G. McCourt, doing business as "Statewide Trucking Company," Denver, Colorado, to Viking Logging and Construction Company, doing business as "Statewide Trucking Company," Englewood, Colorado, said Permit No. B-3466 being the right to operate as a private carrier by motor vehicle for hire, for the transportation of:

lumber to Denver from sawmills located in the mountains west of Denver and within a distance of 100 miles of Denver; building materials, generally, from and to Denver, to and from points within a radius of 100 miles thereof, without the right to transport said commodities between points served by line haul motor vehicle common carriers on U. S. 85, and to or from Golden and Walden, from and to Denver; cold storage lockers from plant of Ira McGlasson, located at 5530 W. 27th Avenue, Denver, to points

within a radius of 100 miles of Denver, except points on U. S. Highway 85 and to Golden and Walden; lumber, from sawmills located west of a line drawn north and south through Denver, at Colfax and Broadway, to Denver, and to points within a radius of twenty miles of Denver; and logs and poles, from forests to mills, processing plants, loading points, and storage yards in 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, 532 State Services Building, Denver, Colorado, December 14, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

By leave first had of the Commission, Don Ward, Inc., was authorized to file Protest, praying for the restriction of the operating authority to be transferred to such operations as have actually been conducted by transferors during a reasonable period of time prior to the execution of agreement of transfer, and that specifically, the Commission restrict operating authority under Permit No. B-3466 against transportation of bulk or sacked cement, which transferors have never transported under the terms of their permit.

Testimony adduced at the hearing disclosed that transferors have operated this permit continuously since it was granted, hauling all authorized commodities, save and except that they have never hauled cement in bulk, in tank trucks.

One of the owners of Permit No. B-3466 testified that he has had a few requests for such type of transportation, and that these minor requests did not justify the expenditure of large sums of money to provide the special equipment required. It was his further testimony that he has rendered general service to lumber yards and construction companies, hauling all types of materials and commodities, including sacked cement.

Transferee adduced evidence establishing that it formerly was

engaged in the manufacture of building materials, but that it proposes to operate primarily now as a transport company for construction groups and lumber yards. In effect, it proposes to continue the same type of operation as has been conducted by transferors.

Protestant adduced no evidence in support of its protest, other than to request the Commission to take notice of the scope of operations of Don Ward, Inc., and certificates of said Don Ward, Inc.

Counsel for transferee stated that he had no objection to the restriction of the authority for transportation of cement in bulk, in tank cars, provided that this did not preclude transportation of cement in sacks by carload lot.

Consistently, it has been the position of this Commission that special type of equipment, of itself, does not constitute the basis for a showing of public convenience and necessity, and that transportation of a particular commodity, by specialized equipment, does not vest in such a carrier a preemptive right to transport such a particular commodity.

In the case before the Commission, however, we have the situation of a private carrier, who is not concerned with public convenience and necessity. He owes no debt to the public; he may refuse any and all types of service; he dedicates no property to a public use. Counsel for transferee stated he would have no objection to a restriction against the transportation of bulk cement. The Commission, however, on the record, cautioned counsel for both parties that under the law it is the primary duty of this Commission to be concerned with the public interest, and that the Commission would not be, and could not be, bound by a private agreement between the individual parties, if such an agreement or stipulation perverted the paramount public interest.

In the case before the Commission, the protestant subtly alludes to an interpretation or clarification of the permit, and in addition, seeks a restriction or compression of the permit, on the

grounds that the use of specialized equipment had never been previously engaged in, and therefore, this permit should be so restricted.

Since the question of interpretation or clarification of this permit has not been directly put in issue, we must find that the permit now speaks for itself, and since no evidence has been introduced that would challenge the commonly-understood meaning of said permit, we have no alternative but to rely upon the permit as it stands.

As to the necessity for the inclusion of a restriction, there was no evidence adduced that the transferee was going to embark upon a vigorous program and campaign of operation that was, or is, radically different than that which had been engaged in by transferors. There was no evidence that there was even any intentional abandonment of any such authority. We have previously stated that estoppel that arises out of non-user is difficult to assert against a private carrier who has no duty or obligation to render such service, and whose failure to do so might be implied as an abandonment. The only evidence we really have relating to this question is that the transferor has received few requests for transportation of cement in bulk, in tank trucks, and that the requests for this type of operation have been so varied and few that it did not justify his expenditure of large sums of money for specialized equipment.

Considering all of this evidence, it is the opinion of the Commission, and we so find, that transferors have not intentionally abandoned, expressly or implied, any right or authority they possessed under Permit No. B-3466.

In view of specific findings of the Commission on expressed or implied abandonment, we see no valid reason or purpose in compressing or restricting the authority proposed to be transferred herein. These valid, valuable property rights may not be reduced and compressed

at the whim of the Commission, or on the suspicion of a common carrier.

We otherwise find that the transfer is compatible with the public interest; that the transferee is qualified, by experience and ability, and by financial responsibility, to conduct this operation.

We therefore find 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 James C. McCourt, John H. McCourt, and Robert G. McCourt, doing business as "Statewide Trucking Company," Denver, Colorado, be, and they hereby are, authorized to transfer all right, title, and interest in and to Permit No. B-3466 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Viking Logging and Construction Company, doing business as "Statewide Trucking Company," 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 transferors and transferee, in writing, have advised the Commission that said permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of December, 1961.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EZRA FARROW, DOING BUSINESS AS)	
"FARROW RUBBISH REMOVAL SERVICE,")	
1859 LAFAYETTE STREET, DENVER, COLO-)	
RADO, FOR AUTHORITY TO TRANSFER PUC)	APPLICATION NO. 18849-Transfer
NO. 2232 TO LEONARD J. AMATO, ALBERT)	
W. HOELSKEN, AND JOHN SMIGLESKI, 88)	
SOUTH INGALLS, LAKEWOOD, COLORADO.)	

December 20, 1961

Appearances: Ezra Farrow, Denver, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

By the above-styled application, Ezra Farrow, doing business as "Farrow Rubbish Removal Service," Denver, Colorado, owner of PUC No. 2232, seeks authority to transfer said operating rights to Leonard J. Amato, Albert W. Hoelsken, and John Smigleski, Lakewood, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 14, 1961, at 2:30 P. M., due notice thereof being forwarded to all parties in interest.

At the time and place designated for hearing, transferor herein appeared and requested that said matter be continued.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 18849-Transfer be, and the same hereby

is, continued, to be later re-set for hearing before the Commission, with notice to all parties in interest.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Holton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 20th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED PASSENGER FARES VIA
HAROLD L. LESH, DOING BUSINESS AS
GLENWOOD-ASPEN STAGES, GLENWOOD
SPRINGS, COLORADO.

INVESTIGATION AND SUSPENSION

DOCKET NO. 474

December 18, 1961

S T A T E M E N T

BY THE COMMISSION:

On November 22, 1961, Harold L. Lesh, d/b/a Glenwood-Aspen Stages, Glenwood Springs, Colorado, filed with the Commission Supplement No. 6 to Local Passenger Tariff No. 6, Colorado P.U.C. No. P-5, naming passenger fares between points on his line published to become effective December 22, 1961.

The supplement reflects increases in passenger fares amounting to 7 per cent. The new fares are as follows:

ONE-WAY ADULT FARES THE FOLLOWING FARES ARE ALL INCREASES							
To \ From	Glenwood Springs	Carbon- dale	Basalt	Snowmass	Woody Creek	Aspen	
Glenwood Springs	\$ --	\$.62	\$1.25	\$1.45	\$1.60	\$2.14	
Carbondale	.62	--	.49	.61	.86	1.46	
Basalt	1.25	.49	--	.42	.42	.85	
Snowmass	1.45	.61	.42	--	.42	.58	
Woody Creek	1.60	.86	.42	.42	--	.42	
Aspen	2.14	1.46	.85	.58	.42	--	
Redstone	*2.14	.74	--	--	--	--	
Marble	*3.21	1.16	--	--	--	--	

*Rate will also apply in reverse direction.

The above rates may, if permitted to become effective, result in fares which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the fares named in the above supplement and as outlined herein should be suspended and an investigation instituted, upon the Commission's own motion, concerning the lawfulness thereof.

F I N D I N G S

THE COMMISSION FINDS:

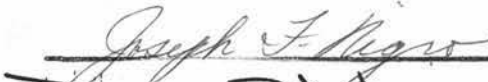
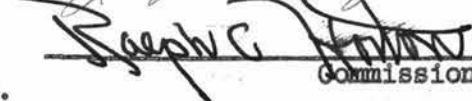
That upon its own motion, without formal pleading, the fares as set forth in the statement should be suspended and that it enter upon a hearing concerning the lawfulness of said fares.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the fares set forth herein.
3. The operation of said supplement, insofar as it pertains to fares stated herein, shall be suspended and the use of the said fares shall be deferred 120 days or until April 20, 1962, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.
4. The fares thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.
5. Seven days prior to the hearing date hereon, respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of its case including verified copies of income tax reports to the Federal and Colorado State Governments for the past two years.
6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon Harold L. Lesh, doing business as Glenwood-Aspen Stages, Glenwood Springs, Colorado.
7. This proceeding be assigned for hearing at a future date to be determined by the Commission, due notice of such date and place of hearing being given all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

Dated at Denver, Colorado,
this 18th day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SYDNEY S. WILKINSON, DOING BUSINESS)
AS, "WILKINSON PROPANE", P. O. BOX 157,)
PRITCHETT, COLORADO.)
-----)

PERMIT NO. M-7344

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Sydney S. Wilkinson,
doing business as, "Wilkinson Propane", Pritchett, Colorado

requesting that Permit No. M-7344 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7344, heretofore issued to Sydney S. Wilkinson,
doing business as, "Wilkinson Propane", Pritchett, Colorado be,
and the same is hereby, declared cancelled effective December 7, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Wm. E. Zerkow
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THE FRITO COMPANY (A CORPORATION),)
1310 FOX STREET, DENVER 4, COLORADO.)
_____)

PERMIT NO. M-4990

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from The Frito Company,
A Corporation, Denver 4, Colorado

requesting that Permit No. M-4990 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4990, heretofore issued to The Frito Company,
A Corporation, Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Wm. E. Zuley
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JAMES EDWARD KING, % FRITO COMPANY,)
1310 FOX STREET, DENVER 4, COLORADO)
-----)

PERMIT NO. M-1012

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from James Edward King,
% Frito Company, Denver 4, Colorado
requesting that Permit No. M-1012 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1012, heretofore issued to James Edward King,
% Frito Company, Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Ziehl
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FREDERICK WARREN STEPHENS, 1310 FOX)
STREET, DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-3548

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frederick Warren
Stephens, Denver 4, Colorado
requesting that Permit No. M-3548 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3548, heretofore issued to Frederick Warren Stephens,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zaulig
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HERBERT E. YENNE, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-3566

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Herbert E. Yenne,
Denver 4, Colorado
requesting that Permit No. M-3566 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3566, heretofore issued to Herbert E. Yenne,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
E. LEE SPARKS, c/o THE FRITO COM-)
PANY, 1310 FOX STREET, DENVER 4,)
COLORADO.)
-----)

PERMIT NO. M-4341

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from E. Lee Sparks, c/o
The Frito Company, Denver 4, Colorado
requesting that Permit No. M-4341 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4341, heretofore issued to E. Lee Sparks, c/o
The Frito Company, Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Horton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARTHUR J. MEDINA, 1310 FOX STREET,)
DENVER 4, COLORADO.)

PERMIT NO. M-4987

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arthur J. Medina,
Denver 4, Colorado

requesting that Permit No. M-4987 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4987, heretofore issued to Arthur J. Medina,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Wm E. Zurlungo
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES LOUIS SNELLING, 1310 FOX)
STREET, DENVER 4, COLORADO.)

PERMIT NO. M-4988

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles Louis Snelling, Denver 4, Colorado requesting that Permit No. M-4988 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4988, heretofore issued to Charles Louis Snelling,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
 Ralph C. Norton
 Kenneth E. Zuckerman
 Commissioners

Dated at Denver, Colorado,
this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PAUL E. CASTEEL, 1310 FOX STREET,)
DENVER 4, COLORADO.)

PERMIT NO. M-4989

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Paul E. Casteel,
Denver 4, Colorado
requesting that Permit No. M-4989 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4989, heretofore issued to Paul E. Casteel,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Nigro
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOSEPH F. LUKE, 1310 FOX STREET,)
DENVER 4, COLORADO.)

PERMIT NO. M-4991

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Joseph F. Luke,
Denver 4, Colorado

requesting that Permit No. ~~M-4991~~ be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4991, heretofore issued to Joseph F. Luke,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Knut E. Zandberg
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM KINDSFATHER, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
-----)

PERMIT NO. M-4992

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William Kindsfather,
Denver 4, Colorado

requesting that Permit No. M-4992 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4992, heretofore issued to William Kindsfather,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CHARLES A. BONATI, c/o THE FRITO)
COMPANY, 1310 FOX STREET, DENVER 4,)
COLORADO.)
-----)

PERMIT NO. M-4993

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Charles A. Bonati,
c/o The Frito Company, Denver 4, Colorado
requesting that Permit No. M-4993 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4993, heretofore issued to Charles A. Bonati,
c/o The Frito Company, Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Holton
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN L. SCHIEL, c/o FRITO COMPANY,)
1310 FOX STREET, DENVER 4, COLORADO.)
_____))
_____)

PERMIT NO. M-4994

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John L. Schiel,
c/o The Frito Company, Denver 4, Colorado
requesting that Permit No. M-4994 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4994, heretofore issued to John L. Schiel,
c/o The Frito Company, Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARLIE D. RYDQUIST, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-4995

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Arlie D. Rydquist,
Denver 4, Colorado
requesting that Permit No. M-4995 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4995, heretofore issued to Arlie D. Rydquist,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph G. Hout
Henry E. Zepke
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT L. TIMMINS, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-4996

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert L. Timmins,
Denver 4, Colorado

requesting that Permit No. M-4996 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4996, heretofore issued to Robert L. Timmins,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Wm. E. Zuleygo
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT J. TRANTHAM, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-4997

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert J. Trantham,
Denver 4, Colorado

requesting that Permit No. M-4997 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4997, heretofore issued to Robert J. Trantham,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HARRY C. KINSELL, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12570

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Harry C. Kinsell,
Denver 4, Colorado

requesting that Permit No. M-12570 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12570, heretofore issued to Harry C. Kinsell,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CECIL O. WETZBARGER, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-13918

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Cecil O. Wetzbarger,
Denver 4, Colorado

requesting that Permit No. M-13918 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13918, heretofore issued to Cecil O. Wetzbarger,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
BERT F. POWELL, 1310 FOX STREET,)
DENVER 4, COLORADO.)
)
)
)
-----)

PERMIT NO. M-14954

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Bert F. Powell,
Denver 4, Colorado
requesting that Permit No. M-14954 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14954, heretofore issued to Bert F. Powell,
Denver 4, Colorado be,
and the same is hereby, declared cancelled effective December 13, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 197 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WESTERN POWER & GAS COMPANY, A COR-)
PORATION, 144 SOUTH TWELFTH STREET,)
LINCOLN, NEBRASKA, FOR AUTHORITY TO)
ISSUE \$5,000,000 PRINCIPAL AMOUNT OF)
5% CONVERTIBLE DEBENTURES AND SUCH)
NUMBER OF SHARES OF ITS COMMON STOCK)
OF THE PAR VALUE OF \$5 PER SHARE AS)
SUCH DEBENTURES SHALL BE CONVERTIBLE)
INTO AND TO ISSUE 4-3/4% NOTES TO)
BANKS NOT EXCEEDING \$10,000,000)
PRINCIPAL AMOUNT.)

APPLICATION NO. 18801-Amended

December 19, 1961

Appearances: J. W. Preston, Esq., Pueblo,
Colorado, and
Ross, McGowan and O'Keefe,
Esqs., Chicago, Illinois,
for Applicant.

S T A T E M E N T

By the Commission:

The above-styled application was originally filed with the Commission on November 2, 1961, said matter being heard by the Commission November 22, 1961.

On December 18, 1961, Amendment to said application was filed with the Commission by Western Power & Gas Company, by its Attorneys.

Subsection 5, Paragraph 4, Section 1, Chapter 115, 1953 Colorado Statutes Annotated, provides as follows:

"All applications for the issuance, assumption, or guaranty of securities shall be placed at the head of the Commission's docket and shall be disposed of promptly, and within thirty (30) days after petition is filed with the Commission unless it is necessary for good cause to continue same for a longer period. Whenever such application is continued beyond the thirty (30) days after the time it is filed, the Commission shall enter an order making such con-

tinuance and stating fully the facts necessitating same."

Due to the filing of Amendment to said application, by applicant herein, said matter cannot be concluded by the time set by statute; therefore, said application should be continued by the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That in the above-styled application should be continued, as set forth in the Order following.


O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and hereby is, continued until January 17, 1962, being thirty (30) days from the filing of Amendment of said Application by Applicant herein.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 19th day of December, 1961.

mls

original

(Decision No. 57762)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE MILLER, VIRGIL PARKER, AND)
WILLIAM FARROW, DOING BUSINESS AS)
"M P & F RUBBISH REMOVAL," 25 SOUTH) APPLICATION NO. 18851
EVERETT STREET, LAKEWOOD, COLORADO,)
FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO OPERATE AS A)
COMMON CARRIER BY MOTOR VEHICLE FOR)
HIRE.)
-----)

December 21, 1961

Appearances: Mrs. Patricia Wotkyns, Esq.,
Denver, Colorado, for
Applicants.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By application filed November 15, 1961, applicant herein seeks authority to operate as a common carrier by motor vehicle for hire, for the transportation of ashes, trash, rubbish, and other debris, in the territory known and described as follows:

beginning at First Avenue and Sheridan Boulevard; thence due West on First Avenue, as extended, to the Hog Back Road; thence in a southerly direction along the Hog Back Road to where the Hog Back Road and Morrison Road intersect; thence East and Northeast following Morrison Road to Sheridan Boulevard; thence North along Sheridan Boulevard to the point of beginning, as more fully appears by copy of Exhibit "A", attached hereto, incorporated herein and by reference made a part hereof.

The application was set for hearing on December 11, 1961, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at 10:00 o'clock A. M. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing,

said Examiner transmitted to the Commission the record and exhibits of said proceeding, together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner, states and finds:

That when the matter was called up for hearing, Attorney for applicant moved that the application herein be continued.

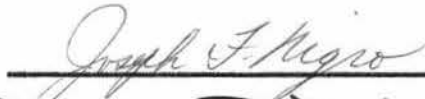

That said request should be granted and the matter continued to be re-set at some future date convenient to the Commission.

O R D E R

THE COMMISSION ORDERS:

That Application No. 18851 be, and the same hereby is, continued, to be re-set at some future date convenient to the Commission, with notice to all interested parties.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 21st day of December, 1961.

ea

mg

(Decision No. 57763)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED RATES GENERAL)
COMMODITIES -- WITHIN CITY)
AND COUNTY OF DENVER.)

INVESTIGATION AND SUSPENSION

DOCKET NO. 475

December 21, 1961

S T A T E M E N T

BY THE COMMISSION:

On November 13, 1961, East Seventeenth Avenue Express and Moving by Malcolm E. Robison and Daniel C. Cassidy, Jr., owners, filed with this Commission Tariff No. 1, Colorado P.U.C. No. 2, setting forth increased hourly charges for the transportation of general commodities, including new and used furniture and household goods, appliances, baggage and packages (except commodities which, because of size or weight, require special equipment) between points within the city limits of the City and County of Denver, Colorado, published to become effective January 1, 1962.

The present rates published by this carrier are on an hourly basis with exceptions for refrigerators and stoves published at a unit price when not moved with other household goods. The minimum charge provided is \$3.50 per shipment. Extra labor \$2.50 per hour for each man required.

The proposed basis increases the hourly rates between 20 and 40 per cent. The unit charge for refrigerators and stoves, without other household goods, is being eliminated and put on an hourly rate. The minimum charge is increased to \$4.00 per shipment.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the schedule as set forth in the statement should be suspended and that it enter upon a hearing concerning the lawfulness of the published schedule.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are made a part hereof.

2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the rates and charges published in Motor Freight Tariff No. 1, Colorado P.U.C. No. 2, published by Malcolm E. Robison and Daniel C. Cassidy, Jr., to become effective January 1, 1962.

3. The operation of said schedule shall be suspended and the use of the said schedule shall be deferred 120 days, or until April 30, 1962, unless otherwise ordered by the Commission, and no change shall be made during the said period of suspension.

4. The service, regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

5. Seven days prior to the hearing date hereon, respondents shall provide the Secretary of the Commission with copies of any and all exhibits which respondents intend to introduce in evidence in support of their case including verified copies of income tax reports to the Federal and Colorado State Governments for the past two years.

6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon Malcolm E. Robison and Daniel C. Cassidy, Jr., doing business as East Seventeenth Avenue Express and Moving, 340 West Irvington Place, Denver 23, Colorado, and John R. Barry, Esq., 738 Majestic Building, Denver 2, Colorado.

7. This Investigation and Suspension Docket No. 475, be, and the same is hereby set for hearing before the Commission on January 25, 1962, at 10 A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Johnson
Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

ph

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REDUCTION IN RATE AND MINIMUM
CHARGE, CINDERS, CLAY OR SHALE
(AGGREGATE) IN BULK. ROCKY FLATS,
COLORADO, TO DESTINATIONS IN
COLORADO.

INVESTIGATION AND SUSPENSIONDOCKET NO. 476

December 21, 1961

S T A T E M E N TBY THE COMMISSION:

On November 30, 1961, the Colorado Motor Carriers' Association, Agent, filed with this Commission 2nd Revised Page No. 48-A, Motor Freight Tariff No. 14, Colorado P.U.C. No. 13, published to become effective January 2, 1962, as follows:

Item No.	Commodity	From	To	Rates*
535 Con- tinued	Cinders, clay or shale (aggregate), in bulk, minimum weight 40,000 Minimum charge ③ \$25.00 per trailer. (Applies only via Golden Transfer Company, Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company, Rio Grande Motor Way, Inc., and Westway Motor Freight, Inc.) ① Rate will not apply via Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company. ② Rate applies only via Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company. ③ Minimum charge will not apply on shipments transported from the plant site to Boulder, Colorado, by Raymond Pherson and Patricia M. Pherson, d/b/a Pherson Trucking Company.	Idealite Company Plant Site near Rocky Flats, Colorado.	Boulder, Colo.	① \$1.25 ② \$.85
			Denver, Colo.	\$1.25
			Bellview, Colo.	\$1.25
			Englewood, Colo.	\$1.25
			Golden, Colo.	\$1.25
			Longmont, Colo.	\$1.30
			Littleton, Colo.	\$1.40
			Hygiene, Colo.	\$1.40
			Loveland, Colo.	\$1.50
			All points in Colorado not named specifically above: 5¢ per ton per mile in plains territory; 6¢ per ton per mile in mountain territory.	
Method of computing distances to be used in assessing distance rates published in this item: (1) Where mileages are shown in the current Colorado Department of highways map via improved roads only, such mileages shall be used to determine the distance or portions of such distance via improved roads only.				

*Rates per ton of 2,000 lbs.

/ Denotes addition.

Ⓡ Denotes reduction.

Item 535 Con- cluded	<p>(2) For distances from and to points not covered by the map referred to in paragraph (1) above, the actual mileage via the shortest practicable route shall be used, except that the map will be used for such portions of the distance as may be provided thereon or ascertainable therefrom.</p> <p>(3) In applying the distance rates provided in this item, all mileage traveled on Colorado Highway 93 will be considered as plains territory.</p> <p>Interterritorial movements:</p> <p>Apply the applicable rate in each territory for the distance traversed in each respective territory.</p>
-------------------------------	---

The respondents, Raymond Pherson and Patricia M. Pherson, doing business as Pherson Trucking Company propose to reduce the rate and minimum charge from the Idealite Company Plant Site near Rocky Flats, Colorado, to Boulder, Colorado. The said reduction in rate and minimum charge may, if permitted to become effective, result in charges which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the said schedule should be suspended and an investigation instituted concerning the lawfulness of the reduced rate and minimum charge.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the matter set forth in the statement hereof should be suspended and that it enter upon a hearing concerning the lawfulness of the proposed reduced rate and minimum charge.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of Item 535, 2nd Revised Page 48-A, of Colorado Motor Carriers' Association, Agent, Tariff No. 14, Colorado P.U.C. No. 13.
3. The operation of said schedule shall be suspended and the use of this said schedule shall be deferred 120 days, or until May 2, 1962, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.

4. The service, regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

5. Seven days prior to the hearing date hereon respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of his case including verified copies of income tax reports to the Federal and Colorado State Governments for the past two years.

6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado.

7. This Investigation and Suspension Docket No. 476, be, and the same is hereby set for hearing before the Commission on January 25, 1962, at two P. M. in the Hearing Room of the Commission 532, State Services Building, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Holm
Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

ph

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED HOURLY CARTAGE RATES
BETWEEN POINTS IN THE CITIES
OF CORTEZ, COLORADO, AND DURANGO,
COLORADO.

INVESTIGATION AND SUSPENSION

DOCKET NO. 477

December 21, 1961

S T A T E M E N T

BY THE COMMISSION:

On December 6, 1961, Tri-City Transfer & Storage, Inc., by its President, W. F. Christensen, filed with this Commission Local Cartage Tariff No. 1, Colorado P.U.C. No. 2, canceling its local tariffs P.U.C. No. 1 for Cortez, Colorado, and P.U.C. No. 1 for Durango, Colorado. Increased hourly charges are published to become effective January 8, 1962.

The rates presently applicable are as follows:

	<u>Durango</u> <u>Colorado</u>	<u>Cortez</u> <u>Colorado</u>
Household Goods: Uncrated and unpacked mixed shipments of used, second-hand personal effects and property used in a dwelling or office when a part of the equipment or supply of such dwelling or office; mixed shipments of fixtures, equipment and the property of stores		
Van, equipped for service, and 2 men, per hour	\$8.00	\$8.50
Commercial Drayage:		
Stake truck, equipped for service, and 2 men, per hour	\$8.00	\$8.50
Pick-up truck and 2 men, per hour	\$8.00	- -
Fraction of an hour will be charged for at the nearest	$\frac{1}{4}$ hr.	$\frac{1}{2}$ hr.
Time charges shall include time to and from the carrier's garage.		

The proposed increased hourly rates on household goods, van, and two men, or stake truck and two men, or pick-up truck and two men, will be \$9.00 per hour. Fraction of an hour will be charged for at the nearest one-fourth hour.

The increased hourly rates may, if permitted to become effective, result in rates which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the said schedule should be suspended and an investigation instituted, upon the Commission's own motion, concerning the lawfulness of the increased rates.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the matter set forth in the statement hereof should be suspended and that it enter upon a hearing concerning the lawfulness of the proposed increased rates.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the schedules set forth in the statement.
3. The operation of said schedule shall be suspended and the use of the said schedule shall be deferred 120 days, or until May 8, 1962, unless otherwise ordered by the Commission, and no change shall be made during the said period of suspension.
4. The service, regulations and practices thereby sought to be altered shall not be changed by any subsequent tariff or schedule until this investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.
5. Seven days prior to the hearing date hereon respondent shall provide the Secretary of the Commission with copies of any and all exhibits which respondent intends to introduce in evidence in support of his case including verified copies of income tax reports to the Federal and Colorado State Governments for the past two years.
6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon W. F. Christensen, Tri-City Transfer & Storage, Inc., 305 East Broadway, Farmington, New Mexico.
7. This Investigation and Suspension Docket No. 477, be, and the same is hereby set for hearing before the Commission on January 16, 1962, at 10 A. M. in the Hearing Room of the Court House, Durango, Colorado.

(S E A L)

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

original

(Decision No. 57766)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
GEORGE RAMSTETTER, DOING BUSINESS)
AS "CENTRAL CITY BUS LINE," BOX 696,)
CENTRAL CITY, COLORADO, FOR AUTHOR-)
ITY TO LEASE, WITH OPTION TO PUR-)
CHASE, PUC NO. 4357 TO ELDRED M.)
COLE, 3370 SOUTH KNOX COURT, ENGLE-)
WOOD, COLORADO.)

APPLICATION NO. 18850-Lease

December 21, 1961

Appearances: George Ramstetter, Central
City, Colorado, for
Lessor and Lessee.

STATEMENT AND FINDINGS OF FACT

By the Commission:

George Ramstetter, doing business as "Central City Bus
Line," Central City, Colorado, is the owner and operator of PUC No.
4357, authorizing:

transportation of passengers, baggage, news-
papers, and light express, between Denver
and Golden, and intermediate points, on the
one hand, and Central City, and points in-
termediate, between the junction of Highways
Nos. 6 and 119, and Central City, on the
other hand; provided, that any shipment of
express shall not exceed 65 pounds in weight
and shall not be transported in any other ve-
hicle than the vehicle used for the trans-
portation of passengers, and at rates that
shall not be less than those charged by line-
haul common carriers rendering the same ser-
vice;

extended for change of routing to Central
City, Colorado, to include the use of Federal,
State and County Highways via Idaho Springs,
Colorado, in the transportation of passengers,
baggage and light express, between the junc-
tion of Highways Nos. 6 and 119, along Highway
No. 6 to Idaho Springs; thence to Central City,
Colorado, without the right to render service
between Denver, Golden, and Idaho Springs,
Colorado, with the privilege of serving direct
between Denver and Central City, Colorado,

and by the instant application seeks authority to lease, with option to purchase, said PUC No. 4357 to Eldred M. Cole, Englewood, Colorado.

The application was set for hearing on December 11, 1961, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, at 10:00 o'clock A. M. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the proposed lease.

That the lessor has entered into a written lease agreement with the lessee, a copy of which is on file with the Commission; that the lessee is presently operating under a temporary authority covering the lease of PUC No. 4357; that the lessee has sufficient equipment, net worth, and operating experience to render and continue the operations under PUC No. 4357.

That the proposed lease, with option to purchase, is compatible with the public interest, and should be authorized as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That George Ramstetter, doing business as "Central City Bus Line," Central City, Colorado, be, and hereby is, authorized to lease, with option to purchase, PUC No. 4357 -- with authority as set forth in the preceding Statement, which is made a part hereof by reference -- to Eldred M. Cole, Englewood, Colorado, subject to the terms and conditions of the said written lease agreement on file with the Commission.

That said lease shall become effective only if and when, but

not before, said lessor and lessee, 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 lease, 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 lessor shall, upon proper adoption notice, become and remain those of lessee until changed according to law and the rules and regulations of this Commission.

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Joseph F. Negro
Ralph G. Anderson
Commissioners

Dated at Denver, Colorado,
this 21st day of December, 1961.

mls

original

(Decision No. 57767)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
BUILDING MOVERS, INC. (JOHN D.)
BRECKON, WALTER J. JOHNSON, AND)
RUTH STOKES BEING OWNERS OF THE COR-)
PORATE STOCK THEREOF), 13230 BRAUN)
ROAD, GOLDEN, COLORADO, OWNER AND)
OPERATOR OF PUC NO. 3922, FOR AUTHOR-)
ITY TO TRANSFER SAID OPERATING)
RIGHTS TO BUILDING MOVERS, INC.)
(ALEX MILLER, DOUGLAS MAGERS, AND)
MARY MILLER BEING OWNERS OF THE COR-)
PORATE STOCK THEREOF), 8121 QUEBEC)
STREET, DERBY, COLORADO.)

APPLICATION NO. 18852-Transfer

December 21, 1961

Appearances: Douglas Magers, Derby, Colo-
rado, for Transferors and
Transferees.

STATEMENT AND FINDINGS OF FACT

By the Commission:

Building Movers, Inc. (John D. Breckon, Walter J. Johnson,
and Ruth Stokes being owners of the corporate stock thereof), Golden,
Colorado, seek authority to transfer PUC No. 3922 to Building Movers,
Inc. (Alex Miller, Douglas Magers, and Mary Miller being owners of the
corporate stock thereof), Derby, Colorado, said PUC No. 3922 authoriz-
ing:

call and demand service for the transporta-
tion of houses and buildings between points
within a radius of 50 miles of and including
the City and County of Denver, Colorado.

The application was set for hearing on December 11, 1961,
at the Hearing Room of the Commission, 532 State Services Building,
Denver, Colorado, at ten o'clock A. M. The same was then and there
heard by an Examiner duly designated and to whom the hearing was
assigned by the Commission. After the conclusion of the hearing, said

Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That no one protests the granting of the proposed transfer.

That the corporation will continue to have sufficient equipment, operating experience and financial resources to render and continue operations under said PUC No. 3922.

That the transfer of the corporate stock would be compatible with the public interest, as set forth in the following Order.

O R D E R

THE COMMISSION ORDERS:

That Building Movers, Inc. (John D. Breckon, Walter J. Johnson, and Ruth Stokes being owners of the corporate stock thereof), Golden, Colorado, be, and hereby is, authorized to transfer all corporate stock of said corporation (owner and operator of PUC No. 3922) to Building Movers, Inc. (Alex Miller, Douglas Magers, and Mary Miller being owners of the corporate stock thereof), Derby, Colorado.

That said transfer of corporate stock shall become effective only if and when, but not before, said corporation, in writing, has advised the Commission that said transfer of corporate stock 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 of the corporate stock, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

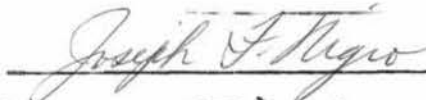
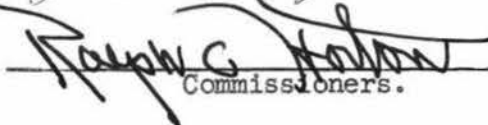
The tariff of rates, rules and regulations of the corporation

shall remain the same until changed according to law and the rules and regulations of this Commission.

The right of the corporation to operate under this Order shall depend upon the prior filing of delinquent reports, if any, covering operations under said certificates up to the time of transfer of the corporate stock.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 21st day of December, 1961.

mls

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57768)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MERLE MONTAGUE, 729 SKYLINE)
DRIVE, FORT COLLINS, COLORADO.)
)
)
)

PERMIT NO. B-5495

January 4, 1962

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-5495 be suspended
one year
for ~~six months~~ from December 23, 1961.

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 Merle Montague, Fort Collins, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5495 until December 23, 1962.

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

Joseph F. Negro
Ralph C. Horton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS D. HERSCHISER, 2629 ROBINSON,)
COLORADO SPRINGS, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-222

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Louis D. Herschier,
Colorado Springs, Colorado

requesting that Permit No. M-222 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-222, heretofore issued to Louis D. Herschier,
Colorado Springs, Colorado be,
and the same is hereby, declared cancelled effective November 19, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Wm. E. Zuleygo
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57770)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
LOUIS D. HERSHISER, 2629 ROBINSON)
COLORADO SPRINGS, COLORADO.)

PERMIT NO. B-4099

January 4, 1962

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-4099 be suspended
 for six months from November 19, 1961.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Louis D. Hershiser, Colorado Springs, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-4099 until May 19, 1962.

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

Joseph F. Nigro
Frank C. Vincent
Hans E. Zuckerg
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 19 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK A. CALER, 1551 SOUTH)
SHERMAN STREET, DENVER 10,)
COLORADO.)

PUC NO. 5149-I

December 21, 1961

S T A T E M E N T

By the Commission:

On November 30, 1961, the Commission authorized Frank A. Maler to suspend operations under his PUC No. 5149-I, until May 30, 1962.

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

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. PUC 5149-I, should be, and the same hereby is, reinstated as of December 6, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. [unclear]
Wm. E. [unclear]
Commissioners

Dated at Denver, Colorado,
this 21st day of December, 1961.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ELMER E. NICHOLS, WRANGLER)
TRAILER COURT # 5A, CRAIG,)
COLORADO.)

PERMIT NO. B-5749

January 4, 1962
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named permittee requesting that his Permit No. B-5749 be further suspended for six months from December 26, 1961.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Elmer E. Nichols, Craig, Colorado

be, and is hereby, authorized to further suspend his operations under Permit No. B-5749 until June 26, 1962.

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

Joseph F. Nigro
Joseph C. Norton
Edward E. Zwick
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
OTTO VLIET, DOING BUSINESS AS,)
"VLIET'S DISTRICT STORE", 361 MAIN)
STREET, LONGMONT, COLORADO.)
-----)

PERMIT NO. M-1089

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Otto Vliet, doing
business as, "Vliet's District Store", Longmont, Colorado
requesting that Permit No. M-1089 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-1089, heretofore issued to Otto Vliet, doing business
as, "Vliet's District Store", Longmont, Colorado be,
and the same is hereby, declared cancelled effective February 6, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LYLE NOVIS, DOING BUSINESS AS, "NOVIS")
DISTRIBUTING COMPANY", P. O. BOX 666,)
YUMA, ARIZONA.)
-----)

PERMIT NO. M-3231

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lyle Novis, doing
business as, "Novis Distributing Company", Yuma, Arizona
requesting that Permit No. M-3231 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3231, heretofore issued to Lyle Novis, doing business
as, "Novis Distributing Company", Yuma, Arizona be,
and the same is hereby, declared cancelled effective December 18, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LYLE T. NOVIS, DOING BUSINESS)
AS, "NOVIS DISTRIBUTING)
COMPANY", P. O. BOX 666, YUMA,)
ARIZONA.)

PUC NO. 2836-I

January 4, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Lyle T. Novis,
doing business as, "Novis Distributing Company", Yuma, Arizona

requesting that Certificate of Public Convenience and Necessity No. 2836-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. 2836-I heretofore issued to Lyle T. Novis,
doing business as, "Novis Distributing Company", Yuma, Arizona

be, and the same is hereby, declared cancelled effective December 18, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Johnson
Wing C. Johnson
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57776)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JULIAN BACA, 701 NORTH 7TH)
STREET, ROCKY FORD, COLORADO.)
)
)
)
)

PERMIT NO. B-6116

January 4, 1962

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-6116 be suspended
for six months from December 18, 1961.

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 Julian Baca, Rocky Ford, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6116 until June 18, 1962.

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

Joseph F. Nigro
Frank C. Norton
Wm. E. Zullinger
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THE SHERIDAN COMMERCIAL COMPANY,)
INCORPORATED, P. O. BOX 787, SHERIDAN,)
WYOMING.)
-----)

PERMIT NO. M-8855

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from The Sheridan Commercial Company, Inc., Sheridan, Wyoming
requesting that Permit No. M-8855 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8855, heretofore issued to The Sheridan Commercial Company, Inc., Sheridan, Wyoming be,
and the same is hereby, declared cancelled effective December 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zwick
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
JOHN W. GOSSAGE, P. O. BOX 62, PINE,)
COLORADO.)

PERMIT NO. M-5444

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from John W. Gossage,
Pine, Colorado
requesting that Permit No. M-51414 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5444, heretofore issued to John W. Gossage,
Pine, Colorado be,
and the same is hereby, declared cancelled effective December 19, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Francis C. Hobart
Wm. E. Zuckers
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANCIS C. KELLOGG, DOING BUSINESS AS)
"KELLOGG DISTRIBUTING COMPANY",)
2535 SOUTH HUMBOLDT, DENVER 10,)
COLORADO.)
-----)

PERMIT NO. M-11686

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Francis C. Kellogg,
doing business as, "Kellogg Distributing Company", Denver 10, Colorado
requesting that Permit No. M-11686 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11686, heretofore issued to Francis C. Kellogg,
doing business as, "Kellogg Distributing Company", Denver 10, Colorado be,
and the same is hereby, declared cancelled effective December 18, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zwickler
Commissioners

Dated at Denver, Colorado,

this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
H. L. LUNDGREN, DOING BUSINESS AS,)
"OAK LEAF DAIRY", 5980 GLENCOE,)
DENVER 16, COLORADO.)
-----)

PERMIT NO. M-11090

January 4, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. L. Lundgren, doing
business as, "Oak Leaf Dairy", Denver 16, Colorado
requesting that Permit No. M-11090 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11090, heretofore issued to H. L. Lundgren, doing
business as, "Oak Leaf Dairy", Denver 16, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Norton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,
this 4th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JACK D. FORD AND HUGH J. COUNTS,)
DOING BUSINESS AS, "FORD AND)
COUNTS", 3501 FAIRFAX, FORT)
WORTH 19, TEXAS.)

PUC NO. 5056-I

January 4, 1962
-----S T A T E M E N TBy the Commission:

The Commission is in receipt of a request from the above-named certificate-holder requesting that their PUC No. 5056-I be suspended for six months from December 11, 1961.

F I N D I N G STHE COMMISSION FINDS:

That the request should be granted.

O R D E RTHE COMMISSION ORDERS:

That Jack D. Ford and Hugh J. Counts, doing business as,
"Ford & Counts", Fort Worth 19, Texas
be, and are hereby, authorized to suspend operations under PUC No. 5056-I until June 11, 1962.

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

Joseph F. Negro
Joseph C. Norton
Wm. E. Zurling

Dated at Denver, Colorado,
this 4th day of January, 196 2.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
NORTH PARK TRANSPORTATION COMPANY,)
A CORPORATION, 1434 29TH STREET,)
DENVER, COLORADO, FOR A CERTIFICATE)
OF PUBLIC CONVENIENCE AND NECESSITY,)
AUTHORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 1600.)

APPLICATION NO. 18732-Extension
SUPPLEMENTAL ORDER

December 22, 1961

Appearances: A. J. Meiklejohn, Esq.,
Denver, Colorado, and
Leslie R. Kehl, Esq., Den-
ver, Colorado, for
Applicant;
John H. Lewis, Esq., Den-
ver, Colorado, and
John P. Thompson, Esq.,
Denver, Colorado, for
Denver-Climax Truck
Line, Inc.

STATEMENT AND FINDINGS OF FACT

By the Commission:

On November 29, 1961, by Decision No. 57606, the Commission granted to North Park Transportation Company, a corporation, Denver, Colorado, authority to extend operations under PUC No. 1600, as set forth in said Decision No. 57606.

On December 18, 1961, "Application for Rehearing" was filed in said matter by Denver-Climax Truck Line, Inc., by John P. Thompson, Esq., and John H. Lewis, Esq., Denver, Colorado.

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

O R D E R

THE COMMISSION ORDERS:

That Application for Rehearing in the above-styled matter, filed by Denver-Climax Truck Line, Inc., by John P. Thompson, Esq., and John H. Lewis, Esq., Denver, Colorado, 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 F. Negro
Wm C. Holton
Samuel Zarbo
Commissioners.

Dated at Denver, Colorado,
this 22nd day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES AND INCREASES IN RATES
PUBLISHED TO BECOME EFFECTIVE JULY 3, 1961,
FOR ACCOUNT OF NORTH EASTERN MOTOR FREIGHT,
INC., AND DENVER-LARAMIE-WALDEN TRUCK LINE,
INC., IN TARIFF NO. 12-A, COLORADO P.U.C.
NO. 11, COLORADO MOTOR CARRIERS' ASSOCIATION,
AGENT, J. R. SMITH, CHIEF OF TARIFF BUREAU,
4060 ELATI STREET, DENVER 16, COLORADO.

INVESTIGATION AND SUSPENSION

DOCKET NO. 456¹

December 21, 1961

Appearances: John P. Thompson, Esq., 220 Denver Club
Building, Denver, Colorado, for
respondents;

Ray Hume, Ringsby Truck Lines, Inc., Craig,
Colorado, respondent in Investigation
and Suspension Docket No. 458;

T. S. Wood, A. J. Tait and S. J. Philippone
for staff of the Commission.

S T A T E M E N T

BY THE COMMISSION:

These proceedings concern numerous items under suspension relating to the proposed cancellation of exception ratings, the increase of class and commodity rates and newly instituted provisions and charges for the movement of shipper-owned trailers and less-than-truckload minimum charges as more particularly set out in Appendixes A and B which are made a part hereof. The investigation and suspension dockets here being considered were heard together on a single record and will be disposed of in this decision.

In the title proceeding, Brooks Transportation Company, Denver-Laramie-Walden Truck Line, Inc., and North Eastern Motor Freight, Inc., hereinafter called respondents, by schedules filed to become effective July 3, 1961, suspended to October 31, 1961, by Decision No. 56750, dated June 27, 1961, and further suspended until April 30, 1962, by Decision No. 57367, dated October 16, 1961, either singly or jointly proposed the

¹ This decision also embraces Investigation and Suspension Docket No. 458, Re various changes and increases in rates published to become effective July 31, 1961, for account of Miller Bros. Truck Line, et al., in Tariff No. 12-A, P.U.C. No. 11, Colorado Motor Carriers' Association, Agent, J. R. Smith, Chief of Tariff Bureau, 4060 Elati Street, Denver 16, Colorado. (See decisions numbered 56750, 56883, 57367 and 57569.)

cancellation of (1) exception ratings on certain agricultural implements and on furniture as described under that heading in the classification; (2) an increase of 10 per cent in the less-than-truckload class rate bases between Denver, Colorado, and points in northern and northeastern Colorado located principally on U. S. Highways 6, 138 and 287; varying increases in commodity rates on traffic destined to points on the line of respondent, North Eastern Motor Freight, Inc., in northeastern Colorado.²

Respondent, Denver-Laramie-Walden Truck Line, Inc., withdrew its participation in the increased rates proposed for application to traffic moving over its lines by letter dated August 14, 1961, to the Colorado Motor Carriers' Association which Association in turn notified the Commission under date of August 17, 1961, of respondent's action. This respondent will be required to cancel the proposed rates here under suspension.

In Investigation and Suspension Docket No. 458, Brooks Transportation Company, Byers-Denver Truck Line, Thos. D. Lane Truck Lines, Miller Bros. Truck Line, Navajo Freight Lines, Inc., North Eastern Motor Freight, Inc., Ringsby Truck Lines, Inc., and Westway Motor Freight, Inc., hereinafter called respondents, by schedules filed to become effective July 31, 1961, suspended to November 28, 1961, by Decision No. 56883, dated July 25, 1961, and further suspended until May 28, 1962, by Decision No. 57569, dated November 17, 1961, proposed increases in (1) the less-than-truckload and 5,000 and 10,000 pound class rate bases between Denver, Colorado, and various points served by respondents; (2) commodity rates on grain and grain products transported from Grand Junction, Colorado, to Craig and Rangely, Colorado; (3) proposed the cancellation of commodity rates on ice cream mix from Denver to points in northeastern Colorado; (4) the cancellation of participation in distance commodity truckload rates on lumber.³

Respondents, Byers-Denver Truck Line, Thos. D. Lane Truck Lines and Navajo Freight Line, Inc., offered no testimony or evidence in justification of the suspended rates.

² See Appendix A hereof for items suspended by Investigation and Suspension Docket No. 456.

³ See Appendix B hereof for items suspended by Investigation and Suspension Docket No. 458.

No shippers appeared in opposition to the proposed tariff changes or increased rates.

The investigation and suspension dockets were duly noticed for hearing and were heard in Denver, Colorado, on August 21, 1961. Investigation and Suspension Docket No. 456 was duly noticed for a further hearing at Sterling, Colorado, on August 23, 1961. The matters involved in these dockets were taken under advisement on August 21 and August 23, 1961.

Mr. Ray Hume, Terminal Manager for Ringsby Truck Lines, Inc., at Craig, Colorado, appeared in support of the proposed rates on grain and grain products published to cover movements thereof from Grand Junction, Colorado, to Craig and Rangely. This respondent proposed to increase the grain and products Grand Junction to Craig rate of 38 cents per cwt., minimum weight 10,000 pounds to 50 cents per cwt., minimum weight 5,000 pounds and to reduce the minimum to 5,000 pounds on these commodities from Grand Junction to Rangely, without a change in the present rate of 58 cents per cwt., subject to a minimum of 10,000 pounds. This witness could offer no satisfactory explanation for the basis for the proposed rates other than to say the present rate of 38 cents, minimum 10,000 pounds was too low. The witness had no knowledge of the volume of traffic moving nor did he have knowledge of the cost of handling the traffic. The witness stated he had no authority to submit the books of Ringsby Truck Lines, Inc., nor could he show the costs of performing the service in transporting the commodities with which we are here concerned. It would appear from the testimony of Mr. Hume that he has some arrangement with Ringsby Truck Lines, Inc., to transport freight between Grand Junction, Colorado, and Craig and Rangely but that he is not an officer of that carrier. We must, therefore, hold that the proposed rates as set forth in Item 1950, 7th Revised Page 213, Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado P.U.C. No. 11, have not been shown to be just and reasonable or otherwise lawful. Our order herein will order the cancellation of the proposed rates.

The president of North Eastern Motor Freight, Inc., gave testimony pertaining to Items 100 and 360 of Colorado Motor Carriers' Association, Agent, Tariff No. 12-A, Colorado P.U.C. No. 11, hereinafter referred to as the tariff.

This respondent proposed to cancel Item 100 which provided for a classification exception rating of class 100 on corn pickers or corn pickers and huskers, combined and on hay presses and windrow pick-ups combined. A few shipments had been handled by this respondent in the past but none of this traffic was presently moving. Classification ratings would become applicable should this item be canceled resulting in increases and reductions in rates. The cancellation of Item 360, providing classification exception ratings on "Furniture" as described in the classification and on carriages, go-carts or sulkies, baby or doll, LTL was proposed by this same respondent. Justification for the cancellation of Items 100 and 360 of the tariff rested upon the statement of respondent's president that the bulk of various furniture items caused extra trips and that mattresses were easily damaged resulting in costly handling.

It was proposed by respondent to cancel Items 1920 and 2020 of the tariff, such items being applicable to compressed gas and ice cream mix, respectively, as none of said traffic was ever handled by this respondent.

Respondent, North Eastern proposed to increase (1) its published point-to-point less-than-truckload class rate bases by 10 per cent; (2) its commodity rates named in Items 1385, 1410, 1493, 1910, 2380, 2390, 2630, 2670, and 3070 by percentages ranging from 10 to 25 per cent. These items name commodity rates on burial cases, candy, egg cartons, compressed gas, sanitary pads, paper and paper articles, sugar and milk transported from Denver and Sterling and other origins to Brush, Ft. Morgan, Julesburg and other destinations.

Neither cost studies nor studies of the revenue expected to be produced as a result of the increased rates were offered at the hearing by the witness for respondent in justification of the proposed increased rates and ratings.

The general manager of North Eastern offered Exhibits lettered A through G, both inclusive, which were accepted in evidence purporting to show need for additional revenue; the number of intrastate shipments of 2,000 pounds or less for the period April 15 through April 21, 1961, and a breakdown of the weight of traffic, by designated points and areas, with average rates for the period August 1 to August 16, 1961. Exhibit B, being a copy of the Quarterly

Report of Revenues, Expenses, and Statistics, Class II Motor Carrier of Property, Interstate Commerce Commission, for three months ended June 30, 1961, and 1960, showed an operating ratio of 105.7 per cent for the second quarter of 1961 versus 99.52 per cent for the same quarter of 1960. The operating ratio for the first six months of 1961 was 104.5 per cent versus 97.49 per cent for the same period in 1960.

Testimony was given by this respondent concerning Item 677 of the tariff relating to the rates per mile for the handling of shipper-owned trailers over the highways. The witness did not furnish a cost study of performing the proposed service but stated he believed the rates to be compensatory. Without factual data as to the cost of performing the proposed service, there can be no logical approach to the determination, in this instance, of the reasonableness of the proposed rates.

Lowell Brooks, partner, Brooks Transportation Company, a respondent, appeared in support of the suspended rates and ratings, but stated in an answer to a question from the presiding Commissioner that he was not in a position to justify the proposed increased rates.

The president of Westway Motor Freight testifying in support of the suspended class rate bases, offered Exhibits H and I, which were received in evidence, such exhibits making comparisons of income and operating expenses for the years 1957 and 1960; of interstate and intrastate shipments weighing under 2,000 pounds; 2,000 pounds to 10,000 pounds; 10,000 pounds to 20,000 pounds and over 20,000 pounds, with the revenue received per bill, for a three-day period in early July of 1961. This carrier showed a loss of \$7,545.22 for the year 1957 and a net income of \$1,862.24 for the year 1960. The revenue comparison per bill is of doubtful probative value since the kinds of traffic moving were not shown nor the number of minimum less-than-truckload shipments handled, both factors being necessary to form a conclusion as to the weight to be accorded thereto. The witness offered no cost studies pertaining to the increased rates but did testify as to increased hourly labor costs. A comparison of the hourly rates between the years 1956 and 1961 revealed that the hourly rate had increased from \$1.52 per hour to \$2.58½ per hour.

The year 1956 was used as the base year by this respondent as that was the last year a general increase in rates had been granted.

Dwight Miller, partner, Miller Bros. Truck Line, a respondent, offered Exhibit J, which was accepted in evidence, showing his line's common carrier profit and loss and detail of operation and maintenance expenses, for the year 1960. This carrier also operates as a private carrier in Colorado intrastate commerce and purportedly separated, for the purpose of this proceeding, the intrastate common carrier revenue and expenses from the total revenue and expenses of his operation. Miller Bros. also operates in interstate commerce.

Testimony was given by this respondent's witness in support of Items 677, 678 and 930 of the tariff, but offered no exhibits bearing on the cost of performing the services set out in the numbered items. It was testified, in support of the minimum charge of \$10.00 on shipments destined to Big Elk Meadows development off Highway 6, that the carrier, Miller Bros. Truck Line, had 15 miles of rough mountain country to traverse and that 2 hours time was required to make delivery after the leaving the main highway. The mountain road was stated to be similar to a logging road. The proposed minimum charge of \$10.00 per trip was applicable to "shipments" with no provision for the application of the charge where more than one shipment was offered at one time destined to Big Elk Meadows. The minimum charges provided for by Item 930 to destinations off the carrier's regularly traveled highway route were not substantiated by cost studies or other evidence tending to establish their reasonableness. The minimum charge, for example, from Denver to a point on the carrier's regularly traveled highway route is \$2.50. The minimum charge for a like shipment from Denver to a point located ten miles and exceeding seven miles from carrier's regularly traveled highway route is \$6.00, or 240 per cent of the minimum charge of \$2.50 for a shipment delivered to a point ten miles closer to Denver.

Item 2180 of the tariff provides for distance truckload commodity rates on lumber and in which Miller Bros. Truck Line participates. It was proposed to cancel such participation. In support of the proposed cancellation of participation in the item respondent's witness stated that the cost of unloading lumber exceeded the revenue received from the handling of truckloads

of lumber which, in the past, moved from Lyons to Estes Park. The witness offered no cost exhibits pertaining to the handling of truckloads of lumber.

Class rate bases on shipments, subject to minimum weights of 5,000 pounds and 10,000 pounds, transported between Boulder, Denver, Estes Park, Ft. Collins and five other points on its line, on the one hand, and on the other, Allenspark, Hygiene, Estes Park and several other points in the same general area, were proposed to be increased by percentages ranging from six to sixty per cent. Again as throughout this proceeding, no cost figures were offered in support of the increased rates.

Respondents' failure to show what their costs would be or the transportation characteristics of the traffic handled, leaves the Commission in the dark with respect to matters that are the warp and woof of a proceeding of this kind. Evidence as to a carrier's cost of operation is a matter particularly within the knowledge of the carrier which should be made available to the Commission when the lawfulness of ratings or rates, which are of doubtful propriety is being determined.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The proposed rates and ratings have not been shown to be reasonable or otherwise lawful and that the suspended schedules have not been justified.

2. An order should be issued requiring the cancellation of the proposed schedules and discontinuing this proceeding.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings be, and they are hereby made a part hereof.

2. This order shall become effective forthwith.

3. The respondents, be, and they are hereby notified and required to cancel said schedules as set out in Appendixes A and B, on or before January 5, 1962, upon notice of not less than 5 days to this Commission and

to the general public by filing and posting in the manner prescribed by the Commission under the Public Utilities Law and that this proceeding be, and it is hereby discontinued.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Hoban
Commissioners.

(S E A L)

Dated at Denver, Colorado,
this 21st day of December 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

ph

APPENDIX "B"

Scheduled to become effective July 31, 1961, as published in:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
Local and Joint Freight Tariff No. 12-A
Colo. P.U.C. No. 11

RULES AND REGULATIONS

Item No.	Application
	<p><u>APPLICATION OF RATES ON SHIPPER-OWNED TRAILERS, ETC.:</u></p> <p>Shipments of machinery, equipment or other lading mounted and installed on pneumatic tired trailers, semi-trailers or trucks owned and furnished by the shipper, when such installation makes the trailer, semi-trailer or truck and equipment mounted thereon an integral unit to transport, and for which the carrier is required to furnish a truck or truck-tractor and one man only and to perform only a towing service, will be accepted, subject to the following conditions and charges:</p> <p>A. \$1.00 per mile when gross weight of equipment furnished by shipper and lading is 40,000 pounds or less; \$1.25 per mile when gross weight of equipment furnished by shipper and lading exceeds 40,000 pounds but does not exceed the legal gross weight.</p> <p>Subject to a minimum charge of \$50.00 for distances of 50 miles or less, and \$75.00 for distances exceeding 50 miles.</p> <p>Return of equipment furnished by shipper to original point of origin within twelve hours, 50¢ per mile.</p> <p>Mileage to be used in applying the charge in this item will be that determined by use of Section No. 4 of this tariff.</p> <p>A B. The trailer, semi-trailer or truck to be towed must be licensed properly by the owner and must be in a safe and proper condition for movement over the highways of Colorado on its own wheels, and must conform to the insurance and safety rules, regulations and requirements of the State of Colorado.</p> <p>C. For the purpose of this item, time lost due to tire or mechanical failure of, or deficiency of, the trailer, semi-trailer or truck, or any other delay, when not caused by fault of the carrier, shall be considered as "Detention Time" and shall be charged for at the hourly rates named in Item No. 925. Free time for detention will not be granted under the provisions of this item. Charges for detention time are in addition to the transportation charges provided in this item.</p> <p>D. 1. In instances where special highway permits are required by state or municipal bodies or commission and such special permits designate the route to be traveled, the highway distance via such route shall be used to determine the charges.</p> <p>2. Shipments moving under special permits as set forth above will be subject to a charge of \$10.00 in addition to all other lawful charges applicable to the shipment.</p>
678 A	<p><u>APPLICATION OF RATES TO BIG ELK MEADOWS:</u></p> <p>Shipments of freight destined to Big Elk Meadows will be accepted for transportation by Ivan Miller and Dwight Miller, D/B/A Miller Bros. Truck Line, and will be charged for at the rate in cents per 100 pounds applicable to Estes Park, Colorado, plus \$10.00 per truck trip.</p>

RULES AND REGULATIONS

Item No.	Application
930	<p><u>MINIMUM CHARGE:</u> (concluded) <u>Exceptions:</u></p> <p>*** Balance of item not pertinent to this order.</p> <p>(R) The minimum charge for a single shipment from one consignor to one consignee on one bill of lading in one day via or in conjunction with Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line, Centennial Truck Lines, Inc., Denver-Limon-Burlington Transfer Company, Floyd A. Henrikson, D/B/A Denver-Loveland Transportation, The McKie Transfer Company, / A Ivan Miller and Dwight Miller, D/B/A Miller Bros. Truck Line (except as provided in paragraph "s" of this Rule), North Eastern Motor Freight, Inc., The Santa Fe Trail Transportation Company, Richard H. & Lois Mae Eshe, D/B/A South Park Motor Lines, Westway Motor Freight, Inc., or John B. Windecker, D/B/A Windecker Truck Line (except as noted in paragraph "m" of this rule), when the shipment originates at, is destined to, or is interlined at, Denver, Colorado, and points within 5 miles of the Denver City Limits, Colorado Springs, Colorado, or Pueblo, Colorado, and pick-up and/or delivery service is performed by the carrier, will be the charge for 100 pounds at the class 100 rate but not less than \$2.75. The minimum charge provided in this paragraph shall not apply in any event when five or more shipments are tendered to the carrier at one time, and the bills of lading for such shipments are marked by the shipper and receipted by carrier's driver to establish the fact of such five or more simultaneous tenders. The minimum charge provided in this paragraph shall not apply to shipments tendered at carrier's dock for delivery to points other than Colorado Springs, Pueblo, or within five miles of Denver, including Denver, Colorado.</p> <p>/ A (s) The minimum charge for a single shipment from one consignor to one consignee in one day on one bill of lading between Denver, Colorado, and points served by Ivan Miller and Dwight Miller, D/B/A Miller Bros. Truck Line, other than Allenspark, Estes Park, Hygiene, Lyons, Meeker Park, National Park Village, Steads Ranch and Y.M.C.A., and directly intermediate points will be as follows:</p> <p>Points located four miles and exceeding one mile from carrier's regularly traveled highway route \$4.00 Points located seven miles and exceeding four miles from carrier's regularly traveled highway route \$5.00 Points located ten miles and exceeding seven miles from carrier's regularly traveled highway route \$6.00</p>

SECTION NO. 1

Class Rates Bases

For Application, See Item No. 927.

For Class Rates, See Pages 101 to 124.

Index No.	BETWEEN AND	Miles	BOULDER, COLORADO			Route No.
			Less-Than- Truckload	MINIMUM WEIGHT -- POUNDS		
				5,000	10,000	
730	Estes Park	34	140	A 110	A 105	37
740	Grand Lake E A	81	214	160	109	37
750	Longs Peak Inn E A	42	160	114	71	37
760	Lyons	14	97	A 74	A 68	37
770	Meadow Dale	34	140	A 110	A 105	37
790	Phantom Valley E A	69	194	145	100	37
840	Welches	22	130	A 103	A 98	37

SECTION NO. 1
Class Rates Bases
For Application, See Item No. 927.
For Class Rates, See Pages 101 to 124.

Index No.	BETWEEN AND	Miles	DENVER, COLORADO				Route No.
			Less-than- Truckload	MINIMUM WEIGHT -- POUNDS			
				2,000	5,000	10,000	
6990	Allenspark	69	182	- -	A 144	A 138	37
7720	Buckley Field	14	A 87	- -	A 81	A 75	16;43
7850	Camp George West	14	A 87	- -	A 81	A 75	16;43
8190	Copeland Lake	71	186	- -	A 148	A 142	37
8360	Deer Ridge	80	197	- -	A 155	A 149	37
8480	Drake	71	185	- -	A 148	A 142	37
8580	Edgewater	5	A 77	- -	A 70	A 65	16;43
8710	Estes Park	70	182	- -	A 143	A 137	37
8820	Fitzsimons Hospital	10	A 81	- -	A 75	A 68	16;43
9220	Golden	15	A 87	- -	A 81	A 75	43
9680	Hygiene	42	124	- -	A 97	A 91	37
10040	Lakewood	8	A 81	- -	A 75	A 68	22;43
10260	Longs Peak Inn E A	76	197	- -	145	98	37
10270	Loretto Heights	8	A 81	- -	A 75	A 68	43
10325	Lowry AFB	10	A 81	- -	A 75	A 68	5;16;43
10360	Lyons	48	129	- -	A 100	A 94	37
10570	Meeker Park	73	186	- -	A 148	A 142	37
10795	National Park Village	--	186	- -	148	142	37
11125	Phantom Valley E A	103	227	- -	173	124	37
11470	Remaco	8	A 81	- -	A 75	A 68	16;22
11570	Rocky Flats Plant of The Atomic Energy Commission	21	A 94	- -	A 68	- -	22;43
11575	Rocky Flats Plant of Great Western Aggregate Co.	21	A 94	- -	A 68	- -	43
12110	Spivak	8	A 81	- -	A 75	A 68	43
12125	Steads Ranch	--	186	- -	148	142	37
12380	Trail Ridge Museum E A	95	216	- -	158	108	37
12720	Wheatridge	8	A 81	- -	A 75	A 68	43
12880	Y.M.C.A.	75	186	- -	A 148	A 142	37
BETWEEN			ESTES PARK, COLORADO				
AND	Less-than- Truckload	MINIMUM WEIGHT -- POUNDS					
		5,000	10,000				
13500	Allenspark	16	125	A 98	A 92	37	
13510	Bear Lake	11	124	A 97	A 91	37	
13520	Grand Lake E A	47	169	122	77	37	
13530	Holzworth Ranch E A	37	156	113	69	37	
13540	Hygiene	26	136	A 106	A 100	37	
13550	Longs Peak Inn E A	9	120	85	55	37	
13560	Meadow Dale	5	113	A 87	A 82	37	
13570	Meeker Park	12	124	A 97	A 91	37	
13580	Phantom Valley E A	35	146	106	66	37	
13590	Raymonds	22	133	A 104	A 98	37	
13600	Riverside	24	133	A 104	A 98	37	
13610	Trail Ridge Museum E A	27	144	104	63	37	
13620	Wild Basin Lodge	13	124	A 97	A 91	37	
13630	Wild Spur	24	133	A 104	A 98	37	
BETWEEN			FORT COLLINS, COLORADO				
AND							
14010	Estes Park	--	153	A 121	A 115	37	
14020	Grand Lake E A	--	219	164	113	37	
14030	Longs Peak Inn E A	--	164	120	72	37	
14040	Phantom Valley E A	--	200	146	104	37	
14050	Trail Ridge Museum E A	--	193	144	97	37	

SECTION NO. 1
Class Rates Bases
For Application, See Item No. 927.
For Class Rates, See Pages 101 to 124.

Index No.	BETWEEN		GRAND LAKE, COLORADO				Route No.
	AND	Miles	Less-than- Truckload	MINIMUM WEIGHT -- POUNDS			
				5,000	10,000		
17000	Granby E A	29	144	104	63	37	
17010	Phantom Valley E A	12	124	90	56	37	
17020	Trail Ridge Museum E A	20	125	90	58	37	
BETWEEN		GREELEY, COLORADO					
AND							
17290	Estes Park	65	174	A 138	A 132	37	
17350	Grand Lake E A	112	242	182	132	37	
17440	Longs Peak Inn E A	73	193	141	97	37	
17450	Loveland	20	98	A 75	A 69	37	
17530	Phantom Valley E A	100	221	162	114	37	
BETWEEN		LONGMONT, COLORADO					
AND							
19020	Estes Park	30	136	A 106	A 100	37	
19030	Grand Lake E A	77	206	156	108	37	
19040	Hygiene	4	85	A 64	A 59	37	
19050	Longs Peak Inn E A	38	154	109	69	37	
19070	Lyons	10	90	A 68	A 62	37	
19100	Meadow Dale	29	136	A 106	A 100	37	
19110	Phantom Valley E A	65	189	138	98	37	
19120	Trail Ridge Museum E A	57	184	132	90	37	
19130	Welches	17	125	A 99	A 93	37	
BETWEEN		LOVELAND, COLORADO					
AND		Miles	Less-than- Truckload	MINIMUM WEIGHT -- POUNDS			
				2,000	5,000	10,000	
19300	Estes Park	29	136	- -	A 107	A 101	37;108
19310	Grand Lake E A	74	202	- -	153	106	37
19320	Longs Peak Inn E A	35	148	- -	106	68	37
19330	Phantom Valley E A	62	189	- -	138	98	37
19340	Trail Ridge Museum E A	54	177	- -	130	87	37
BETWEEN		LYONS, COLORADO					
AND							
19500	Deer Ridge	31	146	- -	A 115	A 109	37
19510	Estes Park	20	125	- -	A 98	A 92	37
19520	Grand Lake E A	67	200	- -	146	104	37
19530	Hygiene	6	90	- -	A 92	A 86	37
19540	Longs Peak Inn E A	28	144	- -	104	63	37
19550	Meadow Dale	20	125	- -	A 98	A 92	37
19560	Phantom Valley E A	55	178	- -	133	90	37
19570	Trail Ridge Museum E A	47	169	- -	122	77	37
19580	Welches	8	120	- -	A 92	A 86	37
19590	Y.M.C.A. Area	26	144	- -	A 112	A 106	37

SECTION NO. 2
Commodity Rates
(For Application, See Page No. 190 of Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity Commodity in the same item may be shipped in straight or mixed truck loads.	From	To	Rates	Route No.
1950	Grain and Grain Products. ① Min. Wt. 5,000 lbs. ② Min. Wt. 10,000 lbs. (Subject to Item No. 770.)	Grand Junction, Colo.	Craig, Colo. Rangely, Colo. Elk Springs, Colo.	① A 50 ① R 58 ② 58	44
		Craig, Colo.	Maybell, Colo. Elk Springs, Colo.	② 28 ② 38	

SECTION NO. 2
Commodity Rates
(For Application, See Page No. 190 of Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity	From	To	Rates	Route No.
	Commodities in the same item may be shipped in straight or mixed truck loads.				
2020 E A	Ice Cream Mix, Sweetened Condensed Milk, or Sweet Cream, for use in making ice cream, in milk shipping cans. Shipper must furnish all necessary refrigerants to keep shipment in good condition. Rates include return of empty cans. The carrier will not furnish pick-up or delivery service at Denver, Colo., in connection with the rates published in this item.	Denver, Colo.	Amherst, Colo.	133	4
			Atwood, Colo.	110	32
			Brush, Colo.	101	32
			Crook, Colo.	122	32
			Dailey, Colo.	126	4
			Fleming, Colo.	122	4
			Ft. Morgan, Colo.	93	32
			Goodrich, Colo.	99	32
			Haxtun, Colo.	126	4
			Hillrose, Colo.	103	32
			Holyoke, Colo.	131	4
			Iliff, Colo.	120	32
			Julesburg, Colo.	133	32
			Merino, Colo.	126	32
			Orchard, Colo.	93	32
			Ovid, Colo.	131	32
			Paoli, Colo.	129	4
			Proctor, Colo.	122	32
			Sedgwick, Colo.	129	32
			Sterling, Colo.	118	32
			Weldona, Colo.	101	32
			Wiggins, Colo.	85	32

	Lumber, N.O.I., native wood. (Not subject to Item No. 960.) (Subject to Item No. 770.)	<u>BETWEEN</u> Saw mills and planing mills in Colorado.	<u>AND</u> Points and places within the State of Colorado	See Below	--
--	--	--	--	-----------	----

	Distance (Miles)	MINIMUM WEIGHT		Distance (Miles)	MINIMUM WEIGHT 30,000 Pounds	Distance (Miles)	MINIMUM WEIGHT 30,000 Pounds
		20,000 Pounds	30,000 Pounds				
2180	2½	8	7½	120	31	360	55
	5	9	8	130	32	370	56
	7½	10	9	140	33	380	57
	10	11	10	150	34	390	58
	12½	12	11	160	35	400	59
	15	13	12	170	36	410	60
	20	14	13	180	37	420	61
	25	15	14	190	38	430	62
	30	17	15	200	39	440	63
	35	18	16	210	40	450	64
	40	19	17	220	41	X	
	45	20	18	230	42		
	50	21	19	240	43		
	55	--	20	250	44		
	60	--	21	260	45		
	65	--	22	270	46		
	70	--	23	280	47		
	75	--	24	290	48		
	80	--	25	300	49		
	85	--	26	310	50		
	90	--	27	320	51		
	95	--	28	330	52		
	100	--	29	340	53		
	110	--	30	350	54		

When exact distance is not shown, use next greater distance.
Shipments must be loaded by consignor and unloaded by consignee.
The provisions of this item will not apply via Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line, Centennial Truck Lines, Inc.
A, Ivan Miller and Dwight Miller, D/B/A Miller Bros. Truck Line, or North Eastern Motor Freight, Inc.

The portions in this Appendix not affected by the abbreviations listed below are ~~not~~ suspended and are shown for informational matter only.

- /** - Denotes addition
- A** - Denotes increase
- E** - Denotes elimination
- R** - Denotes reduction

Route No. 4 - North Eastern Motor Freight, Inc., Sterling, Colorado, Brooks
Transportation Company.

Route No. 5 - Byers-Denver Truck Line - direct.

Route No. 16 - Navajo Freight Lines, Inc. - direct.

Route No. 22 - Thomas D. Lane Truck Lines - direct.

Route No. 32 - North Eastern Motor Freight, Inc. - direct.

Route No. 37 - Miller Bros. Truck Line - direct.

Route No. 43 - Westway Motor Freight, Inc. - direct.

Route No. 44 - Ringsby Truck Line, Inc. - direct.

APPENDIX "A"

Scheduled to become effective July 3, 1961, as published in:

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT
Local and Joint Freight Tariff No. 12-A
Colo. P.U.C. No. 11

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION		
Item No.	Articles	Class Rating
100 E A	Agricultural Implements, other than hand: Corn Pickers or Corn Pickers and Huskers, combined: S. U., elevator detached Hay Presses and Windrow Pick-ups combined (On Colorado intrastate traffic, the above commodities must be of a width to fit into truck and not exceeding the maximum width and height permitted by the Uniform Motor Vehicle Act, 1935.) (Applies only via North Eastern Motor Freight, Inc.)	100
360	Furniture, all kinds, as described in the classification under the heading "Furniture" and carriages, go-carts or sulkies, baby or doll, L.T.L. Set-up 100 Knocked down (see Note 1) 85 Furniture, all kinds, as described in the classification under the heading "Furniture", L.T.L. Folded 85 Furniture Parts, as described in the classification under the heading of "Furniture", L.T.L. Articles rated class 100 or higher, set-up 100 Articles rated class 85 or higher, knocked down, (Note 1) 85 Baby Walkers, with wheels, L.T.L., set-up 100 Knocked down 85 Clothes Hampers, wooden, fibre and wood combined, or wood and reed combined, L.T.L. set-up 100 Knocked down 85 Clothes Hampers, wooden, fibre or reed or fibre and wood combined, L.T.L., set-up 100 Knocked down 85 Articles rated lower than class 100, set-up and lower than class 85, knocked down or folded, in current classification L.T.L., will be subject to full classification basis. NOTE 1: Applies only on articles shipped, K.D., when in manner shipped, such articles are specifically described and rated K.D., on pages 374 to 386, inclusive, of National Motor Freight Classification. The provisions of this item will not apply via or in connection with Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line; Brighton-Ft. Lupton Transfer, Inc.; Buckingham Freight Lines; G. O. Anderson, D/B/A Castle Rock Transfer; Centennial Truck Lines, Inc.; Denver-Climax Truck Line, Inc.; Denver-Laramie-Walden Truck Line, Inc.; Denver-Limon-Burlington Transfer Co.; Floyd A. Henrikson, D/B/A Denver-Loveland Transportation; C. R. Bryant, D/B/A Evergreen Freight Line; Interstate Motor Freight System; Interstate Motor Lines, Inc.; McKie Transfer Co.; Ivan Miller and Dwight Miller, D/B/A Miller Bros. Truck Line; Navajo Freight Lines, Inc.; / A, North Eastern Motor Freight, Inc.	

SECTION NO. 1

Class Rate Bases

For Application, See Item No. 927.

For Class Rates, See Pages 101 to 124.

Index No.	BETWEEN AND	Miles	BRUSH, COLORADO				Route No.
			Less-Than- Truckload	MINIMUM WEIGHT--POUNDS			
				2,000	5,000	10,000	
900	Atwood	28	A 116	105	87	81	32
910	Crook	62	A 157	143	121	114	32
920	Ft. Morgan	9	A 96	87	71	65	32
930	Goodrich	26	A 116	105	87	81	32
940	Haxtun	68	A 162	147	126	120	4
950	Hillrose	8	A 96	87	71	65	32
960	Holyoke	85	A 180	164	140	134	4
970	Iliff	47	A 138	125	105	99	32
980	Julesburg	93	A 187	170	145	139	32
990	Merino	22	A 110	100	83	78	32
1000	Orchard	29	A 116	105	87	81	32
1010	Ovid	85	A 180	164	140	134	32
1020	Proctor	54	A 146	133	112	106	32
1030	Sedgwick	78	A 172	156	133	127	32
1040	Sterling	35	A 121	110	91	86	32
1050	Weldona	20	A 106	96	79	72	32
1060	Wiggins	24	A 110	100	83	78	32

Index No.	BETWEEN AND	Miles	DENVER, COLORADO				Route No.
			Less-Than- Truckload	MINIMUM WEIGHT--POUNDS			
				2,000	5,000	10,000	
7020	Amherst	183	A 245	f C 223	192	186	4
7180	Atwood	116	A 209	f C 190	163	158	32
7360	Bellvue	74	A 161	- -	139	132	158
7490	Boettcher	73	A 161	- -	139	132	158
7690	Brush	88	A 186	f C 169	144	138	32
7710	Buckingham	99	A 233	f C 212	148	143	32
8280	Crook	150	A 227	f C 206	176	170	32
8330	Dailey	151	A 231	f C 210	182	175	4
8850	Fleming	144	A 227	f C 206	176	170	4
8880	Ford	130	A 183	f C 166	160	154	32
*8900	Fort Collins	68	A 154	- -	134	128	158
8960	Fort Morgan	79	A 172	f C 156	133	127	32
9240	Goodrich	83	A 180	f C 164	140	134	32
9450	Haxtun	156	A 231	f C 210	182	175	4
9540	Hillrose	95	A 187	f C 170	145	139	32
9590	Holyoke	173	A 241	f C 219	190	184	4
9740	Iliff	135	A 218	f C 198	171	166	32
9860	Julesburg	181	A 245	f C 223	192	186	32
10060	La Porte	72	A 161	- -	139	132	158
10580	Merino	110	A 198	f C 180	153	147	32
10830	New Raymer	107	A 227	f C 206	153	147	32
10930	Orchard	80	A 172	f C 156	133	127	32
10970	Ovid	173	A 241	f C 219	190	184	32
10980	Padroni	134	A 218	f C 198	171	166	32
11020	Paoli	164	A 239	f C 217	187	182	4
11100	Peetz	148	A 227	f C 206	176	170	32
11280	Proctor	142	A 227	f C 206	176	170	32
11840	Sedgwick	166	A 239	f C 217	187	182	32
12140	Sterling	123	A 215	f C 195	168	162	32
12150	Stoneham	117	A 221	f C 201	163	158	32
12260	Ted's Place	76	A 163	- -	142	136	158
12540	Virginia Dale	101	A 187	- -	164	157	158
12640	Weldona	88	A 186	f C 169	144	138	32
12740	Wiggins	64	A 157	f C 143	121	114	32

*Special Permission No. 14565 dated June 13, 1961, was granted to the publishing agent to correct an error. The proposed increase to Ft. Collins was erroneously applied to Ft. Carson.

SECTION NO. 1
Class Rate Bases
For Application, See Item No. 927.
For Class Rates, See Pages 101 to 124.

Index No.	BETWEEN AND	Miles	FORT MORGAN, COLORADO				Route No.
			Less-Than- Truckload	MINIMUM WEIGHT--POUNDS			
				2,000	5,000	10,000	
14200	Atwood	37	A 128	116	97	90	32
14210	Brush	9	A 96	87	71	65	32
14220	Crook	71	A 169	154	130	124	32
14230	Goodrich	16	A 106	96	79	72	32
14240	Haxtun	77	A 172	156	133	127	4
14250	Hillrose	16	A 106	96	79	72	32
14260	Holyoke	94	A 187	170	145	139	4
14270	Iliff	56	A 153	139	118	111	32
14280	Julesburg	102	A 198	180	153	147	32
14290	Merino	31	A 121	110	91	86	32
14300	Orchard	19	A 106	96	79	72	32
14310	Ovid	94	A 187	170	145	139	32
14320	Proctor	63	A 160	145	121	114	32
14330	Sedgwick	87	A 186	169	144	138	32
14340	Sterling	44	A 132	120	102	96	32
14350	Weldona	10	A 96	87	71	65	32
14360	Wiggins	15	A 102	93	78	71	32
GREELEY, COLORADO							
17200	Amherst	159	A 231	210	182	175	4
17210	Atwood	93	A 187	170	145	139	32
17240	Brush	68	A 162	147	126	120	32
17270	Crook	126	A 215	195	168	162	32
17280	Dailey	127	A 215	195	168	162	4
17300	Fleming	120	A 209	190	163	158	4
17310	Fort Morgan	58	A 153	139	118	111	32
17340	Goodrich	42	A 132	120	102	96	32
17370	Haxtun	132	A 218	198	171	166	4
17390	Hillrose	75	A 169	154	130	124	32
17400	Holyoke	149	A 227	206	176	170	4
17410	Iliff	111	A 209	190	163	158	32
17420	Julesburg	157	A 231	210	182	175	32
17460	Merino	86	A 186	169	144	138	32
17480	Orchard	39	A 128	116	97	90	32
17490	Ovid	149	A 227	206	176	170	32
17500	Padroni	110	A 199	181	155	150	32
17510	Paoli	140	A 218	198	171	166	4
17520	Peetz	124	A 215	195	168	162	32
17540	Proctor	118	A 209	190	163	158	32
17560	Sedgwick	142	A 227	206	176	170	32
17580	Sterling	99	A 190	173	148	143	32
17600	Weldona	48	A 138	125	105	99	32
17610	Wiggins	45	A 132	120	102	96	32
JULESBURG, COLORADO							
18000	Atwood	65	A 157	143	121	114	32
18010	Brush	93	A 187	170	145	139	32
18020	Crook	31	A 121	110	91	86	32
18030	Fort Morgan	102	A 198	180	153	147	32
18040	Goodrich	118	A 209	190	163	158	32
18050	Haxtun	91	A 187	170	145	139	4
18060	Hillrose	86	A 186	169	144	138	32
18070	Holyoke	108	A 198	180	153	147	4
18080	Iliff	46	A 138	125	105	99	32
18090	Merino	71	A 169	154	130	124	32
18100	Orchard	121	A 215	195	168	162	32
18110	Ovid	8	A 96	87	71	65	32
18120	Proctor	39	A 128	116	97	90	32
18130	Sedgwick	15	A 102	93	78	71	32
18140	Sterling	58	A 153	139	118	111	32
18150	Weldona	112	A 209	190	163	158	32
18160	Wiggins	117	A 209	190	163	158	32

SECTION NO. 1
Class Rate Bases
For Application, See Item No. 927.
For Class Rates, See Pages 101 to 124.

For Class Rates, See Pages 101 to 124.

Index No.	BETWEEN AND	Miles	STERLING, COLORADO				Route No.
			Less-Than-Truckload	MINIMUM WEIGHT--POUNDS			
				2,000	5,000	10,000	
25820	Atwood	7	A 96	87	71	67	32
25830	Brush	35	A 121	110	91	86	32
25860	Buckingham	44	A 132	120	102	96	32
25880	Crook	27	A 116	105	87	81	32
25930	Fort Morgan	44	A 132	120	102	96	32
25970	Goodrich	65	A 157	143	121	114	32
26010	Hillrose	24	A 110	100	83	78	32
26040	Iliff	12	A 102	93	78	71	32
26050	Julesburg	58	A 153	139	118	111	32
26080	Merino	13	A 102	93	78	71	32
26090	New Raymer	36	A 128	116	97	90	32
26100	Orchard	68	A 162	147	126	120	32
26120	Ovid	50	A 138	125	105	99	32
26130	Padroni	11	A 102	93	78	71	32
26150	Peetz	25	A 110	100	83	78	32
26170	Proctor	19	A 106	96	79	72	32
26190	Sedgwick	43	A 132	120	102	96	32
26210	Stoneham	26	A 116	105	87	81	32
26220	Weldona	59	A 153	139	118	111	32
26230	Wiggins	59	A 153	139	118	111	32

SECTION NO. 2
Commodity Rates
(For Application, See Page No. 190 of Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity	From	To	Rates			Route No.
	Commodities in the same item may be shipped in straight or mixed truck loads.	(Except as noted in individual items)					
1385 A	Burial Cases (Caskets or Coffins), subject to packing specifications of current N.M.F.C.	<u>BETWEEN</u> Denver, Colo.	<u>AND</u> Brush, Colo.	150			32
			Ft. Morgan, Colo.	141			32
			Haxtun, Colo.	187			4
			Holyoke, Colo.	199			4
			Julesburg, Colo.	202			32
			Sterling, Colo.	173			32
1410 A	Candy, in bars, sticks, or drops, but not in hollow form; Cocoa; Cocoa Butter; Chocolate Compound; Chocolate; Chocolate Coating; Chocolate Syrup; Coating, Candy, other than chocolate. Packed in accordance with the current classification. ① Less-than-truckload. ② Minimum weight 5,000 pounds. ③ Minimum weight 10,000 pounds. The provisions of this item will not apply on candy in gift boxes or candy requiring refrigeration. (Subject to Item No. 770.)	<u>BETWEEN</u> Denver, Colo.	<u>AND</u> <u>COLORADO</u> Brush	① 98	② 73	③ 68	32
			Ft. Morgan	91	68	65	
			Julesburg	131	98	91	
			Sterling	112	84	78	
1493 E A	Cartons, egg case or egg carrier, molded pulp, nested, in boxes or wrapped in packages.	<u>BETWEEN</u> Denver, Colo.	<u>AND</u> Brush, Colo.	118			32
			Ft. Morgan, Colo.	108			
			Julesburg, Colo.	156			
			Sterling, Colo.	137			
			Haxtun, Colo.	147			
			Holyoke, Colo.	153			

SECTION NO. 2
Commodity Rates

(For Application, See Page No. 190 of Tariff)

Rates are in cents per 100 pounds (unless otherwise stated)

Item No.	Commodity Commodities in the same item may be shipped in straight or mixed truck loads.	From	To (Except as noted in individual items)	Rates	Route No.
1910 A	Gas, compressed, viz.: Acetylene or Ozygen, in steel tanks. Carbide, in metal drums. Rods, welding, in boxes. Minimum weight 1,500 pounds. (Rates do not include pick-up of full tanks or return of empty tanks at Denver, Colorado.) Commodities listed above can be stored with the North Eastern Motor Freight, Inc., at Sterling or Ft. Morgan, Colorado, subject to a storage charge of 10¢ per 100 pounds per month, minimum storage charge \$5.00 per month (exception to Item No. 1100).	Denver, Colo.	Brush, Colo. Ft. Morgan, Colo. Julesburg, Colo. Sterling, Colo.	88 81 117 99	32
1920 E A	Gas, compressed, viz.: Acetylene or Ozygen, in steel tanks. Empty tanks returned to Ft. Morgan or Sterling will be subject to a charge of 25¢ each. Not subject to Item No. 930.	Ft. Morgan, Colo.	Brush, Colo. Goodrich, Colo. Hillrose, Colo. Orchard, Colo. Weldona, Colo. Wiggins, Colo. Atwood, Colo. Crook, Colo. Iliff, Colo. Julesburg, Colo. Merino, Colo. Ovid, Colo. Proctor, Colo. Sedgwick, Colo.	50¢ per tank	32
2380 A	Pads, sanitary, external type, in bales or boxes.	Denver, Colo.	Brush, Colo. Ft. Morgan, Colo. Haxtun, Colo. Holyoke, Colo. Julesburg, Colo. Sterling, Colo.	186 172 231 241 245 215	32 32 4 4 32 32
2390 A	Paper and Paper Articles, packed in accordance with current classification, viz.: Autographic Register; Adding Machine; Bags, paper, NOI; Books, blank, printed or not printed; Cash Register; Computing Machine; Cards or Tickets, autographic register, cash register, or time register; Crepe Paper; Cups, nested, drinking or baking; Envelopes, printed or not printed, not government stamped; Facial Cleansing Tissue; File Folders, paper or pulpboard, flat; Forms, NOI, ruled or not ruled, printed or not printed; Handkerchiefs; Loose Leaf Book Fillers, NOI, printed, ruled or plain; School Blanks or Forms, NOI, printed, ruled or not ruled; Tape, gummed; Table Cloths; Toilet Paper; Tablets or Pads, printed or not printed; Towels; Paper, printing; Paper, writing, other than folded; Paper, wrapping, waxed or not waxed. ① Less-than-truckload. ② Minimum weight 5,000 pounds. ③ Minimum weight 10,000 pounds. (Subject to Item No. 770.)	<u>BETWEEN</u> Denver, Colo.	<u>AND COLORADO</u> Brush Ft. Morgan Julesburg Sterling Haxtun Holyoke	① 98 ② 73 ③ 68 91 68 65 131 98 91 112 84 78 121 90 85 125 95 88	32 4

SECTION NO. 2 Commodity Rates (For Application, See Page No. 190 of Tariff)					
Rates are in cents per 100 pounds (unless otherwise stated)					
Item No.	Commodity Commodities in the same item may be shipped in straight or mixed truck loads.	From	To	Rates	Route No.
		(Except as noted in individual items)			
2630 A	Sugar, in bags, minimum weight 5,000 pounds.	The site of the Great Western Sugar Company Factory adjacent to the city limits of Ft. Morgan, Colo.	Ft. Morgan, Colo.	19	32
2670 A	Sugar, in bags or barrels, minimum weight 10,000 pounds.	Ovid, Colo.	Sterling, Colo.	30	32
2710 A	Tires, rubber, pneumatic, old, second-hand, having value only for scrap or retreading loose, wrapped or in packages.	FROM COLORADO Ft. Collins	TO		
			Denver	Route No.	Pueblo Route No.
			33	158	51 54
3010 A	Milk or Cream, fresh or sour. (Not subject to Item No. 930.) (Rate includes return of empty cans.)	Ft. Collins, Colo.	Denver, Colo.	35¢ per 10-gallon can	158
3070 A	Milk and/or Cream, fresh; Cream, sour, or curd, in 10-gallon shipping cans. Rates include return of empty cans. (2) Rates in cents per 10-gallon can.	Amherst, Colo. Brush, Colo. Ft. Morgan, Colo. Haxtun, Colo. Holyoke, Colo. Julesburg, Colo. Sterling, Colo. Fleming, Colo.	Denver, Colo.	(2) 69 52 48 67 67 69 59 67	4 32 32 4 4 32 32 4

N.M.F.C. - National Motor Freight Classification.

S.U. - Denotes set-up.

L.T.L. - Denotes less-than-truckload.

E - Denotes elimination.

K.D. - Denotes knocked-down.

A - Denotes increase.

/ - Denotes addition.

C - Denotes a change resulting in neither an increase nor a reduction.

Route No. 4 - North Eastern Motor Freight, Inc., Sterling, Colorado, Brooks Transportation Company.

Route No. 32 - North Eastern Motor Freight, Inc. - Direct.

Route No. 54 - Denver-Laramie-Walden Truck Line, Inc., Denver, Colorado, Centennial Truck Lines, Inc., operated as Lessee by Red Ball Motor Freight, Inc., (in part) Robert W. Caddes, Receiver.

Route No. 158 - Denver-Laramie-Walden Truck Line, Inc. - Direct.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION NO. 174 OF THE COLORADO
MOTOR CARRIERS' ASSOCIATION, AS AGENT,
FOR AND ON BEHALF OF LOWELL E. BROOKS
AND WENDELL B. BROOKS, DOING BUSINESS
AS BROOKS TRANSPORTATION COMPANY AND
NORTH EASTERN MOTOR FREIGHT, INC., TO
ESTABLISH JOINT RATES AND MINIMUM CHARGES
ON THE BASIS PRESCRIBED BY THE COMMISSION
IN ITS DECISION NO. 56823, DATED JULY 13,
1961.

CASE NO. 1585

December 21, 1961

S T A T E M E N T

BY THE COMMISSION:

The decision of the Commission, in the above titled proceeding, being Decision No. 57322 dated October 11, 1961, provided for increased less-than-truckload class rates on shipments weighing 2,000 pounds or less transported jointly between points on the lines of Books Transportation Company and North Eastern Motor Freight, Inc. Ordering paragraph No. 5 of the order set forth that the record therein shall be held open as provided in Finding No. 8, which finding reads as follows:

8. The record in this proceeding should be held open until February 1, 1962, unless otherwise ordered by the Commission, for the purpose of determining the increased revenue resulting from the application of the increased rates to the traffic of the applicants named in Finding No. 6 hereof, and for the issuance of such order or orders, in the premises, as the Commission believes to be proper. These applicants shall furnish the Rate Department of the Commission, daily, copies of all freight bills issued and covering shipments weighing 2,000 pounds or less and moving in either interstate or intrastate commerce during the period October 15, 1961, to January 1, 1962.

We are advised by our Rate Department that it is prepared to submit the results of the study made from carrier freight bills, relating to increased revenues on shipments weighing 2,000 pounds or less, furnished in compliance with its order, as outlined herein, and to make a recommendation in the matter of the base and less-than-truckload class rates to apply on shipments weighing less than 5,000 pounds.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The record in this proceeding shall be further supplemented by the results of the study of the Rate Department of the Commission as it concerns the revenue derived from the increased traffic transported jointly by Brooks Transportation Company and North Eastern Motor Freight, Inc.
2. The Rate Department of the Commission shall make its recommendation of the class rates to apply in the future on shipments weighing less than 5,000 pounds. Interested parties may examine the witness from the Rate Department concerning its recommendation at the time of the hearing.
3. The applicants herein shall no longer be required to furnish copies of freight bills as ordered by paragraph 8 of the order in Decision No. 57322, dated October 11, 1961.
4. A further hearing should be held at its Hearing Room in Denver, Colorado, on January 11, 1962, to accomplish the objectives set forth in findings numbered 1 through 3, both inclusive.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. Copies of freight bills shall not be furnished the Rate Department, as previously ordered, on and after December 23, 1961.
3. This order shall become effective forthwith.
4. A copy of this order shall be served upon all parties appearing in this proceeding as named in Decision No. 57322.
5. A hearing shall be held in the Commission's offices, Hearing Room No. 532, State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 A. M., on January 11, 1962, for the purposes of receiving in evidence (1) the result of the study of the Rate Department of the Commission as outlined in Finding No. 1; (2) the recommendation of that Department as to the class rates to be applied for the future on shipments weighing less

than 5,000 pounds; and for the ultimate purpose of issuing such further order or orders, in the premises, as the Commission may deem proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Holman
Commissioners.

Dated at Denver, Colorado,
this 21st day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

ph

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE REQUEST OF THE DENVER AND RIO)
GRANDE WESTERN RAILROAD COMPANY,)
1531 STOUT STREET, DENVER, COLO-)
RADO, FOR AUTHORITY TO ABANDON)
OPERATION OF PASSENGER TRAINS NOS.)
9 AND 10 BETWEEN DENVER, COLORADO,)
AND CRAIG, COLORADO.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 461

December 22, 1961

Appearances: T. A. White, Esq., Denver,
Colorado, and
Ernest Porter, Esq., Denver,
Colorado, for Applicant;
Barry and Boyle, Esqs., Den-
ver, Colorado,
James Mosley, Esq., Craig,
Colorado,
James Pughe, Esq., Craig,
Colorado,
Ed Smart, Esq., Craig, Colo-
rado,
E. D. Davis, Esq., Craig,
Colorado,
Robert H. Gleason, Esq.,
Steamboat Springs, Colo-
rado,
Charles K. Cranston, Esq.,
Steamboat Springs, Colo-
rado,
Nicholas Magill, Esq., Steam-
boat Springs, Colorado,
C. Elwood Bradley, Esq.,
Steamboat Springs, Colo-
rado,
Don Lorenz, Esq., Steamboat
Springs, Colorado, and
William J. Donlon, Esq., Den-
ver, Colorado, for North-
west Colorado Better Rail-
road Services Association,
Kiwanis Club of Craig,
Kremmling Rotary Club, Town
of Grand Lake, Town of Granby,
Town of Steamboat Springs,
Grand Lake Chamber of Com-
merce, Steamboat Springs Cham-
ber of Commerce, Craig Chamber
of Commerce, Routt County Stock-

growers Association, Routt County, Moffat County, Grand County, Colorado Motor Court Association, Craig Lions, Steamboat Springs Lions, Town of Hayden, Town of Oak Creek, V. F. W., American Legion, Brotherhood of Railroad Carmen, Order of Railroad Conductors and Brakemen, Brotherhood of Railroad Clerks, Brotherhood of Locomotive Engineers and Firemen, Brotherhood of Maintenance of Way, Brotherhood of Telegraphers, Brotherhood of Electricians, Brotherhood of Boilermakers, Machinist Union: Railroad Trainmen, Switchmens Union of North America, Locomotive Engineers, Pullmans Union, Sleeping Car Porters, Dining Car Employees, and Signal men; Rodney F. Bardwell, Esq., Denver, Colorado, and Grant E. McGee, Esq., Denver, Colorado, for the Moffat Tunnel Commission.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By virtue of the above-styled application, applicant herein, The Denver and Rio Grande Western Railroad Company, seeks authority from this Commission to discontinue operation of its Passenger Trains Nos. 9 and 10, between Denver and Craig, Colorado.

Hearing on said application commenced in the District Court House, Steamboat Springs, Colorado, at ten o'clock A. M., on October 24, 1961. The hearing consumed all of four days, in which forty-five witnesses presented testimony to the Commission and seventy exhibits were introduced and received in evidence.

This application seeks the same relief sought in applicant's Application No. 14727, denied by this Commission December 3, 1957, ^{1/} wherein the authority of the railroad company to abandon this service was denied.

We shall not recount the detailed history of the railroad

1/ Decision No. 49174.

company. Suffice it to say that the railroad's principal operation is between Denver and Salt Lake City, Utah, via Grand Junction, Colorado, in addition to other trackage in other parts of the State of Colorado that are not pertinent to the issue before the Commission. The Rio Grande likewise maintains a branch line that extends from Bond to Craig, Colorado, over which Trains Nos. 9 and 10 are operated. Over the main line -- that is, the Denver to Salt Lake Line -- which travels via Bond and Grand Junction, Rio Grande operates first-class passenger trains, the Prospector, which is a Denver-Salt Lake Train, and jointly, with the Burlington and Western Pacific, operates the luxury California Zephyr.

Train No. 7, the Prospector, departs from Denver at 6:25 P. M., and serves Granby, Kremmling, and Bond, arriving at Bond at 10:15 P. M., with flag-stops en route. Train No. 8 leaves Bond at 3:58 P. M., arriving in Denver at 8:00 A. M. Train No. 17, the California Zephyr, leaves Denver at 8:40 A. M., and renders no intermediate service, except at Bond, where it arrives at 12:20 P. M. Coming easterly, Train 18 leaves Bond at 3:34 P. M., and arrives in Denver at 7:20 P. M.

The line from Bond to Craig is part of the old original Denver-Salt Lake Railroad, which was merged into the Denver and Rio Grande. This was accomplished in 1947. Prior to that time, this segment was operated as a part of the so-called "Moffat Road."

The Moffat Road was originally conceived as a rail link between Denver and Salt Lake City, but was never completed beyond Craig. Because of financial difficulties, abandonment of the Moffat Road was considered. The high cost of traversing the Continental Divide was one of the contributing factors of the financial difficulties of the Moffat.

After prolonged litigation and several attempts, the Moffat Tunnel finally was conceived, which precluded the necessity of traversing the Continental Divide at Corona Pass. This tunnel was made possible by the organization of a Tunnel Improvement District, comprising the City

and County of Denver and the Counties of Routt, Moffat, and Grand, and small portions of Jefferson, Boulder, Gilpin, and Eagle Counties.

After the construction of the tunnel, it was leased to The Denver and Salt Lake Railway Company, at a figure insufficient to pay the interest on the bonds. As a direct result, a tax was levied on property located in the Moffat Tunnel Improvement District, to make up the deficit and to effect a feasible service, and to retire the bonds.

As a result of the construction of the Moffat Tunnel, the Rio Grande constructed what is known as the "Dotsero Cut-Off," which enabled it to utilize the Moffat Tunnel on a more direct route to the Pacific Coast.

After the merger of the Rio Grande with the Moffat Road, service adjustments were effected on the train to Craig, which ultimately resulted in the present Trains Nos. 9 and 10 as the sole remaining railroad passenger service between Denver and Craig, Colorado.

Train No. 9 is the west-bound train, which leaves Denver at 9:05 A. M. and arrives at Craig at 4:20 P. M.; Train No. 10 is east-bound, leaving Craig at 8:05 A. M., arriving in Denver at 3:20 P. M. This train is known as the "Yampa Valley Mail," consisting of one head-end car, and one passenger coach, of forty-eight-seat capacity, powered by a 2,000 horse-power Diesel electric locomotive, equipped with steam, heat, water, etc. The Coach is a modern coach, of fairly recent vintage, fully air-conditioned. The head-end car is what is normally described as a baggage car, which is equipped to handle mail, storage mail, express, newspapers, milk and cream, and any other item of freight it is offered for handling on the train.

Trains Nos. 9 and 10 roughly parallel U. S. Highways from Winter Park to Kremmling. It departs from the highway at Kremmling, heading southwesterly to Bond. It is at this point that the Craig Branch commences, and it is at this point that Trains Nos. 9 and 10 de-

part from the main line. U. S. Highway No. 40 continues northwesterly, over Rabbit Ear Pass, down into Steamboat Springs. There is an alternate highway that meanders westerly from Kremmling to Toponas, meandering to Steamboat Springs, via Oak Creek. The railroad and the highway then parallel from Steamboat Springs to Craig. Thus, the point of interconnection between the main highway and the train is at Kremmling.

In order to negotiate the trip from Denver, via highway, travelers are required to cross Berthoud Pass, Muddy Pass, and Rabbit Ear Pass, via Highway No. 40. If the alternate route (Highway 131-84) is taken, Rabbit Ears and Muddy Passes are avoided, but the traveler must traverse Gore Pass and Berthoud Pass. There is another alternate route which connects from Toponos to Wolcott, via Bond and State Bridge.

On train service, numerous communities are served, either by flag-stop or regularly-scheduled stop. The principal towns served on the branch line from Bond or Orestod to Craig include Toponas, Yampa, Phippsberg, Oak Creek, Steamboat Springs, Milner, Hayden, and Craig itself, together with numerous stops between Orestod and Denver on the main line. Beyond the Denver Metropolitan Area, the major towns served are Steamboat Springs, with a population of some 1900, and Craig, with a population of approximately 4,000. All of the other towns have a population of some 800 or below. The counties served are sparsely-settled areas, with density of population ranging from 1.5 persons per square mile in Moffat County, to 2.5 persons per square mile in Routt County.

The area is likewise served by common carrier bus service, by Denver-Salt Lake Pacific Stages, Inc., by one bus leaving Denver at 10:25 P. M., making intermediate stops at major towns, arriving in Craig at 4:40 A. M. A second run departs Denver at 10:00 A. M., with the same intermediate stops, and arrives at Craig at 4:35 P. M. On the east-bound schedule, the same buses depart Craig at 1:00 P. M., arriving Denver at 7:00 P. M. Another schedule departs Craig at 2:00 A. M., arriving Denver 8:05 A. M.

The applicant presented exhaustive evidence on the operation of its Trains Nos. 9 and 10 for the Years 1959, through June, 1961. On Train No. 9, from Denver to Craig, total passenger revenue for 1959 was \$20,751.36. In 1960, this revenue decreased to \$20,118.19, and for the first six months of 1961, this revenue amounted to \$9,295.88. The number of passengers during these years amounted to 7,861 in 1959, over 6,600 of whom entrained in Denver. In 1960, there were 8,059 passengers, over 6,700 of whom entrained in Denver. During the first six months of 1961, there was a total of 3,557 passengers, nearly 3,000 of whom entrained in Denver. Destinations of most of these passengers during these respective years were Winter Park, which recorded over 1,350 in 1959, over 1,400 in 1960, and over 1,100 during the first six months of 1961. Granby likewise reported over 1,500 in 1959; 1,700 in 1960, and nearly 500 in 1961. Steamboat Springs recorded over 1,300 in 1959; over 1,000 in 1960, and nearly 500 during the first six months of 1961. Craig recorded over 1,300 in 1959, nearly 1,300 in 1960, and over 500 during the first six months of 1961.

All of this resulted in an average of 21.54 entraining passengers in 1959; 22.02 entraining passengers in 1960; and 19.65 entraining passengers during the first six months of 1961, with 18.27 passengers entraining at Denver, and only 8.25 of the passengers utilizing the trip from Bond to Craig and intermediate points, nearly 3.6 of these passengers being destined for Craig, and 4.36 being destined for Steamboat Springs.

An analysis of the same factors on Train No. 10 from Craig to Denver disclosed revenues for the Year 1959 of \$25,537; 1960, \$22,033; and the first six months of 1961, \$9,291. Total number of passengers for the Year 1959 amounted to 9,006, of whom nearly 1,400 entrained at Craig, and nearly 1,400 entrained at Steamboat Springs. The other major entraining points were Granby, with over 2,100, and Winter Park,

with over 1,200. In 1960, there were 8,594 passengers, of whom over 1,300 again entrained in Craig; well over 1,000 entrained at Steamboat Springs; 2,100 entrained at Granby, and over 1,300 entrained at Winter Park. During the first six months of 1961, there were 3,891 passengers, 500 of whom entrained at Craig; nearly 400 at Steamboat Springs; Granby reported well over 600, and Winter Park reported nearly 1,200.

Most of these passengers detrained in the Year 1959 at Steamboat Springs, which recorded 326; Oak Creek, 130; Kremmling, and Denver, nearly 7,700, other passengers being scattered to other towns throughout the area.

A like ratio was indicated in 1960 and the first six months of 1961, with distribution of passengers being spread throughout a number of towns en route. The calculations of these operations disclose 24.67 passengers entrained in 1959; 23.48 in 1960, and 21.5 in the first six months of 1961, and disclosed an average number of passengers departing at Craig as 3.81, increasing to 8.9 passengers at Orestod or Bond, which increased to a total of 21.25 at the Leyden Junction, or the Denver Metropolitan area, for the Year 1959. These averages reflect a small but steady decline for the Years 1960 and the first six months of 1961, amounting to 2.81 entraining passengers at Craig, up to about 17.6 passengers in the Denver Metropolitan Area.

Total revenues for the Year 1959 totalled slightly over \$145,000, divided \$46,300 for passengers; \$72,400 for mail; \$20,400 for express, and approximately \$6,000 for miscellaneous excess baggage, newspapers, and other head-end traffic. These revenues declined to approximately \$130,000 in 1960, being \$42,000 for passengers; \$65,000 for mail; \$17,000 for express, and approximately \$5,500 for miscellaneous. For the first six months of 1961, revenues were over \$63,000, divided \$18,100 for passengers; \$33,700 for mail; \$8,100 for express, and \$2,700 for miscellaneous.

During these same periods, out-of-pocket expenses amounted to nearly \$300,000 in 1959; over \$307,000 in 1960, and slightly over \$153,000 for the first six months of 1961, reflecting a net loss for the Year 1959 of nearly \$155,000; over \$177,000 in 1960, and slightly over \$90,000 for the first six months of 1961.

In the main, the expenses detailed by the applicant are in accordance with customary railroad accounting, with some few questionable items which were not sufficiently significant to have changed the loss figure, except that it is to be noted that the loss on this segment is chargeable against other gross income of the applicant railroad for Income Tax purposes, which results in a reduction of some 54.4% of the Income Tax payable to the State and Federal Governments, so that thus the actual loss will be reduced over 50%, by virtue of Income Tax savings.

Applicant adduced evidence on the comparison of fares between 1935 to date, which discloses coach fare in 1935 of \$6.45, Craig to Denver, the same fare today being \$6.56; between Steamboat Springs and Denver in 1935, the fare was \$5.34, as compared to \$5.63 today.

Other comparisons between 1927 fares and present-day fares indicate that the present-day fares are approximately 45 % of those charged in 1927. No evidence was adduced indicating that the reduction in fares was the result of increased efficiency or technological advance, although it is assumed that some of this reduction is attributable thereto. Evidence was adduced as to the increase in costs in recent years in operation of these trains. However, no comparison was made with costs in 1927, nor was any comparison indicated between the number of passengers riding in 1927, as compared to the present date. It was also shown that present-day bus fares were comparable to the passenger train fares.

The applicant also adduced some general evidence, tending to show vehicular traffic over the highways in the area. This consisted

solely of a traffic count; it did not, and could not, indicate the number of automobiles originating in Denver and terminating at points en route.

In order to fulfill any obligation the railroad might have, if Passenger Trains Nos. 9 and 10 are granted discontinuance, the railroad would transfer the mail and head-end traffic service to Larson Transportation Company, a wholly-owned subsidiary of Rio Grande Motor Way, which, in turn, is a wholly-owned subsidiary of The Denver and Rio Grande Western Railroad Company.

The application was strongly protested by numerous citizens and public officials of Craig-Steamboat Springs-North Park-Middle Park Area, representing all intermediate points served by the railroad.

The import of the testimony of these various public witnesses was that this train provides local service at reasonably convenient times to the various small communities between Denver and Craig and intermediate points, including the main line, as well as branch line, from Bond to Craig, Colorado. The significance of the local service was especially pronounced from those witnesses representing ski resort areas, and clearly indicated their choice was this local-service type train over the luxury-type train of the Prospector and the California Zephyr.

The need for this service by protesting witnesses was grounded upon several points. There was some evidence about the economic development taking place in the Craig-Steamboat Springs Area, with the more wide-spread utilization of strip-mined coal from this area. Colorado-Ute Electric Association had a witness who testified about the well-germinated plans it has for the construction of a 150,000 kw generating station in the vicinity to utilize strip-mined coal. This area is likewise in the vicinity of rich oil and gas deposits, which slowly, but inexorably will be developed and utilized -- all of which, in the opinion of the local citizens, will contribute to the economic benefit of the communities.

Another development of an economic nature is the development of tourism and the winter sports attractions that nature has bequeathed upon this area. There does now exist a number of winter sport or ski resorts between Denver and Steamboat Springs, and plans and development are continuing for the expansion of these resorts, and for the construction of new and larger resorts, which will attract visitors and potential train customers from all over the United States, as well as from Denver.

The other major part of public convenience was indicated on the great inconvenience of motor vehicle travel over the Continental Divide -- especially over the passes. Testimony of a State Patrolman indicated the severe conditions created by the intermittent closing of Berthoud Pass throughout part of the day, and the difficulty of travel over Rabbit Ears Pass, by virtue of the incomplete repairs that are still being pursued on Rabbit Ears Pass, and the steep grade which motorists must negotiate. It was contended that both the construction and the steepness of the grade make these passes undesirable for winter travel, and when coupled with bad weather, constitute a safety hazard. In addition, the altitude of these passes is of some discomfort and danger to older people -- especially those with heart conditions. All of these latter dangers are eliminated by use of the train, which utilizes the Moffat Tunnel.

The Commission took official notice of the Annual Reports of the railroad to this Commission. An examination of these reports discloses that in 1959, the railroad had a net income of approximately \$8,700,000, which dropped to slightly over \$8,600,000 for the Year 1960, which, before taxes, reflected operating ratios of 67.05 in 1959, and 66.24 in 1960.

Briefly summarizing, this case resolves itself into a situation of a local service railroad which is losing money, which, nevertheless, is utilizing facilities provided by the people of the area it

serves, in the form of the Moffat Tunnel.

In any case of abandonment, the question of public convenience and necessity is paramount. Such a need is not to be determined solely by a Profit and Loss Statement, nor by evidence of persistent wide-spread usage of the train that would result in a profit. It cannot be denied that there are many utility operations which, in the over-all, make a profit, but segments of which, or particular services, produce revenues that are insufficient to discharge out-of-pocket expenses, or to return a reasonable profit. That, however, is the nature of a public utility, and must be recognized and accepted as an inherent part of the operation.

The need for rail transportation of this nature must be ascertained by the reasonable requirements of the areas it serves. It must be reconized that this train traverses some of the most rugged terrain in the State of Colorado. It overcomes some of the great difficulty it would normally encounter in crossing the Continental Divide by utilizing the Moffat Tunnel.

An examination of the applicant's own evidence clearly and unequivocally shows that this train is truly a local-service train. Stops are numerous, and many small communities -- some of which do not have bus service -- are served. Although few passengers entrain at any one particular station, other than the ski resorts or the Denver Metropolitan Area -- these are a significant number of passengers who do utilize the train along the route, so that the accumulation thereof does demonstrate usage and need by the public.

When one considers the sparsely-settled territory which this train serves, and takes into account the ratios of usage to population, we are impressed with the rather significant usage of this train by the sparse population, and the need thereof to this community.

We cannot overlook the particular needs of this community at this time that are aggravated by the conditions on the passes which

must be traversed to reach either Steamboat Springs or Craig, via highway.

Although Rabbit Ears Pass, with its alleged steepness and lack of construction, may be by-passed by the use of Highway No. 131, over Gore Pass, there nevertheless is Berthoud Pass, which is still under construction. Although Berthoud Pass may be likewise avoided by traveling over Loveland Pass to Dillon, and then northerly to Kremmling, it either requires the traveling of a circuitous route back easterly to Kremmling to reach intermediate towns, or these towns are by-passed completely.

In addition to the good usage in relation to population in the smaller communities, consideration must be given to the local service aspect of this train. Certainly no one will deny that the usage to Winter Park is sufficiently heavy to clearly indicate a strong public need. Likewise, when future public convenience and necessity are considered, the strong evidence of the continued construction of a large ski resort in the Steamboat Springs Area should prove an equally strong attraction as Winter Park and some of the other ski resorts. In considering this as a local-service train, we must consider it as an entire unit, serving an area.

In addition, we were presented with strong evidence on future public convenience and necessity and the development of gas and oil resources in the Craig Area, and the development and exploration of large coal deposits in this same area, together with the construction of a large electric generating station, all of which will contribute to the future prosperity of the area and to the need for railroad passenger service.

The evidence as to the future of the ski resort, construction of the electric generating station, and oil and gas development was not speculative. In truth and in fact, these developments are presently here, and will continue to expand.

We likewise cannot be oblivious of the fact that all of the people in the area served by this train have committed their lands to the Moffat Tunnel District, upon which there is imposed an annual tax, to retire the bonds of the Moffat Tunnel, and they likewise pay taxes in all of these counties. It cannot be denied that the people of these communities and of Denver made the Moffat Tunnel possible. The Denver and Rio Grande Western Railroad Company, as a result of the Moffat Tunnel, has been able to tailor its operation, by avoiding a circuitous route over the high mountain passes, to become a bridge line between the Middle West and West Coast, which has resulted in the prosperity reflected in the profit figures reported in their Annual Report to this Commission. Undoubtedly, efficient management has contributed greatly to this happy state of affairs of the railroad. However, regardless of the intelligence and efficiency of management, and the technological improvements made by the railroad, this fine operation could not have been possible without the Moffat Tunnel.

It is to be noted that this Commission has unhesitatingly, in other instances where a lack of public convenience and necessity has been shown, allowed this railroad to eliminate trains and stations, in order to achieve a more efficient and economical operation.

Viewing public convenience and necessity, then, as the need of a community for a particular type of utility service and its usage of that service, we conclude, and so find, that there is a substantial usage by the population in relation to its size of Trains Nos. 9 and 10.

That Trains Nos. 9 and 10 are local-service trains, rendering needed train passenger service on a large scale to some communities, especially ski resorts, and rendering needed service to smaller communities and that the usage in relation to their population is impressive.

That especially at the present time, because of construction and road conditions, especially during inclement weather, the use of the highways presents an inconvenience to the traveling public, and an

alternate means of transportation is required by the citizens of the area to traverse the Continental Divide.

That this is a sparsely-settled territory, encompassing some of the most rugged terrain in the State of Colorado, and that vehicular travel over highways, especially during winter months, imposes a grave inconvenience and danger to the traveling public.

That economic developments, in the form of ski resorts in the Steamboat Springs Area, coal, gas and oil developments in the Steamboat Springs-Craig Area, and the construction of allied industries are either in the early stages of development, or in early prospect, with sufficient certainty that the final development is a foregone conclusion, which will enhance the economic prosperity of the area and create a greater need for train passenger service.

That by virtue of the need of the people of this area, and the over-all profits of the railroad, on a system-wide basis, a continuance of this train will not prove confiscatory, and we further find, with the sound financial condition of the railroad, on a system-wide basis, is attributable, in a substantial degree, to the Moffat Tunnel, which was made possible by the general credit of the people owning property in the area being served.

As a result of these specific findings, we must conclude that present and future public convenience and necessity require, and will require, a continuation of Trains Nos. 9 and 10, and that the application of The Denver and Rio Grande Western Railroad Company to abandon said trains should be denied.

O R D E R

THE COMMISSION ORDERS:

That request of The Denver and Rio Grande Western Railroad Company to abandon operation of Passenger Trains Nos. 9 and 10, between Denver, Colorado, and Craig, Colorado, be, and the same hereby

is, denied.

This Order shall become effective as of the day and date hereof, Applicant, pursuant to law, being allowed twenty (20) days within which to file Petition for Rehearing.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NECESSARILY ABSENT.

(S E A L)

Dated at Denver, Colorado,
this 22nd day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE APPLICATION NO. 143, OF THE COLORADO MOTOR
CARRIERS' ASSOCIATION, AS AGENT, FOR AND ON
BEHALF OF BOULDER-DENVER TRUCK LINE, INC.,
CENTENNIAL TRUCK LINES, INC., DENVER-LIMON-
BURLINGTON TRANSFER COMPANY, FLOYD A. HENRIKSON,
DOING BUSINESS AS DENVER-LOVELAND TRANSPORTATION,
MCKIE TRANSFER COMPANY, NORTH EASTERN MOTOR FREIGHT,
INC., OVERLAND MOTOR EXPRESS, INC., RICHARD H. AND
LOIS MAE ESHE, DOING BUSINESS AS SOUTH PARK MOTOR
LINES, WESTWAY MOTOR FREIGHT, INC., AND JOHN B.
WINDECKER, DOING BUSINESS AS WINDECKER TRUCK LINES
TO (1) DISCONTINUE ALL PROCEEDINGS UNDER INVESTIGA-
TION AND SUSPENSION DOCKET NO. 427, AND AUTHORIZE
YOUR PETITIONER TO CANCEL THE SUSPENDED MINIMUM
CHARGES; (2) ISSUE AN ORDER MAKING PERMANENT THE 50
CENTS PER SHIPMENT SURCHARGE NOW EFFECTIVE FOR
ACCOUNT OF THE ABOVE-NAMED CARRIERS. ALSO OTHER
MATTER MORE SPECIFICALLY SET FORTH IN THE STATEMENT.

CASE NO. 1585

INVESTIGATION AND
SUSPENSION DOCKETS

NOS. 427 AND 439

December 21, 1961

S T A T E M E N T

BY THE COMMISSION:

The order in the entitled matter, Decision No. 56823, dated July 13, 1961, paragraph 8, page 11, ordered that the record in these proceedings shall be held open as provided in paragraph 11 of the findings, which finding reads as follows:

11. The record in this proceeding should be held open until February 1, 1962, unless otherwise ordered by the Commission, for the purpose of determining the increased revenue resulting from the application of the increased rates to the traffic of respondents and/or applicants named in paragraph 8 hereof, and for the issuance of such order or orders, in the premises, as the Commission believes to be proper. These respondents and/or applicants will furnish the Rate Department of the Commission, daily, copies of all freight bills issued and covering shipments weighing 2,000 pounds or less and moving in either interstate or intrastate commerce during the period August 1, 1961, to January 1, 1962.

The Rate Department of the Commission has advised the Commission that it is prepared to submit the results of the study relating to increased revenues on shipments weighing 2,000 pounds or less, made from carrier freight bills, furnished in compliance with its order, as outlined herein, and to make a recommendation in the matter of the base and less-than-truckload class rates to apply on shipments weighing less than 5,000 pounds.

F I N D I N G S

THE COMMISSION FINDS, That:

1. The record in this proceeding shall be further supplemented by the results of the study of the Rate Department of the Commission as it concerns the revenue derived from the increased rates relating to the traffic of
 - a. Overland Motor Express, Inc., d/b/a Boulder-Denver Truck Line;
 - b. Denver-Laramie-Walden Truck Line, Inc.;
 - c. Denver-Limon-Burlington Transfer Company;
 - d. Floyd A. Henrikson, d/b/a Denver-Loveland Transportation;
 - e. Russell R. Robinson and Mauverdene Robinson, d/b/a K & K Transfer Company;
 - f. Ivan Miller and Dwight Miller, d/b/a Miller Brothers Truck Line;
 - g. North Eastern Motor Freight, Inc.;
 - h. Richard H. and Lois Mae Eshe, d/b/a South Park Motor Lines;
 - i. Westway Motor Freight, Inc.; and
 - j. John B. Windecker, d/b/a Windecker Truck Line.
2. The Rate Department of the Commission shall make its recommendation of the class rates to apply in the future on shipments weighing less than 5,000 pounds. Interested parties may examine the witness from the Rate Department concerning its recommendation at the time of the hearing.
3. The carriers named in Finding No. 1 hereof be no longer required to furnish copies of freight bills as ordered by paragraph 11 of the order in Decision No. 56823, dated July 13, 1961.
4. A further hearing should be held at its Hearing Room in Denver, Colorado, on January 11, 1962, to accomplish the objectives set forth in findings numbered 1 through 3, both inclusive.


O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings, be, and they are hereby made a part hereof.
2. Copies of freight bills shall not be furnished the Rate Department of the Commission, as previously ordered, on and after December 23, 1961.
3. This order shall become effective forthwith.
4. A copy of this order shall be served upon all parties appearing in this proceeding as named in Decision No. 56823.

5. A hearing shall be held in the Commission's offices, Hearing Room No. 532, State Services Building, 1525 Sherman Street, Denver, Colorado, at 10 A. M., on January 11, 1962, for the purposes of receiving in evidence, (1) the result of the study of the Rate Department of the Commission as outlined in Finding No. 1; (2) the recommendation of that Department as to the class rates to be applied for the future on shipments weighing less than 5,000 pounds; and for the ultimate purpose of issuing such further order or orders, in the premises, as the Commission may deem proper.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


Joseph F. Nigro
Joseph A. Hahn
Commissioners.

Dated at Denver, Colorado,
this 21st day of December 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

ph

original

(Decision No. 57787)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
CHEMICAL TANK LINES, INC., P. O.
BOX 206, DOWNINGTOWN, PENNSYL-
VANIA.

)
)
)
)
)
PUC NO. 3760-I

December 26, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-styled certificate-holder, stating that Chemical Tank Lines, Inc., Leaman Transportation Corporation, and Leaman Transportation Company, Inc., all of 520 East Lancaster Avenue, Downingtown, Pennsylvania, have merged operations as an interstate carrier, with the consent and approval of the Interstate Commerce Commission, the consolidated operation to do business under the name "Chemical Leaman Tank Lines, Inc." Request is made that said change in corporate name and address of said certificate-holder be reflected upon the records of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show PUC No. 3760-I to be owned and operated by:

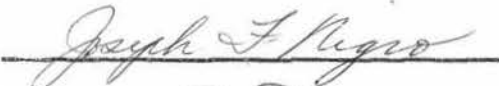
"Chemical Leaman Tank Lines, Inc.,
520 East Lancaster Avenue,
Downingtown, Pennsylvania,"

in lieu of:

"Chemical Tank Lines, Inc.,
P. O. Box 206,
Downingtown, Pennsylvania."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
W. R. HALL TRANSPORTATION AND)
STORAGE COMPANY, 2518 HIGHWAY)
6-50, GRAND JUNCTION, COLORADO.)

PERMIT NO. B-820

December 26, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from the above-styled permit-holder, owner of Permit No. B-820, requesting a written waiver from the Commission in lieu of filing a bond covering payment of C.O.D. collections to shippers, in operations under said Permit No. B-820.

Rule 25 (a) of Rules and Regulations Governing Private Carriers by Motor Vehicle, effective June 1, 1960, provides that:

"No Private Carrier shall accept any C.O.D. shipments or otherwise collect money from any consignee to be paid to the consignor, unless such carrier shall have on file with the Commission cash or a Surety Bond in an amount not less than \$2,000, in such form as the Commission may prescribe, conditioned upon the true and prompt payment of any such C.O.D. or other collections by the carrier to the consignor. Said Surety Bond shall authorize the Commission summarily to apply any part or all of the amount thereof to the payment of any C.O.D. or other collection account owned by the carrier to any consignor, which the carrier has not paid within ten (10) days after the receipt thereof."

Inasmuch as financial statement of said permit-holder on file with the Commission is satisfactory,

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 W. R. Hall Transportation and Storage Company, Grand Junction, Colorado, owner of Permit No. B-820, be, and hereby is, granted a written waiver of the provisions of Section (a) of Rule 25, of Rules and Regulations Governing Private Carriers by Motor Vehicle, and shall not be required to file with this Commission cash or surety bond referred to in said Rule, in operations under said Permit No. B-820.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
IVAN MILLER AND DWIGHT MILLER,)
CO-PARTNERS, DOING BUSINESS AS)
"ROCKY MOUNTAIN FREIGHT LINES,")
723 FIFTH STREET, GREELEY,)
COLORADO.)

PUC NO. 1321
PUC NO. 1321-I
PUC NO. 2251

December 26, 1961

S T A T E M E N T

By the Commission:

On March 11, 1954, the Commission entered its Decision No. 42209, authorizing mortgage of all right, title, and interest in and to PUC No. 1321, PUC No. 1321-I, and PUC No. 2251 of Ivan Miller and Dwight Miller, doing business as "Rocky Mountain Freight Lines," Greeley, Colorado, to The First National Bank of Greeley, Colorado, to secure payment of the sum of \$37,200.00.

The Commission has now been advised by said The First National Bank of Greeley, Colorado, that the loan, secured by said mortgage, has now been paid in full, and said mortgage has been cancelled.

F I N D I N G S

THE COMMISSION FINDS:

That mortgage referred to in the Statement preceding should be released.

O R D E R

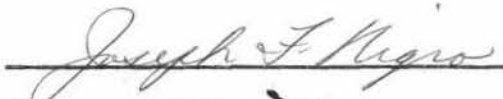
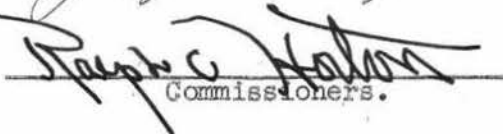
THE COMMISSION ORDERS:

That mortgage authorized by Decision No. 42209, of date March 11, 1954, viz., mortgage of PUC No. 1321, PUC No. 1321-I, and PUC No. 2251, from Ivan Miller and Dwight Miller, co-partners, doing business as "Rocky Mountain Freight Lines," Greeley, Colorado, to The First National

Bank of Greeley, Greeley, Colorado, be, and the same hereby is, released.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of December, 1961.

mls

original

(Decision No. 57790)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
MARION J. GILREATH, DOING BUSI-)
NESS AS "WESTERN DISPOSAL COM-)
PANY," 6365 BRENTWOOD, ARVADA,)
COLORADO.)

PUC NO. 2010

December 26, 1961

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Marion J. Gilreath, owner and operator of PUC No. 2010, requesting authority to conduct operations under said certificate under the trade name and style: "Wheatridge Disposal Service," in lieu of "Western Disposal Company."

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show PUC No. 2010 to be owned and operated by:

"Marion J. Gilreath, doing
business as 'Wheatridge
Disposal Service,'"

in lieu of:

"Marion J. Gilreath, doing
business as 'Western Disposal
Company.'"

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HENRY E. ZAPENGO
NOT PARTICIPATING
Dated at Denver, Colorado,
this 26th day of December, 1961.

Joseph F. Miller
Reynolds Hoban
Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED CLASS AND COMMODITY
RATES, THE NORTH PARK TRANSPORTA-
TION COMPANY, 1600 ELIOT STREET,
DENVER, COLORADO.

INVESTIGATION AND SUSPENSION
DOCKET NO. 464

December 26, 1961

Appearances: Alvin J. Meiklejohn, Jr., Esq.,
Denver, Colorado, for The
North Park Transportation
Company;
S. J. Philippoine, Denver, Colo-
rado, and
A. J. Tait, Denver, Colorado,
for the Staff of the Commis-
sion.

S T A T E M E N T

By the Commission:

This is an investigation and suspension of a series of tariffs filed by The North Park Transportation Company to its Motor Freight Tariff No. 2-A, being Colorado PUC No. 3. These tariffs were filed, to become effective October 21, 1961, and were duly suspended by this Commission on October 11, 1961. Hearing thereon was held at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 1, 1961, and at the conclusion of the evidence, the matter was taken under advisement.

The schedules provide an approximate 10% increase in Class Rates, Commodity Rates, and the Minimum Charge provisions of existing tariffs. Exception is made on livestock, bulk petroleum, and milk and milk products, as well as cement, hay-hauling, and drilling mud.

Evidence adduced on behalf of the carrier to justify the exceptions were to the effect that on livestock, bulk petroleum, milk and cement, most of the shipments are truck-load shipments, whereon

the present rate is sufficiently high to be compensatory, and the effects of competition prohibit any increase in said rates. The same situation applies to drilling mud. At the present time, said company does very little hay-hauling, and the present rate is higher than that of his competitors.

This carrier filed its tariff with the Interstate Commerce Commission effecting a similar increase to that sought in this matter, which increase has already gone into effect, and is being charged for interstate commerce shipments. This carrier operates under a local tariff, filed with the Interstate Commerce Commission, except on one commodity, upon which, rates and charges as published in a Bureau Tariff, are applicable.

In general support of the proposed new rates, this carrier adduced evidence on increases in wages and equipment. It likewise presented evidence showing profit and loss for a period of several years past.

It disclosed that in the Year 1958, total Operating Revenues were approximately \$143,000; Operation and Maintenance Expenses amounted to some \$21,800; Transportation Expenses were \$50,700; Terminal Expenses were \$33,300; Traffic and Sales were approximately \$285; Insurance and Safety were \$4,750; Office and Administrative were \$27,200; Operating Taxes and Licenses were \$7,300; Depreciation Expenses were \$9,900, resulting in a total Operating and Maintenance Expense of \$125,400, or a net Operating Profit of some \$17,400, which resulted in Operating Ratio of 87.78.

In 1959, total Operating Revenues amounted to \$144,600; Operating and Maintenance Expenses amounted to \$135,600, which reduced Profit to \$9,050, or an Operating Ratio of 93.74.

In 1960, total Operating Revenues amounted to \$159,600; total Operating and Maintenance Expenses amounted to \$148,900, or a Profit of \$10,750, reflecting an Operating Ratio of 93.27.

For a nine-month period in the Year 1961, ending September 30, 1961, total Operating Revenues amounted to \$133,400; total Operating Expenses amounted to \$133,500, or a loss of something less than \$100, with an Operating Ratio of 100.05.

Contrasting this nine-month period for the same period for the Year 1960, this carrier reflected a profit of \$13,300, or an Operating Ratio of 88.68.

An analysis of the evidence adduced by this carrier -- both on general increase in costs and on his specific Profit and Loss Statement for a period of years -- is impressive, and does reflect clearly that there is a steady increase in costs, which far out-strip the increase in revenue.

We are not oblivious to the fact that this carrier serves primarily Jackson and Grand Counties, where the population is comparatively sparse, and where opportunities for expanding service and acquiring more business are limited.

Despite this evidence, however, we cannot agree with some of the methods employed by the carrier to reflect expenses.

In August of 1961, this carrier acquired a new engine for one of his trucks, at a cost of \$4,050, with a five-year life. In November, 1960, this carrier likewise acquired another engine for the sum of \$3,900. These items were fully expensed, on the theory that if the carrier replaced an engine each year for a period of five years, charging the total expense of each new engine as an expense item, rather than as a capital item, the results would be the same. This is theoretically true. Experts for the carrier, however, did admit that the only knowledge they had was of the two particular engines, and they do concede that acquisition of a new engine, with a five-year life, is an item of capital cost, and not an item of Operating and Maintenance Expense. Thus, if the item of \$4,050 reflected in Equipment, Maintenance, and Garage Expense in the Year 1961 is deducted as an expense

item, and depreciated on a five-year basis, instead of a loss of approximately \$100 in 1961, there would be a profit of over \$3,000 on this item alone. If there is added to that the other engine acquired in November, 1960, which was expensed at \$3,900, this would include the additional capital item as depreciation expense in 1960. Thus, the profit of something in excess of \$3,000, the Operating Ratio for the nine-month period, instead of being 100.05, would drop to something less than 98%.

We must emphasize that it is the duty and responsibility of the carrier to clearly and unequivocally present evidence to the Commission having probative value, based upon actual test periods in a general revenue case, to show precisely the operating condition of the company. This cannot be done by speculation, or by loose accounting methods; nor can it be done by academic speculation as to what results will be. Carriers are not entitled to rate increases for the simple reason that they ask for them, and that they believe they need them. It is their bounden duty to prove the need for any increase in rates, on the basis of competent evidence. This is a responsibility of the carrier, and the carrier alone; it may not be delegated, and rate increases may not be granted when this responsibility is not assumed.

In the light of changes we have indicated should be made in the Profit and Loss Statement of the carrier, we, nevertheless, must find that an Operating Ratio of something slightly less than 98% is not sufficient to enable this carrier to discharge its obligation as a common carrier. If rates were filed, providing for a general increase of 5%, it would result in an increase in revenues of some \$3,500 to the carrier on intrastate traffic. We must assume the same proportion of expense on intrastate traffic as is reflected on the overall revenues and expenses. This would result in an Operating Ratio of approximately 93%, which we deem to be reasonable, and so

find, and which will provide the carrier with sufficient revenues to pay his expenses, and to be afforded a reasonable profit to enable the carrier to continue operations.

F I N D I N G S

We specifically find, therefore:

That the accounting methods employed by the carrier in charging as expense items of capital cost are improper, and unduly increase the Operating Expenses of this carrier, and should be disallowed.

That after appropriate adjustments in the accounting methods, giving full allowance for appropriate depreciation, we find that this carrier is currently experiencing an Operating Ratio of approximately 98%, and that such a ratio is insufficient to enable this carrier to discharge its common carrier obligations.

That an Operating Ratio of 93% is just and reasonable, and will provide this carrier with sufficient Operating Revenues to discharge its common carrier obligations.

That an increase in gross revenues of 5% should produce revenues that will result in an Operating Ratio of approximately 93%.

That the rates proposed to be filed by this carrier are unjust, unreasonable, and discriminatory, and are in violation of the Public Utility Laws, and that said filings should be dismissed, but that this carrier should be allowed to file rates reflecting a 5% increase in gross revenues.

In so authorizing a 5% rate increase, we are cognizant of the fact that carrier's exhibits reflect gross revenues which may include interstate revenues, upon which the 5% increase will not operate. This carrier, however, did not show us any cost allocations, nor operating ratios on interstate commerce as compared to intrastate commerce. If, as a result of ambiguity of the carrier's exhibits, there are deficiencies in the end result of the Commission's Order, it is the de-

iciency of the carrier's failure of proof in specifically discharging its duties and responsibilities to the Commission.

O R D E R

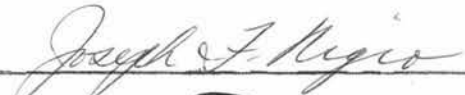

THE COMMISSION ORDERS:

That rate-filings by The North Park Transportation Company, Motor Freight Tariff No. 2-A, being Colorado PUC No. 3 be, and the same hereby are, dismissed.

That said carrier is hereby authorized to file new tariffs, reflecting a 5% increase in gross revenues.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 26th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE INCREASED RATINGS ON PIPE OR
TUBING, ALUMINUM AND MINIMUM CHARGES,
AS SET FORTH IN APPENDIX A, WHICH IS
MADE A PART HEREOF, AND PUBLISHED IN
ITS TARIFF NO. 12-A, COLORADO P.U.C.
NO. 11, SCHEDULED TO BECOME EFFECTIVE
JANUARY 4, 1962.

INVESTIGATION AND SUSPENSION

DOCKET NO. 478

December 22, 1961

S T A T E M E N T

BY THE COMMISSION:

On November 27, 1961, the Colorado Motor Carriers' Association, Agent, filed with the Commission on statutory notice increased ratings on pipe or tubing, aluminum and minimum charges, as set forth in Appendix A, which is made a part hereof, and published in its Tariff No. 12-A, Colorado P.U.C. No. 11, scheduled to become effective January 4, 1962.

The proposed increased changes may, if permitted to become effective, result in rates which may be in violation of the Public Utilities Law. It is the opinion of the Commission that the operation of the said schedules should be suspended and an investigation instituted, upon the Commission's own motion, concerning the lawfulness of the increased ratings and charges contained in said tariff.

F I N D I N G S

THE COMMISSION FINDS:

That upon its own motion, without formal pleading, the schedules as set forth in Appendix "A" should be suspended and that it enter upon a hearing concerning the lawfulness of the increased ratings and minimum charge.

O R D E R

THE COMMISSION ORDERS, That:

1. The Statement and Findings are made a part hereof.
2. It shall, upon its own motion, enter upon a hearing concerning the lawfulness of the schedules set forth in Appendix "A."

3. The operation of the said schedules shall be suspended and the use of same shall be deferred 120 days or until May 4, 1962, unless otherwise ordered by the Commission and no change shall be made during the said period of suspension.


4. The rates, rules, regulations and provisions sought to be altered shall not be changed by any subsequent tariff or schedule until the investigation and suspension proceeding has been disposed of or until the period of suspension or any extension thereof has expired.

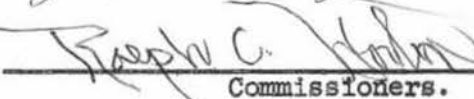
5. Seven days prior to the hearing date hereon, respondents shall provided the Secretary of the Commission with copies of any and all exhibits which they intend to introduce in evidence in support of their case including verified copies of income tax reports to the Federal and Colorado State Governments for the past two years.

6. A copy of this order shall be filed with said tariff in the office of the Commission and that a copy hereof be forthwith served upon J. R. Smith, Chief of Tariff Bureau, Colorado Motor Carriers' Association, Agent, 4060 Elati Street, Denver 16, Colorado.

7. This Investigation and Suspension Docket No. 478, be, and the same is hereby set for hearing before the Commission on February 15, 1962, at two P.M., in the Hearing Room of the Commission, 532 State Services Building, 1525 Sherman Street, Denver, Colorado.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

Dated at Denver, Colorado,
this 22nd day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

ph

APPENDIX "A"

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT Local and Joint Freight Tariff No. 12-A Colorado P.U.C. No. 11

4th Revised Page No. 73:

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION		
Item No.	Articles	Class Rating
515 A	Pipe or Tubing, aluminum, NOI, with or without covering or lining of brass, copper or steel, straight or bent shapes, with or without couplings, ferrules, valves or nipples.	
	Culverts, aluminum.	
	Inside diameter over 2 inches but not over 12 inches	200
	Inside diameter over 12 inches but not over 24 inches	300
	Inside diameter over 24 inches but not over 48 inches	400
	Inside diameter over 48 inches	500

2nd Revised Page No. 90:

RULES AND REGULATIONS	
Item No.	Application
900	<p><u>INABILITY TO ACCOMPLISH DELIVERY:</u></p> <p>If a shipment is once tendered for delivery at the billed address, between the hours of 7:00 A.M., and 5:30 P.M., and such delivery cannot be accomplished through no fault of the carrier, no further efforts will be made to effect delivery, except on request and at an additional charge as follows:</p> <p>(A) Shipments weighing 2,000 pounds or less: Thirty-five (35¢) for each one hundred (100) pounds or fraction thereof for each tender, minimum charge \$2.00.</p> <p>(C) Shipments weighing over 2,000 pounds: Twenty-five (25¢) for each one hundred (100) pounds or fraction thereof for each tender.</p> <p>Should the transportation carrier be unable after arrival of the shipment and after the exercise of due diligence, to make delivery at the billed, or correct (if known) address, during reasonable business hours, notice of the arrival and failure to make delivery shall at once be mailed to the consignee, and the property shall be stored at the cost of the consignee, consignor, or owner after free time in the carrier's depot has expired, without liability on the part of the transportation carrier except that of warehouseman and subject to a lien for all transportation and other lawful charges.</p> <p>In the event carrier is unable to deliver a collect-on-delivery shipment of perishable freight, shipper shall be notified immediately by telephone or telegraph, at his expense.</p>

RULES AND REGULATIONS

Item No.	Application
930	<p><u>MINIMUM CHARGE:</u> <u>Exceptions:</u></p> <p>Balance of item not shown here as not pertinent.</p> <p>(P) The minimum charge for a single shipment of / (A) Carpets, / (A) Carpet or Rug Padding, Dish Washers, Electric Clothes Dryers, / (A) Household Furnishings, Household Furniture, / (A) Linoleum, Refrigerators, / (A) Rugs, Washing Machines or any other Household Appliances or Furniture from one consignor to one consignee on one bill of lading in one day, when the total weight is in excess of 100 pounds, (A) from or to a private home in authorized territory of Overland Motor Express, Inc., D/B/A Boulder-Denver Truck Line, Denver-Laramie-Walden Truck Lines, Inc., Floyd A. Henrikson, D/B/A Denver-Loveland Transportation, The McKie Transfer Company, Ivan Miller and Dwight Miller, D/B/A Miller Bros. Truck Line, North Eastern Motor Freight, Inc., Westway Motor Freight, Inc., or John B. Windecker, D/B/A Windecker Truck Line will be \$7.50.</p>

970	<p><u>PICK-UP AND DELIVERY SERVICE:</u></p> <p>Balance of item not shown here as not pertinent.</p> <p>/ (A) <u>Exception:</u> Except as otherwise provided in note below, the rates named in this tariff do not include pick-up and/or delivery service on shipments of household goods as described in Items 100200 through 100292 of the governing classification. Pick-up and/or delivery service, as provided for in this item, will be rendered upon such shipments when specifically requested by the consignor and/or consignee and such service, when rendered, will be charged for as follows, in addition to all other applicable charges:</p> <p>(A) Pick-up service 108 cents per 100 pounds, subject to a minimum charge of 150 cents per shipment.</p> <p>(B) Delivery service 108 cents per 100 pounds, subject to a minimum charge of 150 cents per shipment.</p> <p><u>NOTE:</u> Provisions of the above paragraph are not applicable when shipments of household goods described in Items 100200 through 100292 of the governing classification are picked up or delivered at a place of business and/or moves on a government bill of lading.</p>
-----	---

/ Denotes addition.

(A) Denotes increase.

(C) Denotes a change resulting in neither an increase nor a reduction.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE VARIOUS CHANGES IN COLORADO
MOTOR CARRIERS' ASSOCIATION, AGENT,
LOCAL AND JOINT FREIGHT TARIFF NO. 12-A,
COLORADO P.U.C. NO. 11, PUBLISHED TO
BECOME EFFECTIVE JANUARY 4, 1962.

CASE NO. 1585

December 22, 1961

S T A T E M E N T

BY THE COMMISSION:

On November 27, 1961, the Colorado Motor Carriers' Association, Agent, by J. R. Smith, Chief of Tariff Bureau, filed schedules with the Commission on statutory notice published to become effective January 4, 1962, 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.

In justification of the following changes the Commission has been informed by letters from carriers and other interested parties involved that:

Item No. 560, covering fresh vegetables, is amended to include the wording, "Except cold pack or frozen." The basis for this addition is to place this item on the same relative level as presently existing in Item No. 320 covering an exception on fresh fruits wherein the wording exists.

Item No. 1230, covering mine balls, mining and milling machinery and parts including mine car loaders as described in the governing classification is amended by adding minimum weight factors and rates for 10,000, 15,000 and 20,000 pounds. The carrier involved states that the level of the rates is the same as presently provided in the Motor Freight Tariff No. 13, Colorado P.U.C. No. 12, applying to irregular route or call and demand carriers for the same commodities involved herein.

Item No. 2485, covering projectile or rocket parts as set forth in the item is amended by providing rates for the transportation of boxes or carriers, fibreboard, set up, empty.

F I N D I N G S

THE COMMISSION FINDS:

That the changes set forth in the statement of this order on the basis of the facts presented 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, 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 the Appendix "A" attached hereto, shall on January 4, 1962, be the prescribed rates, rules, regulations and provisions of the Commission.
4. All motor vehicle common carriers who are affected by the changes prescribed herein shall publish or cause to be published new tariffs reflecting the changes prescribed herein.
5. 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.
6. On and after January 4, 1962, all affected motor vehicle common carriers shall cease and desist from demanding, charging and collecting rates and charges greater or less than those herein prescribed, provided that call and demand motor vehicle common carriers shall be subject to the penalty rule of twenty (20) per cent.
7. On and after January 4, 1962, all private carriers by motor vehicle operating in competition with any motor vehicle common carriers, affected by this order, shall cease and desist from demanding, charging and collecting rates and charges which shall be less than those herein prescribed, provided that Class "B" private carriers shall be subject to the penalty rule of twenty (20) per cent.
8. 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.

9. 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 22nd day of December, 1961.

COMMISSIONER HENRY E. ZARLENGO NECESSARILY
ABSENT AND DID NOT PARTICIPATE.

ph

APPENDIX "A"

Changes effective January 4, 1962.

COLORADO MOTOR CARRIERS' ASSOCIATION, AGENT Local and Joint Freight Tariff No. 12-A Colorado P.U.C. No. 11

3rd Revised Page No. 75:

EXCEPTIONS TO RATINGS OF THE GOVERNING CLASSIFICATION		
Item No.	Articles	Class Ratings
560	Vegetables, fresh, / (A) except cold pack or frozen, rated higher than class 70 and packed in accordance with classification (except as provided in Item No. 350).	70

6th Revised Page No. 191-C:

SECTION NO. 2 Commodity Rates (For application, see Page No. 190 of tariff) Rates are in cents per 100 pounds (unless otherwise stated)					
Item No.	Commodity	From	To	Rates	Route No.
	Commodities in the same item may be shipped in straight or mixed truck loads.				
1230	Balls, mine; Mining and Milling Machinery and Parts, as described under the heading "Mining, Ore Milling or Smelting Machinery and Parts," including "Mine Car Loaders," / ① Minimum weight 10,000 pounds. / ② Minimum weight 15,000 pounds. / ③ Minimum weight 20,000 pounds. / ④ Minimum weight 30,000 pounds. (Subject to Item No. 770.)	<u>BETWEEN</u> Denver, Colorado	<u>AND</u> Climax, Colo. Kokomo, Colo.	/ (R) ① 52 / (R) ② 47 / (R) ③ 46 / ④ 43	30

16th Revised Page No. 232:

2485	Projectile or Rocket Parts, N.O.I., plastic, plastic and metal combined, or metal, other than iron or steel, in boxes or in metal or wooden crates, minimum weight 18,000 pounds. Subject to loading by shipper and unloading by consignee. One hour's free loading time and one hour's free unloading time will be allowed. All delay in excess of the free time allowed will be charged for at \$10.00 per hour or fraction thereof.	Denver, Colorado	Rocky Mountain Arsenal, Colo.	22	103
	/ (R) Boxes or Carriers, fibreboard, set-up, empty, returned, subject to a minimum charge of \$36.00 per shipment. Ø Rate in cents per box or carrier. (Subject to Item No. 760.)	Rocky Mountain Arsenal, Colo.	Denver, Colo.	Ø 16	103

- / Denotes addition.
- (A) Denotes increase.
- (R) Denotes reduction.

Route No. 30 - Denver-Climax Truck Line, Inc., - direct.
Route No. 103 - Brighton-Fort Lupton Transfer - direct.

original

(Decision No. 57794)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE GREAT WESTERN RAILWAY COMPANY,)
A COLORADO CORPORATION, TO ABANDON)
FACILITIES FOR THE LOADING AND UN-)
LOADING OF LIVESTOCK, AT PULLIAM,)
WINDSOR, AND HURRICH STATIONS, ALL)
IN THE STATE OF COLORADO.)
-----)

APPLICATION NO. 18744

December 27, 1961

S T A T E M E N T

By the Commission:

Pursuant to the Rules and Regulations of this Commission Pertaining to Railroads and Express Companies Operating in the State of Colorado, The Great Western Railway Company, by P. H. McMaster, Vice President and General Manager, did on September 25, 1961, file its application requesting authority to remove its stockyard pens as located at the above stations, said removals to become effective on January 1, 1962. In conformance with Commission Rule No. 6, public notice of the proposed removals was also posted at each of the above stockpens.

Upon investigation of this matter by the Commission, it appears that principal business of The Great Western Railway is the movement of sugar beets as grown in the area extending between Longmont, Loveland, Windsor and Eaton. Connection is made with the C & S mainline at Longmont and Loveland and with the UP mainline at Eaton. The intermediate area is also served by branch lines of both Union Pacific and C & S.

Over the past years, there was also the movement of livestock in the area for connections to the other carriers or simply between Great Western stations. Hence, the livestock movement via

Great Western was only for short distances; however, road improvements in the area and more dependable trucks have resulted in loss of the short rail movements and direct shipments are made over the main rail lines.

Pulliam is located on a beet-loading spur approximately 2.5 miles west from Johnstown, Colorado. There is no community development at the location; only the stockpens, a small storage elevator, and a beet dump are served from a short siding track. In the interval, January 1956 to January 1961, only two carloads were handled in 1959, producing revenue of \$31.68.

At Windsor, there are extensive stockyard facilities as maintained by Colorado & Southern Railway, and located about four blocks west from the Great Western connection. Recent Great Western traffic has been as follows: 1956 - 11 cars; 1957 - 2 cars; 1958 - 7 cars. Total revenue was \$555.14 for an average revenue of \$27.76 per car.

Hurrich is located four miles west from Eaton, Colorado. There is no community development at this point; only two large livestock feeding lots are located nearby. The rail pens offer facilities for handling both single or double-deck livestock cars. However, only ten cars moved in 1957, and two were handled in 1959. Average revenue per car was \$23.65. Pens and gates now require extensive repairs for further use.

Principal occupation in the area is livestock feeding, sugar beet raising, and irrigated farming. Good roads offer a network of access routes and defense highway construction is being extended into the region. With the minor use that is being made of the instant stockpens, it becomes apparent that the usage is for convenience rather than necessity. In fact, livestock has been handled along the right-of-way at abutting farms or grade crossings by means of portable loading chutes.

Other investigation has revealed that many of the details of loading and transportation of livestock are covered by uniform

interstate tariff regulations as issued by the Western Trunk

Lines in Freight Tariff 236-T as follows:

"Item 530 -

Subject: Loading and unloading livestock where facilities are not provided. From or to stations where there are no facilities for the handling of carloads of livestock in either single or double deck cars, as case may be, rates apply only where shippers or consignees furnish the necessary appliances for loading and unloading, such appliances to be provided by shippers or consignees at their own expense and risk."

We must therefore conclude that in this case there are additional facilities to meet the public needs of the region; that under the prevailing tariff customs, the absence of stockyards as a standard facility is recognized and alternate methods in the form of portable chutes can be used where the need would develop.

As a matter of public information, a notice of the proposed removal was posted in a conspicuous location on each side of the stockpens at Pulliam, Windsor and Hurrich, wherein it was indicated that any protests to the proposal should be forwarded to the Commission. No protests having been submitted, and since none appear in the files of this matter, 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 public convenience and necessity in the Longmont-Eaton area can, and is being adequately served by other existing stations and track facilities.

That insufficient public demand or usage exists to properly justify continued operation and maintenance of the stockpens now located on the lines of The Great Western Railway Company at the stations of Pulliam, Windsor and Hurrich, Weld County, Colorado.

That the authority sought in the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That the above Statement and Findings be made a part hereof.


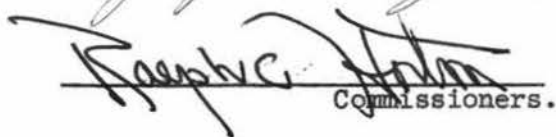
That The Great Western Railway Company, Denver, Colorado, be, and it hereby is, authorized to discontinue the maintenance of stockpen facilities at Pulliam, Windsor and Hurrich, Colorado.

That reference shall be made to this decision in the affected tariffs as required to show the closing of the service and as authority for said action.

That authority is hereby granted The Great Western Railway Company to remove the stockpens located at Pulliam, Windsor and Hurrich, Weld County, Colorado; and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of December, 1961.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
IRA WELLS, DELWIN WELLS, AND VARD)
WELLS, CO-PARTNERS, DOING BUSINESS)
AS "IRA WELLS & SONS," 28 WINIFRED)
STREET, SALT LAKE CITY, UTAH, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY.)

APPLICATION NO. 18794

December 27, 1961

Appearances: Frank B. Hanson, Esq., Salt
Lake City, Utah, and
Barry and Boyle, Esqs., Den-
ver, Colorado, for Appli-
cants;
Truman Stockton, Esq., Den-
ver, Colorado, for A-One
House Movers;
Bruce Ownbey, Esq., Denver,
Colorado, for Ryberg Con-
struction Co., Rehfeld
House Movers, Carl D. South,
Emory G. Earle, Ralph South,
and Edwin Welch;
Vincent Doyle, Denver, Colo-
rado, for Doyle's House
Moving.

STATEMENT AND FINDINGS OF FACT

By the Commission:

By the instant application, the applicants seek a certifi-
cate of public convenience and necessity to operate as a common car-
rier by motor vehicle in the transportation on a contract basis of
frame and brick buildings, and frame and brick houses, over the streets
and highways in Colorado, from place to place within the State of Colo-
rado, traveling irregular routes, as determined from where the person
or persons contracting the moving want the objects to be moved from and
to within the State of Colorado.

The application was set for hearing on November 10, 1961,

at 1:30 o'clock P. M., at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. The same was then and there heard by an Examiner duly designated and to whom the hearing was assigned by the Commission. After the conclusion of the hearing, said Examiner transmitted to the Commission the record and exhibits of said proceeding together with a written statement of his findings of fact and conclusion.

The Commission having considered the record and the written report of the Examiner states and finds:

That during the course of the hearing, applicants moved to amend their application to read as follows: to transport and move, on a contract basis, brick buildings, over the streets and highways in Colorado, from place to place within the State of Colorado, and there being no objection to the restrictive amendment as offered, the same was allowed.

That the application was vigorously protested to the effect that protestants have the necessary and specialized equipment and personnel to render the service as herein sought; that they have equipment which is idle most of the time; that the creation of the proposed new service would seriously impair and endanger their operations; and that there is no need for any additional carrier service in the area as herein involved as said area is presently being adequately served.

That the burden of proof to establish that the present or future public convenience and necessity require, or will require, the transportation services for which applicants seek authority has not been sustained.

That the evidence adduced by the applicants to establish that the present or future public convenience and necessity require, or will require, the transportation services for which the applicants herein seek authority is insufficient.

That the application should be denied.

O R D E R

THE COMMISSION ORDERS:

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 27th day of December, 1961.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT E. MORROW, P. O. BOX 37,)
FRASER, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-5724

December 28, 1961

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Robert E. Morrow,
Fraser, Colorado
requesting that Permit No. M-5724 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5724, heretofore issued to Robert E. Morrow,
Fraser, Colorado be,
and the same is hereby, declared cancelled effective December 2, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Commissioners

Dated at Denver, Colorado,

this 28th day of December, 1961.

original

(Decision No. 57797)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
UNION PACIFIC RAILROAD COMPANY TO)	
DISCONTINUE AGENCY STATION AT)	
SEDGWICK, SEDGWICK COUNTY, COLO-)	
RADO.)	
-----)	<u>APPLICATION NO. 18798</u>

December 28, 1961

S T A T E M E N T

By the Commission:

By the instant application, Union Pacific Railroad Company, a corporation of the State of Utah, duly authorized as a common carrier and so doing business in the State of Colorado, seeks authority from this Commission to close its agency station at Sedgwick, Sedgwick County, Colorado, effective January 1, 1962.

Sedgwick is a station on the Julesburg-Denver line of said railroad and located northeasterly 15 miles from Crook and is 8 miles west of Ovid. Sedgwick is on U. S. Highway No. 138, an all-weather hardtop road, and is about 15 miles west from Julesburg. According to the latest census, the population of Sedgwick is 300 persons. Petitioner maintains a one-man agency station, the hours being Monday through Friday, from 8:00 A. M. until 5:00 P. M.

In the instant application, it is proposed that since the principal agency activity has been handling of carload shipments, there is no longer a general public demand that will justify the continued expense of keeping an agent at Sedgwick, nor is there any necessity for an agent to transmit train orders, or for any other purpose connected with the operations of the railroad. Sedgwick is not a stop for any passenger train, and tickets purchased for boarding at Julesburg or Sterling were: 1958 - 1;

1959 - 3; 1960 - 5. LCL shipments, railway express, milk and cream, and baggage are now handled in and out of Sedgwick on Union Pacific supplemental truck service and no change in this service is proposed. Business of the Sedgwick station is to be transferred to the agency station at Ovid eight miles away. Mail is not handled by trains into or out of Sedgwick but by Government Star Route, served by trucks.

Pursuant to the Commission's Rules and Regulations Pertaining to Railroads and Express Companies Operating in Colorado, and under Rule 6 thereof, the Union Pacific Railroad Company posted proper public notice at the Sedgwick station, describing the proposed withdrawal of agency service and indicating that public protests should be forwarded to the Public Utilities Commission. No protests have been received.

Meanwhile, investigation by the Commission reveals the following: Facilities at Sedgwick consist of (a) Combination depot building, LCL freight warehouse and Agent living quarters, (b) Signal maintainer's living quarters, (c) Industry spur track, (d) Public team track, and (e) Yard spur to beet storage area for bulk loading of beets. Yard capacity is 60 cars in addition to a 73-car passing track.

Principal occupation of the region is irrigated farming, with beets as the main crop and other production of grains and corn for livestock feeding. Businesses at Sedgwick consist of three filling stations, two garages, tavern, lumber yard, implement warehouse, two grocery stores, hardware store, feed store, hotel and cafe.

With reference to the instant application, it appears that LCL shipments for the above businesses are handled by The Northeastern Truck Line, an unscheduled common carrier, and by private carrier trucks, mainly distributing food products. In addition, supplemental rail service is offered by Union Pacific truck line where no change in LCL handling is contemplated.

Concerning carload movements, we have the following

summary:

SEDGWICK - Carload Movements

<u>Commodity</u>	<u>1958</u>		<u>1959</u>		<u>1960</u>	
	<u>Fwd.</u>	<u>Rec.</u>	<u>Fwd.</u>	<u>Rec.</u>	<u>Fwd.</u>	<u>Rec.</u>
Sugar Beets	510		792		199	
Wheat	18		4			
Livestock		1				4
Feed		1				2
Coal		10		9		9
Lumber		4		2	6	4
Gasoline		9		1		1
Miscellaneous	<u>3</u>	<u>10</u>	<u>2</u>	<u>9</u>	<u>10</u>	<u>4</u>
	531	35	798	21	215	24

It is to be noted that in the above data the large volume shipments consist of sugar beets which move during October, November, December, and January. Here we have a movement that is largely routine, cars are loaded by Great Western Sugar employees, and handling by the train crews is very often at times when the Agent is not on duty. Exclusive of sugar beets, the total of all other carloads handled at Sedgwick was:

<u>Year</u>	<u>Other Carloads</u>	<u>Average Per Month</u>
1958	56	5
1959	27	2
1960	40	4

In like manner, a review of the LCL shipments is further indicative of the volume of station work:

SEDGWICK - LCL Movements

	<u>1958</u>	<u>1959</u>	<u>1960</u>
Total Number of Shipments	150	127	86
Revenue -	\$966.59	\$693.18	\$444.15

Estimated saving by proposed station closing and elimination of wages, employment taxes, and station expense, is indicated by the 1960 items which amounted to \$5,358.00. Hence, we have the proposal that withdrawal of the Agent services at Sedgwick will eliminate an increasing expense item which cannot be justified by the small public need. Elimination of the expense will afford a saving to the railroad, and thereby offer a greater public benefit. In the instant matter,

no reduction in switching or carload rail service is proposed; there is no passenger service now offered; LCL freight, express and mail will continue to be handled by Union Pacific Motor Freight Company, and agency service will be available at either the Crook or Ovid Stations. Relative to the handling of carload shipments, we have long been aware that it is common railroad practice to handle routine billing operations at a station other than the point of origin or destination. We do not believe that withdrawal of the agent will unduly inconvenience railroad patrons in the Sedgwick area since essential switching and related rail services will be maintained and alternate agency service is readily available.

It is therefore the belief of the Commission that the proposed change is compatible with the public interest, and the Commission has therefore 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 Sedgwick Station, Sedgwick, Colorado.

That public convenience and necessity in the Sedgwick area can be adequately served by other agency stations.

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

That authority sought in the instant application should be granted.

O R D E R

THE COMMISSION ORDERS:

That Applicant Union Pacific Railroad Company, be, and it hereby is, authorized to withdraw its agent at Sedgwick, Sedgwick County, Colorado, and to thereafter maintain same as a prepay or non-agency station.

That reference shall be made to this decision in the affected tariff schedules to show the closing of said station and as authority for such action.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Holton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of December, 1961.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
COURTNEY F. MORTENSEN, DOING BUSI-)	
NESS AS "C. F. MORTENSEN," ROUTE 1,)	
ALAMOSA, COLORADO, FOR A CLASS "B")	<u>APPLICATION NO. 18791-PP</u>
PERMIT TO OPERATE AS A PRIVATE)	
CARRIER BY MOTOR VEHICLE FOR HIRE.)	
-----)	

December 28, 1961

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of gasoline, oil, grease, and middle distillate, from point to point within a radius of fifty miles of Alamosa, Colorado, for Texaco, Inc., only.

Said application was regularly set for hearing before the Commission, at the District Court Room, Court House, Alamosa, Colorado, November 7, 1961, due notice thereof being forwarded to all parties in interest.

Thereafter, and on November 2, 1961, said hearing was vacated, upon request of Applicant herein.

It now appears that Applicant no longer has need for authority sought herein, inasmuch as he has applied for a Commercial Carrier Permit. Said applicant requests dismissal of the above-styled application, and refund of filing fee.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R


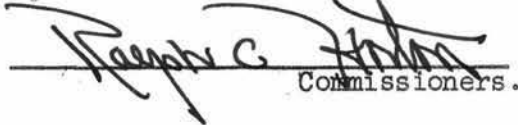
THE COMMISSION ORDERS:

That Application No. 18791-PP be, and the same hereby is, dismissed, upon request of Applicant herein.

That filing fee, in the amount of \$25.00 paid the Commission by Applicant on October 3, 1961, in connection with said application, shall be refunded to him.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of December, 1961.

ea

original

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)	
ARKANSAS AVENUE, DENVER, COLORADO,)	
FOR AUTHORITY TO ABANDON AND CLOSE)	
FOUR (4) HIGHWAY/RAILWAY GRADE)	<u>APPLICATION NO. 18800</u>
CROSSINGS AT MILEPOSTS 1.67, 1.69,)	
1.70, and 1.71 OF THE COLORADO AND)	
SOUTHERN RAILWAY COMPANY'S JERSEY)	
CUTOFF ON THE VALLEY HIGHWAY (S.H.)	
185), DESIGNATED INTERSTATE ROUTE)	
NO. 25, IN ADAMS COUNTY, STATE OF)	
COLORADO.)	
-----)	

December 28, 1961

Appearances: James R. Richards,
Assistant Attorney
General, Denver, Colo-
rado, for Applicant;
W. L. Peck, Esq., Denver,
Colorado, for Colorado
& Southern 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, after appropriate notice to interested parties, to the Chairman of the Board of Adams County Commissioners, and to the City of Denver, was set for hearing in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado, December 22, 1961, where the matter was heard by the Commission and taken under advisement.

The purpose of the instant application is to secure Commission approval for removal of four grade crossings, as noted above, and the construction of a switching track crossing at West 48th Avenue, to be protected with automatic crossing signals.

At the hearing, the following exhibits were received, after explanation given by Mr. E. L. King, who is Supervising Highway Engineer in the Plans and Surveys office of the Department of Highways, at Denver, Colorado:

Exhibit No. 1: (Application Exhibit A)
Colorado and Southern Map Sheet to show location on Jersey Cutoff of four grade crossings to be abandoned and removed from the Valley Highway (State Highway No. 185) and two adjacent frontage roads.

Exhibit No. 2: (Application Exhibit B)
Colorado and Southern Map Sheet to show proposed grade crossing with automatic flashing signals at West 48th Avenue for switching connection to northbound Main Line.

Exhibit No. 3: Prepared statement of Mr. King to explain details of the project, agreements, roads involved and approvals, need, construction details and statement of cost estimates.

Exhibit No. 4: Photostatic copy of fully executed agreement, dated June 30, 1961, between Department of Highways and The Colorado and Southern Railway Company pertaining to performance of proposed crossing changes.

With reference to the Commission files, authority for construction of the instant crossings was granted May 15, 1950, Decision No. 34829, Application No. 10506, at which time there was the following:

"At the hearing, Mr. Marshall (Plans Engineer) testified that Highway No. 185 is being re-located and made into a super-highway north of Denver and that the two crossings, as proposed in the instant application, are necessary in the construction of this project. Both crossings are to have advance warning signs and automatic flashing light signal protection. He believed that this type of protection is adequate under existing conditions but stated that at some future date, if conditions then warrant, consideration might be given to the establishment of grade separations on this highway."

In the instant hearing, Mr. King has explained that this application concerns the removal of certain railway tracks crossing the Valley Highway (State Highway No. 185), designated Interstate Route 25, and thereby eliminate the necessity for constructing grade separation structures over the Jersey Cutoff of The Colorado and Southern Railway Company near West 55th Avenue. As a result

of such track removal across the arterial lanes of the Interstate and the frontage roads each side parallel thereto, four (4) grade crossings with crossing signals thereat are no longer necessary and shall be removed. These crossings are situated at Mileposts 1.67, 1.69, 1.70 and 1.71 of the Railway Company's Jersey Cutoff.

To accomplish the foregoing requires construction of a new connecting track between the Railway Company's West Side Line and Northbound Main Line at West 48th Avenue in Denver, and construction and rearrangement of other trackage in the vicinity of West 56th Avenue in Adams County.

According to Mr. King, the improvement is undertaken in order that the existing highway may conform with the design specification of the National System of Interstate and Defense Highways wherein no grade crossings are permitted at railroad tracks or intersecting cross-roads. In the instant case, a group of expensive highway overpass structures would be required for the necessary railroad grade separations. However, removal of the crossings as proposed will eliminate all exposure hazards.

As a related part of the crossing track removal several switching track adjustments are required to maintain service to railroad patrons in the area. This has involved rearrangement of yard tracks serving Koppers Wood Treating Plant and the construction of a new West 48th Avenue connection between the West Side Line and Northbound Main Line of the Colorado and Southern Railway. Here, the railroad is to lower the grade of West 48th Avenue as required; shall construct the necessary street and access crossings; relocate crossing signs; install drainage culverts and install protection of flashing light signal devices being removed from the Interstate route.

Other testimony as given at the hearing by Mr. E. A. Graham, Assistant Chief Engineer, at Denver, for The Colorado and Southern

Railway Company verified completion of the contract herein relating to the agreement and work to be done.

Other approvals have been given by: the Chief Engineer, Department of Highways; the Division Engineer, U. S. Bureau of Public Roads; and appropriate officials of The Colorado and Southern Railway Company.

All expenses incidental to the crossing changes will be borne by the Department of Highways according to the terms of the Agreement herein (Exhibit No. 4). The estimated costs are as follows:

Jersey Cutoff rearrangement	\$64,063
Wye Connection - W. 48th Avenue	<u>39,798</u>
Total	\$103,861

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 of these Findings.

That public safety, convenience and necessity will require the abandonment and removal of four existing highway-railroad grade crossings on State Highway No. 185 (Valley Highway) and located on the Jersey Cutoff Branch Line of The Colorado and Southern Railway Company, at Mile Posts 1.67, 1.69, 1.70 and 1.71; being near the extension of East 54th Avenue, Adams County, Colorado.

That authority should be granted for the proposed construction of a public crossing and Wye connection track over West 48th Avenue, near Fox Street, Denver, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Applicant, The Department of Highways of the State of Colorado, Denver, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity to:

(a) authorize and approve abandonment and removal of four existing highway-railroad grade crossings on State Highway No. 185 (Valley Highway), as located at Mile Posts 1.67, 1.69, 1.70, and 1.71, of the Jersey Cutoff switching track of The Colorado and Southern Railway Company and situated near the west extension of East 54th Avenue, Adams County, Colorado.

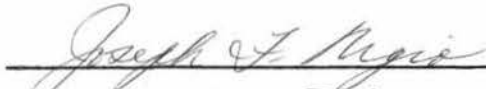
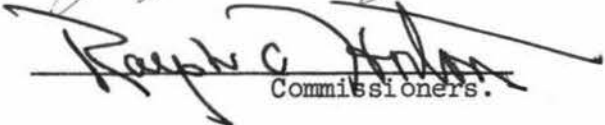
(b) authorize and approve the proposed construction of a public crossing and Wye connection track over West 48th Avenue near Fox Street, Denver, Colorado.

That the work to be done, costs, installation, and maintenance of the protection devices and improvement of the crossings, shall be as indicated in the preceding exhibits and Statement; said Statement and Exhibits 1, 2, 3, and 4, are, by reference, made a part hereof.

That the proposed signal devices and installation shall all be in conformance with the current Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of December, 1961.

ea

original

(Decision No. 57800)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AMERICAN BUS LINES, INC., 1341 "P")	
STREET, LINCOLN, NEBRASKA, FOR A)	APPLICATION NO. 13377-Extension
CERTIFICATE OF PUBLIC CONVENIENCE)	<u>AMENDED</u>
AND NECESSITY TO EXTEND OPERATIONS)	<u>SUPPLEMENTAL ORDER</u>
UNDER PUC NO. 36.)	
- - - - -)	

IN THE MATTER OF THE APPLICATION OF)	
COLORADO MOTORWAY, INC., 1731)	
GLENARM PLACE, DENVER, COLORADO,)	APPLICATION NO. 13429
FOR AUTHORITY TO EXTEND ITS CER-)	<u>SUPPLEMENTAL ORDER</u>
TIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY NO. 5.)	
- - - - -)	

- - - - -
December 28, 1961
- - - - -

Appearances: Barry and Boyle, Esqs.,
Denver, Colorado, for
American Bus Lines, Inc.;
T. A. White, Esq., Denver,
Colorado, for Colorado
Motorway, Inc.

S T A T E M E N T

By the Commission:

On July 18, 1955, the Commission entered its Decision No. 44428 in the above-styled matters.

The attention of the Commission has now been directed to the fact that there are two errors in said Decision, viz., (1) in the fourth and fifth lines of the Statement of said Decision, appearing on page 1 thereof, and (2) in the fifth line of the first paragraph of the Order contained in said Decision, appearing on page 5 thereof. In both instances, U. S. Highway No. 34 was referred to as "Colorado State Highway No. 24."

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 44428, of date July 18, 1955, should be amended to conform to the facts, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 44428, of date July 19, 1955, be, and the same hereby is, amended, nunc pro tunc, as of said 18th day of July, 1955, by striking therefrom the words and figures: "Colorado State Highway No. 24," appearing in two places, viz.: (1) in the fourth and fifth lines of the Statement of said Decision, appearing on Page 1 thereof, and (2) in the fifth line of the first paragraph of the Order contained in said Decision; and inserting in lieu thereof the following: "U. S. Highway No. 34," so that the first paragraph of the Statement of said Decision No. 44428, as amended, shall read:

"By Application No. 13377, as amended, American Bus Lines, Inc. seeks an extension of PUC-36 to authorize the transportation of passengers from Denver to the Cloverleaf Kennel Club, a dog track, situated in the vicinity of the junction of U. S. Highway No. 34 and U. S. Highway No. 87, west of Greeley, Colorado, both in a special bus service and by a stop by its regularly scheduled buses which operate over U. S. Highway No. 87, the extended authority to be limited to a special certificate which would authorize applicant to serve said point during the annual racing season at said track only as determined by the Racing Commission of the State of Colorado each year."

That the first paragraph of the Order contained in said Decision No. 44428, as amended, shall read as follows:


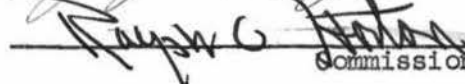
"That public convenience and necessity require the proposed common carrier bus service of applicant American Bus Lines, Inc., for the transportation of passengers between its bus station in Denver and the Cloverleaf Kennel Club situate in the vicinity of the junction of U. S. Highway No. 34 and U. S. Highway No. 87, west of Greeley, Colorado, and return, same being a special scheduled bus service limited to the duration of the racing season at said Cloverleaf Kennel Club in each year, as the same shall be determined by the Racing Commission of the State of Colorado; and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor. The balance of the application is denied."

That, except as herein amended, Decision No. 44428 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of December, 1961. -2-



Commissioners.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
AMERICAN BUSLINES, INC., 1341 "P")
STREET, LINCOLN, NEBRASKA, FOR AU-)
THORITY TO TRANSFER PUC NO. 36 AND)
PUC NO. 36-I TO DENVER-COLORADO)
SPRINGS-PUEBLO MOTOR WAY, INC.,)
TRAVEL CENTER BUILDING, DENVER,)
COLORADO.)

APPLICATION NO. 17273-Transfer
SUPPLEMENTAL ORDER

RE MOTOR VEHICLE OPERATIONS OF)
DENVER-COLORADO SPRINGS-PUEBLO)
MOTOR WAY, INC., TRAVEL CENTER)
BUILDING, DENVER, COLORADO.)

PUC NO. 4562
PUC NO. 4562-I

December 28, 1961

Appearances: Barry and Boyle, Esqs., Denver,
Colorado, for Denver-Colorado
Springs-Pueblo Motor Way,
Inc., American Buslines, Inc.;
I. B. James, Denver, Colorado,
for Colorado Motorway, Inc.;
P. L. Bergman, Salt Lake City,
Utah, for Amalgamated Associ-
ation of Street, Electric and
Motor Coach Employees of
America, Division 1468.

S T A T E M E N T

By the Commission:

On August 17, 1959, the Commission entered its Decision No. 52889, authorizing transfer of a portion of PUC No. 36 and PUC No. 36-I, from American Buslines, Inc., Lincoln, Nebraska, to Denver-Colorado Springs-Pueblo Motor Way, Inc., Denver, Colorado, authority to be transferred being set forth in the Order contained in said Decision No. 52889.

Transfer of said operating rights was duly consummated, and that portion of PUC No. 36 and PUC No. 36-I so transferred was assigned the number "PUC No. 4562 and PUC No. 4562-I," PUC No. 36 and PUC No. 36-I being retained by transferor.

Attention of the Commission has now been directed to the fact that there is an error in the description of a portion of the authority so transferred, set forth in the third and fourth lines of the fifth paragraph, appearing on Page 4 of said Decision No. 52889, viz., "U. S. Highway No. 34" is referred to as "Colorado State Highway No. 34."

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 52889, of date August 17, 1959, should be amended to conform to the facts, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 52889, of date August 17, 1959, be, and the same hereby is, amended, nunc pro tunc, as of said 17th day of August, 1959, by striking therefrom the words "Colorado State," appearing in the third and fourth lines of the fifth paragraph appearing on Page 4 thereof, and inserting in lieu thereof "U. S.," so that said fifth paragraph on Page 4 of Decision No. 52889, as amended, shall read:

"Transportation of passengers between its bus station in Denver and the Cloverleaf Kennel Club situate in the vicinity of the junction of U. S. Highway No. 34 and U. S. Highway No. 87, west of Greeley, Colorado, and return, same being scheduled bus service limited to the duration of the racing season at said Cloverleaf Kennel Club in each year, as the same shall be determined by the Racing Commission of the State of Colorado."

That, except as herein amended, Decision No. 52889 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph J. Nigro
Ralph C. Foster
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 28th day of December, 1961.

original

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 FOR AUTHORITY TO)
CONSTRUCT, OPERATE AND MAINTAIN AN)
ELEVATED HIGHWAY ON EAST 46TH AVE-)
NUE, OVERPASSING RAILROAD PROPER-)
TIES AND FACILITIES OF THE COLO-)
RADO AND SOUTHERN RAILWAY COMPANY;)
CHICAGO, BURLINGTON & QUINCY RAIL-)
ROAD COMPANY; DENVER UNION STOCK)
YARD COMPANY; AND UNION PACIFIC)
RAILROAD COMPANY, ALL SITUATED IN)
THE CITY AND COUNTY OF DENVER,)
STATE OF COLORADO.)
- - - - -)

APPLICATION NO. 18796

- - - - -
December 29, 1961
- - - - -

Appearances: James R. Richards, Assistant
Attorney General, Denver,
Colorado, for Colorado
Department of Highways;
Clayton Knowles, Esq., Denver,
Colorado, for Union Pacific
Railroad Company;
Willard L. Peck, Esq., Denver,
Colorado, for The Colorado
and Southern Railway Company;
and the Chicago, Burlington
and Quincy Railroad Company;
Richard C. Thomas, Assistant
Traffic Engineer, Denver,
Colorado, for the City and
County of Denver, Colorado;
Al Reinhardt, Denver, Colorado,
for Denver Union Stockyards
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:

On October 26, 1961, the Department of Highways of the
State of Colorado, by Mark U. Watrous, Chief Engineer, filed an
application with this Commission seeking authority to construct
certain highway-railroad grade separation structures as a part of
the Interstate and National Defense System of Highways, and being
over the trackage of the various railroads as captioned above.

The matter was duly set for hearing on December 22, 1961, at ten o'clock A. M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. Appropriate notice of the hearing was forwarded to the principal parties, to the owners of adjacent property, and to the City and County of Denver. The matter was thereafter heard by the Commission, and taken under advisement.

The instant application involves a series of overpass structures now included in a major routing plan for east-west vehicular traffic within the City of Denver along East 46th Avenue. Extensive roadway and construction work in the city has already been completed by the construction of interchange roadways on the west at the Valley Highway and the planning for a cloverleaf connection to Colorado Boulevard on the east. The structures will cross above rail trackage, as follows:

- (1) Twin bridges - 536 feet long, over five tracks of the Burlington railroad and two switch track connections of Denver Union Stock Yards and the Jersey Cutoff line of Colorado & Southern.
- (2) Twin viaduct bridges - 403 feet long, over four main and two cross-over tracks of Union Pacific located between Vine and Gaylord Streets.
- (3) Twin viaduct bridges - 160 feet long, over three tracks of the Burlington Market Street Line, located between Madison and Monroe Streets.

The basic intent of the application is to (1) secure Commission approval for the vertical and horizontal clearances of the proposed structures, and (2) obtain the Commission order authorizing the location, construction and operation of the proposed units as funds become available and construction plans can be completed.

Explanatory testimony relative to the proposed work was given by Mr. E. L. King, Supervising Highway Engineer in the Surveys and Plans Division, Department of Highways. He also presented the following series of exhibits which are further descriptive of the

proposed work, showing also the proposed locations and clearance items involved:

- Exhibit 1: (Application Exhibit A)
General Map and plans title page.
Shows portion of Interstate Route No. 70 along East 46th Avenue with overpass structures indicated by Mile Post designations.
- Exhibit 2: (Application Exhibit B)
Combination plan and profile sheet to show details of location and clearances at CB&Q Main line Mile Post 539.90.
- Exhibit 3: (Application Exhibit C)
Combination plan and elevation drawing to show details of location and construction clearances at CB&Q Market Street Line.
- Exhibit 4: (Application Exhibit D)
Combination plan and profile sheet to show track location, structure outline and clearance dimensions at Union Pacific Maile Post 2 plus 4064 feet.
- Exhibit 5: Prepared Statement to further explain details of the project, location and construction sequence; types of agreements relating to street use in City of Denver; roads involved and approvals granted; need and safety of separation structures; construction and liability protection; cost and maintenance agreements; work schedule for start of project.
- Exhibit 6: Photostatic copy of fully executed Agreement, dated March 16, 1961, relating to Burlington main line and Market Street structures.
- Exhibit 7: Photostatic copy of fully executed Agreement, dated May 26, 1961, relating to Union Pacific overpass.

Mr. King explained that the East 46th Avenue construction is an integral part of the National Interstate Highway System and, as such, a grade separation is required at all railroad tracks. The Interstate Highway System has been developed as a basic network of super or above-standard roadways that can be utilized for the ready movement of large volumes of heavy defense equipment and materiel. The overpass structures as proposed in the instant application must be of the highest type of design to meet the demands of

military loading and conform with accepted specifications of the Federal Bureau of Public Roads and the American Association of State Highway officials.

Due to the magnitude of the proposed work, Mr. King stated that extensive negotiations are necessary and are now in progress to secure materials, capable contractor forces, provide detour routes, maintain traffic movement and arrange proper allocation of funds. Hence, the proposal is made for the proposed "phase" construction of the various structures. No changes are now anticipated in the plans and clearance dimensions as currently proposed for Commission consideration. Meanwhile, approvals of the general alignment and location of the project have been given by the Bureau of Public Roads, City and County of Denver, State Highway Commission, and the Chief Engineer of the Department of Highways. First work will be at the Burlington Main Line, and as rapidly as funds are appropriated and construction contracts are prepared, the work will then progress easterly along East 46th Avenue, overpassing the Union Pacific Main Line and then the Market Street switching tracks.

Relative to public safety at the rail crossing, Mr. King noted the optimum in safety protection is being provided through separation of the two modes of traffic by use of the proposed separation structures. Due to the rather complete land development of mixed residential, business, and industrial structures through the area, the whole roadway project will consist of an elevated viaduct type of construction. In this manner there is no change in East 46th Avenue, the existing street level traffic is not interfered with, and the direct or through movements will have no obstructions and add no congestion.

In the agreements currently negotiated, Mr. King also stated that it is the understanding of both the Department and the various Railroad Companies that all costs pertaining to construction of the several bridges over the rail lines will all be at the sole expense of the Department with Federal Aid, and that the expenses of

track work, relocation or adjustments of signal and communication systems will be fully reimbursable to the railroads. Pertaining to maintenance, there is also the further understanding that the Department maintains the roadway surface and structures and that trackage and railroad appurtenances be maintained by the Railroad Company.

Other testimony was offered in behalf of Colorado and Southern Railway Company, by E. A. Graham, Assistant Chief Engineer, Denver, Colorado. In his work with local forces of the Highway Department, he is familiar with the project and various clearance details, and offered no objection to the proposed work. In like manner, Mr. C. A. Christensen, Engineer of Public Works, Chicago, Illinois, stated he knew the nature of the application and the Agreement, as executed by Chicago, Burlington and Quincy Railroad. He stated there would be no objection to the proposed work as covered in the agreement (Exhibit 6).

As an adjacent property owner and being served by trackage at the Burlington overpass, Mr. Reinhardt stated that Denver Union Stockyards Company had no objection to the application.

As counsel for Union Pacific Railroad, Clayton Knowles stated the proposed work was acceptable to the railroad as covered in its agreement (Exhibit 7) with the Department.

No other testimony was presented at the hearing, and no one appeared in objection to the authority requested; nor does any objection from adjacent property owners or other interested parties appear in the files of the Commission.

It appears that here we have no matter of controversy. All parties are in agreement relative to the proposed work, and a comprehensive knowledge and consideration of the Commission specifications has been shown. Clearance requirements have been either met exactly or exceeded. Problems of communications and other exposed wire lines are met by removal of poles within the bridge area, and the handling of lines as insulated conductors in conduit attached to the bridge girders.

In a project of this magnitude, it is understandable that work negotiations will be extensive. Further, it is readily apparent that certain elements of design are related to and must be in conformance with the final approvals as granted by the Commission in the instant proposals, and that added delay and expense will be incurred if our Order is unreasonably delayed or withheld. Hence, it appears proper that an Order should issue at this time to approve the phase construction as proposed.

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 establishment, construction and operation of the various grade separation structures, as proposed herein, and along the route currently selected and approved by the interested Federal, State, and City agencies.

That horizontal clearances for the proposed structures equal or exceed the horizontal clearance requirements established by the Commission, and are therefore acceptable.

That the vertical clearance requirements of the Commission are exceeded, and are acceptable.

That the route and construction approvals as sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That Applicant, The Department of Highways of the State of Colorado, Denver, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity, authorizing the establishment, construction and operation of a series of three complete grade separation structures along East 46th Avenue, Denver, Colorado, and identified as:

- (1) Chicago, Burlington and Quincy Overpass -
Mile Post 539.90;
- (2) Union Pacific Overpass - Mile Post
2 plus 4064 feet;
- (3) Overpass - Chicago, Burlington and
Quincy Market Street Line.

That the proposed work and payments shall all be in accordance with the formal agreements submitted herein as Exhibits Nos. 6 and 7.

That the horizontal and vertical clearances from the various rail lines, as submitted in Exhibits 2, 3, and 4, are hereby approved.

That jurisdiction is retained by the Commission to make such additional order or orders as may be required in the premises.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 29th day of December, 1961.

ea

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57803)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
BEN AND BOB LAMMERMAN, DOING)
BUSINESS AS, "LAMMERMAN BROTHERS",)
(BOB LAMMERMAN DECEASED), 1145)
KRAMERIA STREET, DENVER 20,)
COLORADO.)

PERMIT NO. B-4252

January 11, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a request from the above-named
permittee requesting that their Permit No. B-4252 be suspended
one year
for ~~six months~~ from December 28, 1961.

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 Ben & Bob Lammerman, doing business as, "Lammerman Brothers",
(Bob Lammerman Deceased), Denver 20, 1962
be, and are hereby, authorized to suspend their operations under Permit
No. B-4252 until December 28, 1962.

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

Joseph F. Nigro
Frank C. Hooton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CALVIN D. TRUESDELL, DOING BUSINESS AS,
"CALVIN D. TRUESDELL TRUCKING", 3309-)
11TH AVENUE, GREELEY, COLORADO.)
)
)
-----)

PERMIT NO. M-11079

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Calvin D. Truesdell,
doing business as, "Calvin D. Truesdell Trucking", Greeley, Colorado
requesting that Permit No. M-11079 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11079, heretofore issued to Calvin D. Truesdell,
doing business as, "Calvin D. Truesdell Trucking", Greeley, Colorado be,
and the same is hereby, declared cancelled effective December 17, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CALVIN D. TRUESDELL, DOING)
BUSINESS AS, "CALVIN D. TRUESDELL)
TRUCKING", 3309 - 11TH STREET,)
GREELEY, COLORADO.)

PUC NO. 4537-I

January 11, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Calvin D. Truesdell,
doing business as, "Calvin D. Truesdell Trucking", Greeley, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4537-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. 4537-I heretofore issued to Calvin D.
Truesdell, doing business as, "Calvin D. Truesdell Trucking", Greeley, Colorado

be, and the same is hereby, declared cancelled effective December 17, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Frank C. Norton
Wm. E. Zwick
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
KLEIMER VAN LINES, INCORPORATED)
1884 EAST TWENTY-SECOND STREET,)
LOS ANGELES 58, CALIFORNIA.)

PUC NO. 2005-I

January 11, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Kleimer Van Lines,
Inc., Los Angeles 58, California

requesting that Certificate of Public Convenience and Necessity No. 2005-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. 2005-I heretofore issued to Kleimer Van
Lines, Inc., Los Angeles 58, California

be, and the same is hereby, declared cancelled effective September 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hodson
Henry E. Ziegler
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
STEARNS-ROGER PIPE FABRICATION)
PLANT (CORPORATION), 2675 SOUTH)
DELAWARE, DENVER 23, COLORADO.)
-----)

PERMIT NO. M-10057

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Stearns-Roger Pipe
Fabrication Plant (Corporation), Denver 23, Colorado
requesting that Permit No. M-10057 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10057, heretofore issued to Stearns-Roger Pipe
Fabrication Plant (Corporation), Denver 23, Colorado be,
and the same is hereby, declared cancelled effective September 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Edward L. Ziegler
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
DAIRY TANK TRANSPORT, INCORPOR-)
ATED, 824 MAJESTIC BUILDING,)
DENVER 2, COLORADO.)
-----)

PUC NO. 2381 & I

January 11, 1962

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. 2381 & I be suspended for six months from December 17, 1961.

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 Dairy Tank Transport, Inc., Denver 2, Colorado

_____ be, and is hereby, authorized to suspend operations under PUC No. 2381 & I until June 17, 1962.

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

Joseph F. Nigro
Ralph C. Johnson
Henry E. Zuckerman

Dated at Denver, Colorado,
this 11th day of January, 1962.
hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN L. STREET, KIRK, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-3733

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edwin L. Street,
Kirk, Colorado

requesting that Permit No. M-3733 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3733, heretofore issued to Edwin L. Street,
Kirk, Colorado be,
and the same is hereby, declared cancelled effective December 27, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN L. STREET, KIRK, COLO-)
RADO.)

PUC NO. 4864-I

January 11, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Edwin L. Street,
Kirk, Colorado

requesting that Certificate of Public Convenience and Necessity No. 4864-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. 4864-I heretofore issued to Edwin L. Street,
Kirk, Colorado

be, and the same is hereby, declared cancelled effective December 27, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph O. Hobart
Huntley Zulinger
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1956.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
SOUTHEAST COLORADO POWER ASSOCIATION,)
901 WEST THIRD STREET, LA JUNTA,)
COLORADO, FOR PERMISSION TO IMPROVE)
FACILITIES, FOR PERMISSION TO BORROW)
MONEY, AND FOR ORDER AUTHORIZING)
ISSUE OF SECURITY.)

APPLICATION NO. 18865-Securities
AND CERTIFICATION OF
CERTAIN FACILITIES

January 3, 1962

Appearances: Carl M. Shinn, Esq., Lamar,
Colorado, for Applicant;
J. M. McNulty, Denver, Colo-
rado, and
E. R. Thompson, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

On December 6, 1961, the Southeast Colorado Power Associa-
tion filed with this Commission an application to authorize the issu-
ance of a mortgage note in the principal amount of \$307,000.00 matur-
ing over a period of 35 years and bearing interest at two percent (2%)
per annum and to approve an amendment dated as of November 21, 1961,
to Amending Loan Contract, dated as of February 24, 1944, as amended,
between Southeast Colorado Power Association and the United States of
America, and to use the proceeds from this borrowing, among other
things, to build a new 69Kv transmission line, and for authorization
of said line.

By Commission's Decision and Order No. 57682, the matter was
set for hearing, after due notice to all interested parties, on Decem-
ber 22, 1961, at 10:00 o'clock A. M., 532 State Services Building, Den-
ver, Colorado, and at such time and place was heard by the Commission

and at the conclusion thereof taken under advisement.

Southeast Colorado Power Association, through its attorney in this instant proceeding, at the hearing, requested and was granted permission to amend the present Application No. 18865-Securities for approval and ratification of the mortgage notes and other instruments issued by the Association subsequent to the effective date, March 22, 1947, of the Public Utilities Securities Act and not yet approved by the Commission.

No protests were filed with the Commission in regard to these matters and no one appeared at the hearing in opposition to the granting of the authority sought.

Southeast Colorado Power Association is a corporation organized and existing under the laws of the State of Colorado and is a co-operative association with its office and principal place of business at 901 West Third Street, La Junta, Colorado. The principal object and purpose of this corporation is to furnish electrical energy to its members and non-member consumers located in the Counties of Bent, Otero, Prowers, Cheyenne, Kiowa, Las Animas, Pueblo, El Paso, Crowley, and Lincoln, all in the State of Colorado.

Applicant's witness, Mr. James D. Grundy, Manager of Southeast Colorado Power Association, testified summarily to the following matters:

Applicant has an existing line running and extending from its Fowler Substation, located in the Southeast Quarter (SE $\frac{1}{4}$) of Section 17, Township Twenty-two (22) South, Range Fifty-nine (59), West of the Sixth Principal Meridian, to a pumping plant operated by Phillips Petroleum Company, located at Cowan, in Section Twenty-seven (27), Township Sixteen (16) South, Range Fifty-eight (58), West of the Sixth Principal Meridian. It has been serving Phillips for a period of many years from an existing 24.9 Kv distribution line. It will be necessary to construct a new 69 Kv transmission line and install a 1000 Kva substation

to supply the increased power requirement to the pumping station. An agreement between Phillips and Applicant has been executed to provide for the increased power requirement through the new facility. The Administrator, Rural Electrification Administration, Washington, D. C., an agency of the United States Government, has approved and is willing to loan to Applicant a sum of money in the appropriate amount of \$367,000.00 for the purpose of constructing said improved facility and for other construction requirements. The Administrator of Rural Electrification Administration has approved the project on the basis of a Loan Feasibility Study entered in evidence as Exhibit No. 4. Based upon this study, the Association, in the year 1962, may have margin of receipts over total annual expenditures of \$55,655.

The aforementioned agreement for purchase of power was entered in evidence as Exhibit No. 8 and provides among other things that the consumer shall pay the seller not less than \$60,000 in any contract year. Payment of the minimum annual bill shall be at the average monthly rate of not less than \$5,000 per month. It is also agreed that the consumer shall become a member of the Seller and shall pay the membership fee and be bound by the provisions of the Articles of Incorporation and By Laws of the Seller.

Mr. Grundy stated that the Association had not relied entirely upon the feasibility study prepared by the REA. A firm of prominent consulting engineers was engaged to make a study of the facilities required to serve the Phillips Petroleum Company at the Cowan pumping station, and to prepare an estimate of revenues to be derived under certain proposed rate schedules and a determination of the expected costs of operation.

It appears that the operation of the proposed new facilities to serve Phillips at Cowan will be operated at some profit and therefore will not be a burden upon the other consumers and members of the

Association.

As evidence of the Association's financial status, there were offered in evidence the Association's Financial and Statistical Report for the current year period ending October 31st, which showed that for the 10 months, the Association was operating with a deficit of \$23,732. It was explained, however, that consumers using power for irrigation were billed only in July and December and therefore a substantial amount of revenue was not yet reflected in the October report. Mr. Grundy stated that he felt when the irrigation revenues were in that the Association would show revenues in excess of the expenses for the year 1961. Although the Association has in the past operated with a deficit, which at October 31, 1961, stood at \$671,285, the Association has experienced no difficulty in recent years in meeting its interest and repayment of debt requirements and that the borrowing of the \$307,000 would not place such a burden on the Association that such indebtedness would be considered as a detriment. The Association is now current in its payment of interest and repayment of debt.

Actually, \$270,000 will be required to build the proposed facilities to serve Phillips. The remainder will be used for construction, improvement, enlarging and continuing the Association's electric transmission and distribution system.

Subsequent to the hearing, the Staff reviewed the REA feasibility study and the report prepared by the consulting engineers with the view of determining whether or not there was any evidence of discrimination between Phillips and other consumers of Southeast Colorado Power Association. This review showed no apparent discrimination between consumers under the proposed terms of operation set forth in the contract between Applicant and Phillips Petroleum Company.

Near the conclusion of the hearing, Applicant's attorney introduced into evidence, the mortgage notes and instruments which had

been issued earlier and subsequent to the effective date, March 22, 1947, of the Public Utilities Act as follows:

Exhibit No. 10 - Mortgage notes made by Southeast Colorado Power Association to United States of America, dated:

January 25, 1947	November 20, 1951
August 26, 1948	August 1, 1952
July 29, 1949	May 1, 1956
September 6, 1950	August 1, 1956
January 26, 1951	October 1, 1957
November 5, 1951	

Exhibit No. 11 - Indenture between Southeast Colorado Power Association and the Colorado Springs National Bank as Trustee, dated as of:

February 25, 1944

and Supplemental Indentures, made by and between Southeast Colorado Power Association and the Colorado Springs National Bank as Trustee, dated as of:

January 25, 1947
August 26, 1948
July 29, 1949

and Mortgage made by Southeast Colorado Power Association to United States of America, dated as of:

September 6, 1950

and Supplemental Mortgage, thereto, dated as of:

January 30, 1951

and Mortgage made by Southeast Colorado Power Association to United States of America, dated as of:

November 5, 1951

Exhibit No. 12 - Amendment to Amending Loan Contract, dated as of February 24, 1944, as amended, between Southeast Colorado Power Association and the United States of America, dated as follows:

January 24, 1947	October 30, 1951
August 25, 1948	June 25, 1952
July 28, 1949	April 22, 1955
September 5, 1950	July 20, 1956

Exhibit No. 13 - Amending Loan Contract between Southeast Colorado Power Association and the United States of America, dated as of:

February 24, 1944

From the evidence adduced at the hearing, it appears that the issuance of the \$307,000 mortgage note by Southeast Colorado

Power Association, is not inconsistent with the public interest and provisions of the law, and should be authorized and approved. Also, it appears that for the same reasons, the mortgage notes, indentures and amendments to Amending Loan Contracts listed above should be ratified and approved.

F I N D I N G S

THE COMMISSION FINDS:

That this Commission has jurisdiction of the facilities of Southeast Colorado Power Association and as to the subject matter of the instant application.

That this Commission is fully advised in the premises.

That the above and foregoing Statement is incorporated in these Findings by reference.

That the issuance by Applicant of the Mortgage Note in the principal amount of \$307,000.00 as set forth in Exhibit No. 5 and as introduced in the instant proceeding, should be authorized and approved.

That the issuance by Applicant of the Amendment, dated as of November 21, 1961, to Amending Loan Contract, dated as of February 24, 1944, as amended, as set forth in Exhibit No. 6, and as introduced in the instant proceeding, should be ratified and approved.

That the earlier Mortgage Notes, Exhibit No. 10; the Indenture, Supplemental Indentures, Supplemental Mortgage and Mortgage in Exhibit No. 11; the Amendments to Amending Loan Contract in Exhibit No. 12; and the Amending Loan Contract, Exhibit No. 13, all issued subsequent to the effective date of Chapter 115-1-4, CRS, 1953, listed in the Statement hereof, should be ratified and approved.

That a certificate of public convenience and necessity should issue authorizing the construction of the new 69 Kv transmission line.

That within one hundred and twenty (120) days of the execution of either of these instruments authorized herein, Exhibits Nos.

5 and 6, Applicant should file one conformed copy each of said instruments with the Commission.

O R D E R

THE COMMISSION ORDERS:

That the issuance of the Mortgage Note in the principal amount of \$307,000, as set forth in Exhibit No. 5, be, and the same is hereby, authorized and approved.

That the issuance by Applicant of the Amendment to the Amending Loan Contract, as set forth in Exhibit No. 6, be, and the same is hereby, authorized and approved.

That the instruments, contained in Exhibits Nos. 10, 11, 12 and 13, as listed below, be, and the same are hereby, ratified and approved:

Exhibit No. 10 - Mortgage notes by Southeast Colorado Power Association between United States of America, dated:

January	25, 1947	November	20, 1951
August	26, 1948	August	1, 1952
July	29, 1949	May	1, 1956
September	6, 1950	August	1, 1956
January	26, 1951	October	1, 1957
November	5, 1951		

Exhibit No. 11 - Indenture between Southeast Colorado Power Association and the Colorado Springs National Bank as Trustee, dated:

February 25, 1944

and Supplemental Indentures between Southeast Colorado Power Association and the Colorado Springs National Bank as Trustee, dated:

January	25, 1947
August	26, 1948
July	29, 1949

and Mortgage made by Southeast Colorado Power Association to United States of America, dated:

September 6, 1950

and Supplemental Mortgage thereto, dated:

January 30, 1951

and Mortgage made by Southeast Colorado Power Association to United States of America, dated:

November 5, 1951

Exhibit No. 12 - Amendment to Amending Loan Contract, dated as of February 24, 1944, as amended, between Southeast Colorado Power Association and the United States of America, dated as follows:

January	24, 1947	October	30, 1951
August	25, 1948	June	25, 1952
July	28, 1949	April	22, 1955
September	5, 1950	July	20, 1956

Exhibit No. 13 - Amending Loan Contract between Southeast Colorado Power Association and the United States of America, dated:

February 24, 1944

That within one hundred twenty days (120) of the execution of the \$307,000.00 Mortgage Note, as set forth in Exhibit No. 5, authorized herein, Applicant shall file one conformed copy each of the instruments pertaining thereto with the Commission.

That Applicant be, and it hereby is, granted a certificate of public convenience and necessity for the construction and maintenance of a new 69 Kv transmission line from its North Fowler substation to the vicinity of Cowan to serve a pumping plant of the Phillips Petroleum Company.

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

That the Commission retains jurisdiction of the proceedings to the end that it may make further Order or Orders in the premises as it may deem 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

Joseph F. Regio
Thomas C. Holman
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 3rd day of January, 1962.
mls

original

(Decision No. 57812)

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 INSTALL AUTO-)
MATIC FLASHING LIGHT CROSSING PRO-)
TECTION AT PUBLIC CROSSINGS: (1))
RAILROAD MILE POST 7.32 AT PIERCE)
STREET; (2) RAILROAD MILE POST)
8.37 AT CARR STREET; (3) RAILROAD)
MILE POST 9.25 AT WEST 66TH AVENUE;)
(4) RAILROAD MILE POST 9.81 AT KIP-)
LING STREET; (5) RAILROAD MILE POST)
10.23 AT WEST 72ND AVENUE; (6) RAIL-)
ROAD MILE POST 11.16 AT SIMMS STREET;)
AND (7) RAILROAD MILE POST 11.75 AT)
CORNELL AVENUE (WEST 80TH AVENUE),)
AND TO ABANDON PUBLIC CROSSING AT)
GRADE AT RAILROAD MILE POST 12.55)
AT TUCKER ROAD, JEFFERSON COUNTY,)
COLORADO.)
- - - - -)

APPLICATION NO. 18759

- - - - -
January 4, 1962
- - - - -

Appearances: Royce D. Sickler, Esq.,
Denver, Colorado, for
Applicant, Denver and
Rio Grande Western Rail-
road Company;
Karl G. Williams, County
Manager, Arvada, Colorado,
for Jefferson County
Commissioners;
George M. Graber, Esq.,
Arvada, Colorado, for
the City of Arvada, in
favor of the application;
Ray E. Goodwin, Office Engineer,
District No. 1, Colorado
Department of Highways,
Denver, Colorado, in sup-
port of the application;
Lester Witt, Superintendent of
Transportation, Jefferson
County School, Arvada, Colo-
rado, in support of the
application;
Roy Van Dyke, Executive Secre-
tary, Jefferson County Safety
Council, Golden, Colorado, in
support of the application;
Paul Singer, Traffic Director,
City of Arvada, Arvada, Colo-
rado, in support of the
application;
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 set for hearing in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, on December 28, 1961. Appropriate notice was forwarded to interested parties; to the Board of Jefferson County Commissioners; to the City of Arvada; to the Colorado Department of Highways; and to property owners adjacent to Tucker Road; the matter thereafter being heard by the Commission and taken under advisement.

The purpose of the instant application is to secure Commission approval for the closing of one grade crossing, and the installation of automatic flashing light signals and general safety improvement at seven other highway-railroad grade crossings on the Moffat Tunnel Line of the Rio Grande Railroad, located in the six-mile area westward from Arvada to Colorado Highway No. 72, near the Leyden Turnoff. At the hearing the following exhibits were received, after explanation given by Benjamin M. Durland, who is Assistant Signal Engineer of the Rio Grande Railroad at Denver, Colorado:

Exhibit A: Copy of fully executed Agreement, dated July 25, 1961, between Rio Grande and Board of Jefferson County Commissioners to provide for closing of a grade crossing at Tucker Road (M.P. 12.55), and the placement of automatic flashing light signals at seven public highway-railroad grade crossings.

Exhibit C: Sketch of proposed automatic flasher signals as equipped with flashing lights, reflectorized crossbuck sign and a bell on one unit.

Exhibit D: Plan for proposed location of seven signal installations showing wiring limits and warning times of approaching trains.

Exhibit E: Railroad strip map to show location of rail line and crossings over seven roadways with indication of proposed signals and the Tucker Road closing in the area Pierce Street to Colorado Highway No. 72, or 6.03 miles of main line track.

Mr. Durland explained that the instant rail crossings involve both County roads and Arvada City streets in the Jefferson County area. The crossings consist of a single track, being the main line, averaging twenty train movements daily for movement of both passenger and freight trains. Extra or special trains are also quite common in this area for passenger excursions, livestock movements, and special switching to the Dow Chemical Plant.

Average train speeds are dependent on the type of movement and average 45 to 60 miles per hour. Vehicular traffic speeds are variable, but also within the same limits. Much of the construction in the area is adjacent to the rapidly developing metropolitan area and population density is not heavy. However, with the increasing volumes of traffic and expanding metropolitan growth, there is now necessity to provide the added protection.

In other testimony at the hearing, Mr. Karl G. Williams explained that during the past two years he had participated in extensive negotiations leading to the now-completed contract for the proposed crossing protection. In his former capacity as Arvada City Manager, and presently as Jefferson County Manager, he has had occasion to work with officials of the City of Arvada, traffic and safety organizations of both the City and County, with two administrations of County Commissioners and with numerous citizens of the whole area, as well as with officials of the Rio Grande Railroad, and with the Staff of the Commission. He identified Exhibit B as a certified copy of the Resolution of the Jefferson County Commissioners made on July 17, 1961, to approve the crossing protection contract (Exhibit A).

Relative to the signal work and requested closing of Tucker Road, he explained the Board of County Commissioners considered the matter of citizen protection to be of county-wide importance, and desired to eliminate unguarded rail crossings. Included in County planning is the extension of 82nd Avenue for some 3/4 mile along the north side of the rail line to connect with Colorado Highway No. 72, thus providing an alternate and safer travel route by utilizing an existing underpass of the main highway.

In Exhibit F, Mr. Williams showed the Tucker Road crossing involved two railroad tracks with steep and curved road approaches offering only limited view of oncoming trains. The exhibit included a map of adjacent property subdivision, photographs of the crossing situation, and a vehicular traffic count on December 20, 1961, showing travel of 140 vehicles for a twenty-four-hour period.

Resulting from notice of the proposed closing, as provided by the Commission and the public press, only one inquiry was received by the County Commissioners. After explanation of the proposed alternate route, no further question or objection was submitted.

According to Mr. Williams, there has been a very rapid growth in the Arvada region, and particularly in the rolling hilly section along the rail line in the northwesterly direction toward West 80th Avenue, which offers a direct route to the nearby industrial plants. From a population of 4,500 in 1954, there has been growth to some 25,000 in 1961. This new activity has brought increased traffic of large trucks, more school bus movements, and more vehicular travel, all of which is in addition to the local traffic and service of Denver Tramway buses through the area.

Exhibit G, as offered by Arvada City Attorney, Mr. George C. Graber, also contains further traffic count data and description details of Kipling Street, West 66th Avenue, Carr Street, and Pierce Street as crossings within the City of Arvada.

In accordance with the Agreement herein (Exhibit A) as developed after careful consideration of the factors of growth, location, use, crossing elimination and future planning, total cost of the signal work is to be shared, 20% by Rio Grande, and 80% by Jefferson County. Upon completion of the signal installation, continuing operation and maintenance is by the Railroad Company. Reflectorized Advance Warning Signs will be maintained as a part of the standard City and County warning installations. Meanwhile, it is proposed that observance of the new signal warnings will be enforced by proper law officers to secure the public compliance so necessary for complete safety. Total cost for the completed signal installations

is estimated to be approximately \$47,000, amounting to some \$37,660 for its share, as advanced by Jefferson County, and subject to final accounting of the actual expenditures. Meanwhile, materials are available for immediate start of the work, and upon issuance of the Order of the Commission herein, final negotiations will proceed for the Tucker Road closing to become effective with completion of the alternate route via the 82nd Avenue extension.

No objection to the proposed work was offered at the hearing. Rather, it was the observation of the Commission that here is a commendable example of recognition of a local problem and the solution thereof in a cooperative manner by affected parties. Full appreciation of the Commission was extended to all for the work so thoroughly performed in the public interest.

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 of these Findings.

That public safety, convenience and necessity will require the closing of a public grade crossing at Tucker Road (M.P. 12.55), and the improvement consisting of automatic flasher light signals to be installed at seven existing highway-railroad grade crossings on the County roads and Arvada City streets located along the Moffat Tunnel Route of The Denver and Rio Grande Western Railroad Company, at Mile Posts 7.32 (Pierce Street); 8.37 (Carr Street); 9.25 (West 66th Avenue); 9.81 (Kipling Street); 10.23 (West 72nd Avenue); 11.16 (Simms Street); 11.73 (Cornell Avenue); situated in and northwesterly from Arvada, Jefferson County, Colorado.

O R D E R

THE COMMISSION ORDERS:

That Applicant, The Denver and Rio Grande Western Railroad Company, Denver, Colorado, be, and it hereby is, granted a certificate of public convenience and necessity, to authorize and approve the following:

A. Installation of flashing light signals at
the public highway-railroad grade crossings,
designated as:

1. Mile Post 7.32 - Pierce Street;
2. Mile Post 8.37 - Carr Street;
3. Mile Post 9.25 - West 66th Street;
4. Mile Post 9.81 - Kipling Street;
5. Mile Post 10.23 - West 72nd Street;
6. Mile Post 11.16 - Simms Street; and
7. Mile Post 11.73 - Cornell Avenue.

B. Closing, abandonment and removal of the public
grade crossing at Mile Post 12.55 - Tucker Road;
at the time that an alternate roadway is con-
structed and completed on the north side of the
rail line, being the westward extension of the
existing road, or 82nd Avenue, from Tucker Road
to Colorado Highway No. 72,

said crossings being located along the Moffat Tunnel Route of said
railroad, in Arvada, and in Jefferson County, Colorado.

That the work to be done, costs, installation, and mainten-
ance of the protection devices and crossing removal shall be as indicated
in the preceding Statement and Exhibits A, B, C, D, E, and G; all of
which, by reference, are made a part hereof.

That the proposed signal devices and installation shall all
be in conformance with the current Bulletin of the Association of
American Railroads' Joint Committee on Railroad Protection.

That jurisdiction is retained by the Commission to make such
additional Order or Orders herein as may be required in the future.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 4th day of January, 1962.
ea

Joseph F. Regio
Reep C. Hutton
Commissioners.

ing copy

(Decision No. 57813)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF
MARION A. AND LYDIA V. JONES
430 North Sherwood
Fort Collins, Colorado

AUTHORITY NO. M 1438
CASE NO. 7261 Ins.

January 5, 1962

S T A T E M E N T

By the Commission:

On December 28, 1961 , in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Harold C. Norton
Henry E. Sullivan
Commissioners

Dated at Denver, Colorado,
this 5th day of January, 1962

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
DELBERT A. BOWERMAN, 605 SOUTH)
QUITMAN, DENVER 19, COLORADO.)
)
)
)
-----)

PERMIT NO. M-4505

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Delbert A. Bowerman,
Denver 19, Colorado
requesting that Permit No. M-4505 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-4505, heretofore issued to Delbert A. Bowerman,
Denver 19, Colorado be,
and the same is hereby, declared cancelled effective December 28, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Wm. E. Ziehlings
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WALDORF PAPER PRODUCTS COMPANY,)
2250 WABASH AVENUE, ST. PAUL,)
MINNESOTA.)
-----)

PERMIT NO. M-6193

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Waldorf Paper Products
Company, St. Paul, Minnesota
requesting that Permit No. M-6193 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6193, heretofore issued to Waldorf Paper Products
Company, St. Paul, Minnesota be,
and the same is hereby, declared cancelled effective December 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TITAN STEEL CORPORATION, 1363 MAJOR)
STREET, SALT LAKE CITY 10, UTAH.)
)
)
)
-----)

PERMIT NO. M-10209

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Titan Steel Corporation,
Salt Lake City 10, Utah
requesting that Permit No. M-10209 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10209, heretofore issued to Titan Steel Corporation,
Salt Lake City 10, Utah be,
and the same is hereby, declared cancelled effective January 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AMERICAN GILSONITE COMPANY (A CORP-)
ORATION), CRAIG, COLORADO.)

PERMIT NO. M-7867

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from American Gilsonite
Company (A Corporation), Craig, Colorado
requesting that Permit No. M-7867 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7867, heretofore issued to American Gilsonite
Company (A Corporation), Craig, Colorado be,
and the same is hereby, declared cancelled effective December 31, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
 Ralph C. Wootton
 Wm. E. Zurlings
 Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1956.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
PRECISION PLASTICS, INCORPORATED,)
971 SOUTH MAIN STREET, MARYVILLE,)
MISSOURI.)
-----)

PERMIT NO. M-3721

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Precision Plastics, Inc., Maryville, Missouri

requesting that Permit No. M-3721 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3721, heretofore issued to Precision Plastics, Inc., Maryville, Missouri be,

and the same is hereby, declared cancelled effective January 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Wm. E. Zuehlke
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
HOWARD L. FOSNIGHT, 725 FRANCIS,)
LONGMONT, COLORADO.)

PERMIT NO. M-7321

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Howard L. Fosnight,
Longmont, Colorado

requesting that Permit No. M-7321 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7321, heretofore issued to Howard L. Fosnight,
Longmont, Colorado be,

and the same is hereby, declared cancelled effective December 28, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Keston
Henry E. Zurlings
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1966.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AL HOBSON, ILIFF, COLORADO.)

PERMIT NO. M-13937

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Al Hobson,
Iliff, Colorado
requesting that Permit No. M-13937 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13937, heretofore issued to Al Hobson,
Iliff, Colorado be,
and the same is hereby, declared cancelled effective December 9, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Hobson
Wm. E. Zuehlke
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
LAWRENCE J. GILL, 2259 GRAY, DENVER)
15, COLORADO.)
)
)
)
-----)

PERMIT NO. M-6962

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Lawrence J. Gill,
Denver 15, Colorado
requesting that Permit No. M-6962 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6962, heretofore issued to Lawrence J. Gill,
Denver 15, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Wm. E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1962.

(Decision No.)
57822

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF
DUPLER'S ART FURRIERS INC.
600 Sixteenth St.
Denver 2, Colorado

AUTHORITY NO. M 3910
CASE NO. 7238 Ins.

January 8, 1962

S T A T E M E N T

By the Commission:

On December 28, 1961, in the above Case, the Commission entered its Order revoking the above Authority for failure to maintain effective insurance on file with the Commission. Proper insurance filing has now been made with the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That said Authority should be restored to active status.

O R D E R

THE COMMISSION ORDERS:

That said Authority be, and the same hereby is, reinstated, as of the date of revocation, and the said revocation Order be, and the same hereby is, vacated, set aside, and held for naught.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hinton
Alvin E. Zalusky
Commissioners

Dated at Denver, Colorado,
this 8th day of January, 1962

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK WELLS, DOING BUSINESS AS,)
"FRANK'S DISTRIBUTING COMPANY", 6710)
EAST 76TH PLACE, DERBY, COLORADO.)
-----)

PERMIT NO. M-10304

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank Wells, doing
business as, "Frank's Distributing Company", Derby, Colorado
requesting that Permit No. M-10304 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10304, heretofore issued to Frank Wells, doing
business as, "Frank's Distributing Company", Derby, Colorado be,
and the same is hereby, declared cancelled effective January 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hord
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57824)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
ROBERT MC VAY, 3462 SOUTH GRANT,)
ENGLEWOOD, COLORADO.)
)
)
)
)

PERMIT NO. B-5872

January 11, 1962

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-5872 be suspended
one year
for ~~six months~~ from December 22, 1961.

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 Mc Vay, Englewood, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5872 until December 22, 1962.

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

Joseph F. Nigro
Frank C. Norton
Wm. E. Zarlengo
Commissioners

Dated at Denver, Colorado,
this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
H. C. ROBERTS AND RALPH RIGG, DOING)
BUSINESS AS, "PARTS MART", 4880)
SOUTH ACOMA STREET, ENGLEWOOD, COLO-)
RADO.)
-----)

PERMIT NO. M-12760

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from H. C. Roberts and Ralph Rigg, doing business as, "Parts Mart", Englewood, Colorado
requesting that Permit No. M-12760 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12760, heretofore issued to H. C. Roberts and Ralph Rigg, doing business as, "Parts Mart", Englewood, Colorado be,
and the same is hereby, declared cancelled effective December 28, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm E. Zink
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
AMARILLO STOCKYARDS, INCORPORATED,)
P. O. BOX 408, AMARILLO, TEXAS.)
)
)
)
-----)

PERMIT NO. M-14025

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Amarillo Stockyards, Inc., Amarillo, Texas

requesting that Permit No. M-14025 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14025, heretofore issued to Amarillo Stockyards, Inc., Amarillo, Texas be,
and the same is hereby, declared cancelled effective December 17, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
TEL-TEC, INCORPORATED, 500 EAST 17TH)
AVENUE, DENVER 3, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12954

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Tel-Tec, Inc.,
Denver 3, Colorado
requesting that Permit No. M-12954 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12954, heretofore issued to Tel-Tec, Inc.,
Denver 3, Colorado be,
and the same is hereby, declared cancelled effective January 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Wm E. Zalusky
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
A. C. WILSON, 12121 EAST 13TH AVENUE,)
AURORA 8, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12277

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from A. C. Wilson,
Aurora 8, Colorado

requesting that Permit No. M-12277 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12277, heretofore issued to A. C. Wilson,
Aurora 8, Colorado be,
and the same is hereby, declared cancelled effective April 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Houston
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
G. B. SCHLEDE, DOING BUSINESS AS,)
"ADAMS TOWN HOUSE", 1130 EAST ALAMEDA)
AVENUE, DENVER 9, COLORADO.)
-----)

PERMIT NO. M-8473

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from G. B. Schlede, doing
business as, "Adams Town House", Denver 9, Colorado
requesting that Permit No. M-8473 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8473, heretofore issued to G. B. Schlede, doing
business as, "Adams Town House", Denver 9, Colorado be,
and the same is hereby, declared cancelled effective December 22, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Norton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VETERANS GAS AND SERVICE, INCORPORATED,
824 WEST 4TH STREET, PUEBLO, COLO-
RADO.)
)
)
)
-----)

PERMIT NO. M-3114

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Veterans Gas & Service,
Inc., Pueblo, Colorado
requesting that Permit No. M-3114 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-3114, heretofore issued to Veterans Gas & Service,
Inc., Pueblo, Colorado be,
and the same is hereby, declared cancelled effective December 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zupke
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SID BOSTON, GENE BLACK AND DORIS)
BLACK, DOING BUSINESS AS, "BLACK'S)
TRAILER SALES", 2729 FREMONT DRIVE,)
CANON CITY, COLORADO.)
-----)

PERMIT NO. M-2058

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Sid Boston, Gene Black
and Doris Black, dba "Black's Trailer Sales", Canon City, Colorado
requesting that Permit No. M-2058 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2058, heretofore issued to Sid Boston, Gene Black
and Doris Black, dba "Black's Trailer Sales", Canon City, Colorado be,
and the same is hereby, declared cancelled effective January 5, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Norton
Henry E. Zurling
Commissioners

Dated at Denver, Colorado,
this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FURNISH'S, INCORPORATED, 124 - 5TH)
AVENUE, ORCHARD VALLEY, CHEYENNE,)
WYOMING.)
-----)

PERMIT NO. M-9044

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Furnish's, Inc.,
Cheyenne, Wyoming
requesting that Permit No. M-9044 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9044, heretofore issued to Furnish's, Inc.,
Cheyenne, Wyoming be,
and the same is hereby, declared cancelled effective December 12, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Norton
Arthur E. Zurlinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FERD S., EUGENE A. AND ROBERT H.)
MARKLEY, DOING BUSINESS AS, "MARKLEY)
MOTOR SALES", 246 NORTH COLLEGE,)
FORT COLLINS, COLORADO.)
-----)

PERMIT NO. M-5629

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Ferd S., Eugene A.
and Robert H. Markley, dba "Markley Motor Sales", Fort Collins, Colorado
requesting that Permit No. M-5629 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5629, heretofore issued to Ferd S., Eugene A. and
Robert H. Markley, dba "Markley Motor Sales", Fort Collins, Colorado be,
and the same is hereby, declared cancelled effective January 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Hobson
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
CALVIN A. LONG, ROUTE 1,)
TORRINGTON, WYOMING.)

PUC NO. 5121-I

January 18, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Calvin A. Long.

Torrington, Wyoming

requesting that Certificate of Public Convenience and Necessity No. 5121-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. 5121-I heretofore issued to Calvin A.

Long, Torrington, Wyoming

be, and the same is hereby declared cancelled effective December 27, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Henry E. Zuckers
Commissioners

Dated at Denver, Colorado,
this 18th day of January, 19562.

hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
MAXEY GIRT, KIRTLAND, NEW MEXICO.)

PERMIT NO. M-14752

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Maxey Girt,
Kirtland, New Mexico
requesting that Permit No. M-14752 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-14752, heretofore issued to Maxey Girt,
Kirtland, New Mexico be,
and the same is hereby, declared cancelled effective January 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hobart
Wm. E. Zink
Commissioners

Dated at Denver, Colorado,
this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
THE PRESCON CORPORATION, P. O. BOX)
1127, ENGLEWOOD, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-13778

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from The Prescon Corporation,
Englewood, Colorado

requesting that Permit No. M-13778 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13778, heretofore issued to The Prescon Corporation,
Englewood, Colorado be,
and the same is hereby, declared cancelled effective July 15, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zarlengo
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
LAWRENCE TAFOYA, DOING BUSINESS AS)
"BROWNIE'S ASH & TRASH SERVICE,")
507 EAST CIMMARON, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER) APPLICATION NO. 18861-Transfer
PUC NO. 2180 TO THOMAS MC LAUGHLIN)
AND HELEN MC LAUGHLIN, CO-PARTNERS,)
DOING BUSINESS AS "ACE ASH & TRASH,")
110 WEST FOUNTAIN, COLORADO SPRINGS,)
COLORADO.)
-----)

January 9, 1962

Appearances: Lawrence Tafoya, Colorado
Springs, Colorado, pro se;
Thomas McLaughlin, Colorado
Springs, Colorado, for
Transferees;
Marilyn Cimino, Esq., Colo-
rado Springs, Colorado,
for Garbage Service Company,
Inc., Don Johnson, Becker's
Ash & Trash, Susie Perkins,
Girley's Ash & Trash, and
Larabee Ash & Trash Service;
Karl R. Ross, Esq., Colorado
Springs, Colorado, for J. W.
Estes Garbage Service Company.

S T A T E M E N T

By the Commission:

Heretofore, Lawrence Tafoya, doing business as "Brownie's
Ash & Trash Service," Colorado Springs, Colorado, was granted a
certificate of public convenience and necessity, being PUC No. 2180,
authorizing operation as a common carrier by motor vehicle for hire,
for the transportation of:

Transportation of ashes, trash, dirt, rock,
fertilizer, rubbish, brush and other waste
materials between points within a radius of
ten (10) miles of the corner of Pikes Peak
and Nevada Avenues, in Colorado Springs,
Colorado, and the city dump located approxi-
mately .8 of a mile from the city limits of
Colorado Springs, Colorado, and any dump
which is now or which may hereafter be
located within the area above described.
Transportation of ashes, trash, dirt, rock,
fertilizer, rubbish, brush and other waste
materials, between points within the corporate

limits of Colorado Springs, Colorado, and the City Dump, now or hereafter designated by appropriate officials of the City of Colorado Springs, Colorado.

Said certificate-holder now seeks authority to transfer said certificate to Thomas McLaughlin and Helen McLaughlin, co-partners, doing business as "Ace Ash & Trash," Colorado Springs, Colorado.

Said application was regularly set for hearing before the Commission, at the County Building, Colorado Springs, Colorado, December 18, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, 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 the Examiner states that at the hearing, Lawrence Tafoya, transferor herein, appeared and testified in support of the application, stating he is owner of PUC No. 2180; that he wants to retire from the ash and trash business because of poor health; that the consideration for transfer of said operating rights is \$500; that he presently has approximately fifty customers.

Thomas McLaughlin, a co-partner of transferee partnership, also appeared and testified he has had ten years' experience as an ash hauler and contractor; that he has equipment, and is worth \$80,000; that he is part owner of a disposal company which contracts with the City of Colorado Springs; that he is purchasing PUC No. 2180 for protection, in the event he would lose his Colorado Springs City contract; that it is his intention to allow transferor to continue to use the certificate.

Findings of the Examiner are that the transfer herein requested is not in the best interests of the public, and that said transfer is only one of convenience, there being no basis therefor.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that transfer of PUC No. 2180 herein requested is not compatible with the public interest, and should be denied.

O R D E R

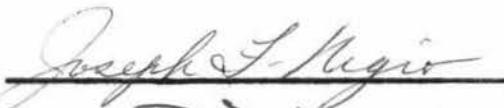

THE COMMISSION ORDERS:

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

That Application No. 18861-Transfer 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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

ea

Original

(Decision No. 57838)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THOMAS E. SALMON, JR. AND EUGENE L.)
RAY, DOING BUSINESS AS "SECURITY)
GARBAGE COMPANY," 356 MAIN STREET,)
SECURITY VILLAGE, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 2695 TO THOMAS E. SALMON,)
DOING BUSINESS AS "SECURITY GARBAGE)
COMPANY," 356 MAIN STREET, SECURITY)
VILLAGE, COLORADO SPRINGS, COLORADO.)
-----)

APPLICATION NO. 18862-Transfer

IN THE MATTER OF THE APPLICATION OF)
THOMAS E. SALMON, JR. AND EUGENE L.)
RAY, DOING BUSINESS AS "SECURITY)
GARBAGE COMPANY," 356 MAIN STREET,)
SECURITY VILLAGE, COLORADO SPRINGS,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 3700 TO THOMAS E. SALMON,)
DOING BUSINESS AS "SECURITY GARBAGE)
COMPANY," 356 MAIN STREET, SECURITY)
VILLAGE, COLORADO SPRINGS, COLORADO.)
-----)

APPLICATION NO. 18863-Transfer

January 9, 1962

Appearances: Thomas E. Salmon, Colorado
Springs, Colorado, pro se;
Eugene L. Ray, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, Thomas E. Salmon, Jr. and Eugene L. Ray, doing business as "Security Garbage Company," Security Village, Colorado Springs, Colorado, were granted certificates of public convenience and necessity, being PUC No. 2695 and PUC No. 3700, authorizing operations as a common carrier by motor vehicle for hire, said operating rights being as follows:

PUC No. 2695:

Call and demand transportation of ashes, trash, dirt, rock, fertilizer, rubbish, brush and other waste materials, between points within a radius of ten miles of the corner of Pikes Peak Avenue and Nevada Avenue, in Colorado Springs, Colorado, and the City Dump, and any dump which may hereafter be located within the above-described area.

PUC No. 3700:

Transportation of rubbish, ashes, trash, scrap products and waste materials of every kind and nature for all customers within a radius of seven miles of Fountain, Colorado, to regularly-designated dumping areas within said radius, and to the dumping areas operated now or hereafter by the City of Colorado Springs, Colorado, whether within or outside the area.

By the above-styled applications, said certificate-holders seek authority to transfer said PUC No. 2695 and PUC No. 3700 to Thomas E. Salmon, doing business as "Security Garbage Company," Security Village, Colorado Springs, Colorado, said Eugene L. Ray being desirous of withdrawing from said partnership.

Said applications were regularly set for hearing before the Commission, at the County Building, Colorado Springs, Colorado, December 18, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, as provided by law, the Commission designated Louis J. Carter, an employee of this Commission, to conduct the hearing on said applications.

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 further states that Thomas L. Salmon appeared at the hearing and testified in support of the applications, stating he is one of transferors and transferee herein; that he is part-owner of PUC No. 2695 and PUC No. 3700; that he is buying the interest of his partner, Eugene L. Ray; that the consideration for transfer of said operating rights is \$7,800; that he has ample and suitable equipment, sufficient net worth, and operating experience to render and continue operations under said certificates.

Eugene L. Ray also appeared at the hearing to testify in support of said applications, stating he is transferor herein; that he is selling his interest in and to PUC No. 2695 and PUC No. 3700

to Thomas L. Salmon for the sum of \$7,800; that there are no outstanding unpaid operating obligations against said certificates.

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

The operating experience and financial responsibility of transferee were established to the satisfaction of the Examiner.

Findings of the Examiner are that transferee is a fit and proper person, has sufficient equipment, and is financially able to render and continue operations under PUC No. 2695 and PUC No. 3700; that there is no outstanding indebtedness against said certificates; that transfer of said operating rights is in the public interest.

Report of the Examiner recommends that authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find 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 Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Thomas E. Salmon, Jr. and Eugene L. Ray, co-partners, doing business as "Security Garbage Company," Security Village, Colorado Springs, Colorado, be, and they hereby are, authorized to transfer all right, title, and interest in and to PUC No. 2695 and PUC No. 3700 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Thomas E. Salmon, doing business as "Security Garbage Company," Security Village, Colorado Springs, Colorado,

said Eugene L. Ray being hereby authorized to withdraw from said partnership.

That transfer of operating rights herein authorized is 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 transferors and transferee, in writing, have advised the Commission that said certificates (PUC No. 2695 and PUC No. 3700) have been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of this Order shall automatically revoke the authority herein granted to make the transfer, without further order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

The tariff of rates, rules and regulations of 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 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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)	
V. VIVIANO AND BROS. MACARONI)	
MFG. CO., INC, 4651 SHAW BOULE-)	PUC NO. 4472-I
VARD, ST. LOUIS, MISSOURI)	
- - - - -)	

- - - - -
January 9, 1962
- - - - -

S T A T E M E N T

By the Commission:

Heretofore, V. Viviano and Bros. Macaroni Manufacturing Company, Inc., St. Louis, Missouri, was granted a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, said operating rights being known as "PUC No. 4472-I."

The Commission is now in receipt of a communication from said certificate-holder, as follows:

"V. Viviano & Bros. has been and is a Division of Ravarino & Freschi, Inc., 4651 Shaw Boulevard, St. Louis 10, Missouri. However, effective January 1, 1962, V. Viviano & Bros. shall cease operations of any kind and all of its activities will be carried on by Ravarino & Freschi, Inc."

Request is made that the records of the Commission be changed to reflect said change in corporate name.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show PUC No. 4472-I to be owned and operated by:

"Ravarino & Freschi, Inc.,"

in lieu of:

"V. Viviano and Bros. Macaroni
Mfg. Co., Inc."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hahn
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

ea

original

(Decision No. 57840)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
VERNIE B. ADAMS, JR., FOLSOM, NEW)	
MEXICO, FOR AUTHORITY TO TRANSFER)	
INTERSTATE OPERATING RIGHTS TO SAMMY)	<u>PUC NO. 3003-I-Transfer</u>
L. ADAMS, P. O. BOX 163, FOLSOM, NEW)	
MEXICO.)	

January 9, 1962

S T A T E M E N T

By the Commission:

Heretofore Vernie B. Adams, Jr., Folsom, New Mexico, was granted a certificate of public convenience and necessity (PUC No. 3003-I), authorizing operations as a common carrier by motor vehicle for hire, in interstate commerce, only, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended, for the transportation of:

freight, between all points in Colorado and
the Colorado State Boundary Lines, where all
highways cross same.

Said certificate-holder now seeks authority to transfer said operating rights to Sammy L. Adams, Folsom, New Mexico.

Inasmuch as 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 Vernie B. Adams, Jr., Folsom, New Mexico, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 3003-I -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Sammy L. Adams, Folsom, New Mexico, 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

Joseph F. Negro
Reep W. C. Kahan
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

mls

original

(Decision No. 57841)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
JOHN F. TOLER, 506 SOUTH 11TH)
STREET, COLORADO SPRINGS, COLO-)
RADO.)

PERMIT NO. B-5387

January 9, 1962

S T A T E M E N T

By the Commission:

Request has been received from the above-styled permit-
holder for authority to suspend operations under Permit No. B-5387,
nunc pro tunc, from November 16, 1961, until November 24, 1961.

F I N D I N G S

THE COMMISSION FINDS:

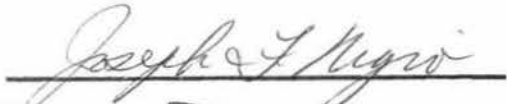
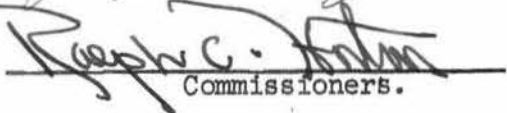
That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That John F. Toler, Colorado Springs, Colorado, be, and he
hereby is, authorized to suspend operations under Permit No. B-5387,
nunc pro tunc, from November 16, 1961, until November 24, 1961, said
permit being hereby reinstated, as of November 24, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

mls

original
(Decision No. 57842)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO.

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HARRY L. HILL, DOING BUSINESS)
AS "FOUR-H SALES AND TRUCK COM-)
PANY," 1343 PARK AVENUE, CANON)
CITY, COLORADO.)

PERMIT NO. B-5438

January 9, 1962

S T A T E M E N T

By the Commission:

On October 19, 1961, the Commission entered its Decision No. 57338, cancelling Permit No. B-5438, it being the impression of the Commission that said cancellation was permit-holder's desire.

It now appears that said permit-holder merely wanted a suspension of said operating rights, rather than cancellation thereof, and request has now been made to have said order of revocation set aside, and said operating rights suspended.

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. 57338, of date October 19, 1961, cancelling Permit No. B-5438, be, and the same hereby is, vacated, set aside, and held for naught, effective nunc pro tunc, as of said 19th day of October, 1961.

That Harry L. Hill, doing business as "Four-H Sales and Truck Company," Canon City, Colorado, be, and he hereby is, authorized to suspend operations under Permit No. B-5438, nunc pro tunc,

from October 19, 1961, until April 19, 1962.

That unless said permit-holder shall, prior to expiration of said suspension period, reinstate said permit by filing insurance and otherwise complying 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 the right to reinstate.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
HARRY L. HILL, DOING BUSINESS)
AS "FOUR-H SALES AND TRUCK COM-)
PANY," 1343 PARK AVENUE, CANON)
CITY, COLORADO.)

PUC NO. 4625-I

January 9, 1962

S T A T E M E N T

By the Commission:

On October 19, 1961, the Commission entered its Decision No. 57339, cancelling PUC No. 4625-I, it being the impression of the Commission that said cancellation was certificate-holder's desire.

It now appears that said certificate-holder merely wanted a suspension of said operating rights, rather than cancellation thereof, and request has now been made to have said order of revocation set aside, and said operating rights suspended.

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. 57339, of date October 19, 1961, cancelling PUC No. 4625-I, be, and the same hereby is, vacated, set aside, and held for naught, effective nunc pro tunc, as of said 19th day of October, 1961.

That Harry L. Hill, doing business as "Four-H Sales and Truck Company," Canon City, Colorado, be, and he hereby is, authorized to suspend operations under said PUC No. 4625-I, nunc pro tunc,

from October 19, 1961, until April 19, 1962.

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

Joseph F. Nigro
Joseph C. Johnson
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

mls

original

(Decision No. 57844)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
RED BALL TRANSFER COMPANY, 1009)
CAPITOL AVENUE, OMAHA, NEBRASKA.)

PUC NO. 1729-I

January 9, 1962

S T A T E M E N T

By the Commission:

Heretofore, Red Ball Transfer Company, Omaha, Nebraska, was granted a certificate of public convenience and necessity, authorizing operation as a common carrier by motor vehicle for hire, in interstate commerce, "PUC No. 1729-I" being assigned to said operating rights.

The Commission has now been advised by said certificate-holder that the corporate name of said company has been changed to "Red Ball Express Company," and its address has been changed to "6666 Red Ball Expressway, Omaha, Nebraska.

Request has been made that the records of this Commission be changed to reflect said certificate-holder's new corporate name and address.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted.

O R D E R

THE COMMISSION ORDERS:

That the Secretary of the Commission is hereby instructed to change the records of the Commission to show PUC No. 1729-I to be owned and operated by:

"Red Ball Express Company,
6666 Red Ball Expressway,
Omaha, Nebraska,"

in lieu of:

"Red Ball Transfer Company,
1009 Capitol Avenue,
Omaha, Nebraska."

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 9th day of January, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
AMERICAN BUS LINES, INC., 1341 "P")	
STREET, LINCOLN, NEBRASKA, FOR A)	APPLICATION NO. 13377-Extension
CERTIFICATE OF PUBLIC CONVENIENCE)	<u>AMENDED</u>
AND NECESSITY TO EXTEND OPERATIONS)	<u>SUPPLEMENTAL ORDER</u>
UNDER PUC NO. 36.)	

IN THE MATTER OF THE APPLICATION OF)	
COLORADO MOTORWAY, INC., 1731 GLEN-)	
ARM PLACE, DENVER, COLORADO, FOR AU-)	APPLICATION NO. 13429-Extension
THORITY TO EXTEND ITS CERTIFICATE OF)	<u>SUPPLEMENTAL ORDER</u>
PUBLIC CONVENIENCE AND NECESSITY NO.)	
5.)	

January 10, 1962

Appearances: Barry and Boyle, Esqs., Den-
ver, Colorado, for American
Bus Lines, Inc.;
T. A. White, Esq., Denver,
Colorado, for Colorado Motor-
way, Inc.

S T A T E M E N T

By the Commission:

On July 18, 1955, the Commission entered its Decision No.
44428 in the above-styled matters.

On December 28, 1961, Decision No. 57800 was entered by the
Commission in said matters, amending said Decision No. 44428.

It now appears that further amendment of Decision No. 44428
should be made, viz., in the fourth and fifth lines of the second para-
graph of the Order contained in said Decision, appearing on Page 5
thereof, wherein U. S. Highway No. 34 is erroneously referred to as
"Colorado State Highway No. 24."

F I N D I N G S

THE COMMISSION FINDS:

That Decision No. 44428, of date July 18, 1955, should be

further amended to conform to the facts, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Decision No. 44428, of date July 18, 1955, be, and the same hereby is, further amended, nunc pro tunc, as of said 18th day of July, 1955, by striking therefrom the words and figures "Colorado State Highway No. 24," appearing in the fourth and fifth lines of the second paragraph of the Order contained in said Decision, on Page 5 thereof, so that said second paragraph of said Order contained in said Decision No. 44428, as amended, shall read as follows:

"That public convenience and necessity require the proposed common carrier special bus services of applicant, Colorado Motorway, Inc., between its terminal at Denver and the Cloverleaf Kennel Club situate in the vicinity of the junction of U. S. Highway No. 34 and U. S. Highway No. 87, west of Greeley, Colorado, same being a special scheduled bus service limited to the duration of the racing season at said Cloverleaf Kennel Club in each year, as the same shall be determined by the Racing Commission of the State of Colorado, and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor."

That, except as herein amended, and as amended by Decision No. 57800, of date December 28, 1961, said Decision No. 44428 shall remain in full force and effect.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph B. Holm
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1961.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM A. JACKSON AND HARRY J. VAN)
TEYLINGEN, CO-PARTNERS, DOING BUSI-)
NESS AS "MOUNTAIN EXPRESS TRUCK LINE,")
1502 WEST ST. VRAIN STREET, COLO-)
RADO SPRINGS, COLORADO, FOR A CER-) APPLICATION NO. 18856-Extension
TIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY, AUTHORIZING EXTENSION OF)
OPERATIONS UNDER PUC NO. 32.)
-----)

January 10, 1962

Appearances: Paul V. Rupp, Esq., Denver,
Colorado, for Applicant;
John P. Thompson, Esq.,
Denver, Colorado, for
Denver-Loveland Transporta-
tion, South Park Motor
Lines; Floyd Henrikson,
Mrs. Lois Mae Eshe.

S T A T E M E N T

By the Commission:

By the above-styled application, filed with the Commission on October 13, 1961, applicants herein, owners and operators of PUC No. 32, sought a certificate of public convenience and necessity, authorizing extension of operations under said certificate, to include the right to extend service to and from all points on present route, except Colorado Springs, to and from Denver, and to haul ore from points along applicant's route to the Loveland, Colorado, Area, namely within a ten-mile radius of the City Limits of Loveland, and to pick up and deliver freight from the Loveland Area to all points along applicants' route, except Colorado Springs, Colorado.

Said application was regularly set for hearing before the Commission, at the County Building, Colorado Springs, Colorado, December 18, 1961, due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 commencement of said hearing, applicants moved to amend their application to read as follows:

"1. Transportation of general freight, to and from all points on Applicant's presently-authorized route, except Colorado Springs and Hartsel, to and from Denver;

"2. Transportation of ore from points along applicants' presently-authorized route, except Hartsel, to Loveland, Colorado, and a ten-mile radius thereof;

"3. To pick up and deliver freight from Loveland, Colorado, and a ten-mile radius thereof, to all points along applicants' presently-authorized route, except Colorado Springs and Hartsel, Colorado."

All parties appearing at the hearing agreed and stipulated to said amendment; therefore, said amendment was permitted.

In view of the restrictive amendment, protestants withdrew their protests to the granting of authority herein sought.

William A. Jackson, one of applicants herein, appeared and testified that he and Harry J. Van Teylingen are the owners and operators of PUC No. 32; that they have ample and suitable equipment, sufficient operating experience and net worth, to render said proposed extended services; that they have received numerous requests for said service; that said service would be advantageous to present customers.

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

Findings of the Examiner are that applicants are fit and proper persons, have sufficient equipment, and are financially able to render their proposed extended services; that there is a present need for said services.

Report of the Examiner recommends that applicants herein be granted a certificate of public convenience and necessity, authorizing extension of operations under PUC No. 32.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that public convenience and necessity require applicants' extended 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 be, and the same hereby is, approved.

That public convenience and necessity require the extended motor vehicle common carrier call and demand transportation service of William A. Jackson and Harry J. Van Teylingen, co-partners, doing business as "Mountain Express Truck Line," Colorado Springs, Colorado, under PUC No. 32, include: (1) transportation of general freight, to and from all points on applicants' presently-authorized route, except Colorado Springs and Hartsel, Colorado, to and from Denver, Colorado; (2) transportation of ore, from points along applicants' presently-authorized route, except Hartsel, Colorado, to Loveland, Colorado, and a ten-mile radius thereof; (3) and to pick up and deliver freight from Loveland, Colorado, and a ten-mile radius thereof, to all points along applicants' presently-authorized route, except Colorado Springs and Hartsel, Colorado, 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

Joseph L. Nigro
Joseph C. Holton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JAMES F. DONAHUE, DOING BUSINESS AS)
"AIR LINES CAB SERVICE," 423 EAST)
PIKES PEAK AVENUE, COLORADO SPRINGS,)
COLORADO, FOR A CERTIFICATE OF PUB-)
LIC CONVENIENCE AND NECESSITY, AU-)
THORIZING EXTENSION OF OPERATIONS)
UNDER PUC NO. 1305.)
-----)

APPLICATION NO. 18857-Extension

January 10, 1962

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

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of
PUC No. 1305 and PUC No. 1305-I, authorizing operation as a common
carrier by motor vehicle for hire, for:

Scheduled passenger service, limited to the
use of two automobiles with capacity of not
to exceed 5 passengers, between Colorado Springs
Municipal Airport, situated about 8 miles east
of Colorado Springs, and the City of Colorado
Springs and surrounding territory, including
Broadmoor and Manitou;

The use of six (6) automobiles, (to-wit, four
five-passenger and two eight-passenger auto-
mobiles), rather than two automobiles, as
presently authorized, for the conduct of the
operations under PUC-1305;

Between points within a radius of 75 miles of
Colorado Springs, Colorado, in interstate com-
merce, only, subject to the provisions of the
Federal Motor Carrier Act of 1935, as amended.

By the above-styled application, said certificate-holder
seeks a certificate of public convenience and necessity, authorizing
extension of operations under PUC No. 1305, to include the right to
substitute six eight-passenger automobiles for the four five-passenger
and two eight-passenger automobiles which he may presently operate,

no change being requested in the type of service or the territory within which applicant may operate.

Said application was regularly set for hearing before the Commission, at the County Building, Colorado Springs, Colorado, December 18, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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, Dorothy R. Donahue appeared and testified she is bookkeeper for Air Lines Cab Service, applicant herein; that James F. Donahue was unable to appear, but that she was personally acquainted with all matters herein involved, and would testify accordingly. She stated that applicant herein is the owner of PUC No. 1305; that said certificate is now restricted to the use of four five-passenger and two eight-passenger automobiles; that applicant now desires to use a total of six eight-passenger vehicles; that they have so operated for two months, under Temporary Authority issued by this Commission; that said operation shows it is more advantageous and renders better service to the public; that this service is needed because of increased business at the airport, there now being twenty-six flights per day.

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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to

render the proposed extended service herein sought; that there is presently a need for said extended service; that public convenience and necessity require the granting of the proposed extended motor vehicle service herein sought.

Report of the Examiner recommends that certificate of public convenience and necessity issue to applicant herein, authorizing extended service under PUC No. 1305.

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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that public convenience and necessity require applicant's extended motor vehicle common carrier service, 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 be, and the same hereby is, approved.

That public convenience and necessity require the extended motor vehicle common carrier transportation service of James F. Donahue, doing business as "Air Lines Cab Service," Colorado Springs, Colorado, under PUC No. 1305, so that in the future said PUC No. 1305 shall authorize:

"scheduled passenger service between Colorado Springs Municipal Airport, situated about eight miles east of Colorado Springs, and the City of Colorado Springs and surrounding territory, including Broadmoor and Manitou, Colorado, limited to the use of six eight-passenger automobiles,"

and this Order shall be taken, deemed, and held to be a certificate of public convenience and necessity therefor.

That applicant shall file tariffs of rates, rules and regulations and time and distance schedules as required by the rules

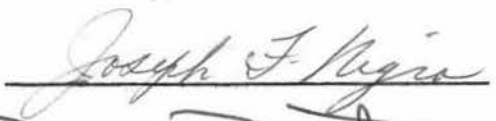
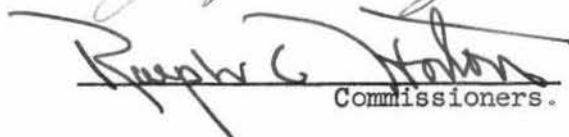
and regulations of this Commission within twenty days from date.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1962.

ea

original

(Decision No. 57848)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
ARVENE S. JOY, ROUTE 3, BOX 838,)	
FORT COLLINS, COLORADO, FOR AUTHOR-)	APPLICATION NO. 18839-PP-Extension
ITY TO EXTEND OPERATIONS UNDER PER-)	
MIT NO. B-4662.)	

January 10, 1962

Appearances: Arvene S. Joy, Fort Collins,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of Per-
mit No. B-4662, authorizing operation as a private carrier by motor
vehicle for hire, for the transportation of:

sand, gravel, and other road-surfacing ma-
terials 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.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-4662, to in-
clude the right to transport quartz, lime rock, gypsum, and other ma-
terials used in making cement, from pits and supply points within a
radius of fifty miles of Fort Collins, Colorado, to processing plants
located at Boettcher, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, December 12, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 appeared and testified in support of his application, stating he is owner and operator of Permit No. B-4662; that he is presently operating under Temporary Authority issued by this Commission; that he is the owner of a 1950 Ford Dump Truck, and a 1959 Dodge Dump Truck; that he has a net worth of \$25,000; that he has received numerous requests for his proposed extended service; that if authority herein sought is granted, he will obey all Rules and Regulations of this Commission.

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 Examiner.

Findings of the Examiner are that applicant herein is a fit and proper person, has sufficient equipment, and is financially able to render his proposed extended services; that there is presently a need for said service; that the granting of authority sought would not impair the efficient public service of any authorized motor vehicle common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that applicant herein is qualified, financially and by experience, to conduct his proposed extended services; that the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant herein should be authorized to extend operations under Permit No. B-4662, 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 be, and the same hereby is, approved.

That Arvene S. Joy, Fort Collins, Colorado, be, and hereby is, authorized to extend operations under Permit No. B-4662, to include the right to transport quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a radius of fifty miles of Fort Collins, Colorado, to processing plants located at Boettcher, Colorado.

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

Joseph F. Nizio
Ralph C. Norton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1962.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ROBERT G. GALVAN, 1460 DECATUR)
STREET, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 18900-PP

January 10, 1962

S T A T E M E N T

By the Commission:

On October 24, 1961, the above-styled applicant filed application with the Commission, seeking authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash, and other refuse, from establishments owned by Paco Sanchez, in Denver, Colorado, to dumping places in Adams, Arapahoe, Jefferson, and Denver Counties.

Applicant has now advised the Commission that he no longer desires to prosecute said application, and has requested dismissal thereof and refund of \$25.00 filing fee paid at the time of filing said application.

F I N D I N G S

THE COMMISSION FINDS:

That said request should be granted, as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That Application No. 18900-PP be, and the same hereby is, dismissed, upon request of Applicant herein.

That \$25.00 filing fee paid by applicant on October 24,
1961, shall be refunded to him.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Regio
Ralph C. Horton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1962.

mls

original

(Decision No. 57850)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
M. H. HIGHLAND, ROUTE 1, BOX 348,)	
LOVELAND, COLORADO, FOR AUTHORITY)	APPLICATION NO. 18838-PP-Extension
TO EXTEND OPERATIONS UNDER PERMIT)	
NO. B-5176.)	

January 10, 1962

Appearances: M. H. Highland, Loveland,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of Per-
mit No. B-5176, authorizing 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 Colo-
rado, 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 rail-
road loading points, and to homes and small con-
struction jobs within a radius of fifty miles of
said pits and supply points; sand, gravel, dirt,
stone, and refuse, from and to building construc-
tion 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.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-5176, to in-
clude the right to transport quartz, lime rock, gypsum, and other ma-
terials used in making cement, from pits and supply points within a
radius of fifty miles of Fort Collins, Colorado, to processing plants
located at Boettcher, Colorado.

Said application was regularly set for hearing before the

Commission, at the Court House, Fort Collins, Colorado, December 12, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 appeared and testified in support of his application, stating he is the owner of Permit No. B-5176; that he is presently operating under a Temporary Authority issued by this Commission; that he is the owner of a 1957 Ford Dump Truck, and a 1960 Ford Dump Truck; that he has a net worth of \$20,000; that he has had numerous requests for his proposed extended service; that if authority herein sought is granted, he will obey the Rules and Regulations of the Commission.

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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the proposed extended service under Permit B-5176; that there is presently a need for said service; that the granting of authority sought would not impair the efficient public service of any authorized common carrier operating in the territory sought to be served by applicant.

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

F I N D I N G S

THE COMMISSION FINDS:

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

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant herein is qualified, financially and by reference, to conduct his proposed extended operations; that applicant herein should be authorized to extend operations under Permit No. B-5176, 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 be, and the same hereby is, approved.

That M. H. Highland, Loveland, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5176, to include the right to transport quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a radius of fifty miles of Fort Collins, Colorado, to processing plants located at Boettcher, Colorado.

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

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

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1962.
mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ALPINE WAREHOUSING & TRANSFER, INC.,)
1536 WYNKOOP STREET, DENVER, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PER-) APPLICATION NO. 18867-PP-Transfer
MIT NO. B-5817 TO WAYNE E. LARSEN,)
DOING BUSINESS AS "LARSEN TRANSFER &)
STORAGE COMPANY," 2560 BLAKE STREET,)
DENVER, COLORADO.)

January 10, 1962

Appearances: Truman A. Stockton, Esq., Den-
ver, Colorado, for Transferor;
H. W. Huseby, Esq., Denver, Colo-
rado, for Transferee.

S T A T E M E N T

By the Commission:

By the above-styled application, Alpine Warehousing & Transfer, Inc., Denver, Colorado, owner and operator of Permit No. B-5817, seeks authority to transfer said operating rights to Wayne E. Larsen, doing business as "Larsen Transfer & Storage Company," Denver, Colorado, said Permit No. B-5718 being the right to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of:

goods, wares, merchandise, and general commodities to and from its warehouse within the City and County of Denver, Colorado, to and from any point encompassed within an area of a ten-mile radius of the City Limits of Denver, Colorado, subject to certain conditions.

Said permit-holder now seeks authority to transfer said Permit No. B-5817 to Wayne E. Larsen, doing business as "Larsen Transfer & Storage Company," Denver, Colorado.

Said application was regularly set for hearing before the Commission, at the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado, December 22, 1961, at two o'clock P. M., due notice

thereof being forwarded to all parties in interest.

On December 12, 1961, 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, transferee herein appeared and testified in support of the application, stating he had entered into an agreement with transferor to purchase Permit No. B-5817, together with certain motor vehicle equipment; that he has been in the transportation business for twenty-three years, and knows the laws, and rules and regulations governing transportation by motor vehicle, and will obey same. He identified a Balance Sheet, Profit and Loss Statement, and a List of Equipment, all of which were introduced into evidence.

Adolph Von Borenberg testified he is Vice-President of Alpine Warehousing and Transfer, Inc., transferor herein; that his company had entered into a contract to sell said permit to Wayne E. Larsen; that there are no outstanding debts against said permit.

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 Examiner.

Findings of the Examiner are that transferee herein is a fit and proper person, has sufficient equipment, and is financially able to continue operations under Permit No. B-5817; that there are no outstanding debts against said permit, and that the transfer herein sought is in the public interest.

Report of the Examiner recommends that authority herein

sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find 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 Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Alpine Warehousing & Transfer, Inc., Denver, Colorado, be, and hereby is, authorized to transfer all right, title, and interest in and to Permit No. B-5817 -- with authority as set forth in the Statement preceding, which is made a part hereof, by reference -- to Wayne E. Larsen, doing business as "Larsen Transfer & Storage Company," 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 permit has been formally assigned and that said parties have accepted, and in the future will comply with, the conditions and requirements of this Order, to be by them, or either of them, kept and performed. Failure to file said written acceptance of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the

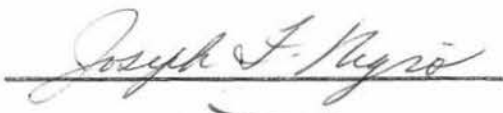
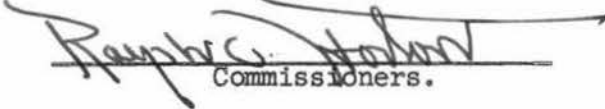
part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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

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

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ED H. BURGNER, BOX 96, LA PORTE,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 18836-PP-Extension
OPERATIONS UNDER PERMIT NO. B-3569.)
- - - - -

- - - - -
January 10, 1962
- - - - -

Appearances: Ed H. Burgner, La Porte,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of Per-
mit No. B-3569, authorizing transportation of:

sand, gravel and other road-surfacing ma-
terials from pits and supply points in the
State of Colorado to road and building con-
struction jobs within a radius of fifty (50)
miles of said pits and supply points, ex-
cluding service in Boulder, Clear Creek and
Gilpin Counties;

sand, gravel and other road-surfacing ma-
terials 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 (50) 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 con-
struction jobs within a radius of fifty (50)
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 (50) miles
of said jobs; insulation rock, from pits and
supply points in the State of Colorado, to
roofing jobs within a radius of fifty (50)
miles of said pits and supply points, includ-
ing service in Boulder, Clear Creek and
Gilpin Counties.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-3569, to in-

clude the right to transport quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a radius of fifty miles of Fort Collins, Colorado, to processing plants at Boettcher, Colorado.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, December 12, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 appeared and testified in support of his application, stating he has been hauling the materials sought in his instant application for four years; that he owns a 1960 Ford Dump Truck and a 1959 Ford Dump Truck; that he has a net worth of \$25,000; that he is presently operating under Temporary Authority issued by this Commission; that he has had many requests for his proposed extended service; that if authority herein sought is granted, he will obey the Rules and Regulations of this Commission.

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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render his proposed extended service; that there is presently a need for

said extended service; that the granting of the authority herein sought will not impair the efficient public service of any authorized motor vehicle common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought 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 after reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant herein; that applicant is qualified, financially and by experience, to conduct his proposed extended operations; that applicant should be authorized to extend operations under Permit No. B-3569, 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 be, and the same hereby is, approved.

That Ed H. Burgener, La Porte, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-3569, to include the right to transport quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a radius of fifty miles of Fort Collins, Colorado, to processing plants at Boettcher, Colorado.

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

Joseph F. Negro
Republic Horton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 10th day of January, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILLIAM RASMUSSEN, DOING BUSINESS AS,)
"RASMUSSEN COAL MINE", ROUTE 1,)
HESPERUS, COLORADO.)
-----)

PERMIT NO. M-5983

January 11, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from William Rasmussen,
doing business as, "Rasmussen Coal Mine", Hesperus, Colorado
requesting that Permit No. M-5983 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5983, heretofore issued to William Rasmussen,
doing business as, "Rasmussen Coal Mine", Hesperus, Colorado be,
and the same is hereby, declared cancelled effective November 9, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 11th day of January, 1962.

original

(Decision No. 57854)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ESTHER MARQUEZ, P. O. BOX 354, LOVE-)
LAND, COLORADO, FOR A CLASS "B" PER-)
MIT TO OPERATE AS A PRIVATE CARRIER)
BY MOTOR VEHICLE FOR HIRE.)
- - - - -

APPLICATION NO. 18841-PP

- - - - -
January 11, 1962
- - - - -

Appearances: Felix Marquez, Loveland,
Colorado, for Applicant.

S T A T E M E N T

By the Commission:

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

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, December 12, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, as provided by law, the Commission designated Louis J. Carter, an employee of this 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 time and place designated for hearing, Felix Marquez, husband of applicant, appeared and testified in support of said application, stating that applicant is presently engaged in transportation of sand and gravel under Temporary Authority issued by this Commission; that she is the owner of a 1952 Ford Dump Truck; that the net worth of the husband and wife is \$8,000; that he will do the driving for his wife; that she has received numerous requests for said service.

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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the service herein sought; that there is presently a need for such service; that the granting of authority herein sought would not impair the efficient public service of any authorized motor vehicle common carrier.

Report of the Examiner recommends that permit 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 re-

ferred to therein should be approved.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant herein; that applicant is qualified, financially and by experience, to conduct her proposed operations; that permit should issue to applicant herein, 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 be, and the same hereby is, approved.

That Esther Marquez, Loveland, Colorado, 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 seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials being restricted against the use of tank vehicles.

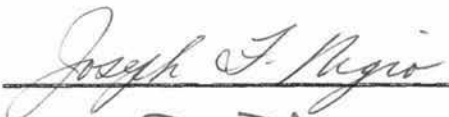
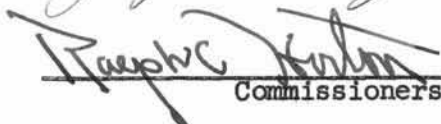
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of 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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

original

(Decision No. 57855)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WILLIAM D. DITTMER AND GERALD L.)
DITTMER, CO-PARTNERS, 1136 CEDAR,)
LONGMONT, COLORADO, FOR A CLASS "B")
PERMIT TO OPERATE AS A PRIVATE CAR-)
RIER BY MOTOR VEHICLE FOR HIRE.)

APPLICATION NO. 18837-PP

January 11, 1962

Appearances: William D. Dittmer, Longmont,
Colorado, for Applicants.

S T A T E M E N T

By the Commission:

Applicants herein seek authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, December 12,

1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 the Examiner states that at the hearing, Applicant William D. Dittmer appeared and testified in support of the application, stating that he and his brother, Gerald L. Dittmer, are applicants herein; that they have received numerous requests for their proposed services; that they are presently operating under a Temporary Authority issued by this Commission; that they own a 1950 International Dump Truck; that he has a net worth of \$20,000, and Gerald L. Dittmer has a net worth of approximately \$5,000; that they have had operating experience, and if authority herein sought is granted, they will obey the rules and regulations of this Commission.

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

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

Findings of the Examiner are that applicants are fit and proper persons, have sufficient equipment, and are financially able to render the services proposed; that there presently is a need for such service; that the granting of authority herein sought would not impair the efficient public service of any authorized motor vehicle common carrier operating in the territory sought to be served by applicants.

Report of the Examiner recommends that permit 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicants herein; that said applicants are qualified, financially and by experience, to conduct their proposed operations; that permit should issue to applicants herein, 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 be, and the same hereby is, approved.

That William D. Dittmer and Gerald L. Dittmer, Longmont, Colorado, be, and they hereby are, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of seventy-five miles of said pits and supply points; sand and gravel, from pits and supply points in the State of Colorado, to railroad loading points, and to home and small construction jobs within a radius of seventy-five miles of said pits and supply points; sand, gravel, dirt, stone, and refuse, from and to building construction jobs, to and from points within a radius of seventy-five miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of seventy-five miles of said pits and supply points, transportation of road-surfacing materials being re-

stricted against the use of tank vehicles.

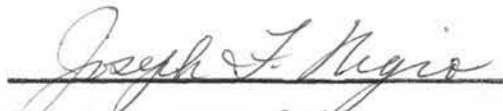
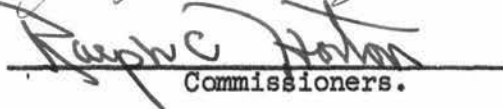
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF BEN LELL, ROUTE 1, BOX 493, FORT COLLINS, COLORADO, FOR AUTHORITY TO EXTEND OPERATIONS UNDER PERMIT NO. B-5794. -----	} } } } }	APPLICATION NO. <u>18840-PP-Extension</u>
--	-----------------------	---

January 11, 1962

Appearances: Ben Lell, Fort Collins,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of
Permit No. B-5794, authorizing operations as a private carrier by
motor vehicle for hire, for the transportation of:

sand, gravel, and other road-surfacing ma-
terials 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; transportation of
road-surfacing materials being restricted to
the use of dump trucks, only.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-5794, to in-
clude the right to transport lime rock, between points within a ra-
dius of fifty miles of pits and supply points in the State of Colo-
rado.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, December 12, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 the Examiner states that at the hearing, applicant herein appeared and testified in support of his application, stating he is presently engaged in transportation of lime rock under Temporary Authority issued by this Commission; that he is the owner of a 1951 Ford Dump Truck; that he has a net worth of \$15,000; that he has received numerous requests for his proposed extended service; that if authority herein sought is granted, he will obey the Rules and Regulations of this Commission.

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 Examiner.

Findings of the Examiner are that applicant herein is a fit and proper person, has sufficient equipment, and is financially able to render his proposed extended service; that there is presently a need for said service; that the granting of authority sought would not impair the efficient public service of any common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant herein; that said applicant is qualified, financially and by experience, to conduct his proposed extended operations; that said applicant should be authorized to extend operations under Permit No. B-5794, 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 be, and the same hereby is, approved.

That Ben Iell, Fort Collins, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5794 to include the right to transport lime rock, between points within a radius of fifty miles of pits and supply points in the State of Colorado.

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

Joseph F. Negro
Joseph C. Holm
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

original

(Decision No. 57857)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
CLAYTON H. FREI, 724 EAST SEVENTH)
STREET, LOVELAND, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)

APPLICATION NO. 18835-PP

- - - - -

- - - - -
January 11, 1962
- - - - -

Appearances: Floyd Henderson, Loveland,
Colorado, for Denver-
Loveland Transportation.

S T A T E M E N T

By the Commission:

By the above-styled application, applicant herein sought authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of packaged flour, manufactured by Fentiman Food Company, and packaging supplies for flour, from Loveland, Colorado, to Denver, Colorado, and return, for one customer, only, viz., said Fentiman Food Company.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, December 12, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, 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 failed to appear, either in person or by counsel; that thereupon, protestant moved said application be

dismissed for lack of prosecution; that said motion was taken under advisement.

Findings of the Examiner are that said application should be dismissed for lack of prosecution.

Report of the Examiner recommends that the above-styled application be dismissed, for failure of applicant to prosecute same.

F I N D I N G S

THE COMMISSION FINDS:

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

That the above-styled application should be dismissed for lack of prosecution.

O R D E R

THE COMMISSION ORDERS:

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

That Application No. 18835-PP be, and the same hereby is, dismissed, for failure of applicant to prosecute said application.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF) WILLIAM STEELY, 201 NORTH MC KINLEY,) FORT COLLINS, COLORADO, FOR AUTHOR-) ITY TO EXTEND OPERATIONS UNDER PER-) MIT NO. B-4576.)	APPLICATION NO. 18842-PP-Extension
--	------------------------------------

January 11, 1962

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of Per-
mit No. B-4576, authorizing operation as a private carrier by motor
vehicle for hire, for the transportation of:

sand, gravel, and other road surfacing ma-
terials from pits and supply points located
in the State of Colorado, to road and build-
ing construction jobs located within a 50
mile radius of said pits and supply points,
excluding service in Clear Creek, Gilpin and
Boulder Counties, Colorado;

sand, gravel, and other road-surfacing ma-
terials 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 (50) 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 construc-
tion jobs within a radius of fifty (50) 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 (50) miles of said jobs; in-
sulation rock, from pits and supply points in
the State of Colorado, to roofing jobs within a
radius of fifty (50) miles of said pits and
supply points, including service in Boulder,
Clear Creek, and Gilpin Counties.

By the above-styled application, said permit-holder seeks
authority to extend operations under said Permit No. B-4576.

Said application was regularly set for hearing before the Commission, at the Court House, Fort Collins, Colorado, December 12, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 failed to appear, either in person or by counsel. Accordingly, the files were made a part of the record and the matter was taken under advisement.

The files disclose that applicant herein is the owner and operator of Permit No. B-4576; that he is qualified, financially and by experience, to render his proposed extended service; that he is presently operating under a Temporary Authority issued by this Commission; that he has filed a Certificate of Insurance covering his motor vehicle operations.

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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person and has sufficient equipment and experience to render his proposed extended service; that no good purpose would be served by denying or dismissing the instant application, as there is a need for said service; that the granting of authority herein sought would not impair the efficient public service of any authorized common carrier operating in the territory sought to be served by applicant herein.

Report of the Examiner recommends that authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant herein is qualified, financially and by experience, to render his proposed extended operations; that said applicant should be authorized to extend operations under Permit No. B-4576, 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 be, and the same hereby is, approved.

That William Steely, Fort Collins, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-4576, to include the right to transport quartz, lime rock, gypsum, and other materials used in making cement, from pits and supply points within a fifty-mile radius of Fort Collins, Colorado, to processing plants at Boettcher, Colorado.

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

Joseph F. Nigro
Ralph C. Hutton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

original

(Decision No. 57859)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
JOHN F. TOLER, 506 SOUTH 11TH)	
STREET, COLORADO SPRINGS, COLORADO,)	APPLICATION NO. 18858-PP-Extension
FOR AUTHORITY TO EXTEND OPERATIONS)	
UNDER PERMIT NO. B-5387.)	

January 11, 1962

Appearances: John F. Toler, Colorado
Springs, Colorado, pro se.

S T A T E M E N T

By the Commission:

Applicant herein is presently the owner and operator of Permit No. B-5387, authorizing operation as a private carrier by motor vehicle for hire, for the transportation:

in dump trucks only, 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.

By the above-styled application, said permit-holder seeks authority to extend operations under said Permit No. B-5387, to include the right to transport quartz rock from pits to processing plants within a radius of one hundred miles of said pits.

Said application was regularly set for hearing before the

Commission, at the County Building, Colorado Springs, Colorado, December 18, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 proceeding to the Commission.

Report of said Examiner states that applicant herein appeared at the hearing and testified in support of his application, stating he is presently engaged in transportation of quartz rock, under Temporary Authority granted by this Commission; that he is the owner of two 1956 Ford five-ton trucks, and three 1952 Ford three-ton trucks; that he has a net worth of approximately \$10,000; that he has received numerous requests for his proposed extended service.

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 Examiner.

Findings of the Examiner are that applicant is a fit and proper person, has sufficient equipment, and is financially able to render the extended service herein sought; that there is presently a need for said service; that the granting of authority herein sought would not impair the efficient public service of any authorized common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that granting the authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant is qualified, financially and by experience, to conduct his proposed extended operations; that applicant herein should be authorized to extend operations under Permit No. B-5387, 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 be, and the same hereby is, approved.

That John F. Toler, Colorado Springs, Colorado, be, and he hereby is, authorized to extend operations under Permit No. B-5387, to include the right to transport quartz rock, from pits to processing plants within a radius of one hundred miles of said pits.

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

Joseph F. Regio
Ralph C. Ashton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
WAYNE L. BANGERT, WOODLAND PARK,)	
COLORADO, FOR A CLASS "B" PERMIT TO)	
OPERATE AS A PRIVATE CARRIER BY)	
MOTOR VEHICLE FOR HIRE.)	<u>APPLICATION NO. 18859-PP</u>
- - - - -	

- - - - -
January 11, 1962
- - - - -

Appearances: Wayne L. Bangert, Woodland
Park, 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 quartz rock, from points within a radius of twenty miles of both Divide and Buffalo, Colorado, to points within Canon City, Colorado, and points within a radius of ten miles thereof.

Said application was regularly set for hearing before the Commission, at the County Building, Colorado Springs, Colorado, December 18, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 applicant herein appeared at the hearing and testified in support of his application, stating he

is the owner of a 1958 International Truck; that he has a net worth of approximately \$10,000; that he is presently operating under Temporary Authority issued by this Commission; that he has received numerous requests for his proposed services.

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 Examiner.

Findings of the Examiner are that applicant herein is a fit and proper person, has sufficient equipment, and is financially able to render his proposed service; that there is presently a need for said service; that the granting of authority herein sought will not impair the efficient public service of any authorized common carrier operating in the territory sought to be served by applicant.

Report of the Examiner recommends that permit 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the granting of authority herein sought will not impair the efficiency of any common carrier service operating in the territory sought to be served by applicant; that applicant is qualified, financially and by experience, to conduct his proposed operations; that permit should issue to applicant herein, 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 be, and the same hereby is, approved.

That Wayne L. Bangert, Woodland Park, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of quartz rock, from points within a radius of twenty miles of both Divide and Buffalo, Colorado, to points within Canon City, Colorado, and points within a radius of ten miles thereof.

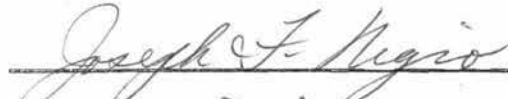

That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

original

(Decision No. 57861)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
THE NELFORD CORPORATION, 210 SOUTH)	
DES PLAINES STREET, CHICAGO,)	
ILLINOIS, FOR AUTHORITY TO TRANSFER)	
PUC NO. 111 TO MARIE C. STOKES,)	APPLICATION NO. 18860-Transfer
DOING BUSINESS AS "CADILLAC SIGHT-)	
SEEING COMPANY," BOX 1541, COLO-)	
RADO SPRINGS, COLORADO.)	
-----)	

January 12, 1962

Appearances: Marie C. Stokes, Colorado
Springs, Colorado,
pro se.

S T A T E M E N T

By the Commission:

Heretofore, The Nelford Corporation, Chicago, Illinois,
was granted a certificate of public convenience and necessity,
being PUC No. 111, authorizing operation as a common carrier by
motor vehicle for hire, for the transportation of:

passengers, from Manitou, Colorado, to the
various scenic attractions in the Pikes Peak
Region; no one-way transportation, limited
to the use of three cars.

Said certificate-holder now seeks authority to transfer
said PUC No. 111 to Marie C. Stokes, doing business as "Cadillac
Sightseeing Company," Colorado Springs, Colorado.

Said application was regularly set for hearing before the
Commission, at the County Building, Colorado Springs, Colorado,
December 18, 1961, at ten o'clock A. M , due notice thereof being
forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law,
designated Louis J. Carter, an employee of this 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, Marie C. Stokes, transferee herein, appeared and testified in support of the application, stating she now owns and operates PUC Nos. 138 and 1360; that she has entered into a contract to purchase PUC No. 111 from The Nelford Corporation; that the consideration for transfer of said operating rights is \$1,000; that she has ample and suitable equipment, sufficient net worth and operating experience to render and continue operations under said certificate.

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.

Findings of the Examiner are that transferee is a fit and proper person, has sufficient equipment, and is financially able to render and continue operations under PUC No. 111; that the transfer herein sought is in the public interest.

Report of the Examiner recommends that authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find 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 Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That The Nelford Corporation, Chicago, Illinois, be, and hereby is, authorized to transfer all right, title, and interest in and to PUC No. 111 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Marie C. Stokes, doing business as "Cadillac Sightseeing Company," Colorado Springs, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured.

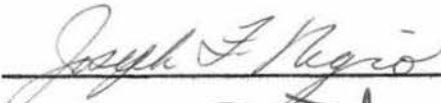
That said transfer shall become effective only if and when, but not before, said transferor and transferee, in writing, have advised the Commission that said certificate has been formally assigned, and that said parties have accepted, and in the future will comply with, the conditions and requirements 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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
W. R. BOOK, RUSH, COLORADO, FOR AU-)	
THORITY TO LEASE PUC NO. 420 AND)	
PUC NO. 420-I TO M. DALE BOOK, DOING)	APPLICATION NO. 18864-Lease
BUSINESS AS "BOOK TRUCK LINE," RUSH,)	
COLORADO.)	
-----)	

January 12, 1962

Appearances: W. R. Book, Rush, Colo-
rado, pro se;
M. Dale Book, Rush, Colo-
rado, pro se.

S T A T E M E N T

By the Commission:

Heretofore, W. R. Book, Rush, Colorado, was granted a certificate of public convenience and necessity, being PUC No. 420 and PUC No. 420-I, authorizing operation as a common carrier by motor vehicle for hire, for the transportation, on call and demand, of:

Over irregular routes, farm produce, including livestock, farm equipment and supplies, including household goods, between points within an area extending thirty (30) miles north, east and west and twenty (20) miles south of Karval, Colorado, and from and to points in said area, to and from points within a one-hundred-fifty (150) mile radius of Karval, Colorado; transportation, on call and demand, of livestock to and from Limon, Colorado, from and to all points within a radius of 150 miles of Limon, Colorado; transportation of freight between points within an area extending 15 miles north, 35 miles south, 10 miles east, and 30 miles west of Rush, Colorado, and from and to points in said area, to and from points in Colorado, save and except that applicant shall not be authorized to transport any freight originating in or destined to Denver, except livestock and farm produce, from that portion of the above-described territory within an area 10 miles south of Highway No. 24, commencing at a point 10 miles south of Calhan and extending northeasterly to the eastern boundary line of area applicant is authorized to serve; transportation of freight in interstate commerce only between all points in Colorado and the Colorado State boundary lines where all highways cross the same, subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

Said certificate-holder now seeks authority to lease said operating rights to M. Dale Book, doing business as "Book Truck Line," Rush, Colorado.

Said application was regularly set for hearing before the Commission, at the County Building, Colorado Springs, Colorado, December 18, 1961, at ten o'clock A. M., due notice thereof being forwarded to all parties in interest.

On December 8, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this Commission, to conduct the hearing on said application.

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

Report of said Examiner states that at the hearing, W. R. Book, lessor herein, appeared and testified in support of the application, stating he desires to lease PUC No. 420 and PUC No. 420-I to M. Dale Book, his son; that his other interests are such that he can no longer give the necessary time to operation of said business.

M. Dale Book also appeared at the hearing in support of the application, stating he is lessee herein; that he has had operating experience, and now has the necessary equipment and financial resources to render and continue operations under said certificates; that he is presently operating said certificates under Temporary Authority heretofore issued by this Commission.

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 Examiner.

Findings of the Examiner are that lessee is a fit and proper person, has sufficient equipment and is financially able to render and continue operations under PUC No. 420 and PUC No. 420-I.

Report of the Examiner recommends authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find that the proposed lease of PUC No. 420 and PUC No. 420-I 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 Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

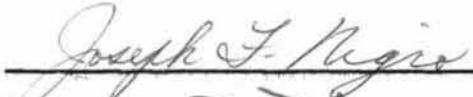
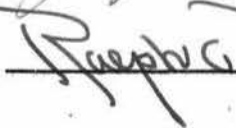

That W. R. Book, Rush, Colorado, be, and he hereby is, authorized to lease all his right, title, and interest in and to PUC No. 420 and PUC No. 420-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to M. Dale Book, doing business as "Book Truck Line," Rush, Colorado, subject to payment of outstanding indebtedness against said operation, if any there be, whether secured or unsecured, lease of interstate operating rights being subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

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

The right of lessee to operate under this Order shall depend upon the prior filing by lessor of delinquent reports, if any, covering operations under said certificates up to the time of lease of said certificates.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO


 
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)	
EUGENE MC CLUNE, 1031 DETROIT STREET,)	
DENVER, COLORADO, FOR AUTHORITY TO)	
TRANSFER PUC NO. 3595 TO HARRY)	
CHAMBERS AND CLYDE EUGENE FARROW,)	APPLICATION NO. 18868-Transfer
CO-PARTNERS, DOING BUSINESS AS)	
"DENVER WIDE RUBBISH REMOVAL SER-)	
VICE," 1859 LAFAYETTE STREET,)	
DENVER, COLORADO.)	
-----)	

January 12, 1962

Appearances: Eugene McClune, Denver,
Colorado, pro se;
Harry Chambers, Denver,
Colorado, pro se;
Clyde Eugene Farrow,
Denver, Colorado,
pro se.

S T A T E M E N T

By the Commission:

Heretofore, Eugene McClune, Denver, Colorado, was granted
a certificate of public convenience and necessity (PUC No. 3595),
authorizing operation as a common carrier by motor vehicle for hire,
for the transportation of:

ashes, cans, sod, fertilizer, and junk, from
point to point within the City and County of
Denver, Colorado, and from points in the City
and County of Denver, Colorado, to officially-
designated and approved dumps and disposal
places as now or hereafter designated by the
City and County of Denver.

Said certificate-holder is now desirous of transferring
said operating rights to Harry Chambers and Clyde Eugene Farrow, co-
partners, doing business as "Denver Wide Rubbish Removal Service,"
Denver, Colorado.

Said application was regularly set for hearing before the
Commission, at the Hearing Room of the Commission, 532 State Services
Building, Denver, Colorado, December 22, 1961, at two o'clock P. M.,
due notice thereof being forwarded to all parties in interest.

On December 21, 1961, the Commission, as provided by law, designated Louis J. Carter, an employee of this 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 Eugene McClune, transferor herein, appeared at the hearing and testified in support of said application, stating he has entered into a contract to sell PUC No. 3595 to transferees herein; that there are no outstanding operating obligations against said operating rights.

Clyde E. Farrow and Harry Chambers, transferees herein, both testified that they have had experience as transporters of ashes and trash, and will both engage in the business; that they are the owners of two trucks, and that they have combined assets of \$10,000.

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

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

Findings of the Examiner are that transferees herein are fit and proper persons, have sufficient equipment, and are financially able to continue operations under PUC No. 3595; that the proposed transfer is in the public interest.

Report of the Examiner recommends that authority herein sought 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.

After reviewing the evidence adduced at the hearing, as reported by the Examiner herein, we find 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 Report of the Examiner referred to in the above and foregoing Findings be, and the same hereby is, approved.

That Eugene McClune, Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 3595 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Harry Chambers and Clyde Eugene Farrow, co-partners, doing business as "Denver Wide 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 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

Joseph F. Negro
Reynolds H. Hutton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

ea

original

(Decision No. 57864)

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)
ARKANSAS AVENUE, DENVER, COLORADO,)
FOR AUTHORITY TO INSTALL AUTOMATIC)
FLASHING LIGHT SIGNALS, SUPPLEMENTED)
WITH SHORT-ARM GATES AND TO REBUILD)
EXISTING HIGHWAY/RAILROAD GRADE)
CROSSING ON STATE HIGHWAY NO. 227)
ACROSS THE MISSOURI PACIFIC RAILROAD)
COMPANY AT I.C.C. STATION 119+15, IN)
PUEBLO COUNTY, COLORADO.)

APPLICATION NO. 18751

January 12, 1962

Appearances: James R. Richards, Esq., Denver,
Colorado, for Applicant, Colo-
rado Department of Highways;
Leo S. Altman, Esq., Pueblo,
Colorado, for Missouri Pacific
Railroad Company;
J. L. McNeill, Denver, Colorado,
for the Staff of the Commission.

S T A T E M E N T

By the Commission:

The above-entitled application, after appropriate notice to all interested parties, including the City of Pueblo and the Chairman of the Board of Pueblo County Commissioners, was set for hearing in the County Commissioners' Meeting Room, Court House, Pueblo, Colorado, January 5, 1962, where the matter was heard by the Commission and taken under advisement.

Purpose of the instant application is to secure Commission approval for the installation of flashing light signals with short-arm gates and improvement of the existing grade crossing of State Highway No. 227, over two Main Line tracks and a grouping of four switching tracks of The Missouri Pacific Railroad Company (Missouri Pacific),

Pueblo, Colorado. At the hearing, the following exhibits were received, after explanation given by Mr. E. L. King, who is a Supervising Highway Engineer in the Plans Division of the Department of Highways, at Denver, Colorado:

Exhibit No. 1 (Applic. Exhibit A)

Composite plan sheet to show location of track-age, adjacent land features and roadway layout; with a cross-section sketch to show present roadway, the proposed widening and future development.

Exhibit No. 2

Prepared Statement of Mr. King giving details of the project relating to: location, agreements, approvals already secured, need for protection, statement of estimated costs and plans for future development.

Exhibit No. 3

Facsimile reproduction copy of fully executed Agreement, dated July 18, 1961, between Department of Highways and Missouri Pacific pertaining to proposed construction, protection, costs and maintenance.

Mr. King explained that the crossing is located slightly outside the Southeast City Limits of Pueblo on what is known locally as the "Brewery Road." Protection devices consist of two reflectorized crossbuck signs and an automatic warning bell. The proposed work will extend the crossing width from 22 feet to 44 feet and include the protection of new, modern automatic flashing light signals and short-arm gates. Future widening of the roadway and installation of extra signal units are contemplated if traffic volumes continue to increase.

According to Mr. King, department records indicate that as early as 1957, requests for improved protective devices were made by the local officers of the Colorado State Patrol. At that time, there was an extensive program of Freeway construction through the city, which, in turn, has developed new driving patterns for local residents. In addition, there have been new housing developments, new school installations and other by-pass highway construction in the north and

easterly portions of Pueblo as served by the instant State Highway No. 227.

Currently, traffic volume over the crossing amounts to 5,450 vehicles per day; which by 1975, is expected to increase to 9,265 vehicles daily. Maximum train speed is 30 miles per hour with rail traffic consisting of ten scheduled main-line trains and numerous industry switching movements daily.

In considering future development of Highway No. 227, careful study is being given to the current installation in order to determine the most effective protection and signal operation as required for train travel in either direction and the combination of switching movements. Customery reflectorized advance warning signs will also be placed on the highway approaches to the crossing.

According to the terms of the Agreement herein, as explained at the hearing by Mr. King, all expenses for the new work are being paid by the Department of Highways, with a 10% participation in the cost of the signals to be paid by Missouri Pacific. Summary of Estimated Costs is as follows:

<u>Item</u>	<u>Total</u>	<u>Railroad Portion</u>	<u>State Expense</u>
a. Grade Crossing	\$ 4,890.00	--	\$ 4,890.00
b. Automatic signals and short-arm gates	20,015.00	\$2,001.50	18,013.50
c. Advance warning signs	<u>60.00</u>	<u>--</u>	<u>60.00</u>
TOTAL	\$24,965.00	\$2,001.50	\$22,963.50

Maintenance and operation of the crossing and crossing protection devices shall be the sole responsibility of the railroad. The highway and crossing approaches are to be maintained by the Department of Highways.

Approvals for the proposed crossing work have been given by the Chief Engineer, Department of Highways and Chief Engineer, Missouri Pacific Railroad Company.

No objections were made at the hearing, and none appears in the Commission's files.

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 of flashing light signals complete with short-arm gates and the improvement of an existing highway-railroad grade crossing of State Highway No. 227 over the tracks and right-of-way of The Missouri Pacific Railroad Company at I.C.C. Station 119 plus 15 feet, Pueblo, Pueblo County, Colorado.

O R D E R

THE COMMISSION ORDERS:

That authority is hereby granted for the installation of flashing light signals complete with short-arm gates and the improvement of an existing highway-railroad grade crossing of State Highway No. 227 over the tracks and right-of-way of The Missouri Pacific Railroad Company at I.C.C. Station 119 plus 15 feet, Pueblo, Pueblo County, Colorado.

That two standard flashing light signal units (one with bell) together with short-arm gates and reflectorized Advance Warning Signs shall be installed at the crossing and be in conformity with the Bulletin of the Association of American Railroads' Joint Committee on Railroad Protection.

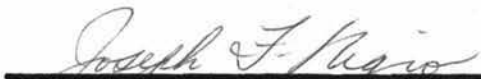
That continuing maintenance of the rail crossing and signal devices shall be by the Railroad Company, and maintenance of the highway approaches and other warning signs shall be by the Department of Highways.

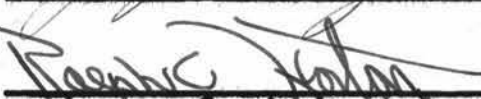
That the work to be done, costs, installation and maintenance shall be as indicated in the preceding Statement and Exhibits 1, 2, and

3, 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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
WILBERT AND JAKE HART, ROUTE 1 BOX)
70, BERTHOUD, COLORADO.)
)
)
)
-----)

PERMIT NO. M-12315

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Wilbert and Jake Hart,
Berthoud, Colorado

requesting that Permit No. M-12315 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12315, heretofore issued to Wilbert and Jake Hart,
Berthoud, Colorado be,
and the same is hereby, declared cancelled effective December 15, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Horton
Arthur E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CASCO RENTAL SERVICE, INCORPORATED,)
CASCO, WISCONSIN.)

PERMIT NO. M-2469

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Casco Rental Service,
Inc., Casco, Wisconsin

requesting that Permit No. M-2469 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-2469, heretofore issued to Casco Rental Service,
Inc., Casco, Wisconsin be,
and the same is hereby, declared cancelled effective September 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Hans E. Zurlinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January , 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ALBERT L. JALBERT, ROUTE #3 BOX 408M,)
AMARILLO, TEXAS.)
)
)
)
-----)

PERMIT NO. M-812

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Albert L. Jalbert,
Amarillo, Texas
requesting that Permit No. M-812 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-812, heretofore issued to Albert L. Jalbert,
Amarillo, Texas be,
and the same is hereby, declared cancelled effective April 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph G. Hodson
Henry E. Zoullinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. W. JONES DISTRIBUTING COMPANY,)
P. O. BOX 291, VERNAL, UTAH.)
)
)
)
-----)

PERMIT NO. M-6531

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. W. Jones Distributing Company, Vernal, Utah

requesting that Permit No. M-6531 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-6531, heretofore issued to R. W. Jones Distributing Company, Vernal, Utah be,
and the same is hereby, declared cancelled effective January 3, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
King E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ELMER A. LONG, DOING BUSINESS AS,)
"MC CORMICK DISTRIBUTING COMPANY",)
RICO, COLORADO.)
-----)

PERMIT NO. M-15256

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Elmer A. Long, doing
business as, "Mc Cormick Distributing Company", Rico, Colorado
requesting that Permit No. M-15256 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15256, heretofore issued to Elmer A. Long, doing
business as, "Mc Cormick Distributing Company", Rico, Colorado be,
and the same is hereby, declared cancelled effective January 7, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph G. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
ARCHIE SCOTT, JR., ROUTE 3, OTIS,)
COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-948

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Archie Scott, Jr.,
Otis, Colorado

requesting that Permit No. M-948 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-948, heretofore issued to Archie Scott, Jr.,
Otis, Colorado be,
and the same is hereby, declared cancelled effective December 2, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GRANT GIBSON, DOING BUSINESS AS,)
"EMPIRE FLOOR SANDING COMPANY",)
2700 JULIAN STREET, DENVER 11, COLO-)
RADO.)
-----)

PERMIT NO. M-111498

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Grant Gibson, doing
business as, "Empire Floor Sanding Company", Denver 11, Colorado
requesting that Permit No. M-111498 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-111498, heretofore issued to Grant Gibson, doing
business as, "Empire Floor Sanding Company", Denver 11, Colorado be,
and the same is hereby, declared cancelled effective December 29, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Horton
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
M. H. LOEFFLER, DOING BUSINESS AS,)
"MIDWEST MERCANTILE COMPANY", P. O.)
BOX 627, GRAND JUNCTION, COLORADO.)
-----)

PERMIT NO. M-13043

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from M. H. Loeffler, doing
business as, "Midwest Mercantile Company", Grand Junction, Colorado
requesting that Permit No. M-13043 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13043, heretofore issued to M. H. Loeffler, doing
business as, "Midwest Mercantile Company", Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective December 17, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Horton
Henry E. Zullinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
R. E. FRANCIS, GARFIELD STAR ROUTE,)
SALIDA, COLORADO.)
)
)
)
-----)

PERMIT NO. M-8187

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from R. E. Francis,
Salida, Colorado

requesting that Permit No. M-8187 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-8187, heretofore issued to R. E. Francis,
Salida, Colorado be,
and the same is hereby, declared cancelled effective January 14, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
George C. Horton
Wm. E. Zaulinger
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57874)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
R. E. FRANCIS, GARFIELD STAR)
ROUTE, SALIDA, COLORADO.)
)
)
)
)

PERMIT NO. B-5835

January 18, 1962

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-5835 be suspended
one year
for ~~six months~~ from January 14, 1962.

F I N D I N G S

THE COMMISSION FINDS:

That the request should be granted.

O R D E R

THE COMMISSION ORDERS:

That R. E. Francis, Salida, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-5835 until January 14, 1963.

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

Joseph F. Nigro
Frank C. Norton
Wm. E. Zuehlke
Commissioners

Dated at Denver, Colorado,
this 18th day of January, 1962.

original

(Decision No. 57875)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE: INVESTIGATION AND SUSPENSION OF)
ORIGINAL SHEET NOS. 12.2, 12.3, 13.1)
AND 13.2 OF TARIFF COLORADO PUC NO.)
1 OF MOUNTAIN PARKS ELECTRIC, INC.,)
GRANBY, COLORADO.)

INVESTIGATION AND SUSPENSION
DOCKET NO. 479

January 11, 1962

S T A T E M E N T

By the Commission:

On November 20, 1961, Mountain Parks Electric, Inc., of Granby, Colorado, filed with The Public Utilities Commission of the State of Colorado, Original Sheet Nos. 12.2, 12.3, 13.1 and 13.2 of its tariff Colorado PUC No. 1, proposing to increase its minimum charge in its rate to seasonal users. This change would become effective January 15, 1962, unless otherwise ordered.

The Company duly notified its customers of the proposed change in these rates which increases the minimum charge. The Commission has since received complaints from the customers so notified, sufficient in number and importance to warrant the suspension of the proposed change. Therefore, in order to protect the interests of all concerned, the Commission has decided to suspend the tariff sheets containing the increased minimum charge as filed by Mountain Parks Electric, Inc., and during said period of suspension, to conduct an investigation into the matter.

F I N D I N G S

THE COMMISSION FINDS:

That the effective date of the rates as set forth in the Mountain Parks Electric, Inc., tariff Colorado PUC No. 1, Original

Sheet Nos. 12.2, 12.3, 13.1 and 13.2, as filed with this Commission on November 20, 1961, should be suspended and an investigation be made during said period of suspension regarding the proposed changes of said rates.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed changes of Mountain Parks Electric, Inc., in its tariff Colorado PUC No. 1, Original Sheet Nos. 12.2, 12.3, 13.1 and 13.2 be, and the same hereby is, suspended for a period of one hundred twenty (120) days from January 15, 1962, until May 15, 1962, unless otherwise ordered.

That the rates contained in said tariff sheets be made the subject of investigation by the Commission within said period of suspension.

That a copy of this Order be filed with the tariff sheets and copies hereof be forthwith served on Mountain Parks Electric, Inc., Granby, Colorado, and all parties who are of record with the Commission as having protested the proposed increase.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO



Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
JOE CHAVEZ, 2926 GILPIN STREET, DEN-)
VER, COLORADO, FOR REINSTATEMENT OF)
PUC NO. 4077, FOR PURPOSE OF TRANS-)
FER, AND FOR AUTHORITY TO TRANSFER)
SAID OPERATING RIGHTS TO WILLIAM W.)
WEBER AND JAMES ROBERT DEARMIN, CO-)
PARTNERS, DOING BUSINESS AS "ARROW)
RUBBISH REMOVAL," 8005 NORTH JULIAN)
STREET, WESTMINSTER, COLORADO.)

APPLICATION NO. 18890-Transfer

January 12, 1962

Appearances: McLean and McLean, Esqs.,
Denver, Colorado, for
Transferor and Transferees.

S T A T E M E N T

By the Commission:

Joe Chavez, 2926 Gilpin Street, Denver, Colorado, is the
owner and operator of PUC No. 4077, authorizing:

call and demand transportation service for
the transportation of ashes and trash, from
point to point within the City and County
of Denver, State of Colorado, limited to
the use of one truck, only.

By the instant application, said certificate-holder seeks
authority to transfer said operating rights to William W. Weber and
James Robert Dearmin, co-partners, doing business as "Arrow Rubbish
Removal," Westminster, Colorado.

By Decision No. 47145, dated September 21, 1961, PUC No.
4077 was suspended until February 25, 1962. It is now the desire of
certificate-holder to reinstate the certificate and transfer the
operating rights to transferees herein.

The application, pursuant to prior setting, after statutory
notice to all interested parties, was heard at ten o'clock A. M.,
January 10, 1962, at 532 State Services Building, Denver, Colorado,

and at the conclusion thereof, the matter was taken under advisement.

The evidence disclosed that there is a Sales Agreement between the parties for the sale of PUC No. 4077, the consideration therefor being \$65.00, which has been paid.

The evidence further disclosed that transferees are experienced in trucking operations, having been employed by ash and trash haulers in the past; that they have a net worth of approximately \$5,000, and appear to be financially responsible; and that there are no outstanding unpaid operation obligations against the certificate.

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

The operating experience and financial responsibility of transferees were established to the satisfaction of the Commission, and it would appear that the certificate should be reinstated and transferred.

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 PUC No. 4077 should be reinstated.

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 PUC No. 4077 be, and the same hereby is, reinstated.

That Joe Chavez, Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 4077 -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to William W. Weber and James Robert Dearmin, co-partners, doing business as "Arrow Rubbish Removal,"

Westminster, 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

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Joseph F. Nigro
Raymond C. Hutton
Commissioners.

Dated at Denver, Colorado,
this 12th day of January, 1962.

mls

original

(Decision No. 57877)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
EZRA FARROW, DOING BUSINESS AS)
"FARROW RUBBISH REMOVAL SERVICE,")
1859 LAFAYETTE STREET, DENVER, COLO-)
RADO, FOR AUTHORITY TO TRANSFER PUC) APPLICATION NO. 18849-Transfer
NO. 2232 TO LEONARD J. AMATO, ALBERT)
W. HOELSKEN, AND JOHN SMIGLESKI, 88)
SOUTH INGALLS, LAKEWOOD, COLORADO.)

January 12, 1962

Appearances: Ezra Farrow, Denver, Colo-
rado, pro se;
Leonard J. Amato, Albert
W. Hoelsken and John
Smigleski, Lakewood, Colo-
rado, Transferees, indivi-
dually, pro se.

S T A T E M E N T

By the Commission:

Ezra Farrow, doing business as "Farrow Rubbish Removal Ser-
vice," Denver, Colorado, is the owner and operator of PUC No. 2232,
authorizing the transportation of:

ashes, trash and other waste materials, be-
tween 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 Jeffer-
son, State of Colorado;

trash and rubbish, from and between points
and places within the corporate boundaries
of the Town of Edgewater, Colorado, to
trash dumps located in Jefferson County,
Colorado.

By the instant application, said certificate-holder seeks
authority to transfer operating rights under said PUC No. 2232 to
Leonard J. Amato, Albert W. Hoelsken and John Smigleski, Lakewood,
Colorado.

Said application, pursuant to prior setting, after statutory notice to all interested parties, was heard at ten o'clock A. M., January 10, 1962, at 532 State Services Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that an Agreement has been executed between the parties for the sale and purchase of PUC No. 2232, wherein it is stated that the consideration for the certificate is the sum of \$19,161.68, of which \$1,300 has been paid, the existing loan secured by chattel mortgage on the trash truck, in the amount of \$8,911.68 and the additional sum of \$7,950, to be paid upon approval by this Commission of the proposed transfer, and the remaining \$1,000 to be paid ninety days from the date of the Agreement.

The evidence further disclosed that the net worth of transferees is approximately \$80,000; that they have suitable equipment; that they are able to purchase more equipment if needed; that they are experienced in trucking operations, and well able to continue the operations, and will operate as a co-partnership.

No one appeared in opposition to the granting of 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 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 Ezra Farrow, doing business as "Farrow Rubbish Removal Service," Denver, Colorado, be, and he hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 2232 -- with authority as set forth in the preceding Statement which is made a part hereof by reference -- to Leonard J. Amato, Albert W. Hoelsken and John Smigleski, Lakewood, Colorado, a co-partnership, 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

Joseph F. Nigro
Joseph C. Horton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

mls

original

(Decision No. 57878)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
KENNETH W. NELSON, DOING BUSINESS AS)
"CAPITOL HILL TRANSFER & STORAGE)
CO.," 1666 LAFAYETTE STREET, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 539 TO CAPITOL HILL TRANSFER)
& STORAGE CO., A CORPORATION, 1666)
LAFAYETTE STREET, DENVER, COLORADO.)

APPLICATION NO. 18888-Transfer

IN THE MATTER OF THE APPLICATION OF)
KENNETH W. NELSON, DOING BUSINESS AS)
"CAPITOL HILL TRANSFER & STORAGE)
CO.," 1666 LAFAYETTE STREET, DENVER,)
COLORADO, FOR AUTHORITY TO TRANSFER)
PUC NO. 4445 AND PUC NO. 4445-I TO)
CAPITOL HILL TRANSFER & STORAGE CO.,)
A CORPORATION, 1666 LAFAYETTE STREET,)
DENVER, COLORADO.)

APPLICATION NO. 18889-Transfer

January 12, 1962

Appearances: Kenneth W. Nelson, Denver,
Colorado, for Transferor
and Transferee.

S T A T E M E N T

By the Commission:

Kenneth W. Nelson, doing business as "Capitol Hill Transfer
& Storage Co.," 1666 Lafayette Street, Denver, Colorado, is the owner
and operator of PUC No. 539, authorizing:

transportation of household goods, only, in
the Counties of Adams, Arapahoe, and Jeffer-
son, in the State of Colorado, and also for
occasional transportation thereof elsewhere
throughout the State of Colorado, subject to
the following conditions: (a) that applicant
shall not operate on schedule between any
towns; (b) that the applicant shall not be
permitted, without further authority from the
Commission, to establish a branch office or
to have an agent employed in any other town
or city than Denver for the purpose of de-
veloping business;

conduct of a transfer, moving and general cartage business in the City and County of Denver, State of Colorado, excepting therefrom the transportation of commodities which, because of size or weight, require special equipment, and provided that there shall be no package delivery service, as such, under authority herein granted, between points in the City and County of Denver.

Applicant is also the owner and operator of PUC No. 4445 and PUC No. 4445-I, authorizing:

transportation of household goods, as defined by the Interstate Commerce Commission in "Descriptions in Motor Carrier Certificates," 61 MCC 209, 9 Federal Carrier Cases 489; in the Counties of Weld, Larimer, Boulder, and Morgan, State of Colorado, and occasional service throughout the State of Colorado; and general cartage service between points in the City of Greeley, Colorado; that transfer of interstate operating rights herein authorized is subject to the provisions of the Federal Motor Carrier Act of 1935, as amended.

By the instant application, said certificate-holder seeks authority to transfer operating rights under PUC No. 539, PUC No. 4445 and PUC No. 4445-I to a corporation, viz., Capitol Hill Transfer & Storage Co., of which transferor and his wife are principal stockholders.

Said application, pursuant to prior setting, after statutory notice to all interested parties, was heard at ten o'clock A. M., January 10, 1962, at 532 State Services Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the evidence disclosed that the transferor seeks authority to transfer the two certificates to a corporation owned by himself and his wife. The transferor testified that the management of the operations under the certificates will remain the same.

The Articles of Incorporation have been filed with the Com-

mission, as well as a financial statement and equipment list.

No one appeared in opposition to the granting of authority herein sought, and the transfer to the corporation would appear to be in the public interest, there being no change in operations contemplated.

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 Kenneth W. Nelson, doing business as "Capitol Hill Transfer & Storage Co.," Denver, Colorado, be, and hereby is, authorized to transfer all his right, title, and interest in and to PUC No. 539, PUC No. 4445 and PUC No. 4445-I -- with authority as set forth in the Statement preceding, which is made a part hereof by reference -- to Capitol Hill Transfer & Storage Co., a corporation, Denver, Colorado, subject to payment of outstanding indebtedness against said operations, if any there be, whether secured or unsecured.

That transfer of interstate operating rights herein authorized is 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

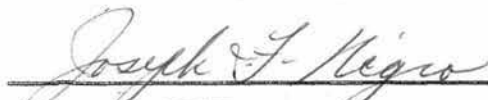
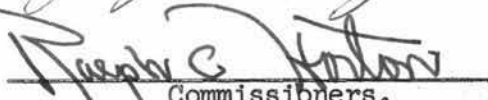
of the terms of this Order within thirty (30) days from the effective date of the Order shall automatically revoke the authority herein granted to make the transfer, without further Order on the part of the Commission, unless such time shall be extended by the Commission, upon proper application.

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 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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

mls

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
C. R. SITLER, 8189 NOLA DRIVE, DEN-)
VER, COLORADO, FOR A CLASS "B") APPLICATION NO. 18891-PP-Amended
PERMIT TO OPERATE AS A PRIVATE)
CARRIER BY MOTOR VEHICLE FOR HIRE.)
-----)

January 12, 1962

Appearances: C. R. Sitler, Denver,
Colorado, pro se;
John P. Thompson, Esq.,
Denver, Colorado, for
Intrastate Line Haul
Common Carriers' Division
of Motor Truck Common
Carriers' Association.

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 building materials, between points within the City and County of Denver, and to construction jobs within a radius of twenty-five miles of said City and County of Denver, State of Colorado, for Rio Grande Company, 123 Santa Fe Drive, Denver, Colorado, only.

The application was regularly set for hearing, after statutory notice to all interested parties, and was heard at ten o'clock A. M., January 10, 1962, at 532 State Services Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

When the application was called for hearing, the applicant asked to amend his application by cutting the radius around Denver from twenty-five miles to ten miles, which was permitted, and protestant withdrew his protest to the application.

The evidence disclosed that applicant has ample equipment and operating experience to carry on his proposed operations.

It does not appear that the proposed service of applicant under his amended application will impair the efficiency of any common carrier service operating in the territory which he 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 authority herein sought under applicant's amended application should be granted.

O R D E R

THE COMMISSION ORDERS:

That C. R. Sitler, Denver, Colorado, be, and he hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of building materials, between points within the City and County of Denver, and to construction jobs within a radius of ten miles of said City and County of Denver, State of Colorado, for Rio Grande Company, 123 Santa Fe Drive, Denver, Colorado, only.

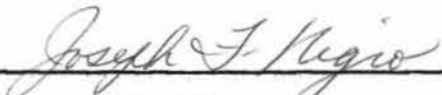
That all operations hereunder shall be strictly contract operations, the Commission retaining jurisdiction to make such amendments to this permit deemed advisable.

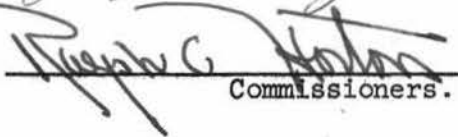
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of his customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
MELS GRAIN COMPANY, A CORPORATION,)
7941 CREST VIEW LANE, DENVER, COLO-)
RADO, FOR A CLASS "B" PERMIT TO OP-) APPLICATION NO. 18892-PP
ERATE AS A PRIVATE CARRIER BY MOTOR)
VEHICLE FOR HIRE.)
-----)

January 12, 1962

Appearances: David Berger, Esq.,
Derby, Colorado,
for Applicant.

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 grain, in bulk, between points and places in that portion of the State of Colorado located east of a line drawn north and south parallel to the Continental Divide, at Leadville, Colorado.

The application was regularly set for hearing, and heard, after statutory notice to all interested parties, at ten o'clock A.M., January 10, 1962, at 532 State Services Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, George Melchoir, the President of applicant company, and other witnesses, testified. Mr. Melchoir stated that his corporation was in the business of buying and selling grain; that they operate three trucks and three tractors, and three drivers are employed. He further stated that the net worth of his corporation is approximately \$49,000; that there are times when he has been requested by his customers to haul grain, especially during the harvest season, but as he did not have the authority to do so, he could not comply with the requests. One customer, who is with the

Colorado Milling and Elevator Company, stated they needed applicant's service during the harvest season, and would use it if authority is granted. One other witness could not be present at the hearing due to stormy weather conditions.

The Articles of Incorporation of applicant company are on file with the Commission, and Temporary Authority to operate has been issued by the Commission.

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

It does 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. Applicant appears to have suitable equipment, and its financial responsibility and operating experience were established to the satisfaction of the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the authority sought herein should be granted.

O R D E R

THE COMMISSION ORDERS:

That Mels Grain Company, a corporation, 7941 Crest View Lane, Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of grain, in bulk, between points and places in that portion of the State of Colorado located east of a line drawn north and south parallel to the Continental Divide, at Leadville, Colorado.

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

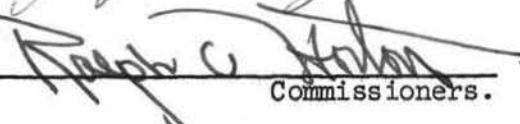
That this Order is the permit herein provided for, but it shall not become effective until applicant has filed a statement of its customers, copies of all special contracts or memoranda of their terms, the necessary tariffs, required insurance, and has secured authority sheets.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO





Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

ea

original

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

IN THE MATTER OF THE APPLICATION OF)	
WALTER R. JOHNSON, 7081 EAST 69TH)	
PLACE, DERBY, COLORADO, FOR AUTHOR-)	
ITY TO OPERATE AS A CLASS "B")	APPLICATION NO. 18893-PP
PRIVATE CARRIER BY MOTOR VEHICLE)	
FOR HIRE.)	
-----)	

January 12, 1962

Appearances: Edward B. Towey, Esq.,
Denver, Colorado,
for Applicant.

S T A T E M E N T

By the Commission:

The applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of all types of small grain, for Basey Grain Company, only, from point to point within the State of Colorado, as directed by said Basey Grain Company.

The application was regularly set for hearing, and heard, after statutory notice to all interested parties, at ten o'clock A.M., January 10, 1962, at 532 State Services Building, Denver, Colorado, and at the conclusion of the evidence, the matter was taken under advisement.

At the hearing, the applicant appeared and testified that he is financially able to carry on his proposed operations, and that he has suitable equipment. He desires to haul for the Basey Grain Company only.

John Basey, of the Basey Grain Company, also appeared and testified that his company needed, and would use, applicant's proposed service.

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

It does 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, his net worth being \$6,350.

F I N D I N G S

THE COMMISSION FINDS:

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

O R D E R

THE COMMISSION ORDERS:

That Walter R. Johnson, Derby, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of all types of small grain, for Basey Grain Company, only, from point to point within the State of Colorado, as directed by said Basey Grain Company.

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

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

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
ESTA D. PARR AND GLENNIE PARR, 5525)
NORTH HARLAN, ARVADA, COLORADO,)
SOLE STOCKHOLDERS OF GREAT NORTHERN)
UTILITIES COMPANY FOR PERMISSION TO)
TRANSFER STOCK, PLACE DEEDS OF TRUST)
ON UTILITY PROPERTY, APPROVAL OF)
OPENING ENTRIES AND ALLOCATION OF)
UTILITY PROPERTY.)
-----)

APPLICATION NO. 18901-Amended

January 11, 1962

Appearances: Isaacson, Rosenbaum, Gold-
berg & Miller, Esqs.,
and Melvin Dinner, Esq.,
by Stanton D. Rosenbaum,
Esq., Denver, Colorado,
for Transferees;
J. Fred Schneider, Esq.,
Denver, Colorado, for
Transferors;
E. R. Thompson, Denver,
Colorado, and
J. M. McNulty, 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 set for hearing by the Commission on January 9, 1962, at ten o'clock A. M., in the Commission's Hearing Room, 532 State Services Building, Denver, Colorado. At said time and place the matter was heard by the Commission and at the conclusion of the hearing, taken under advisement.

The Great Northern Utilities Company, a Colorado corporation, was granted a certificate of public convenience and necessity in Application No. 16935, Decision No. 53743, of January 21, 1960. By this same application and by virtue of Decision No. 56798, of July 7, 1961, Great Northern was permitted to render water service under its certificate from both deep wells and surface water in its

area of service, as defined in its certificate. Applicant is now in the process of building its surface water treatment plant, in accordance with the latter Order of the Commission. Evidence at the hearing disclosed that the present owners of the common stock of Great Northern, i. e., Esta D and Glennie Parr, desire to sell their common stock and thereby transfer control of Great Northern to Davidson Investment, Inc., or its assignees. In addition, under the Agreement of Sale, other property of the Parrs will be sold, all of which will be subject to Deeds of Trust covering the items of property, including six parcels of land owned by the utility, although not classified as utility property.

The purchase price for the utility stock, together with the other property not owned by the utility, amounts to \$635,000. The aggregate purchase price for the stock and the other property being sold by the Parrs is payable \$100,000 in cash and the balance represented by a promissory note in the amount of \$535,000, executed by Davidson Investment, Inc. and secured by Deeds of Trust on the property not owned by the utility and further secured by Deeds of Trust on the six parcels of land owned by the utility. The promissory note is payable in nine (9) equal installments, commencing two (2) years after date of said note, and said note shall bear interest on the unpaid balances of principal at the rate of $4\frac{1}{4}\%$ per annum, payable annually.

Permission is sought by Great Northern for approval for the execution of the Deeds of Trust covering the six pieces of property owned by the utility.

Mr. Saul Davidson testified at the hearing that he and certain associates plan to purchase the outstanding 3,600 shares of common stock of Great Northern and propose to hire Mr. Dave Woodburn to run the water utility for them. Mr. Davidson introduced as Exhibit B his personal financial statement, and also testified that he would be willing, personally, to invest at least \$100,000 additional in the water company if it is needed. He also

testified that this amount, in his opinion, would be sufficient to expand the facilities in order to supply additional water in the certificated area. If the utility were to sell the non-utility property now owned by the utility, the proceeds therefrom would remain in the utility for additional financing as needed.

Mr. Dave Woodburn testified that he is a graduate accountant and had had 14 years experience in financial matters and had been with the West Lafayette Water Company of Lafayette, Indiana, for two years as Secretary-Treasurer. As a result of this latter position, he is familiar with the operations of a water company. If the certificate is granted, he, as Chief Executive Officer of the utility, will comply with the Commission's rules and regulations regulating water utilities.

In the Commission's Order of January, 1960, the Commission stated as follows:

"Applicant shall not repurchase any of its capital stock or incur any indebtedness other than current liabilities of not more than 90 days duration, without the prior approval of this Commission."

Attorney for Transferor requested permission from the Commission to amend the instant application, asking the Commission to remove the above restriction in view of the showing made in this hearing on the financial responsibility of Great Northern. The request for the amendment was granted. In view of the showing made at the hearing, the Commission believes that this restriction should be lifted, provided Great Northern meets the conditions set forth in our Order to follow.

Exhibit A, introduced at the hearing, was a Balance Sheet of Great Northern as of November 30, 1961. Transferor also requested that it be authorized to set up its books of accounts showing opening entries based on allocation of the original cost of utility property and the amounts thereof pursuant to the Balance Sheet, Exhibit A. In view of the testimony at the hearing, the Commission will authorize the opening entries in accordance with the Balance Sheet of November 30,

1961, with the proviso that should it be necessary at any time in the future for the Commission to determine the original cost of the utility properties of Great Northern, the Commission will not be bound by said opening entries.

F I N D I N G S

THE COMMISSION FINDS:

That Great Northern Utilities Company is a public utility, subject to the jurisdiction of this Commission.

That the Commission is fully advised in the premises.

That the authority sought herein should be granted, subject to the conditions set forth in our Order to follow.

O R D E R

THE COMMISSION ORDERS:

That the sale and transfer of the outstanding common stock of Great Northern Utilities Company be, and hereby is, authorized to Davidson Investment, Inc., or its individual nominees.

That Great Northern Utilities Company be, and hereby is, authorized to execute Deeds of Trust on the six (6) parcels of real estate owned by the utility company, said Deeds of Trust to partially secure a promissory note in the amount of \$535,000, payable in nine (9) equal installments commencing two (2) years after date, bearing interest on the unpaid balance at the rate of $4\frac{1}{4}\%$ per annum, payable annually.

That Great Northern Utilities Company be, and hereby is, authorized to set up its opening entries on its books of accounts, based on the allocation of the original cost of the utility property in the amounts thereof, pursuant to the Balance Sheet, dated November 30, 1961, being Exhibit A at the hearing, and, by reference, made a part hereof.

That in authorizing the above opening entries by Great Northern Utilities Company, the Commission will not be bound by said opening entries in the event the Commission determines the original cost to be other and different than as proposed to be shown by said opening entries.

That the restriction in regard to the repurchase of any of its capital stock or the incurring of any indebtedness other than current liabilities of not more than ninety (90) days duration without prior approval of this Commission, shall be lifted on or after the date that Great Northern shall furnish in writing to the Commission proof that it has reduced the current liabilities as shown on Exhibit A by an amount of not less than \$100,000.

That Great Northern shall set up and maintain its books of accounts in accordance with the Uniform System of Accounts as prescribed by this Commission.

That Davidson Investment, Inc. shall notify the Commission in writing within sixty (60) days whether or not it has executed the Option Agreement to purchase with Esta D. and Glennie Parr.

That in the event Davidson Investment, Inc. shall notify the Commission it has not executed the Option Agreement to purchase then this Order shall be null and void as of the date of said notification.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Ralph C. Hutton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE PETITION OF)
COLORADO UTE ELECTRIC ASSOCIATION,)
INC., FOR AN ORDER AUTHORIZING IT)
TO EXECUTE A NOTE TO THE UNITED)
STATES OF AMERICA.)

APPLICATION NO. 18872
SECURITIES- AMENDED

January 11, 1962

Appearances: Moses and DeSouchet, Esqs.,
Alamosa, Colorado, by
Raphael J. Moses, Esq.;
and John A. Hughes, Esq.,
Montrose, Colorado, for
Applicant;
Lee, Bryans, Kelly & Stans-
field, Esqs., Denver, Colo-
rado, by Bryan O'Donnell,
Esq., for Public Service
Company of Colorado, Inter-
venor;
Paul M. Brown, Denver, Colo-
rado, and
E. R. Thompson, Denver, Colo-
rado, for the Staff of the
Commission.

S T A T E M E N T

By the Commission:

The above-styled application was originally filed with the Commission on December 12, 1961, and was heard by the Commission on December 28, 1961. On December 22, 1961, the Public Service Company of Colorado (Public Service) filed its Petition to Intervene in this proceeding.

Public Service alleges in its Petition, among other things, as follows:

The note which Applicant desires to execute is for the purpose of obtaining funds to purchase from Grand Valley Rural Power Lines, Inc. (Grand Valley) what is known as the Bookcliff Substation, which

Applicant proposes to relocate at a point near Mack or Loma, Colorado; that the purchase of the Bookcliff Substation by Applicant and the construction of the new substation and the delivery of power to Grand Valley by a 69 KV transmission system, now under construction by Colorado Ute Electric Association, Inc. (Colorado Ute), constitutes, among other things, the subject matter of complaint Case No. 5203, now pending before this Commission and filed by Public Service Company of Colorado against Colorado Ute; that in addition, said facilities are also the subject matter of the same numbered application of Colorado Ute, requesting a certificate of public convenience and necessity to purchase and construct such facilities and said application is also pending before the Commission; that Public Service presently delivers electric energy to Grand Valley at said Bookcliff Substation and the legality of the purchase by Colorado Ute of said Bookcliff Substation together with the construction of a new Bookcliff Substation and the construction of the 69 KV Transmission System of Colorado Ute have been questioned and placed in issue as a result of the foregoing proceeding now pending before this Commission; that public convenience and necessity does not and will not require either the purchase of said Bookcliff Substation by Colorado Ute or the construction of a new substation at this same location; that the facilities to be purchased by the funds obtained by said note will be used to further the duplication of the electric lines and facilities of Public Service, which if authorized and

approved, will result in a loss of revenue to Public Service of many thousands of dollars during the course of the next 10 years. .

Subsection 5, Paragraph 4, Section 1, Chapter 115, 1953

Colorado Statutes Annotated, provides as follows:

"All applications for the issuance, assumption, or guaranty of securities shall be placed at the head of the Commission's dockets and shall be disposed of promptly, and within thirty (30) days after petition is filed with the Commission unless it is necessary for good cause to continue same for a longer period. Whenever such application is continued beyond the thirty (30) days after the time it is filed, the Commission shall enter an order making such continuance and stating fully the facts necessitating same."

Due to the fact that the Commission's Decision and Order with regard to Public Service Company of Colorado's Complaint, Case No. 5203, is pending on this 30th day after the filing of this application by Colorado Ute Electric Association, Inc., said matter can not be concluded by the time set by statute; therefore, said application should be continued by the Commission.

F I N D I N G S

THE COMMISSION FINDS:

That the above-styled application should be continued as set forth in the Order following.

O R D E R

THE COMMISSION ORDERS:

That the above-styled application be, and hereby is, continued fifteen (15) days from the date of issue of the Commission's Decision and Order pertaining to Case No. 5203.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Meyer
Joseph C. Horton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 11th day of January, 1962.

mls

original

(Decision No. 57884)

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 AND THE RAILWAY)	
EXPRESS AGENCY, INCORPORATED, TO)	<u>INVESTIGATION AND SUSPENSION</u>
WITHDRAW THEIR RESPECTIVE RAIL AND)	<u>DOCKET NO. 460</u>
EXPRESS AGENCIES AT NEWCASTLE,)	
COLORADO.)	
- - - - -)	

- - - - -
January 12, 1962
- - - - -

STATEMENT AND FINDINGS

By the Commission:

On September 6, 1961, by Decision No. 57114, the Commission issued its Investigation and Suspension Order wherein the proposed station closing was suspended until December 30, 1961, in order to permit further investigation or hearing in said matter.

Due to past scheduling of numerous and extended hearings in wide-spread locations throughout the State, illness of personnel and current unseasonal weather conditions that limit ready travel movements, the Commission finds that a further continuance of the above suspension for a period of ninety (90) days, or until March 30, 1962, is now indicated.

O R D E R

THE COMMISSION ORDERS:

That the effective date for withdrawal of the Joint Agent and closing of the agency station at New Castle, Colorado, as proposed by The Denver and Rio Grande Western Railroad Company and Railway Express Agency is hereby suspended for a further period of ninety (90) days from December 30, 1961, or until March 30, 1962, unless otherwise otherwise ordered by the Commission.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

ea

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
THE COLORADO AND SOUTHERN RAILWAY)
COMPANY FOR AUTHORITY TO DISCONTINUE)
AGENCY AT LOUISVILLE, BOULDER COUNTY,)
COLORADO, AND TO CLOSE THE SAME AS)
AN AGENCY STATION.)

APPLICATION NO. 18875

At a General Session of The
Public Utilities Commission
of the State of Colorado,
held at its offices in Den-
ver, Colorado.

INVESTIGATION AND SUSPENSION DOCKET NO. 480

January 12, 1962

S T A T E M E N T

By the Commission:

On December 15, 1961, The Colorado and Southern Railway Com-
pany, by its Attorneys, filed an application under Rule 6 of the Com-
mission's Rules and Regulations Pertaining to Railroads Operating in
the State of Colorado.

Request was made for an Order authorizing discontinuance of
the Station at Louisville, Boulder County, Colorado, effective January
15, 1962, and thereafter to handle all business at the Agency Station
of Broomfield, located 5.3 miles to the south.

Applicant railroad indicates that most of the revenue at
this station results from carload business which can be readily handled
at another station; that revenues creditable to the station are less
than the direct station expenses; that existing rail and switching ser-
vices will not be affected and that the services of the agent are not
required in the operation of this line of railroad.

The intention of Applicant having been properly publicized by
the posting of public notice at its station in Louisville, the Commis-

sion has received numerous protests indicating that discontinuance of the agency service will cause great inconvenience to the residents and businesses of Louisville and adjacent area. Request is made for further hearing in the instant proposal.

In view of the protests herein, the Commission, on its own motion, has determined to suspend the effective date of the proposed station closing for the purpose of further investigation and hearing regarding the whole matter. The application and file in this matter will, therefore, be transferred to Investigation and Suspension Docket No. 480, on the Commission's Docket.

F I N D I N G S

THE COMMISSION FINDS:

That the application of The Colorado and Southern Railway Company to withdraw the agent from the station at Louisville, Colorado, should be suspended pending a more complete investigation of the matter.

O R D E R

THE COMMISSION ORDERS:

That the effective date of the proposed station closing at Louisville, Colorado, by The Colorado and Southern Railway Company, be, and it hereby is, suspended for a period of one hundred and twenty (120) days from January 15, 1962, or until May 15, 1962, unless otherwise ordered by the Commission.

That Application No. 18875, originally assigned to the instant proceedings, be, and it is hereby, closed, and all records and files of said application be transferred to Investigation and Suspension Docket No. 480.

That a copy of this Order be filed with Application No. 18875 and with Investigation and Suspension Docket No. 480, and copies served on J. C. Street and W. L. Peck, 615 C. A. Johnson Building, Den-

ver, Colorado, as Attorneys for Applicant; and copies to be also forwarded to all parties who are of record with the Commission as protestants herein.

This Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Holman
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 12th day of January, 1962.

mls

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
O. A. WRIGHT, BOBBY G. WRIGHT AND)
LINDELL H. WRIGHT, DOING BUSINESS AS,)
"O. A. WRIGHT AND SONS LUMBER COM-)
PANY", COMMERCE STREET, LAS VEGAS,)
NEW MEXICO.-----)

PERMIT NO. M-12476

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from O. A. Wright, Bobby G. Wright & Lindell H. Wright, dba "O. A. Wright & Sons Lumber Co.", Las Vegas, New Mexico requesting that Permit No. M-12476 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-12476, heretofore issued to O. A. Wright, Bobby G. Wright & Lindell H. Wright, dba O. A. Wright & Sons Lumber Co.", Las Vegas, New Mexico, and the same is hereby, declared cancelled effective November 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph G. Norton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
FRANK A. CALER, 1551 SOUTH SHERMAN)
STREET, DENVER 10, COLORADO.)
)
)
)
)
-----)

PERMIT NO. M-10382

January 18, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Frank A. Caler,
Denver 10, Colorado
requesting that Permit No. M-10382 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-10382, heretofore issued to Frank A. Caler,
Denver 10, Colorado be,
and the same is hereby, declared cancelled effective January 10, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Frank C. Horton
Henry E. Zuleygo
Commissioners

Dated at Denver, Colorado,
this 18th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
FRANK A. CALER, 1551 SOUTH)
SHERMAN STREET, DENVER 10,)
COLORADO.)

PUC NO. 5149-I

January 18, 1962

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. 5149-I be suspended for six months from January 10, 1962.

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 Frank A. Caler, Denver 10, Colorado

be, and is hereby, authorized to suspend operations under PUC No. 5149-I until July 10, 1962.

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

Joseph F. Negro
Joseph C. Norton
Wm. E. Ziehlings

Dated at Denver, Colorado,
this 18th day of January, 1962.
hc

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
EDWIN A. JOHNSON AND BERNARD POFF,)
DOING BUSINESS AS, "FIREWOOD SALES",)
3296 SOUTH ZUNI STREET, ENGLEWOOD,)
COLORADO.)
-----)

PERMIT NO. M-7197

January 25, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Edwin A. Johnson and Bernard Poff, dba "Firewood Sales", Englewood, Colorado
requesting that Permit No. M-7197 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-7197, heretofore issued to Edwin A. Johnson and Bernard Poff, dba "Firewood Sales", Englewood, Colorado be,
and the same is hereby, declared cancelled effective December 30, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Negro
Joseph C. Horton
Henry E. Zuckerman
Commissioners

Dated at Denver, Colorado,

this 25th day of January, 1962.

SUSPENSION ORDER
PRIVATE--CARRIER

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

(Decision No. 57890)

* * *

RE MOTOR VEHICLE OPERATIONS OF)
H. C. CONLEY, P. O. BOX 532,)
SAGUACHE, COLORADO.)
-----)

PERMIT NO. B-6161

January 25, 1962

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-6161 be suspended
for six months from January 10, 1962.

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 H. C. Conley, Saguache, Colorado

be, and is hereby, authorized to suspend his operations under Permit
No. B-6161 until July 10, 1962.

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

Joseph F. Negro
Robert C. Norton
Henry E. Zerkow
Commissioners

Dated at Denver, Colorado,
this 25th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
CARL L. STEELE (DECEASED), DOING)
BUSINESS AS, "PINE-VU LODGE", POUDRE)
CANYON, BELLVUE, COLORADO.)
-----)

PERMIT NO. M-15095

January 25, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Carl L. Steele (Deceased),
Poudre Canyon, Bellvue, Colorado
requesting that Permit No. M-15095 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-15095, heretofore issued to Carl L. Steele (Deceased),
Poudre Canyon, Bellvue, Colorado be,
and the same is hereby, declared cancelled effective January 6, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Samuel C. Norton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 25th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GOLDEN DALE DAIRIES, INCORPORATED,)
2301 FORD STREET, GOLDEN, COLORADO.)

PERMIT NO. M-13512

January 25, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Golden Dale Dairies,
Inc., Golden, Colorado

requesting that Permit No. ~~M-13512~~ be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-13512, heretofore issued to Golden Dale Dairies, Inc.,
Golden, Colorado be.

and the same is hereby, declared cancelled effective January 12, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hobart
Kurt E. Zurlungo
Commissioners

Dated at Denver, Colorado,

this 25th day of January , 1957 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
GEORGE R. BAKER, DOING BUSINESS AS,)
"BAKER'S TEXACO SERVICE", P. O. BOX)
691, GRAND JUNCTION, COLORADO.)
-----)

PERMIT NO. M-9669

January 25, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from George R. Baker, doing
business as, "Baker's Texaco Service", Grand Junction, Colorado
requesting that Permit No. M-9669 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-9669, heretofore issued to George R. Baker, doing
business as, "Baker's Texaco Service", Grand Junction, Colorado be,
and the same is hereby, declared cancelled effective December 7, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Joseph C. Norton
Commissioners

Dated at Denver, Colorado,

this 25th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
VITRI-NEER CORPORATION, 153 VALLEJO)
STREET, DENVER 23, COLORADO.)
)
)
)
-----)

PERMIT NO. M-11838

January 25, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Vitri-Neer Corporation,
Denver 23, Colorado.

requesting that Permit No. M-11838 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-11838, heretofore issued to Vitri-Neer Corporation,
Denver 23, Colorado. be,

and the same is hereby, declared cancelled effective January 1, 1962.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Johnson
Henry E. Zank
Commissioners

Dated at Denver, Colorado,

this 25th day of January, 195/ 62.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

RE MOTOR VEHICLE OPERATIONS OF)
SID CARTER, DOING BUSINESS AS, "SID)
CARTER FEED YARDS", P. O. BOX 1508,)
AMARILLO, TEXAS.)
-----)

PERMIT NO. M-5283

January 25, 1962

STATEMENT

By the Commission:

The Commission is in receipt of a communication from Sid Carter, doing
business as, "Sid Carter Feed Yards", Amarillo, Texas
requesting that Permit No. M-5283 be cancelled.

FINDINGS

THE COMMISSION FINDS:

That the request should be granted.

ORDER

THE COMMISSION ORDERS:

That Permit No. M-5283, heretofore issued to Sid Carter, doing
business as, "Sid Carter Feed Yards", Amarillo, Texas be,
and the same is hereby, declared cancelled effective December 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Garth C. Holton
Wm. E. Zurling
Commissioners

Dated at Denver, Colorado,

this 25th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

RE MOTOR VEHICLE OPERATIONS OF)
SID CARTER, DOING BUSINESS AS,)
"SID CARTER FEED YARDS", P. O.)
BOX 1508, AMARILLO, TEXAS.)

PUC NO. 3836-I

January 25, 1962

S T A T E M E N T

By the Commission:

The Commission is in receipt of a communication from Sid Carter, doing
business as, "Sid Carter Feed Yards", Amarillo, Texas

requesting that Certificate of Public Convenience and Necessity No. 3836-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. 3836-I heretofore issued to Sid Carter,
doing business as, "Sid Carter Feed Yards", Amarillo, Texas

be, and the same is hereby, declared cancelled effective December 1, 1961.

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph T. Nigro
Joseph C. Horton
Wm. L. Zerk
Commissioners

Dated at Denver, Colorado,
this 25th day of January, 1962.

original.

(Decision No. 57897)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
WHITE CAP ENTERPRISES, INC., 5151)
CLAY STREET, DENVER, COLORADO, FOR)
A CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
- - - - -)

APPLICATION NO. 18678-PP

- - - - -
January 16, 1962
- - - - -

S T A T E M E N T

By the Commission:

The applicant herein seeks authority to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of sand, gravel, and other road-surfacing materials used in the construction of roads and highways, from pits and supply points in the State of Colorado, to road jobs, mixer and processing plants within a radius of 150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points, transportation of road-surfacing materials to be restricted against the use of tank vehicles.

The application was regularly set for hearing, after statutory notice to all interested parties, including applicant, at 532 State Services Building, Denver, Colorado, at 9:30 o'clock A. M., January 12, 1962.

When the matter was called for hearing, applicant failed to appear, either in person or by counsel, at the time and place designated for hearing.

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

No one appeared in opposition to the granting of the authority sought, and it did not appear that the granting of said permit and operations by applicant thereunder, will tend to impair the efficiency of any common carrier service with which applicant will compete.

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 White Cap Enterprises, Inc., Denver, Colorado, should be, and 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 150 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 home and small construction jobs within a radius of 150 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 150 miles of said jobs; insulrock, from pits and supply points in the State of Colorado, to roofing jobs within a radius of 150 miles of said pits and supply points; the transportation of road-surfacing materials being restricted against the use of tank vehicles.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO




_____ Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of January, 1962.

ea

original

(Decision No. 57898)

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
DENVER DISPOSAL COMPANY, HILTON)
OFFICE BUILDING, 1515 CLEVELAND)
PLACE, DENVER, COLORADO, FOR A)
CLASS "B" PERMIT TO OPERATE AS A)
PRIVATE CARRIER BY MOTOR VEHICLE)
FOR HIRE.)
-----)

APPLICATION NO. 18896-PP

January 16, 1962

Appearances: Robert L. Nagel, Esq.,
Denver, Colorado, of
Law, Nagel and Clark,
Esqs., for Applicant;
Bennett S. Aisenberg, Esq.,
Denver, Colorado, for
Best-Way Disposal, Sam's
Ash & Trash Hauling
Service, Lakewood Dis-
posal Co. Corp., Mountain
View Rubbish Removal Co.,
Cook & Bolger Disposal
Service, and C & R Dis-
posal Service, Protestants.

S T A T E M E N T

By the Commission:

On December 11, 1961, the applicant herein filed its application for a Class "B" permit to operate as a private carrier by motor vehicle for hire, for the transportation of ashes, trash, and other refuse or waste materials, within a radius of ten miles of the boundaries of the City and County of Denver, Colorado, and from points within such radius, to officially or regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, restricted to the following-named customers: Frito-Lay, Inc. and Cummins Colorado, Inc.

The above application was regularly set for hearing, and heard, after statutory notice to all interested parties, at 532 State Services Building, Denver, Colorado, on January 12, 1962, and

at the conclusion thereof, the application was taken under advisement.

At the hearing, the evidence disclosed that the applicant Denver Disposal Company is the holder of a common carrier certificate authorizing the transportation of trash, ashes, etc., from points within the City and County of Denver. Under said certificate, applicant herein served the following-named customers, viz., Frito-Lay, Inc. and Cummins Colorado, Inc. It appears that these customers are presently domiciled within the City and County of Denver. The record further indicates that they have purchased property just outside the city limits and beyond the applicant's present authority, and have requested applicant to continue its service of picking up their trash, ashes, etc.

It appears that applicant has established a service, with suitable containers, which fits the needs of the companies herein named, and because of the excellence of applicant's service, both Frito-Lay, Inc. and Cummins Colorado, Inc. requested the applicant to secure authority to take care of their hauling needs.

The evidence clearly indicates that applicant is well qualified, financially and by experience, and has been in the business of transporting ashes, trash, etc. for many years, and by this application desires to serve only the above-named customers.

On behalf of protestants, Best-Way Disposal vigorously protested the granting of the application and submitted a witness sustaining their objections. He stated that Best-Way had a certificate covering the above territory; that his company had a large investment, and was well qualified both with equipment and by experience, to handle this transportation service; that his company was financially able to put on specialized equipment and would handle the service in any manner requested by the customers. In the testimony of protestant Best-Way, there was no testimony as to the impairment of their service; in fact, as far as the testimony of

protestants was concerned, impairment of their service was not mentioned at the hearing, and only by counsel after they had put in their evidence.

This is an application for a private carrier authority, and the statute governing the granting of a private carrier authority is as follows:

"No application for permit, nor for any extension or enlargement of an existing permit, shall be granted by the Commission until after a hearing, nor shall any such permit, nor any extension or enlargement thereof, be granted if the Commission shall be of the opinion that the proposed operation of any such private carrier will impair the efficient public service of any authorized motor vehicle common carrier or carriers then adequately serving the same territory over the same general highway route or routes."

After an examination of the evidence and the record here made, it is the opinion of the Commission that the granting of this application will in no way impair the services of Best-Way Disposal or the other carriers who appeared at this hearing but who did not testify. It is our opinion, therefore, that the application should be granted for the reason that we cannot see -- even by the furthest stretch of the imagination -- where there would be any impairment. Protestants do not presently have the business and you cannot impair common carrier service unless you show that business will be taken away. There is a serious question in the minds of the Commission that the protestants are able to give the type of service offered by the applicant herein. In other words, these customers who appeared by their representatives, testified they needed applicant's proposed specialized service and would use same if the application herein is granted, and that they requested applicant to ask for this authority.

F I N D I N G S

THE COMMISSION FINDS:

1. That applicant is well qualified, both by experience and financial responsibility, to carry on the proposed operations.
2. That the granting of this application will not, in the opinion of the Commission, impair common carrier service now serving the area.

3. That the Commission is of the opinion, after listening to the evidence, that this is a personalized service between the applicant and the company, which applicant has handled for many years, which has been dependable and has taken care of the particular needs of the customers, and the granting of the above application is in the public interest.

O R D E R

THE COMMISSION ORDERS:

That Denver Disposal Company, Denver, Colorado, be, and hereby is, authorized to operate as a Class "B" private carrier by motor vehicle for hire, for the transportation of ashes, trash, and other refuse or waste materials, for the following-named customers, viz., Frito-Lay, Inc. and Cummins Colorado, Inc., only, from points within a radius of ten miles of the boundaries of the City and County of Denver, Colorado, on the one hand, and from points within such radius to officially or regularly-designated and approved dumps and disposal places in the Counties of Adams, Arapahoe, and Jefferson, State of Colorado, on the other hand.

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.

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

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

Joseph F. Nigro
Ralph C. Hohn
Commissioners.

COMMISSIONER HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of January, 1962.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

* * *

IN THE MATTER OF THE APPLICATION OF)
STANLEY TRUEBLOOD, BOX 67, LARKSPUR,)
COLORADO, FOR AUTHORITY TO EXTEND) APPLICATION NO. 18895-PP-Extension
OPERATIONS UNDER PERMIT NO. B-5493.)

January 16, 1962

Appearances: Stanley Trueblood, Larkspur,
Colorado, pro se.

S T A T E M E N T

By the Commission:

Stanley Trueblood, the applicant herein, is the owner and
operator of Permit No. B-5493, authorizing:

transportation of milk and cream, and other
dairy products, in containers, only, from
points within a radius of forty miles of
Ramah, Colorado, to the Sinton Dairy, IXL
Creamery, Nevada or Frink Creamery, and Beat-
rice, in Colorado Springs, Colorado, and
Frink Creamery in Larkspur, Colorado, with
return of empty containers and dairy supplies;
milk and dairy products, over a route within
the following-described area, to-wit: be-
ginning at a point on U. S. Highway No. 85,
one mile north of Larkspur, Colorado; thence
east seven miles to the southeast corner of
Section 21, Township 9-South, Range 66-West;
thence north nine miles to the southeast cor-
ner of Section 4, Township 8-South, Range 66
West; thence west to Castle Rock, Colorado;
thence south along U. S. Highway No. 85 to
place of beginning, to Larkspur, Colorado,
with back-haul of small lots of feed and grain,
only, to milk customers; milk and cream, to
Larkspur, from farms in the area described as:
from Larkspur east to a point about five miles
north of Elbert, on Colorado Highway No. 157;
thence south along said highway to Elbert,
Colorado; thence in a southeasterly direction
over country roads through Bijou Basin to Pey-
ton, Colorado; thence westerly along Colorado
Highway No. 50 to Monument, Colorado; thence
north along U. S. Highway No. 85 to Larkspur,
Colorado; transportation of authorized commo-

dities to include service to shippers on State Highway No. 83, where it intersects Section 5, Township 9-South, Range 65 West; and to include Section 26, Township 7-South, Range 66 West; and from Highway No. 83, via Colorado No. 87, from Franktown to Castle Rock, Colorado, also on U. S. Highway No. 85, from Castle Rock to Section 27, Township 7-South, Range 67 West; thence via U. S. Highway No. 85 to Larkspur, Colorado.

By the instant application, applicant seeks authority to extend operations under said Permit No. B-5493, to include the right to transport milk and cream, in containers and tank trucks, from presently-authorized territory to milk-processing plants in Brighton, Golden, and between points in the City and County of Denver and a five-mile radius thereof.

The application for extension was regularly set for hearing, and heard, after statutory notice to all interested parties, at 532 State Services Building, Denver, Colorado, on January 12, 1962, and at the conclusion thereof, the matter was taken under advisement.

At the hearing, the evidence disclosed that applicant is presently operating but that due to an order of the Denver Milk Producers, he can no longer deliver milk to the destinations set forth in his authority, and is asking for authority to continue the delivery of milk from his presently authorized area to Brighton, Colorado, as set forth in his Temporary Authority, and to Golden and the City and County of Denver, and a five mile radius thereof.

The evidence further disclosed that applicant is well qualified by experience and financially to carry on the proposed extended operations, and that he has ample and suitable equipment therefor.

No one appeared in opposition to the granting of the authority sought, and it did not appear that applicant's proposed extended operations will impair the efficiency of any common carrier service in the territory.

F I N D I N G S

THE COMMISSION FINDS:

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

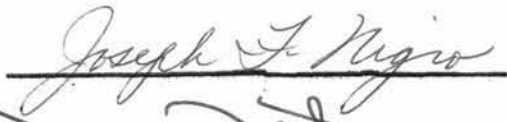
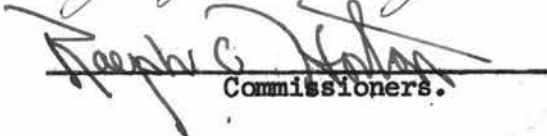
O R D E R

THE COMMISSION ORDERS:

That Stanley Trueblood, Larkspur, Colorado, be, and he is hereby, authorized to extend operations under Permit No. B-5493, to include the right to transport milk and cream, in containers and tank trucks, from presently-authorized territory to milk-processing plants in Brighton, Golden, and to the City and County of Denver, and a five-mile radius thereof.

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 HENRY E. ZARLENGO
NOT PARTICIPATING.

Dated at Denver, Colorado,
this 16th day of January, 1962.

mls